

MEMORANDUM OF UNDERSTANDING BETWEEN GREAT BARRIER REEF MARINE PARK AUTHORITY AND QUEENSLAND PORTS ASSOCIATION ON PORT ACTIVITIES IN OR ADJACENT TO THE GREAT BARRIER REEF MARINE PARK.



MEMORANDUM OF UNDERSTANDING

BETWEEN: Commonwealth of Australia represented by the Great Barrier Reef Marine Park Authority (the **Reef Authority**)

AND Queensland Ports Association Incorporated (**Queensland Ports**)

(each a **Party**, and collectively, the **Parties**).

CONTEXT

1. The Great Barrier Reef was inscribed on the World Heritage List in 1981 in recognition of its Outstanding Universal Value.
2. The Reef 2050 Long-Term Sustainability Plan (**Reef 2050 Plan**) is the Australian and Queensland Governments' overarching framework for protecting and managing threats to the Great Barrier Reef. The Reef 2050 Plan contains concrete targets, actions, objectives, and outcomes to ensure the protection of the Reef's Outstanding Universal Value and allow ecologically sustainable use.
3. The Reef Authority (ABN 12 949 356 885) is the primary Commonwealth Agency to protect and conserve the Outstanding Universal Values of the Great Barrier Reef. The purpose of the Reef Authority is to provide for the long-term protection, ecologically sustainable use, understanding and enjoyment of the Great Barrier Reef for all Australians and the international community through the care and development of the Marine Park.
4. Queensland Ports Association Incorporated (ABN 87 833 854 057) is an association of Queensland Port Authorities as designated under the Queensland *Transport Infrastructure Act 1994*. The Association is comprised of the Port of Brisbane Pty Ltd, Gladstone Ports Corporation, North Queensland Bulk Ports, Port of Townsville Limited and Ports North. The purpose of the Association is to ensure that Queensland Port Authorities work collectively on matters of common interest and support port policy development, governance and implementation.
5. The Association is governed by an Executive Committee comprised of executive representatives from each of the Port Authorities. The Environment, Planning, and Sustainability Working Group was created to support the QPA Executive Committee with delegated authorities under the Queensland Ports Association Constitution. Membership of this Working Group is drawn from QPA representatives with expertise, responsibilities, or a relevant interest in Environment, Planning, and Sustainability.
6. As an island nation, 90 per cent of Australia's trade passes through ports and Queensland ports play a key role in leading sustainability in the Australian port sector. Efficient ports are heavily relied on for export of our agricultural and mineral commodities and the import of manufactured goods, vehicles and fuel to maintain and grow the Australian economy. Exports from the long established major

commodity ports based adjacent to the GBR Marine Park collectively account for most of the throughput from Queensland's ports, making up ~80% of total Queensland tonnage throughput.

7. Ports also play an important social role, as Queensland's smaller ports have important strategic functions such as exporting locally produced commodities, importing goods for remote and regional communities, providing facilities for national defence operations, and encouraging tourism through cruise shipping and recreational marine facilities. From an environment and security perspective, ports also help to administer the state's emergency oil spill response, monitor for the presence of marine pests and contribute to national security needs.
8. All levels of government, as well as the ports industry, recognise the importance of ensuring port activities are ecologically sustainable and are committed to delivering the actions under the Reef 2050 Plan.
9. The ports sector has been an active partner in Reef management for many years. Port environment staff have historically participated as regular members of Local Marine Advisory Committees which are constituted to provide advice to the Reef Authority on Marine Park issues and management proposals. The ports sector was also the first industry body to deliver an action under the Reef 2050 Plan (as outline previously related to WQA17).
10. The Ports industry and Queensland Government has played a key role developing a long-term plan for sustainable port development to protect the Great Barrier Reef. A range of policy initiatives demonstrating this commitment include priority port master planning and the Maintenance Dredging Strategy for Great Barrier Reef World Heritage Area Ports.
11. Given the value of Ports and the industry's role in supporting Reef 2050, the parties recognise the benefits of ongoing co-operation and information sharing in ensuring ecological sustainable activities.

PURPOSE

12. The purpose of this Memorandum of Understanding (**MOU**) is to establish a collaborative effort between Queensland Ports and the Reef Authority to strategically improve coordination associated with port activity within or adjacent to the Great Barrier Reef Marine Park (**Marine Park**).
13. This MOU is not legally binding on either party but is provided as a statement of intent and as a vehicle for cooperation.
14. The Parties acknowledge that nothing in this MOU will fetter, act as an estoppel or as an agreement about the exercise of discretion or the making of a decision by the Reef Authority under any legislation or subordinate legislation of the Commonwealth, including but not limited to the *Great Barrier Reef Marine Park Act 1975* and associated Regulations, Plans of Management, and Zoning Plans.

TERM & EFFECTIVENESS REVIEW

15. This MOU will have a term of 5 years from the date both parties execute the document.
16. This MOU will be reviewed on an annual basis and opportunities for improvement identified. Where necessary, the MOU will be amended.
17. The review will be undertaken by the Queensland Ports Association Environment, Planning and Sustainability Working Group Chair, and Marine Park Director Environmental Assessment and Protection (**Parties' Representatives**).

MEETINGS

18. A six-monthly forum will be facilitated by the Queensland Ports Association Environment, Planning and Sustainability Working Group with all state and federal regulators (including the Reef Authority) to exchange information and share learnings. The content of the forum will be decided by participants but will include issues such as policy, maintenance dredging, monitoring programs and ecosystem research and management.
19. In addition, the Queensland Ports Association Environment, Planning and Sustainability Working Group also meet on a regular basis and the Reef Authority will be advised of the opportunity to attend these meetings to discuss specific issues of mutual interest to the parties. Beyond this, Queensland Ports and the Reef Authority will meet on an as needs basis.

STRATEGIC PLANNING

20. Strategic planning discussions are of recognised value to both Queensland Ports and the Reef Authority. The Reef Authority will involve Queensland Ports at an early stage in any significant strategic planning or policy development that affects ports or port operations, shipping routes, anchorages or dredging.
21. Similarly, Queensland Ports will advise the Reef Authority of long-term plans in relation to maintenance dredging, port expansion or environmental monitoring and research.
22. The parties to this MOU will take into consideration the strategic aims of the other party, as well as specific key issues raised in meetings, when developing and reviewing strategic plans or policies for their activities.

SIGNIFICANT ISSUES

a) Reef Authority Outlook Report

23. Every five years, the Reef Authority prepares an Outlook Report for the Great Barrier Reef Region. The 2024 Outlook Report was published on 23 August 2024. The parties will consider identified issues under the 2024 Outlook Report.

c) Climate change

24. Climate change is a global issue that will affect ports and the Marine Park. The Reef Authority acknowledges that climate change is the greatest threat to the world's coral reefs. Most coral reefs have already declined and are facing irreversible change. The action we take today will determine the Great Barrier Reef we know tomorrow. Every increment of global warming is compromising the Reef's unique biodiversity, significant cultural heritage, social benefits, and the ecosystem services it provides.
25. Queensland Ports will continue to manage and reduce the climate footprint of their activities. Both parties will maintain a dialogue on greenhouse reduction initiatives to foster dissemination of best practice measures.

d) Dredge Material Management

26. All ports in Queensland have undertaken maintenance dredging since they were established. Queensland Ports cannot function without maintenance dredging which ensures safe navigation of ships entering and exiting a port. In managing requirements for maintenance dredging, Queensland Ports will develop Long Term Maintenance Dredge Management Plans (**LMDMPs**) in accordance with the Queensland Maintenance Dredging Strategy. In developing LMDMPs, Queensland Ports will seek the most sustainable dredge material management option which considers social, environmental, and economic values.
27. Queensland Ports may, from time to time, need to place maintenance dredge material in the Marine Park. In response to LMDMPs, the Reef Authority will look to issue long term permits for maintenance dredging activities where possible. In accordance with the *Sustainable Ports Development Act 2015* (Qld) and the *Great Barrier Reef Marine Park Regulations 2019* (Cth), disposal of capital dredge material in the Marine Park is prohibited.

e) Environmental Monitoring

28. Queensland Ports will maintain an environmental program designed to understand the local environment surrounding each port in Queensland. Queensland Ports will also be actively involved in the Reef 2050 Integrated Monitoring and Reporting Program (**RIMReP**) being managed by the Reef Authority.
29. The Reef Authority will keep Queensland Ports up to date on progress relating to RIMReP and ensure that any issues that Queensland Ports flag as end users are addressed in the implementation of RIMReP.

f) Environmental Assessment and Approvals

30. From time to time it will be necessary for Queensland Ports to seek permits for new activities. In these instances, both parties will endeavour to ensure that the assessment process, approval conditions, reporting and review requirements are designed to protect the environment in a cost-effective manner.

h) Introduced marine pests

31. Introduced marine pests have the potential to have an impact on the environmental values of the Marine Park. Both parties strongly support a risk assessment-based approach to marine pest management and the need to ensure consistency between Commonwealth, the Reef Authority, and State Government regulations with regard to introduced marine pests.
32. The Reef Authority and Queensland Ports will cooperate with all government agencies in their activities to monitor and respond to marine pests.

SCIENTIFIC RESEARCH

33. At times Queensland Ports will undertake scientific research to support its activities within the Marine Park and the sustainable operation of a port. In developing these scientific research programs, Queensland Ports will engage with the Reef Authority and take into consideration any issues that are raised.

MANAGEMENT PLANS FOR PORT ACTIVITIES WITHIN THE GREAT BARRIER REEF MARINE PARK

34. Queensland Ports will consult with the Reef Authority when developing environmental management plans for actions that may impact the environmental, heritage or cultural values of the Marine Park, or have an effect on Marine Park users.
35. The Reef Authority will consult with Queensland Ports when developing zoning maps, environmental management plans, and programs or policies that may affect port operations, port development, port users or the environmental, heritage or cultural values of a port property.
36. The Reef Authority will also flag any related actions or activities of other Marine Park users which ports should be aware of.

TERMINATION

37. The Parties may terminate this MOU by mutual agreement in writing.
38. Either Party may terminate this agreement in writing if a dispute is unable to be resolved by the Dispute Resolution process set out below.

DISPUTE RESOLUTION


39. Any dispute between the Parties arising out of this MOU or concerning performance or interpretation by either Party of its role under this MOU may be referred for initial discussion between the Parties' Representatives.
40. If a resolution cannot be reached through the Parties' Representatives within 10 working days of the dispute arising, the dispute may be escalated through their respective management hierarchy.

VARIATION

41. This MOU may be varied by agreement in writing signed by both Parties.

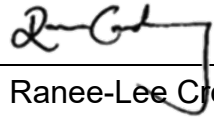
EXECUTION

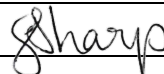
SIGNED by the COMMONWEALTH OF AUSTRALIA ACTING THROUGH THE GREAT BARRIER REEF MARINE PARK AUTHORITY by its duly authorised delegate and in the presence of:

Signature of Authorised Representative:	
Name and Date:	Josh Thomas 29 November 2024
Position:	Chief Executive Officer

Signature of Witness:	
Name and Date:	Lois Wilkinson 29 November 2024

SIGNED by the QUEENSLAND PORTS ASSOCIATION by its duly authorised delegate and in the presence of:

Signature of Authorised Representative:	
Name and Date:	Ranee-Lee Crosby 3 December 2024
Position:	Chair

Signature of Witness:	
Name and Date:	Gillian Sharp 4 December 2024