

Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park

Public Consultation Draft – November 2012

To provide business focused contingency arrangements for marine tourism operators who are impacted by a Severe Environmental Incident. Such arrangements must protect the environment and be compatible with other uses of the Marine Park.

General principles

1. The Great Barrier Reef Marine Park Authority (the Authority) will make every reasonable effort to support the continuity of permitted marine tourism operations when an area within the Great Barrier Reef Marine Park (the Marine Park) is impacted by a Severe Environmental Incident.
2. The Authority's objectives under the *Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park* (the Plan) are to provide management arrangements that:
 - 2.1. Protect the environment, enhance reef resilience and provide for existing uses while being responsive to marine tourism business needs
 - 2.2. Provide timely advice and give priority consideration to valid applications received under the Plan
 - 2.3. Support the marine tourism industry to provide a quality tourism experience, including the presentation of World Heritage values.
3. The Authority expects marine tourism operators to:
 - 3.1. Be stewards of the Great Barrier Reef and proactively monitor the health of the locations they regularly visit

- 3.2. Anticipate and mitigate the impacts of a Severe Environmental Incident by assessing the risks to their operation and developing contingency plans.

What is a Severe Environmental Incident?

4. For the purposes of the Plan, the Authority defines a Severe Environmental Incident as an incident, or series of incidents, which degrades an area in the Marine Park to such a degree that it significantly affects the ability of an operator to conduct the original permitted tourist program at that location. Examples include: coral bleaching, coral disease or crown-of-thorns starfish outbreaks, cyclones, storm surges, extreme flood events, oil and chemical spills and ship groundings.
5. A Severe Environmental Incident does not include changes to Marine Park ecosystems that are transitory or ephemeral in nature, such as the movement of coral cays and fluctuations in migratory animal populations.



Who is eligible under the Plan?

6. The Authority will consider operators to be eligible under the Plan if they hold valid Permissions for Marine Park tourism operations when:

- 6.1. The operation has been significantly impacted by a Severe Environmental Incident
- 6.2. The incident was beyond the reasonable control of and not contributed to by the operator
- 6.3. The operation has been complying with obligations in relation to the Permission and other management arrangements.

Responses to a Severe Environmental Incident

7. The Authority provides for three types of responses that may apply to an operator affected by a Severe Environmental Incident: *Immediate Responses*, *Recovery Responses* and *Adaptation Responses* (the Responses).

8. The Responses aim to ensure protection of the Marine Park and the continuation of Ecologically Sustainable Use.

- 8.1. The Responses must balance tourism use with other uses of the Marine Park.

9. The Responses can provide short, medium and long-term solutions.

Immediate Responses

10. Immediate Responses are focused on supporting actions individual operators can commence immediately within their current permit conditions and management arrangements.

11. Immediate Responses may include:

- 11.1. Greater use of roving access or alternative activities already permitted
- 11.2. Sharing of moorings to gain access to an alternative location

11.3. Operating under another operator's Permission through an authority to gain access to an alternative location(s)

11.4. Relocating a mooring within the original location in accordance with permit conditions

11.5. Relocating a pontoon within the original location in accordance with permit conditions.

Recovery Responses

12. Recovery Responses are focused on short to medium-term action individual operators can take by seeking additional Permission(s) under the Plan. Applications will be assessed (refer clause 23).

13. Recovery Responses may include:

13.1. Changing the permitted tourism activities at the current location

13.2. Obtaining access to an alternative location, for example, anchoring access or relocating a mooring or pontoon. In Planning Areas, this will, at best, be only 'like-for-like' access (refer clause 24)

13.3. Transferring a Permission from another operator to gain access to an alternative location

13.4. Undertaking site restoration or rehabilitation activities at the affected location. This may be a preferred alternative to relocating a pontoon.

14. Recovery Responses will require the operator to make a written application for a Permission under the Plan and its assessment may result in either a long-term or short-term Permission or no Permission at all (refer clauses 26-28).

Adaptation Responses

16. Adaptation Responses are focused on supporting long-term action where the nature of the incident does not allow for short or medium-term recovery or where the number of operators impacted does not allow case-by-case assessment.

17. Adaptation Responses may include:

17.1. The operator recognising the tourism opportunity is no longer available and altering their business accordingly

17.2. The Authority considering and seeking Ministerial approval for use of other management tools such as Emergency Special Management Areas to protect the Great Barrier Reef while providing for multiple use

17.3. The Authority considering and seeking Ministerial approval for legislative change (e.g. amendments to Plans of Management).

18. An Adaptation Response may run parallel to Immediate or Recovery Responses and will usually require public consultation.

Making an application

19. The operator must be eligible to apply under the Plan (refer clause 6).

20. The operator must make an application for a Permission under the Plan in a form approved by the Authority.

21. The operator must pay any associated Permit Application Assessment Fee.

21.1. The Authority will seek to charge the lowest fee.

How will an application be assessed?

22. Recognising the urgency for operators to recommence their business, the Authority will make every reasonable effort to support the continuity of

tourism operations and treat all valid applications with priority.

23. The Authority will consider valid applications as required by the *Great Barrier Reef Marine Park Regulations 1983* including any public notice requirement and assessment against the mandatory and discretionary assessment criteria.

24. Where more applications are made under the Plan than opportunities are available, the Authority may give priority to applications where there is a high risk of further environmental damage if the operation is not relocated, where operations are of a high standard which contribute to Reef resilience and/or where operations can't continue to operate without relocating.

25. In considering applications for access to Plan of Management areas (Planning Areas), the Authority will ensure the intent of the relevant Plan of Management remains.

25.1. The Authority will consider applications for access which are equivalent to or less than the original permitted access in a Planning Area ('like-for-like' access).

25.2. Access to alternative Sensitive Locations (Cairns and Hinchinbrook Planning Areas), Setting 5 areas (Whitsundays Planning Area) and to a more restrictive setting than the setting of the original permitted location will not be considered in 'like-for-like' access.

25.3. The Authority will not provide for increased permitted access or allow additional limited activities when compared to an operator's original permitted access and activities in a Planning Area.

Outcomes of an application

26. In some instances an application may result in a long-term solution through either a variation to an existing Permission or a new Permission being granted to replace an existing Permission.

27. In some instances, especially in Planning Areas, the application may result in the granting of a short-term Permission allowing operation at locations within the Marine Park while longer term solutions are explored and implemented.

27.1. While operating under a short-term Permission, the operator is expected to be actively pursuing a return to the original location or making alternative business arrangements.

27.2. Where relevant, the Authority may place conditions on short-term Permissions to ensure Ecologically Sustainable Use and orderly and proper management of the Marine Park.

27.3. The Authority may grant short-term Permissions for up to 12 months.

27.4. A continuation of a short-term Permission for a further 12 months may be considered in those instances where the original location has not recovered to a condition where it can be used for the original permitted tourist program.

27.5. A continuation of a short-term Permission will require a new application, payment of any fee, assessment under the Regulations and demonstration by the operator of the actions taken towards resuming normal operations.

28. The Authority does not guarantee that a Permission will be granted in any individual case. For example the incident may not be considered a Severe Environmental Incident or there may be no appropriate alternatives.

Further Information

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