

1983

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 1983

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Home Affairs  
and Environment, the Hon. Barry Cohen, MP)



## GENERAL OUTLINE

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The main purpose of the Great Barrier Reef Marine Park Amendment Bill 1983 is to amend the Great Barrier Reef Marine Park ACT 1975 to enable the Great Barrier Reef Marine Park Authority to give effect to principles agreed between the Commonwealth and Queensland Governments relating to the day to day management of the Great Barrier Reef Marine Park.

These agreed principles, which have been endorsed by the Great Barrier Reef Ministerial Council, provide for:

- (a) the Queensland Parks and Wildlife Service to carry out the day-to-day management of the Marine Park subject to the Great Barrier Reef Marine Park Authority (GBRMPA);
- (b) the Commonwealth to fund 100% of an initial capital works program required to establish management of the Marine Park on a sound basis, with all other capital and recurrent costs of management of the Park being shared equally between the two Governments;
- (c) the Commonwealth and Queensland to meet in equal shares, the recurrent costs for management of Queensland national and marine parks within the outer boundaries of the Marine Park;
- (d) Queensland to fund 100% of the costs of capital works required in the management of the Queensland national and marine parks within the Marine Park (other than those capital works included in the initial program referred to in paragraph (b) above);
- (e) GBRMPA to administer the funds provided by the Commonwealth and Queensland for the purposes in paragraphs (b) and (c) above; and

- (f) expenditure programs to be developed by Queensland in consultation with GBRMPA and approved by GBRMPA for submission to the Commonwealth and Queensland Governments for consideration in their Budget contexts.

Under the Act as currently drafted GBRMPA cannot, out of moneys provided by the Commonwealth, make payments to Queensland bodies in accordance with the above agreed principles, for the Commonwealth's share of recurrent and capital costs associated with the management of areas outside the Marine Park (e.g. Queensland national and marine parks within the boundaries of the Great Barrier Reef Marine Park). Nor can it receive and disburse moneys appropriated by the Queensland Parliament for Queensland's share of such costs. The proposed amendments will enable the full implementation of the agreed principles.

The Bill also makes a number of minor amendments in relation to the tabling and disallowance of zoning plans.

## NOTES ON CLAUSES

- Clause 1 - Formal. Provides for citation.
- Clause 2 - Provides that the Bill will come into operation on the date of the Royal Assent.
- Clause 3 - Amends section 7 of the Great Barrier Reef Marine Park Act 1975 (the Principal Act) to confer additional functions on the Great Barrier Reef Marine Park Authority (the Authority) to enable the full implementation of the agreed principles for the day to day management of the Marine Park as described in the outline. New function (1) (ca) will enable the Authority to advise the Minister in respect of -
- (a) any agreement or proposed agreement between the Commonwealth and Queensland in relation to the management of the Marine Park;
  - (b) any financial assistance which should be granted to Queensland for and in respect of the Commonwealth's share of recurrent and capital costs associated with the management of the Marine Park in accordance with principles agreed between the 2 governments; and
  - (c) any payment Queensland should make to the Authority in respect of Queensland's share of the costs associated with the management of the Marine Park.

New function (1)(cb) will allow the Authority to receive moneys appropriated by the Parliament for the purpose of meeting the Commonwealth's share of costs associated with the management of the Marine Park and to pay those moneys to Queensland by way of financial assistance.

New function (1)(cc) will allow the Authority to receive moneys appropriated by the Queensland Parliament for the purpose of meeting Queensland's share of costs associated with management of the Marine Park and to pay those moneys

to the relevant Queensland agencies.

New sub-section (1A) is an interpretation provision to ensure that where the Principal Act refers to a matter relating to the Marine Park it is to be interpreted as including a matter relating to -

- (a) the use or management of an area which would or might affect the Marine Park (e.g. a Queensland national or marine park within the boundaries of the Great Barrier Reef Marine Park); or
- (b) the use of a place outside the Marine Park for a purpose relating to the Marine Park (e.g. Queensland national and marine parks adjacent to or near the Marine Park or other areas intimately associated with the Marine Park).

Clause 4 - Amends section 33 of the Principal Act -

- (a) to provide that the Minister must table a zoning plan before both Houses of the Parliament within 15 sitting days after the zoning plan has been accepted by the Minister under section 32 (at present the Minister is required to table a zoning plan "as soon as practicable" after it has been accepted); and
- (b) to reduce from 20 to 15 sitting days the period within which zoning plans may be disallowed after having been laid before both Houses of the Parliament.

Clause 5 - Is consequential upon clause 7.

Clause 6 - Is consequential upon clause 7.

Clause 7 - Proposes to insert 2 new sections into the Principal Act. Proposed new Section 54A provides that where the Parliament appropriates monies for the purpose of meeting the Commonwealth's share of costs associated with the management of

the Marine Park and those monies are paid to the Authority, the Authority must pay those monies to Queensland.

Proposed new section 54B provides that where the Queensland Government pays monies to the Authority for the purpose of meeting Queensland's share of costs associated with the management of the Marine Park the Authority shall expend those monies for that purpose.

Clause 8 - Is consequential upon Clause 7.

Clause 9 - Is consequential upon clause 7.

