



ORIGIN STORY

The Great Barrier Reef Marine Park

The Conservationists' Battle: Creation of the Great Barrier Reef Marine Park

The Great Barrier Reef Marine Park (GBRMP) on the north-eastern coast of Australia, is the oldest large-scale marine protected area in the world. Covering an area of 344,400 square kilometers, the marine park is considered by many to be a critical part of global natural heritage (Day 2020,4; UNESCO 2021). For thousands of years, it has also been a place of significant cultural, spiritual and material importance to Aboriginal and Torres Strait Islander peoples (Day 2020, 4). The Great Barrier Reef has not always been regarded as a place needing or deserving protection, however. The GBRMP Act was declared in 1975 following a long protest movement known as the "Save the Barrier Reef" campaign (Bowen and Bowen 2002, 317; Wright 1977).

The catalyst for the campaign was a combination of concern at government plans to allow the extraction of oil, gas and coral for limestone from the Great Barrier Reef (the Reef) as well as growing public awareness of human impacts on the environment (Bowen and Bowen 2002, 317 and 323). This concern was reinforced by an outbreak of Crown of Thorns starfish that started amidst a fledgling but growing tourism industry (Bowen and Bowen 2002, 324 and 325). The starfish, which feeds on coral, subsequently reached such high numbers that entire swaths of the Reef were killed, causing great alarm (Bowen and Bowen 2002, 325).

Following the second world war, oil was seen as an important part of rebuilding Australia (Bowen and Bowen 2002, 318). Exploration accelerated after the Federal Government offered a 50% subsidy for drilling costs in the late 1950's (Bowen and Bowen 2002, 319). Terrestrial drilling sites in the state of Queensland failed to fulfil expectations, but natural gas and oil were found in other Australian states (Bowen and Bowen 2002, 319). Because the geology of the Reef seemed conducive to oil deposits, the Queensland government, led by Premier Nicklin, began issuing prospecting licenses for the Reef (Bowen and Bowen 2002, 319 and 321). Economic recovery was not the only reason for this move: Nicklin and his Cabinet were shareholders of oil companies and issued the licenses in secret (Bowen and Bowen 2002, 321 and 326). Premier Bjelke-Petersen, who took office in August 1968 and had a personal interest in oil speculation, was "determined that exploration of the Reef would go ahead" (Bowen and Bowen 2002, 322; Wright 1977, 47).

When the opposition in Queensland's parliament and environmental groups became aware of the personal interests of the Premier and his Cabinet, a passionate campaign against drilling and mining ensued (Bowen and Bowen 2002, 322). Public concern over oil exploration on the Reef intensified after a multitude of oil spills and accidents throughout the world, beginning with the 1967 oil spill of the SS Torrey Canyon which wrecked off the coast of Cornwall, spilling 118 million tons of oil onto prime English holiday beaches (Bowen and Bowen 2002, 327). An oil spill from a drilling platform at Santa Barbara, California in January 1969 gave further ammunition to conservationists (Bowen and Bowen 2002, 331).

Under a new Prime Minister (John Gorton), the Federal Government became increasingly concerned over the oil drilling controversy in 1968 and entered into intense debate with the Queensland

government regarding sovereignty and control over the Reef (Bowen and Bowen 2002, 329). As these disputes raged, two things happened that helped tilt the conflict in the Federal Government's favor. First, the Australian Conservation Foundation (ACF) voted at its 1968 Annual General Meeting for the Reef to be put under the control of the Federal Government to the 200-metre depth mark (Bowen and Bowen 2002, 331). This led to the second event, a public forum on the topic in Sydney on 3 May 1969. There, the audience heard legal arguments for federal control and a recommendation that the matter be considered at the High Court of Australia (Bowen and Bowen 2002, 332; Wright 1977, 64).

The Sydney forum also saw several speakers support the idea of an advisory or regulatory authority to coordinate the conflicting interests of the Reef's stakeholders (Bowen and Bowen 2002, 332). Patricia Mather, the honorary secretary of the Great Barrier Reef Committee, pushed for an independent statutory authority rather than an advisory body (Wright 1977, 26). She would eventually go on to draft a 'Bill for an Act relating to the Great Barrier Reef', intended to guide governments during their deliberations (Bowen and Bowen 2002, 338).

Prime Minister Gorton was becoming increasingly sympathetic to the conservationist cause, no doubt aided by a visit from Reef activist, John Busst, during Gorton's vacation on Dunk Island in 1969 (Bowen and Bowen 2002, 332). Because the Queensland government refused to agree to a drilling moratorium, conservation activists established a 'Save the Reef' committee with Labor Party Senator George Georges as President (Bowen and Bowen 2002, 333; Wright 1977, 84). The new committee encouraged trade union "black bans" on activities that supported drilling, which resulted in a drilling project being postponed (Bowen and Bowen 2002, 334; Wright 1977, 106). Meanwhile, Prime Minister Gorton reached agreement with Queensland Premier Bjelke-Petersen regarding terms of reference for an independent inquiry into oil drilling on the Reef (Bowen and Bowen 2002, 335; Wright 1977, 116).

Less than three weeks after federal and state leaders began working together, an oil spill disaster happened in the Torres Strait near the northern end of the Reef off the tip of Cape York (Bowen and Bowen 2002, 335; Wright 1977, 140). Both the Federal and Queensland governments commissioned inquiries into the incident (Bowen and Bowen 2002, 335). Those investigations resulted in a decision to upgrade the proposed inquiry on the impact of oil pollution on the Reef to a Royal Commission (Bowen and Bowen 2002, 336; Wright 1977, 142).

Meanwhile, a shift occurred in the political scene that would score another point for the conservationist cause. The Labor Party, which had campaigned on a platform including the suspension of all mining and drilling on the Reef, won the Australian federal elections on 2 December 1972 (Bowen and Bowen 2002, 343; The Australian 1972). Labor Party leader Gough Whitlam stated in his pre-election policy speech that, if successful, his government would declare the Reef a marine park (Whitlam 1972).

The next move by the Federal Government was to bring the recommendation of the Sydney forum regarding jurisdiction over the Reef into action. The Federal Government passed the Seas and Submerged Lands Act 1973, which asserted that it held constitutional authority over Australia's territorial sea. Consequently, all six state governments of Australia began action in the High Court to challenge that claim of sovereignty (Bowen and Bowen 2002, 343; Lloyd 2016, 218). The High Court judgement would not be brought down until after the December 1975 federal election (Bowen and Bowen 2002, 354).

The Royal Commission drew no clear conclusion about a moratorium on drilling because of a split opinion between the commissioners. The Chairman, Gordon Wallace, recommended that drilling be stopped, while the other two commissioners recommended drilling in specific areas (Lloyd 2016, 217). The Federal Government supported the Chairman's conclusion, much to the annoyance of the Queensland Minister of Mines (Lloyd 2016, 239).

The Royal Commission was not entirely ineffective, however. The commissioners agreed that there was insufficient information to fully understand the impacts of oil drilling on the Reef (Lloyd 2016, 217; Bowen and Bowen 2002, 360). This led to their support of more marine science, a position previously promoted by various politicians in their quest to increase marine biological research in Queensland (Bowen and Bowen 2002, 357-8). This subsequently led to the Australian Institute of Marine Science Act 1970, and the development of a major marine research station near Townsville, conducting research 'directed initially to... the scientific problems of the Great Barrier Reef, the Coral Sea, and the coast and coastal waters of north Queensland' (Bowen and Bowen 2002, 359).

The Commission also recommended that a statutory authority be constituted and be responsible to the appropriate Parliament 'for ecological protection and the control of research and development' within the Reef (Bowen and Bowen 2002, 351). An earlier Committee of Inquiry into the National Estate convened in May 1973 also recommended a statutory authority (Bowen and Bowen 2002, 345). It suggested that responsibility for protecting the Reef fell on both the Federal and Queensland governments (Bowen and Bowen 2002, 345).

Following these developments, the establishment of a Marine Park Authority began to gain momentum. It was recognised that many government departments were involved in the Reef's management, so an 'Interdepartmental Committee on the Great Barrier Reef' (IDC) was created (Bowen and Bowen 2002, 346). Dr Mather's draft bill was used as a starting point for new legislation (Bowen and Bowen 2002, 346). Since islands within the Reef were State territory, it was accepted that the Queensland Government should be included in any management regime while, by virtue of the Australian Constitution, Federal legislation would override that of Queensland where there were inconsistencies (Bowen and Bowen 2002, 346).

Of four possible administrative structures considered, the option selected was 'a small, incorporated Authority with executive power... consisting of a full-time Chairman and two or three part-time Assistant Commissioners' (Bowen and Bowen 2002, 346). The Great Barrier Reef could not be designated a national park since it fell outside the IUCN definition of a national park at the time, but it could be designated a marine park, as had been done in 1935 in the Florida Keys and US and British Caribbean territories in the 1960s (Bowen and Bowen 2002, 347).

In July 1974, the IDC delivered their recommendation that a Great Barrier Reef Marine Park be established (Bowen and Bowen 2002, 348). Prime Minister Whitlam's government announced its intention to include the entirety of the Reef in a marine park (Wright 1977, 176). Since the Torres Strait boundary between Australia and Papua New Guinea was being negotiated at the time, the marine park's northern boundary would be drawn at the tip of Cape York (Bowen and Bowen 2002, 348). Because of the wide range of existing uses in the area and the need to bring those uses into a management regime, the marine park would be multiple-use (Bowen and Bowen 2002, 348) but oil drilling would not be

permitted (Bowen and Bowen 2002, 351). In the same month the recommendation came from the IDC, Cabinet authorized the drafting of legislation (Bowen and Bowen 2002, 348).

Despite the fact that the High Court had not delivered its judgement that would determine the jurisdiction of the Federal government, the Great Barrier Reef Marine Park Bill was introduced in the Federal Parliament on 22 May 1975 (Bowen and Bowen 2002, 353; Wright 1977, 178). At the time, the boundaries of the park were still unspecified (Wright 1977, 179). They were to be determined by the Authority that was to be established by the Act (Lloyd 2016, 239). The Authority would also determine which uses would be permitted in various zones, with conservation and protection being the paramount aim in all zones of the Marine Park (Lloyd 2016, 239). The Bill was passed on 20 June 1975 and is now viewed as pioneering legislation for its time, providing for both 'conservation and reasonable use' of natural resources (Commonwealth Consolidated Acts 2020; Day 2020, 6; Woodley, n. d.). The High Court judgement followed and as expected, went in favor of the Federal Government's jurisdiction over all waters below the low-water mark (Bowen and Bowen 2002, 354; Wright 1977, 179). The protected status of the Great Barrier Reef was therefore secured within a declared outer boundary (the Region). However, contrary to the belief that the entire Marine Park was established in 1975, it was not until 1988 (i.e. 13 years after the Region was declared) that the majority of the Region was sequentially proclaimed as sections of the Marine Park and then zoned.

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