



## *Australian Coral Reef Society Inc.*

A society promoting scientific study of Australian Coral Reefs

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# **Submission to the Independent Review of the Governance of the Great Barrier Reef Marine Park Authority 7<sup>th</sup> April 2017**

Dr Wendy Craik, AM  
Independent Reviewer  
GBRMPA Governance Review  
Department of the Environment and Energy  
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Dear Dr Craik,

On behalf of the Australian Coral Reef Society (ACRS) I thank you for the opportunity to contribute to the Review of the Governance of the Great Barrier Reef Marine Park Authority (GBRMPA).

The ACRS is the worlds' oldest coral reef society (established 1922) and is the professional organisation for Australia's coral reef scientists and managers. We are concerned with the study and protection of coral reefs, and have played a prominent role in bringing major conservation issues to the attention of governments and the general public. The society regularly draws on the expertise of its 300+ members to provide advice to governments and agencies on a range of marine issues (see <http://www.australiancoralreefsociety.org/>).

### **Major uses and threats facing the reef**

The Governance arrangements for the GBRMPA were initially established through the *Great Barrier Reef Marine Park Act 1975*, and reviewed in 2006. Since this time, the uses of, and threats to, the Great Barrier Reef (GBR) have changed considerably. These changes highlight the need for the accompanying changes in governance of the GBRMPA to ensure that the main object of the *Act*: 'the long term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region' is achieved. In the late 1970's and 1980's the greatest threats to the GBR were potential mining ventures and the rapid growth in tourism. Today, however, the GBR is facing a multitude of anthropogenic threats including climate change, ports and shipping, declining water quality from agriculture and coastal development, fishing, industrialization and urbanization of the Queensland coast and, to a lesser extent, tourism<sup>1-6</sup>. The governance of the GBRMPA must adapt to the changing threats and needs of the GBR and not be governed largely by previous threats that are now of low risk.

## Current governance issues

The ACRS has identified several issues with the current governance of the GBRMPA that relate to the overall independence of the GBRMPA from the Commonwealth government. To perform its functions and achieve its main object under the *Act*, the GBRMPA must be represented by independent experts on the Marine Park Board, and any potential conflicts of interest of Board members must be transparent.

The GBRMPA is charged with the responsibility of *'the long term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region'* (subsection 2A(1)), and *'shall perform its functions in accordance with any general directions given by the Minister not inconsistent with this Act'* (subsection 7(2)). Recent decisions regarding the expansion of ports and dumping of dredge spoil within the GBRMP do not align with main object of the *Act*, and have raised questions regarding the independence of the GBRMPA from the government. In this time of unprecedented threats to the GBR, the GBRMPA needs greater independence from government if it is to achieve the objects of the *Act*. The GBRMPA's recommendations and decisions on matters within the Great Barrier Reef Region and World Heritage area should not be influenced by, or be dependent upon, separate government directions under the Environment Protection and Biodiversity Conservation Act, or economic considerations that are separate to and, at times, inconsistent with the *Act*. Further, the creation of the *Reef Branch* within the Department of the Environment and Energy has undermined the resources available to, and the effectiveness of the GBRMPA. The staff within the *Reef Branch* and the Department as a whole does not have the same level of experience, knowledge and understanding of the GBR or the current threats and issues it is facing as GBRMPA staff.

Representation on the GBRMPA Board currently requires that *'at least one member must be an Indigenous person with knowledge of, or experience concerning, indigenous issues relating to the Marine Park'* and *'at least one member must have knowledge of or experience in the tourism industry associated with the Marine Park'* (subsection 10(6)). These prescribed requirements of membership reflect the diverse uses and interest groups of the GBR when the *Act* was first established and, in light of changing threats to the reef, need to be updated. The ACRS recommends that the *Act* be revised so that membership of the Authority is based on the expertise needed to manage the **current** major threats. In particular, the requirement for representation of an expert from the tourism industry stems from the rapidly expanding tourism industry of the 1980's and the perceived threats at that time. This requirement should now be relaxed to allow broader representation on the Board. The ACRS agree unequivocally that someone with Indigenous knowledge or experience should be retained, as this is a core underlying area of expertise required to understand and protect the environment, biodiversity and heritage values.

The ACRS understands that some Board members have been in place for some time, and have previously held positions of the Chair or member of various GBRMPA and Ministerial Advisory Committee's. While the ACRS does not question the respective member's contributions, it does raise a separate issue of the diversity and independence within this, and other positions on the board. To ensure greater diversity and independence of board membership, the ACRS recommends the period of appointment (section 11) be reviewed to a maximum of two three-year terms to support a level of stability but to also allow revision of board members based on the expertise needed to address the key priorities and threats to the reef at the time.

There is potential for significant conflict of interest in the current prescription of Board Membership. Under section 10 of the *Act* there is no requirement for Board Members to reveal if they have business interests/associations that would, or could, be perceived to benefit from access to knowledge or directing policy in favour of their business interest or special interest group. Whilst the ACRS does not contest the relevance of these groups to the Authority, their membership of the Board should be under the strict condition that these Board members, and members of their families, cannot directly benefit financially or otherwise from decisions made by the Authority, or knowledge that is shared with the Authority.

## Recommendations

- The ACRS recommends the Governance of the GBRMPA move away from the current Executive Management approach toward a Governing Board approach with the intent of reducing the power of a single individual (the Chair) in managing the GBR. Specifically, the position of Chair and Chief Executive Officer should be split.
- Expanding the membership of the Authority with provisions to include experts from a broader range of interest groups:
  - There should be at least one member who is an Indigenous person (as per subsection 10(6)).
  - The requirement for a member with knowledge of, or experience in, the tourism industry associated with the GBRMP needs to be relaxed.
  - Membership of the Board should be expanded to include internationally recognized experts in the main objects of the *Act*, namely the GBR environment and its drivers, GBR biodiversity, GBR heritage, and the ecologically sustainable use of the GBR. These appointments should be made by the Minister and selected through consultation and agreement with the Queensland Government.
  - Authority membership should be rotated between experts, such that appointments run for a prescribed term.
- There is an urgent need to alter the *Act* to make explicit provision that Authority members or their families are not to benefit financially or otherwise through any decisions made by or information that is provided to the Authority.

Best regards,



**Dr Andrew Hoey**

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