

The Senate

Standing Committee on
Environment, Communications,
Information Technology and the Arts

Great Barrier Reef Marine Park Amendment
Bill 2007 [Provisions]

June 2007

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Abbreviations

the Act	<i>Great Barrier Reef Marine Park Act 1975</i>
Authority	Great Barrier Reef Marine Park Authority
CAC Act	<i>Commonwealth Authorities and Companies Act 1997</i>
the Department	Department of the Environment and Water Resources
FMA Act	<i>Financial Management and Accountability Act 1997</i>
GBRMPA Review	<i>Review of the Great Barrier Reef Marine Park Act 1975</i> , Commonwealth of Australia, October 2006.
NAILSMA	North Australian Indigenous Land and Sea Management Alliance
Uhrig Review	Mr John Uhrig AC, <i>Review of the Corporate Governance of Statutory Authorities and Office Holders</i> , June 2003.

Chapter 1

Referral to the committee

1.1 On 10 May 2007, the Senate referred the Great Barrier Reef Marine Park Amendment Bill 2007 (the bill) to the Senate Environment, Communication, Information Technology and the Arts Committee for inquiry and report by 15 June 2007.

1.2 In accordance with the usual practice, the committee advertised the inquiry in *The Australian* on Wednesday 16 May 2007 calling for submissions by Monday 28 May 2007. The Committee also directly contacted a number of relevant organisations and individuals to invite submissions.

1.3 The committee received only one submission by the deadline of 28 May 2007. However, the committee received a considerable amount of correspondence after the deadline for submissions had closed. Submissions are listed in Appendix 1.

1.4 The committee decided that, given the limited number of submissions received by the deadline, and the comprehensive consultation undertaken as part of the *Review of the Great Barrier Reef Marine Park Act 1975* (GBRMPA Review),¹ no hearings would be held as part of the inquiry. However, the committee did put a number of questions on notice to the Department of Environment and Water Resources.

Acknowledgement

1.5 The committee thanks those organisations and individuals who made submissions and provided correspondence to the inquiry. The committee also thanks the Department of the Environment and Water Resources for its prompt response to the questions placed on notice by the committee.

Purpose of the bill

1.6 The bill proposes to amend the *Great Barrier Reef Marine Park Act 1975* (the Act) to implement key recommendations of the GBRMPA Review.

Background to the bill

1.7 In 1975, the Australian Government enacted the Act, which established a Marine Park in the Great Barrier Reef region and also created the Great Barrier Reef Marine Park Authority (Authority) to manage the park.

1 Review of the *Great Barrier Reef Marine Park Act 1975*, Commonwealth of Australia, 2006.

1.8 The Authority was established as a statutory authority and body corporate. The Authority currently comprises four members, including a Chairperson, a member nominated by the Queensland Government and one member to represent the interests of the Aboriginal communities adjacent to the Marine Park.² The Authority is currently subject to the *Commonwealth Authorities and Companies Act 1997*.

1.9 In addition, the Act established a statutory consultative committee — the Great Barrier Reef Consultative Committee — to advise the Authority and the Minister for the Environment and Heritage. Currently, the Great Barrier Reef Consultative Committee must have at least 13 members, and the Queensland Government nominates at least one third of these members.³ The Authority has also established a number of non-statutory consultative committees, including four Reef Advisory Committees and 11 Local Marine Advisory Committees.⁴

1.10 Zoning plans are one of the key mechanisms for park management established by the Act. Since July 2004, the Marine Park has been covered by a single zoning plan: the *Great Barrier Reef Marine Park Zoning Plan 2003*.⁵

GBRMPA Review

1.11 In the context of the 2004 Federal Election, the Australian Government made a commitment to review the Act 'to improve the performance of the Great Barrier Reef Marine Park Authority, its office holders and its accountability frameworks'. The former Minister for the Environment and Heritage, Senator the Hon. Ian Campbell, formally announced the review on 23 August 2005. The review was conducted by a review panel chaired by Mr David Borthwick, Secretary of the Department of the Environment and Heritage, and assisted by Ms Barbara Belcher, First Assistant Secretary, Department of the Prime Minister and Cabinet and Mr Jonathan Hutson, General Manager, Department of Finance and Administration.⁶

1.12 Public submissions to the review were invited on 23 August 2005, with a closing date of 30 September 2005. The Chair of the Review wrote to all key stakeholders advising them of the review, inviting them to make submissions and offering for the panel to meet with them. This formal correspondence to participate included the 21 Indigenous organisations with a particular interest in the Marine Park as advised by the Authority.⁷ The review panel received a total of 227 submissions and held 36 meetings with key groups and interested persons in Cairns, Townsville,

2 GBRMP Act, s. 10.

3 GBRMP Act, s. 22.

4 GBRMPA Review, p. 9.

5 GBRMPA Review, p. 9.

6 GBRMPA Review, pp 4-5.

7 Correspondence from the Department of the Environment and Water Resources, received 8 June 2007, p. 1.

Brisbane, Sydney and Canberra. The review panel reported to the Minister for the Environment and Heritage in April 2006.⁸

1.13 The government released the *Review of the Great Barrier Reef Marine Park Act 1975* in October 2006. The GBRMPA Review made 28 recommendations which aim to improve the performance of the Authority, its office holders and its accountability frameworks. The Australian Government endorsed the GBRMPA Review and its recommendations.

1.14 Key recommendations of the GBRMPA Review included:

- the retention of the Authority as a separate statutory authority, but with revised governance arrangements (recommendations 5-10 and see also the discussion of the 'Uhrig Review' further below);
- that processes for engaging with stakeholders be improved, in particular that the zoning plan development process be made more transparent and accountable (recommendation 17);
- that there be no alterations to the current zoning plan for the Marine Park for a minimum of seven years (recommendation 17(a));
- that a peer reviewed 'Outlook Report' be published every five years documenting the condition of the Marine Park, effectiveness of management and the risks and pressures on the ecosystem (recommendation 14); and
- that the Great Barrier Reef Consultative Committee be reconstituted as a non-statutory Advisory Board reporting directly to the Minister for the Environment and Heritage (recommendation 15).⁹

1.15 The GBRMPA review also made recommendations directed towards better integration of the Act with the *Environment Protection and Biodiversity Act 1999*. In his second reading speech, the Minister for the Environment and Heritage indicated that further amendments to implement those recommendations would follow in a subsequent bill.¹⁰

Uhrig Review

1.16 The GBRMPA Review also encompassed the outcomes of a review conducted in 2003 by Mr John Uhrig into the corporate governance of statutory authorities (Uhrig Review).¹¹ Among other matters, the Uhrig Review recommended two templates for good governance of statutory authorities:

8 GBRMPA Review, pp 5-6.

9 GBRMPA Review, pp 167-172.

10 The Hon. Mr Malcolm Turnbull, Minister for the Environment and Water Resources, *House of Representatives Hansard*, 28 March 2007, p. 6. See also GBRMPA Review, pp 172-175.

11 Mr John Uhrig AC, *Review of the Corporate Governance of Statutory Authorities and Office Holders*, June 2003.

- a 'Board Template' for situations where government decides to delegate full powers to act to a board, or where the Commonwealth itself does not fully own the assets or equity of a statutory authority; and
- an 'Executive Management Template' for other cases.¹²

1.17 The Uhrig Review recommended that the legislative basis for statutory authorities be simplified – the *Financial Management and Accountability Act 1997* (FMA Act) should be applied to budget funded statutory authorities; while the *Commonwealth Authorities and Companies Act 1997* (CAC Act) should be applied to authorities that are legally and financially separate from the Commonwealth.¹³ It also examined the way in which membership of boards was established, and observed:

Representational boards will not provide effective governance and skills and expertise can be accessed as and when required, just as the interests of stakeholders can be addressed through other means. Consequently, consideration should be given to alternative forms of interaction with stakeholders.¹⁴

1.18 The GBRMPA Review recommended that the Authority remain a separate statutory authority and, as a consequence of the Uhrig Review, it recommended that the Authority:

- be constituted consistently with the Uhrig review executive management structure, with an overarching governance role for the Minister; and
- be subject to the FMA Act, rather than the CAC Act.¹⁵

Outline of the bill

1.19 The bill proposes to amend the GBRMP Act to implement key recommendations of the GBRMPA Review. These include amendments to:

- change the governance arrangements of the Authority in light of the Uhrig Review. This includes:
 - applying the FMA Act to the operations of the Authority, instead of the CAC Act;
 - expanding the maximum size of the Authority by one member; and
 - removing the requirement for one member to be appointed to the Authority to represent the interests of the Aboriginal communities

12 Uhrig Review, pp 10-12.

13 Uhrig Review, pp 10-12.

14 Uhrig Review, p. 50.

15 See GBRMPA Review, recommendation 9, pp 154, 169.

adjacent to the Marine Park with the requirement for one member to be nominated by the Queensland Government remaining;¹⁶

- replace the Great Barrier Reef Consultative Committee with a non-statutory advisory board reporting directly to the Minister;¹⁷
- require the Authority to prepare a 'Great Barrier Reef Outlook Report' every five years. The report would be reviewed by an expert panel appointed by the Minister and tabled in parliament;¹⁸
- provide that the current zoning plan for the Great Barrier Reef Marine Park cannot be amended for at least seven years;¹⁹
- amend the process for developing and amending zoning plans for the Great Barrier Reef Marine Park, with the aim to make the process more transparent and accountable. Key changes proposed include:
 - the Minister, rather than the Authority, will be responsible for any future decision to amend or revoke a zoning plan;²⁰
 - the public release of 'operational principles' on which the development of the zoning plan will be based, and a statement of the environmental, economic and social assessments of relevance to the zoning plan; and²¹
 - increasing the minimum public comment period for draft zoning plans from one to three months.²²

16 GBRMP Act, s. 10; item 14 of Schedule 1 and Explanatory Memorandum, pp 2 and 5.

17 Item 17 of Schedule 1; see also GBRMPA Review, recommendation 17, pp 170-171.

18 Item 32 of Schedule 1: proposed s. 54. Note that existing annual reporting requirements would be retained.

19 Item 28 of Schedule 1.

20 Item 28 of Schedule 1 – proposed s. 37.

21 Item 27 of Schedule 1 – proposed ss. 34 and 35.

22 Item 19 of Schedule 1.

Chapter 2

Introduction

2.1 The key issue of concern raised in relation to the bill was the removal of the statutory requirement for Indigenous representation on the Authority. Other aspects of the Bill were broadly supported, although some issues were raised in relation to the proposed zoning plan amendment processes and the peer review process for the Outlook Report. This chapter discusses these issues in more detail, and in particular the issue of Indigenous representation.

Key issues

Revised governance arrangements: Indigenous representation

2.2 The committee received a considerable amount of correspondence in regards to Indigenous representation on the Authority, with the proposed replacement of the Great Barrier Reef Consultative Committee with a non-statutory advisory board also raised as an area of concern.

Indigenous representation on the Authority

2.3 As outlined in Chapter 1, the bill proposes to remove the requirement in paragraph 10(1)(b) of the Act for one member to be appointed to the Authority to represent the interests of the Aboriginal communities adjacent to the Marine Park.¹ This proposal implements recommendation 6(a) of the GBRMPA Review, which recommended that members of the Authority be appointed 'for their relevant expertise and independence' and that 'members should not be representational'.²

2.4 The vast majority of the correspondence received by the committee objected to this proposal, with many under the false belief that it would exclude Aboriginal representation completely from the Authority.³ Most argued that it is vital that there be Indigenous engagement in decisions regarding the management of the park. For example, the World Wide Fund for Nature commented that:

The Australian Government's future work to protect the Marine Park will depend to a large degree on effective engagement with traditional owners.⁴

1 Item 14 of Schedule 1.

2 GBRMPA Review, p. 169; see also Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1.

3 See, for example, Girringun Aboriginal Corporation, *Submission 34*, p. 2; Mr Simon Towle, *Submission 8*, p. 1; Australian Conservation Foundation, *Submission 3*, p. 2.

4 *Submission 2*, p. 1.

2.5 The committee asked the Department of the Environment and Water Resources (the Department) to respond to concerns about the removal of the statutory requirement for Indigenous representation on the Authority, in accord with recommendation 6(a) of the GBRMPA Review. In response to the concerns raised, the Department explained that the recommendation that removed the statutory requirement was based on two key considerations:

- the value of management of the Great Barrier Reef by a group of statutory officeholders with relevant knowledge, experience and ability for critical thought, objectivity and judgement. (The Department explained that the Review found that this is of particular importance given the Great Barrier Reef's complexity, size, environmental, social and economic values and the difficult task of managing for multiple use objectives);⁵ and
- the *2003 Review of Corporate Governance of Statutory Authorities and Officeholders* (the Uhrig Review), which found that governing boards are most effective when members are appointed based on relevant skills and expertise, rather than on the basis of representing a particular interest.⁶

2.6 In relation to this second consideration, the GBRMPA Review stated:

The Uhrig review notes that representational appointments do not provide for good governance, as appointees may be more concerned with those they represent than the success of the entity they are responsible for governing. For this reason, the Review Panel recommends that members of the Authority continue to be appointed based on qualifications and experience that are relevant to the functions of the Authority. Representation and input from specific sectors, businesses and bodies should instead be provided for through advisory and consultative committees, such as the Advisory Board, Reef Advisory Committees and Local Marine Advisory Committees.⁷

2.7 Similarly, the Explanatory Memorandum, states that the bill:

...removes a requirement for one appointment [to the Authority] to be done on a representational basis. Such appointments are contrary to best practice, as the appointee may be more concerned with the interests they represent, than those of the Authority.⁸

2.8 While the statutory requirement for Indigenous representation on the Authority is being removed, the Department pointed out that, 'there continues to be a capacity to appoint members with expertise in Indigenous issues' provided they have met the relevant criteria – that is:

5 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1; see also GBRMPA Review, p. 149.

6 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1; see also Uhrig Review, p. 50.

7 p. 150; see also Uhrig Review, pp 98–99.

8 Explanatory Memorandum, p. 5.

- relevant experience and expertise;⁹ and
- a capacity to contribute to achievement of the Authority's responsibilities in providing for the long-term protection, ecologically sustainable use, understanding and enjoyment of the Great Barrier Reef.¹⁰

2.9 Several contributors to the inquiry argued that Indigenous representatives in protected areas such as the Great Barrier Reef should be treated as a special case. For example, the Australian Conservation Foundation argued that:

Clearly Indigenous Traditional Owners are more than another group of 'stakeholders' in relation to the Great Barrier Reef Marine Park with a range of native title rights and interests.¹¹

2.10 Indeed, the committee notes that there are more than 70 Traditional Owner Groups along the coast adjacent to the Great Barrier Reef Marine Park.¹² In addition to a number of successful native title determinations in areas adjacent to the Great Barrier Reef Marine Park, there are a number of native title claims over areas within the Great Barrier Reef Marine Park, as well as adjacent areas of land and water, which are yet to be determined.¹³

2.11 Although many of those who wrote in regards to the proposition were concerned about the special requirements and benefits relating to engaging with indigenous stakeholders, the Department noted that the review which proposed the changes:

...considered in depth the mechanisms in place to engage stakeholders, including Indigenous persons (see Chapter 10 of the Review Report). It found that a number of important and effective mechanisms have been introduced since 1999 that provide for the comprehensive engagement and partnership with Indigenous persons and communities and their active participation in the protection and management of the Great Barrier Reef.

These mechanisms have a broad coverage of communities in and adjacent to the Marine Park as well as the catchment areas.¹⁴

9 As required by subsection 10(6) of the Act.

10 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1.

11 *Submission 3*, p. 2.

12 GBRMPA Review, p. 25.

13 See for example, GBRMPA Review, p. 26 (map 7); also the National Native Title Tribunal, http://www.nntt.gov.au/publications/QLD_RATSIB.html and http://www.nntt.gov.au/publications/data/files/Determinations_A4.pdf (accessed 29 May 2007). It appears that to date there have been no successful native title determinations over any areas within the Great Barrier Reef Marine Park. Note also that there are other forms of Indigenous land tenure, as well as Indigenous Land Use Agreements in the region.

14 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 2.

2.12 Those mechanisms comprise:

- **Local Marine Advisory Committees (LMACs):** 11 of which have been established for engagement with local communities and provision of advice on a local area basis to the Authority. Their terms of reference identify Indigenous persons as a key group from which membership should be drawn.
- **Reef Advisory Committees (RACs):** 4 of which have been established, providing advice to the Authority in relation to issues of Conservation, Heritage and Indigenous Partnerships; Water Quality and Coastal Development; Fisheries; and Tourism and Recreation. The terms of reference for the RACs specifically require Indigenous representation on each of the Committees with the appointment process made publicly available.
- **Traditional Use of Marine Resource Agreements (TUMRAs):** These agreements form the basis for a partnership approach with Traditional Owner groups to the management of Indigenous “sea country” in the Great Barrier Reef Marine Park. The first agreement, with the Girringun, was established in 2006. Further agreements are under development.¹⁵

2.13 The committee further noted that while the bill proposes to remove the statutory requirement for Indigenous representation, the Act will continue to require one member of the Authority to be nominated by the Queensland Government.¹⁶ This is consistent with the GBRMPA Review, which recommended that one member of the Authority should continue to be nominated by the Queensland Government.¹⁷ The committee asked the Department to explain this apparent inconsistency between Indigenous representation and Queensland Government representation, as well as how this is consistent with the Uhrig review.

2.14 The Department responded that:

The Great Barrier Reef encompasses different jurisdictional boundaries and areas of constitutional responsibility...The capacity of the Queensland government to nominate a member reflects the inter-jurisdictional nature of the Authority...This provision adds significantly to the capacity of the Authority and of the Australian and Queensland governments to work together collaboratively to achieve the long-term protection of the Great Barrier Reef. As such it is consistent with the Uhrig principles of governance.¹⁸

2.15 The GBRMPA Review noted that:

15 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 2.

16 GBRMPA Act, s. 10.

17 GBRMPA Review, p. 150 and recommendation 6(c).

18 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, pp 3–4.

...as a matter of practice, the Queensland Government nominee is the Director-General of the Queensland Department of [the] Premier and Cabinet. This facilitates whole-of-government involvement by Queensland in setting the strategic direction and priorities of the Authority...¹⁹

2.16 By being drawn from the Department of Premier and Cabinet, the nominee's whole-of-government character will also assist in facilitating cooperative management with Queensland and local governments, communities, Indigenous people, business and industry as set out in the second part of recommendation 18(a) of the GBRMPA Review.²⁰

Indigenous representation on the Great Barrier Reef Consultative Committee

2.17 In responding to concerns about the removal of the statutory requirement for Indigenous representation on the Board of the Authority, the Department pointed out that the arrangements for the proposed new Great Barrier Reef Marine Park Advisory Board are currently being finalised, and that Indigenous interests will be represented on this board.²¹

2.18 However, the proposed replacement of the Great Barrier Reef Consultative Committee with a non-statutory advisory board was a concern for several contributors to the committee's inquiry. Girringun Aboriginal Corporation, for example, was concerned that:

This will mean that the only likely Indigenous input to the management of the marine park will be through a non-statutory advisory committee to the federal Environment Minister. Further, we understand that as a non-statutory committee, there will be no reference to such a committee, or its representations, with the Act, and thus, that there will be no legislative guarantee for any form of statutory committee whatsoever.²²

2.19 As the proposed Advisory Board is non-statutory, the committee notes that there are no guarantees that it will be created or maintained. When this point was put to the Department, it indicated that the Advisory Board will be established in mid-2007. The Department also indicated the existence of many such boards throughout the Australian Government and cited the Board of Taxation as a longstanding example.²³

2.20 The Department also noted that:

19 GBRMPA Review, p. 119.

20 GBRMPA Review, pp 157 and 172.

21 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, pp 2–3.

22 Girringun Aboriginal Corporation, *Submission 34*, p. 2.

23 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 5.

The non-statutory nature of such boards is consistent with good governance practices, as it avoids the potential for conflicts to arise from the existence of two statutory entities responsible for advising the Minister on particular issues.²⁴

2.21 As there are also no guarantees of Indigenous representation on this board, the committee asked the Department for its response to concerns that this measure could remove altogether the opportunity for representation of Aboriginal and Torres Strait Islander people.

2.22 The Department responded that the Great Barrier Reef Marine Park Advisory Board will be established in mid-2007 and that the terms of reference and appointments to the Advisory Board are being finalised and that its membership will encompass Indigenous representation.²⁵

2.23 The Department again noted in its response that the terms of reference for the Reef Advisory Committees and Local Marine Advisory Committees specifically provide for Indigenous members. It also further reiterated the opportunity to make 'Traditional Use of Marine Resource Agreements', which 'provide a formal mechanism for direct partnerships with traditional owners in management of marine resources of the Great Barrier Reef'.²⁶

Committee view

2.24 The committee acknowledges the concerns about Indigenous representation on the Great Barrier Reef Marine Park Authority and proposed Advisory Board. The committee notes that most of the submissions and correspondence received argued that it is important that there be Indigenous engagement in decisions regarding the management of the park.

2.25 The committee agrees that Indigenous involvement in park management is desirable. In its recent report *Conserving Australia: Australia's national parks, conservation reserves and marine protected areas*, the committee argued for greater involvement of Indigenous Australians in park management, and increased support for the Indigenous Protected Areas program.²⁷

24 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 5.

25 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, p. 5.

26 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, pp 4–5.

27 Senate Environment, Communications, Information Technology and the Arts Standing Committee, *Conserving Australia: Australia's national parks, conservation reserves and marine protected areas*, April 2007, Chapter 9.

2.26 The committee acknowledges the required balance between the need for an improved governance arrangements and the need for Indigenous engagement in decision making and sees advancement towards this in the Review's recommendation and the development of new mechanisms for Indigenous engagement in the management and protection of the Great Barrier Reef.

2.27 The committee however also supports the principle, set out in the Uhrig Review, that board membership is not the appropriate way to ensure representation of interests. The committee further acknowledges the Department's evidence that, although it will not be a statutory requirement, it will still be possible to appoint Indigenous members to the Authority, if they meet the relevant criteria.

2.28 The committee notes that Uhrig supported alternative forms of interaction with stakeholders. The government is facilitating this interaction through its establishment of a non-statutory advisory board. The committee acknowledges the Department's assurances that there will be Indigenous representation on this advisory board. The committee also recognises that there are other mechanisms for significant Indigenous involvement in management of the Great Barrier Reef Marine Park, including representation on the various Reef Advisory Committees and Local Marine Advisory Committees.

Other issues

2.29 Other issues raised during the committee's inquiry included:

- zoning plan amendment processes; and
- peer review of the Outlook Report.

Zoning plan amendment processes

Zoning plan freeze

2.30 The bill provides that an existing zoning plan for the Great Barrier Reef Marine Park cannot be amended for at least seven years.²⁸

2.31 The Australian Institute of Marine Science suggested that a maximum period of five years might be more appropriate. It argued that the seven-year timeframe:

...does not allow for an adaptive management approach that will be required as climate change impacts, and possible other impacts, cause increased stress on the ecosystem.²⁹

2.32 The Bills Digest prepared by the Parliamentary Library also commented that:

28 Item 18 of Schedule 1.

29 *Submission 1*, p. [1].

The prohibition on amending zoning plans within the seven year period will presumably mean that a particularly precautionary approach will need to be taken in deciding what the appropriate zoning classification should be for relevant areas.³⁰

2.33 The committee asked the Department for its response to these concerns. In its comprehensive response, the Department told the committee that the seven year minimum period before a zoning plan:

- reflects the response times of both biological and human systems
- recognises the scale and complexity of the Marine Park ecosystem and the adjacent coast and catchment area and the timeframes necessary for monitoring, assessment and development of management responses
- provides enhanced certainty for business
- ensures that there is sufficient time for the effects of zoning to accrue and be monitored, evaluated and understood and trends and risks assessed.³¹

2.34 The Department further observed that other existing provisions of the Act: ...provide the capacity to deal with matters at a local, regional, or site specific level in the 7 year interregnum. These provisions include Plans of Management, Special Management Areas and Emergency Special Management Areas. An example is afforded by the Dugong Protection Areas introduced in 1997.³²

2.35 Finally, the Department concluded that:

Action can be considered and taken at any time on matters at local, regional or site-specific level, and on pressures and risks that are external to the Marine Park. These actions include but are not limited to zoning plans.

This complementary suite of capabilities provides for a comprehensive adaptive management approach over appropriate time and spatial scales...³³

2.36 The committee also notes that the proposed zoning plan 'freeze' is based on the recommendation of the GBRMPA Review as follows:

There is a need to ensure the benefits of zoning accrue and that there is an appropriate period to establish stability for the ecosystem and business environment. The Review Panel recommends that, given the overall response times of biological and human systems, a review and amendment

30 Parliamentary Library, "Great Barrier Reef Marine Park Amendment Bill 2007", *Bills Digest* No. 134 2006-07, 7 May 2007, p. 5.

31 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, p. 8.

32 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, p. 8.

33 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, p. 9.

of all or part of a zoning plan should not be commenced until at least seven years from the date the plan came into effect.³⁴

2.37 The committee considers that the proposed seven year 'freeze' on the zoning plan is appropriate. In particular, the committee notes the Department's evidence that there are many tools available to address any matters that may arise during the proposed zoning plan freeze.

Requirement to consider Outlook Report

2.38 The Bill proposes that the Minister, rather than the Authority, be responsible for any future decision to amend the zoning plan. In his second reading speech, the Minister stated that 'any such decision will be based on the Outlook Report and advice from the Authority'.³⁵

2.39 Under the existing Act the Great Barrier Marine Park Authority is responsible for providing advice to the Minister (subsection 7(1)) and for the zoning process (section 32). The Amendment Bill will provide for the Authority also to be responsible for the Outlook Report (section 34) and publishing the rationale for opening up a zoning plan for change (section 37). The new step that will be added is that the Minister must approve the decision to opening up a zoning plan for change (not the changes themselves). It is thus unavoidable that the Minister take advice from the Authority on whether or not to open up a zoning plan for change and that this is based on the Outlook Report.³⁶

Peer review of the Outlook Report

2.40 The bill proposes that the Authority will prepare a Great Barrier Reef Outlook Report every five years. This Outlook Report will be peer-reviewed.³⁷

2.41 In its submission, the Australian Institute of Marine Science welcomed the proposed Outlook Report as a 'positive step', but noted 'the importance of making the reporting and review process transparent and the need to ensure the report is a public document'.³⁸ The Parliamentary Library's Bills Digest also pointed out that the bill 'is silent as to whether the peer-review is public or confidential'.³⁹

34 GBRMPA Review, p. 129.

35 The Hon. Mr Malcolm Turnbull, Minister for the Environment and Water Resources, *House of Representatives Hansard*, 28 March 2007, p. 6.

36 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, pp 6-7.

37 Proposed subsection 54(4).

38 *Submission 1*, p. [1].

39 Bills Digest, p. 10.

2.42 The committee asked the Department whether there would be any public scrutiny of this peer-review process. The Department responded that:

The Government is currently finalising the process to be employed in peer-reviewing the Outlook Report, including public scrutiny of the peer-review process. The [GBRMPA] Review clearly envisaged a transparent and accountable process for the production of the Outlook Report. In establishing peer-review procedural requirements, consideration may be given to prescribing matters through regulation, as provided for by proposed subsection 54(2).⁴⁰

2.43 The committee acknowledges the Department's response on this issue, and suggests that the peer-review process for the Outlook Report be as transparent and accountable as possible and appropriate.

Conclusion

2.44 The committee recognises that, with the exception of the issue of Indigenous representation, there was broad support for the Bill. The committee is satisfied with the bill as a whole.

Recommendation 1

2.45 The committee recommends that the bill be passed.

Senator Alan Eggleston
Chair

40 Department of the Environment and Water Resources, answers to questions on notice, received 5 June 2007, p. 7.

Labor Senators' Dissenting Report

Labor Senators believe that the Great Barrier Reef is one of Australia's – indeed the world's – significant natural wonders, as reflected in its World Heritage Listing. The Reef is one of Australia's greatest natural assets, and a major contributor to Australia's economic prosperity. About 200,000 jobs are directly dependent on a healthy Reef, generating about \$4.3 billion for the Australian economy.

Labor Senators are concerned that the majority report of the committee does not give adequate attention to the issues raised in the many submissions received by the committee. Numerous submitters, including many people who have worked in Indigenous policy and protected area management in Queensland, wrote to the committee expressing concern about the approach being taken in the bill. Labor Senators agree with the discussion of these matters in the dissenting report prepared by Senators Bartlett and Siewert, and endorse the views expressed there. In particular:

- Labor Senators do not support the thrust of paragraph 2.27 of the majority report. In relation to the Great Barrier Reef Marine Park Authority, it is critically important that the views of Indigenous communities are listened to and taken into account.
- Labor Senators support the retention of specific representation from the Indigenous community on the Great Barrier Reef Marine Park Authority.

Labor Senators are also concerned that the current bill is not designed to address some of the most significant issues facing the Great Barrier Reef today:

- Labor Senators remain deeply concerned about the impact of climate change on the Great Barrier Reef.
- A 3 degree rise in temperature would see the destruction of the Great Barrier Reef, with 97 per cent of the Reef suffering coral bleaching.
- There is an urgent need for a national climate change strategy, which cuts Australia's greenhouse emissions by 60 per cent by 2050, and includes an action plan to help protect the Great Barrier Reef from dangerous climate change.
- Labor Senators remain committed to banning oil drilling and exploration on the Great Barrier Reef.

Labor Senators will be moving amendments to the bill, and cannot support a majority report that we believe does not effectively confront the issues raised in evidence to the committee.

Senator Kate Lundy
ALP, Australian Capital Territory

Senator Ruth Webber
ALP, Western Australia

Senator Dana Wortley
ALP, South Australia

Senator Jan McLucas
ALP, Queensland

Australian Democrats and Australian Greens - Dissenting report

2.1 The Australian Democrats and Australian Greens are gravely concerned at the implications of the bill for Indigenous involvement in the Great Barrier Reef Marine Park. The paramount concern is the bill's proposed removal of the statutory requirement for Indigenous representation on the Great Barrier Reef Marine Park Authority. This concern risks being compounded by the proposed abolition of the Great Barrier Reef Consultative Committee.

Indigenous consultation during the GBRMPA Review

2.2 The Australian Democrats and Australian Greens realise that the bill proposes to amend the *Great Barrier Reef Marine Park Act 1975* (the Act) to implement key recommendations of the GBRMPA Review.¹ However, we are concerned that consultation with Indigenous people during the GBRMPA Review appears to have been less than adequate. We acknowledge that the GBRMPA Review Panel made efforts to consult with Indigenous stakeholders, including writing to 21 Indigenous organisations inviting submissions and offering for the panel to meet with them. The Department advised that the review panel did not receive any requests for a consultation meeting or any submissions from Indigenous organisations.²

2.3 While this was a disappointing response, given the significance of the review's recommendations for Indigenous representation, the Australian Democrats and Australian Greens believe that further efforts should have been made to engage Indigenous stakeholders during the GBRMPA review process. It is hard to believe that the sending of a single letter could have been seen to be sufficient, particularly if the correspondence did not specifically indicate that Indigenous representation on the Authority could be affected. Despite the very short time frame involved in this Committee's inquiry, several Indigenous organisations (such as Cape York Land Council, Girringun Aboriginal Corporation and NAILSMA) contacted this committee and were highly critical of the proposed reforms.

Indigenous representation on the Authority

2.4 In particular, the inquiry received a considerable amount of correspondence protesting against the proposed removal of the statutory requirement for Indigenous representation on the Board of the Authority.³

1 Review of the *Great Barrier Reef Marine Park Act 1975*, Commonwealth of Australia, 2006.

2 Correspondence from the Department of the Environment and Water Resources, received 8 June 2007, p. 1.

3 Item 14 of Schedule 1: proposed removal of paragraph 10(1)(b) of the *Great Barrier Reef Marine Park Act 1975*.

2.5 The Australian Democrats and Australian Greens agree with evidence received by the committee which described the removal of the statutory requirement for Indigenous representation on the Board of the Authority as a 'retrograde' or 'backward' step'.⁴

2.6 As the committee has acknowledged, there are more than 70 Traditional Owner Groups along the coast adjacent to the Great Barrier Reef Marine Park.⁵

2.7 The Australian Democrats and Australian Greens believe that it is vital that there be Indigenous engagement in decisions regarding the management of the park. As the World Wide Fund for Nature commented:

The Australian Government's future work to protect the Marine Park will depend to a large degree on effective engagement with traditional owners. Having indigenous representation at the board level will be a very important component in achieving this.⁶

2.8 Similarly, Mr Simon Towle told the inquiry that:

Doing away with Indigenous representation on the Authority will send a strong negative message to Indigenous people all along the GBR that the Australian Government no longer considers their role in the management of the Great Barrier Reef Marine Park to be important. It will make it much harder for the GBRMPA [Authority] to engage effectively with Indigenous people, especially at a senior policy level.⁷

2.9 The Girringun Aboriginal Corporation, which facilitated the first Traditional Use of Marine Resource Agreements,⁸ also expressed its concern about the amendments proposed by the bill:

...we query the Australian Government's commitment to the spirit of this Agreement [the Girringun Traditional Use of Marine Resources Agreement] and its intention of building sustainable partnerships between Traditional Owners of the Great Barrier Reef region and the Great Barrier Reef Marine Park Authority, given its intention to now remove Indigenous representation from the GBRMPA Board...⁹

4 See, for example, correspondence from Girringun Aboriginal Corporation, 6 June 2007, p. 2; correspondence from Mr Simon Towle, 31 May 2007, p. 1; Australian Conservation Foundation, *Submission 3*, p. 2.

5 GBRMPA Review, p. 25.

6 WWF, *Submission 2*, p. 1.

7 Correspondence from Mr Simon Towle, 31 May 2007, p. 1.

8 See also Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 2.

9 Correspondence from Girringun Aboriginal Corporation, 6 June 2007, p. 1; see also correspondence from Australian Conservation Foundation, 4 June 2007, p. 1.

2.10 The Australian Democrats and Australian Greens also agree with the observations of both Dr Dermot Smyth and the Australian Conservation Foundation that the bill is out of step with initiatives to increase the involvement of Indigenous peoples in protected area governance and management, both internationally and domestically. For example, the Australian Conservation Foundation told the committee that:

At both the domestic and international level efforts to improve the involvement of Indigenous people in both terrestrial and marine park management is increasing, not decreasing. Australian national parks such as Kakadu and Uluru Kata Tjuta already have boards with an Indigenous majority allowing for genuine joint decision making and participation in management. Internationally the World Conservation Union (IUCN) is also committed to increasing Indigenous people's involvement in protected areas management...Maintaining an Indigenous Board member is in line with the direction being set at both the domestic and international level.¹⁰

2.11 Dr Smyth also pointed out that the Resource Assessment Commission's *Coastal Zone Inquiry Final Report* in 1993¹¹ specifically recommended that the Act be amended to include Indigenous representation on the Authority. Dr Smyth concluded:

For the Australian Parliament to remove Indigenous representation on the Great Barrier Reef Marine Park Authority Board would be an extremely retrograde step and flies in the face of progress made in this field over the last 20 years here and overseas. Rather, the Committee should be exploring how Indigenous involvement in the governance of the GBRMP could be strengthened in line with the co-management arrangements in place for terrestrial protected areas.¹²

2.12 The Australian Democrats recognise that Indigenous members could still be appointed to the Authority provided they meet the relevant criteria.¹³ However, as the Australian Conservation Foundation pointed out:

...Indigenous knowledge and the ability to communicate effectively with Indigenous people are unique skills and qualifications that are only possessed by Indigenous people and are essential criteria for the selection of Board members.¹⁴

10 Australian Conservation Foundation, *Submission 3*, p. 2; 10 see also correspondence from Dr Dermot Smyth, 2 June 2007, p. 2.

11 Resource Assessment Commission, *Coastal Zone Inquiry - Final Report*, November 1993.

12 Correspondence from Dr Dermot Smyth, 2 June 2007, p. 2.

13 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1; see also GBRMPA Review, p. 149 and Uhrig Review, p. 50.

14 Australian Conservation Foundation, *Submission 3*, p. 2.

2.13 The Australian Democrats and Australian Greens acknowledge the evidence from the Department of the Environment and Water Resources (the Department) that the removal of Indigenous representation on the Authority was based on the recommendations of the GBRMPA Review and the Uhrig Review.¹⁵ However, we agree with several contributors to the inquiry, who argued that Indigenous representatives in protected areas such as the Great Barrier Reef should be treated as a special case outside the ambit of the Uhrig Review. For example, the Australian Conservation Foundation argued that:

Clearly Indigenous Traditional Owners are more than another group of 'stakeholders' in relation to the Great Barrier Reef Marine Park with a range of native title rights and interests. In recognition of these rights and interests, the Authority must maintain Indigenous representation on the Board.¹⁶

2.14 Dr Dermot Smyth also pleaded that we should:

...appreciate and understand that the governance of a protected area on land or sea is very different than the governance of many other government institutions. Boards of protected areas make decisions about the management of natural and cultural values that are part of the inherited "countries" (tribal areas and clan estates) of Indigenous peoples - whose interest in these areas are not comparable to the interests of other "stakeholders". It is because of these complexities that comprehensive, well-resourced inquiries in Australia (such as the Coastal Zone Inquiry) and overseas have concluded that special arrangements need to be made for representation of Indigenous people in protected area governance.¹⁷

2.15 The North Australian Indigenous Land and Sea Management Alliance (NAILSMA) made a similar point:

I would like the Committee to appreciate and understand that the governance of a protected area on land or sea is very different than the governance of many other government institutions. Boards of protected areas make decisions about the management of natural and cultural values that are part of the inherited "countries" of Indigenous peoples - whose interests and subsequent history in these areas are not comparable to the interests of other "stakeholders".¹⁸

2.16 The Australian Democrats and Australian Greens also consider that the treatment of Indigenous people is inconsistent with the bill's retention of the requirement of one member of the Authority to be nominated by the Queensland

15 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1; see also GBRMPA Review, p. 149 and Uhrig Review, p. 50.

16 Australian Conservation Foundation, *Submission 3*, p. 2.

17 Correspondence from Dr Dermot Smyth, 2 June 2007, p. 2.

18 NAILSMA, *Submission 6*, p. 2.

Government.¹⁹ While we note the intention to move away from a representative board to a board based on relevant knowledge and expertise (in line with the Uhrig report), this is contradicted by the retention of a distinct representative position for the Queensland Government. If the board is truly to be strictly non-representative and based solely on skills and expertise, then there is no pressing reason to retain state government representation. We do not believe that the argument of the inter-jurisdictional nature of the Great Barrier Reef Marine Park is compelling to the extent that it acknowledges the relevance of state jurisdiction but denies the relevance of native title rights and interests.

2.17 The government's reforms are supposed to move toward a skills-based board where knowledge and experience in dealing with issues of central importance to the effective running of the authority are particularly required. These skills might include knowledge and experience of dealing with state government and Indigenous management issues, of which neither need be held by a nominated Indigenous representative or by a nominee of the state government. If a skills-based approach to board membership is intended, then there should be criteria set out in the Act that specify what knowledge, skills and experience are relevant. This is currently not the case.

2.18 We take issue with the observation of the GBRMP Review, repeated by the Department, arguing for the current reforms because of:

the value of management of the Great Barrier Reef by a group of statutory officeholders with relevant knowledge, experience and ability for critical thought, objectivity and judgement (The Review found that this is of particular importance given the Great Barrier Reef's complexity, size, environmental, social and economic values and the difficult task of managing for multiple use objectives. (see Review of the Great Barrier Reef Marine Park Act 1975 Review Panel Report (the Review Report) p.149)).²⁰

2.19 These statements, which were given by the Department as the basis for reasoning why Indigenous representatives should be excluded but State government representatives included, have disturbing implications. They imply that Indigenous representatives are not likely to possess relevant experience and the ability for critical thought, objectivity and judgement, while at the same time implying that it is possible or even likely that a state government representative will necessarily possess relevant skills and expertise and be able to be fully objective in their judgements, given the potential obligations to their state employer. We have not seen evidence to substantiate this assessment, and cannot accept it.

2.20 The Australian Democrats and Australian Greens acknowledge the claim made by the Department of Environment and Water Resources that there are

19 GBRMPA Act, s. 10.

20 Quoted in Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 1.

numerous other 'important and effective mechanisms' that provide for the 'comprehensive engagement and partnership with Indigenous persons and communities and their active participation in the protection and management of the Great Barrier Reef'.²¹ However, neither the GBRMPA Review nor this inquiry tested this claim in any substantial way. We are very concerned that no serious effort appears to specifically inform Indigenous communities of this change, let alone ascertain their views on the proposal.

2.21 The Australian Democrats and Australian Greens consider that the removal of a statutory requirement for Indigenous representation on the board of the Great Barrier Reef Marine Park Authority sends a very negative message to Indigenous people about their role and their importance in the management of the Great Barrier Reef Marine Park, and risks compromising the effectiveness in managing the Park. We believe that the statutory requirement for an Indigenous representative on the Great Barrier Reef Marine Park Authority should be retained.

Recommendation 1

2.22 The Australian Democrats and Australian Greens recommend that the statutory requirement in the Great Barrier Reef Marine Park Act 1975 for an Indigenous representative on the Great Barrier Reef Marine Park Authority be retained.

2.23 The Australian Democrats and Australian Greens also note that the proposed removal of the statutory requirement for Indigenous representation on the Authority appears incongruous when compared with recommendation 18(a) of the GBRMPA Review, which recommended that:

...a more comprehensive objects section be included in the Act. This section should recognise the protection of the Great Barrier Reef as an overarching objective. Subsidiary objectives should include providing for a range of uses consistent with the principles of ecologically sustainable development, fulfilling Australia's obligations under the World Heritage Convention and other international conventions as they relate to the Great Barrier Reef and *facilitating cooperative management with Queensland and local governments, communities, Indigenous people, business and industry.* [emphasis added]²²

2.24 This bill does not implement this recommendation.

Recommendation 2

2.25 The committee recommends that the objects of the Great Barrier Reef Marine Park Act 1975 be amended to implement recommendation 18(a) of the

21 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 2.

22 GBRMPA Review, p. 157 and also recommendation 18(b), p. 172.

GBRMPA Review, in particular to recognise the importance of facilitating cooperative management with Indigenous people.

Indigenous representation on the Great Barrier Reef Consultative Committee

2.26 The Australian Democrats and Australian Greens' concerns about the removal of the statutory requirement for Indigenous representation on the Board of the Authority are compounded by the proposed abolition of the Great Barrier Reef Consultative Committee with a non-statutory advisory board.

2.27 We note the concerns expressed by the Cape York Land Council that:

It is possible that the replacement of the Consultative Committee with a Ministerial Advisory Board will lead to a decrease in indigenous representation on issues relating to the Great Barrier Reef Marine Park. The absence of guaranteed representation is particularly troubling in light of the proposed removal of an Indigenous representative on the Authority.²³

2.28 Indeed, the Cape York Land Council suggested, among other matters, that the committee seek 'a guarantee or assurance that the Ministerial Advisory Board will include indigenous representation'.²⁴

2.29 In the same vein, Girringun Aboriginal Corporation was concerned that:

This will mean that the only likely Indigenous input to the management of the marine park will be through a non-statutory advisory committee to the federal Environment Minister. Further, we understand that as a non-statutory committee, there will be no reference to such a committee, or its representations, with the Act, and thus, that there will be no legislative guarantee for any form of statutory committee whatsoever.²⁵

2.30 The Australian Democrats and Australian Greens note that this proposal would implement the recommendations of the GBRMPA Review, which concluded that the existing Consultative Committee 'is no longer effective and has conflicting accountability to the Authority and the Minister'. The GBRMPA Review further noted that some submissions made to the review considered that the role of the Consultative Committee has been superseded by the Reef Advisory Committees and Local Marine Advisory Committees.²⁶

2.31 The Australian Democrats and Australian Greens consider the fact that a committee is not functioning effectively is not in itself a reason to abolish and replace it with a non-statutory board. We share concerns that, as the proposed Advisory Board

23 Cape York Land Council, *Submission 5*, p. 2.

24 Cape York Land Council, *Submission 5*, p. 2.

25 Correspondence from Girringun Aboriginal Corporation, 6 June 2007, p. 2.

26 GBRMPA Review, p. 130; see also Bills Digest, p. 7; and Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, p. 4.

is non-statutory, there are no guarantees that it will be created or maintained. There are also no guarantees of Indigenous representation on this board. As a result, this measure could remove altogether the opportunity for representation of Aboriginal and Torres Strait Islander people.

2.32 The Department's evidence that the arrangements for the proposed new Great Barrier Reef Marine Park Advisory Board are currently being finalised is acknowledged. We further acknowledge the Department's assurances that there will be Indigenous representation on this advisory board.²⁷ We also recognise that there are other mechanisms for significant Indigenous involvement in management of the Great Barrier Reef Marine Park, including representation on the various Reef Advisory Committees and Local Marine Advisory Committees.

2.33 However, once again the Australian Democrats and Australian Greens are concerned that this proposal sends yet another negative message to Indigenous Australians, particularly in conjunction with the removal of Indigenous representation from the Authority and the fact that it has also been done without adequate consultation with Indigenous people.

Strengthening Indigenous involvement in the Great Barrier Reef Marine Park

2.34 The Australian Democrats and Australian Greens further consider that engagement with Indigenous interests in the management could be further strengthened by amending the Act in other ways. Indeed, we note that this committee, in its report *Conserving Australia: Australia's national parks, conservation reserves and marine protected areas*, recently argued for greater involvement of Indigenous Australians in park management, and increased support for the Indigenous Protected Areas program.²⁸ The proposed removal of the Indigenous representative from the Authority goes against this recommendation of the Committee. In such circumstances, it is all the more important that other mechanisms to strengthen Indigenous involvement are considered.

2.35 The very limited time available to the Committee means that there has been little opportunity to consult with Indigenous people and communities about such mechanisms. However, the Australian Democrats and Australian Greens believe there are several options to this end which could be considered:

- Amend section 32 of the Act to make explicit the responsibility of the Authority to consult Indigenous people during zoning plan preparation;
- Amend proposed new section 34 of the Act, regarding Operational principles, to require the Authority to take account of any Indigenous interests in the park

27 Department of the Environment and Water Resources, answers to questions on notice, 5 June 2007, pp 2-3.

28 Senate Environment, Communications, Information Technology and the Arts Standing Committee, *Conserving Australia: Australia's national parks, conservation reserves and marine protected areas*, April 2007, Chapter 9.

when determining principles relating to the preparation of a zoning plan; and / or

- Amend proposed new section 35 to require the Authority to conduct consultations with Indigenous people with an interest in the park when preparing the statement of the environmental, economic and social values of the area and the statement of the environmental, economic and social effects of a zoning plan.

Recommendation 3

2.36 The Australian Democrats and Australian Greens recommend that sections 32, 34 and 35 of the Great Barrier Reef Marine Park Act 1975 be amended as outlined above with the purpose of increasing consultation and engagement with Indigenous interests in the management of the Great Barrier Reef Marine Park.

Senator Andrew Bartlett
Deputy Chair, Australian Democrats

Senator Rachel Siewert
Australian Greens

Appendix 1

Submissions Received

1. Australian Institute of Marine Science
2. WWF Australia
3. Australian Conservation Foundation
4. Association of Marine Park Tourism Operators Ltd
5. Cape York Land Council
6. North Australian Indigenous Land and Sea Management Alliance
7. Ms Margaret Smith
8. Mr Simon Towle
9. Ms Kathleen Tynan
10. Ms Carole Powell
11. Ms Florence Onus
12. Mr Chris Roberts
13. Dr Dermot Smyth
14. Mr Frank Loban
15. Ms Shanell Gadd
16. Dr John Tomlinson
17. Ms Janet Hunt
18. Bart's Bush Adventures
19. Ms Helene Marsh
20. Mr Peter Rigby Taylor
21. Mr Brian T Manning
22. Mr David Reid
23. Dr Bronwyn Houlden

24. Associate Professor Stephan Schnierer
25. Dr Rose Mary Kinne
26. Mr Ronald Gannon JP
27. Ms Leonie Maddigan
28. Mr Rod Nielson
29. Mr Philip Minchin
30. Ms Jane Sherwin
31. Ms Sue Doessel
32. Mr Bob Muir
33. Mr Mark Conway
34. Girringun Aboriginal Corporation
35. Ms Cathy O'Keefee pbvm
36. Ms Wendy Rogers
37. Ms Wendy Flannery
38. Mr David Powell