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Dr Diana Wright
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Dear Dr Wright

Submission to the Review of the Great Barrier Reef Marine Park Act

Please find my response to the review of the Great Barrier Reef Marine Park Act 1975.

Background

Let me preface this with a small amount of background information. I make this submission in my capacity as a private Australian citizen, as a mother of children who represent the future of Australia, as a Local Government Councillor of the City of Hervey Bay and as a member of the Fishing Industry Development Council (FIDC) – the advisory committee to the Hon Gordon Nuttall, Minister for Primary Industries and Fisheries.

I make the point of mentioning the different roles I assume because with each I bring a slightly different perspective. As a private citizen and parent I propose that preservation of the Great Barrier Reef should be paramount in any discussion with respect to how the area is managed. I do not write this as a commercial or recreational fisher in the vicinity of the reef or any other person for whom the Reef represents a financial proposition. I submit my comments because I believe I have an interest in the Reef as a stakeholder who values its preservation and access to all. As a Councillor on the Hervey Bay City Council I bring to this submission my five and a

half years experience as a local politician, my views on the structure of organizations and the processes involved in effective community consultation. Finally, as a member of the FIDC I have experienced first hand the consultative function of the GBRMPA.

I note in the Terms of Reference of the Review there is reference made to the Environment Protection and Biodiversity Conservation Act 1999. Whilst it is suggested that this review will also take into account the need for consistency between these two acts the Background Paper highlights the fact that the EPBC Act “contains provisions that reduce duplication of approval and authorization processes between the EPBC Act and the GBRMPA ACT for activities proposed to be undertaken in the Marine Park”. I believe this is a review of one act only and as such will confine my commentary to the Great Barrier Reef Marine Park Act 1975.

General Commentary

Part 5 of the Great Barrier Reef Marine Park Act sets out the object of the Act, particularly that the Act is to “make provision for and in relation to the establishment, control, care and development of a marine park in the Great Barrier Reef Region in accordance with the provisions of this Act”. This section gives clear intention of the formation and protection of the Marine Park associated with the Great Barrier Reef. However, I would take this opportunity to question whether access to the Great Barrier Reef can be viewed as a right or a privilege. There is obvious recognition of the particular and unique qualities of the reef as evidenced through the World Heritage listing of the Reef. As stated on the United Nations Educational, Scientific and Cultural (UNESCO) website “[t]he Great Barrier Reef is a site of remarkable variety and beauty on the north-east coast of Australia. It contains the world's largest collection of coral reefs, with 400 types of coral, 1,500 species of fish and 4,000 types of mollusc. It also holds great scientific interest as the habitat of species such as the dugong ('sea cow') and the large green turtle, which are threatened with extinction”. The World Heritage List includes 812 properties of which a mere 160 natural areas are considered to have “outstanding universal value”. It is my contention that the intent of section 32 (7) (a) “the conservation of the Great Barrier Reef” has the potential to conflict with sections Section 32 (7) (b) and Section 32 (7) (c). These latter sections refer to “allowing the reasonable use” of the Reef and “minimis[ing] the effect of those activities on the Great Barrier Reef”. I believe the intent of section

32 is to zone particular areas within the GBRMP and through this means to regulate activities. I believe this section is now worded to try to minimise the effect of activities on the reef, whereas it is my strong contention that the preservation of the reef at the cost of permitted activities should be the main focus. I would suggest that extra preamble or additional information in section 5 is necessary to outline the unique qualities and characteristics of the Great Barrier Reef. It is due to its one-of-a-kind status that I believe the Great Barrier Reef is subject to its own Act and I would suggest that this could be more clearly articulated in the Object of the Act.

The Review – role of office holders, functions of the Authority, accountability frameworks and consultation mechanisms

Section 7 of the GBRMP Act sets out the functions of the Authority with respect to making recommendations to the Minister on the care and development of the Marine Park. This section includes the provision for the preparation of zoning plans and plans of management for the Marine Park. Section 32, as I have already mentioned sets out the preparation of zoning plans with the main aim being conservation of the Great Barrier Reef. I have already expressed my views on this and will now make comment on the consultative process of preparing the zoning plans. Suffice it to say I will again take this opportunity to commend the Government on its stance on prioritising the preservation of the Reef. As a person with no material interest in the Reef I would like to urge the Government to stay strong in the protection of the Reef for this and future generations. I greatly appreciate efforts made in this regard.

I note that Mr Uhrig suggests in his recommendations that maximum board service periods allows for rotation of directors, whilst at the same time ensuring that board members have time to fully develop in their role. Section 11 of the GBRMP Act adequately deals with this by suggestion that Board members be appointed for a period not exceeding five years with provision for reappointment. I would again mention the unique situation of the Great Barrier Reef and its Authority and suggest that, as the specific legislation implies, the one style of board will not suit every situation.

I was present at several meetings of the FIDC during the last review by GBRMPA of the zoning areas in the Marine Park. During this process one of the Executive

Directors of GBRMPA made several presentations to the members of the FIDC. It is worth noting that the FIDC consists of representative members from commercial fishers, recreational fishers, the trawl industry, the charter industry, the aquaculture industry, local and state government. These presentations had the effect of ensuring that all members of this peak body were fully informed of the process. These members were then able to feed back to their industry. The members were also afforded the opportunity of putting forward their viewpoint directly to the Authority. It would be my opinion that this was an effective process. As Mr Uhrig points out “it is often easier to identify the lack of governance through failure than the presence of effective governance mechanisms through success.” In this instance I believe GBRMPA can be commended on its success and similarly I would suggest that good governance mechanisms currently exist.

Conclusion and recommendations

In summary I would note that I am in agreement with a separate Act being established to cater for the Great Barrier Reef, its Marine Park and the governing Authority.

- I believe the Object of the Act should be increased to clearly set out the unique characteristics of the Reef and the necessity for its preservation.
- I believe that the Board and the Authority associated with the Reef needs to have a unique structure in order to adequately respond to the unique nature of the Reef and associated Marine Park.
- I believe the term of Board members needs to be sufficient to allow for depth of knowledge and expertise to be fully exploited.
- In my view the GBRMPA has undertaken thorough and professional consultation, and I suggest that this reflects the current presence of mechanisms for good governance.
- I believe that the Great Barrier Reef Marine Park Act needs to clearly articulate the status of the Reef as a World Heritage Area and that the area needs to be preserved for the greater good of the entire community.

Yours sincerely

Belinda McNeven