

## Definitions: s7(4) policy and plan (v1.0)

The Reef Authority acknowledges the continuing Sea Country management and custodianship of the Great Barrier Reef by Aboriginal and Torres Strait Islander Traditional Owners whose rich cultures, heritage values, enduring connections and shared efforts have and are protecting the Reef for future generations.

**Objective:** To define the terms 'policy' and 'plan' used in section 7(4) of the Great Barrier Reef Marine Park Act 1975 (Cth) (Marine Park Act).

### 1. Policy Outcomes

- 1.1 To establish a foundation for the consistent preparation of a policy and a plan to be published under section 7(4) of the Marine Park Act.
- 1.2 To identify the functions that a policy and a plan will perform.
- 1.3 The policy and plan definitions apply to documents and decisions about the way in which the Authority intends to “manage the Marine Park” under section 7(4)(a) of the Marine Park Act.
- 1.4 The definitions do not apply to documents and decisions about the way in which the Authority intends to “perform its other functions” under section 7(4)(a) of the Marine Park Act. For example, the definitions would not apply to a corporate procedure about human resources.

### 2. The Definitions

2.1 In these definitions:

#### **Authority**

Means the Great Barrier Reef Marine Park Authority established by the Marine Park Act, consisting of the members of the Authority (commonly referred to as the ‘Board’ or ‘MPA’) set out in subsection 10(1) of the Marine Park Act.

#### **Marine Park Act**

Means the *Great Barrier Reef Marine Park Act 1975* (Cth).

#### 2.2 **Marine Park management plan or Marine Park management policy:**

- a) is prepared and published by the Authority under subsection 7(4) of the Marine Park Act;
- b) is about the way in which the Authority intends to manage the Marine Park;
- c) is not a legislative instrument made under the Marine Park Act (for example, a zoning plan or a plan of management);
- d) must advance the objects of the Marine Park Act by seeking to achieve a Marine Park management intent, output (including a process) or outcome on a matter;
- e) must impose a positive or negative obligation on a person to do or not do a thing (except in the case of a *Marine Park management guideline* or *Marine Park management strategy*);
- f) in the case of a *Marine Park management policy*, may take the form of (but is not limited to):
  - i) a *Marine Park management policy document*;
  - ii) a *Marine Park management guideline*; or
  - iii) a *Marine Park management strategy*; and

- iv) an Authority decision if published (for example, a temporary prohibition or pause on a matter; a moratorium; that affects Marine Park management); and
- g) in the case of a *Marine Park management plan* must include a map, graphical representation, or plan with a spatial element (whether geo-referenced or not).

Examples of a *Marine Park management plan* include a site plan and a site management arrangement, however named.

### 2.3 *Marine Park management policy document*:

- a) meets the definition of *Marine Park management policy*; and
- b) is not a *Marine Park management guideline* or *Marine Park management strategy*.

### 2.4 *Marine Park management guideline*:

- a) meets the definition of *Marine Park management policy*;
- b) must satisfy one or more of the following:
  - i) is limited to a matter that supports the application and implementation of a *Marine Park management policy* or *Marine Park management plan*; or
  - ii) provides guidance on how a requirement of a *Marine Park management policy* or *Marine Park management plan* can be satisfied; and
- c) must not impose a positive or negative obligation on a person to do or not do a thing.

### 2.5 *Marine Park management strategy*:

- a) meets the definition of *Marine Park management policy*;
- b) must satisfy one or more of the following:
  - i) outlines a long-term management approach, process or actions to be undertaken by *Marine Park managers*;
  - ii) sets a vision, objectives, or actions with timeframes to manage one or more matters affecting the *Marine Park* or the *World Heritage Area*; or
  - iii) includes performance indicators; and
- c) must not impose a positive or negative obligation on a person, except a *Marine Park manager*, to do or not do a thing.

## 3. Implementation

- 3.1 The Authority will apply this policy to the implementation of *Marine Park policies and plans* under section 7(4) of the *Marine Park Act*.
- 3.2 The Authority will use this policy to rationalise existing documents and decisions, and make improvements to policy and plan use and governance.
- 3.3 A policy-making manual will be prepared and published to support the implementation of the policy and plan definitions.

## 4. Further information

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