

## **Submission from the Ningaloo Coast World Heritage Advisory Committee to Draft Australian Marine Parks Plans 19 September 2017**

This submission is made on behalf of the Ningaloo Coast World Heritage Advisory Committee (NCWHAC). A copy of the terms of Reference of the Committee and current membership is at Attachments 1 and 2. We request that information contained in our previous submissions to the Northwest Bioregional Advisory Panel (NWBAP) Review and the proposal to prepare draft plans be taken into account in this submission. Some of the information in these submissions is repeated in the following discussion.

### **Recommendations:**

#### **Ningaloo Marine Park (Commonwealth Waters)**

1. The NCWHAC supports the proposed change in zoning categorisation from IUCN Category II (National Park) to IUCN Category IV for the Ningaloo Marine Park (Commonwealth Waters) providing there are no changes or additions to activities currently permitted in the Marine Park.

#### **Gascoyne Marine Park**

2. It is recommended that the proposed Habitat Protection Zone bounded by coordinates 112°36' E, 21°30' S, 113°14' E, 22°20' S, 22°39.923' S and 111°55' E in the Gascoyne Marine Park be further extended eastward to join with the outer (western) boundary of the Ningaloo Marine Park (Commonwealth Waters) and northward to give greater protection to the Cape Range Canyon.

3. It is recommended that the proposed Marine National Park Zone in the Gascoyne Marine Park directly west of the Ningaloo Marine Park (Commonwealth Waters) be not reduced in size but be retained as recommended in the Commonwealth Marine Reserves NWBAP Report of 2016 ie. bounded by coordinates 22° 30.923'S, 111°55'E, 21°30'S, 110°55'E, 20°42'S and the EEZ boundary.

#### **General**

4. It is recommended that the proposed marine park scheme is well resourced and properly supported by long-term, effective and efficient education and communication programs and enforcement programs. In addition it is recommended that the assumptions and risks that underpin the proposed management plan and zones should be tested and reported on annually through robust independent monitoring and reporting on status and trends in condition as well as the effectiveness of management. For this well designed monitoring programs that generate long-term data sets are required to characterise the

marine environment and monitor trends in the health of the system and usage patterns.

**Comments:**

1. Ningaloo Marine Park (Commonwealth Waters)

We **support** the change in proposed categorisation from IUCN Category II (National park) to IUCN Category IV for the Ningaloo Marine Park (Commonwealth Waters). However the email notification of 25 July 2017 from the Director of National Parks that there would be “no changes or additions to existing activities permitted in Ningaloo” seems at odds with the Overview of Proposed Activities contained in the factsheet for the North-west Network Management Plan. There seem to be two potential additional activities allowed in the Recreational use Zone (IUCN IV) that are not allowed in the National Park Zone (IUCN II) i.e. Charter fishing tours (including spear fishing diving tours) and recreational fishing (including spear-fishing). We do not support additional extractive activities over and above what is currently permitted.

2. Gascoyne Commonwealth Marine Park: Habitat Protection Zone

The extension of the Habitat Protection Zone in the Gascoyne Commonwealth Marine Park eastward (coordinates 112°36<sup>1</sup> E, 21°30<sup>1</sup> S, 113°14<sup>1</sup> E, 22°20<sup>1</sup> S, 22°39.923<sup>1</sup> S and 111°55<sup>1</sup> E), is **supported**. The proposed extension if implemented will assist in the better protection of parts of the deepwater canyons off the Ningaloo Marine Park (Commonwealth Waters), particularly the Cloates Canyon.

However the larger more productive Cape Range Canyon remains vulnerable to oil and gas activities. Accordingly we reiterate our concerns expressed in our submission to the NW BAP in March 2015 viz.

*“These formations that transect the continental shelf provide channels for the upwelling and rapid transport of nutrients and larvae into the Ningaloo Reef system which otherwise receives virtually no nutrient input from the land. Offshore marine upwellings are “critical for sustaining the unique conditions of the Ningaloo region such as its high reef biodiversity and high density of megafauna such as whale sharks” (Brewer et al 2007).*

*Deepwater canyon systems are recognised elsewhere in the world for their critical role in supporting the nearshore environment and the host of marine fauna attracted to rich upwellings (Wurtz et al 2012) This is further supported by research published in 2007 that concluded “high nutrient water from this trophic system [Cuvier abyssal plain] will flow into the canyons to the east and influence the NW Cape trophic system.’ (Brewer et al. 2007).*

The importance of these canyons systems is recognised in the draft NW Management Plan for the Gascoyne Marine Park. The Statement of Significance states:

*“The Gascoyne Marine Park is significant because it contains habitats, species and ecological communities associated with the Central Western Shelf Transition,*

*Central Western Transition, and Northwest Province. It includes four key ecological features: Canyons linking the Cuvier Abyssal Plain and the Cape Range Peninsula (valued for unique seafloor features with ecological properties of regional significance); Commonwealth waters adjacent to Ningaloo Reef (valued for high productivity and aggregations of marine life); continental slope demersal fish communities (valued for high levels of endemism and diversity); and the Exmouth Plateau (valued as a unique seafloor feature with ecological properties of regional significance).*

*The Marine Park includes some of the most diverse continental slope habitats in Australia, in particular the continental slope area between North West Cape and the Montebello Trough. Canyons in the Marine Park link the Cuvier Abyssal Plain to the Cape Range Peninsula and are important for their role in sustaining the nutrient conditions that support the high diversity of Ningaloo Reef.”*

The Statement of Natural Values includes the following

*“The Marine Park includes examples of ecosystems representative of:*

*· \_.....*

*· \_Central Western Transition—characterised by large areas of continental slope, a range of topographic features such as terraces, rises and canyons, seasonal and sporadic upwelling, and benthic slope communities comprising tropical and temperate species; and*

*· \_.....*

*Key ecological features of the Marine Park are:*

*· \_Canyons linking the Cuvier Abyssal Plain and the Cape Range Peninsula—an area resulting in upwelling of nutrient rich water and aggregations of marine life;*

*· \_.....*

The critical role of the sub-canyons in the supply of nutrients and larvae to the NCWHA has also been confirmed in recent research by GeoSciences Australia viz.

*“The geomorphology of the Carnarvon Slope is dominated by large submarine canyons, such as the Cloates Canyon and Cape Range Canyon adjacent to the NW Cape. These large canyons are features that are unique in the NWMR. The canyons and the Leeuwin Current interact to produce eddies inside the heads of the canyons resulting in a spilling out of higher nutrient cooler waters at their ends. The upper slope canyons are impacted by boundary currents and other processes, such as strong internal tides, creating upwelling at the canyon heads. The canyons are also repositories for particulate matter deposited from the shelf and sides of the canyons ‘ Cape Range Canyon is one of the largest canyons on the western margin of Australia. It extends for over 120 kilometres from the westernmost Exmouth Sub-basin (1800 metres water depth) to the Gascoyne abyssal plain (4800 metres depth). Cloates Canyon is a slightly smaller canyon located about 40 kilometres south of the Cape Range Canyon and occurs in similar water depths. Bathymetry has shown that both canyons incise deeply into the margin, and have steep walls in their lower reaches. (Geoscience Australia 2009)*

Since the CMR Review, additional information has come to light that highlights the need to increase protection of the ecosystems on which key megafauna for the Ningaloo Coast World Heritage Area (NCWHA) depend i.e.

- observations of whale shark mass feeding events recorded in 2012 5km offshore from Murion Ilands - (Department of Parks and Wildlife WA per.comm.)
- the recent upgrading by IUCN of the whale shark from "vulnerable" to "endangered" since the previous submission.
- the listing of a Biologically Important Area of Regionally Significant Marine Species for pygmy blue whales west of the Ningaloo Marine Park (Commonwealth Waters).

It is also understood that since the NWBAP review, several petroleum exploration permits in the area west of the Ningaloo Marine Park (Commonwealth Waters) have been relinquished and that the need to retain the area between the proposed extended HPZ and the western boundary of the NCMR for petroleum purposes is reduced.

We therefore **recommend** that the proposed Habitat Protection Zone bounded by coordinates 112°36' E, 21°30' S, 113°14' E, 22°20' S, 22°39.923' S and 111°55' E be extended eastward to join with the outer (western) boundary of the Ningaloo Marine Park (Commonwealth Waters) and northward to the limit of the NCWHA to give greater protection to the Cape Range Canyon which is a vital source of nutrients and larvae to the Area.

## 2. Marine National Park Zone – Gascoyne Marine Park

The National Park Zone (green zone - IUCN category II) west of the Habitat Protection Zone (yellow zone - IUCN Category IV) as recommended by the NWBAP Review has been substantially reduced in size from that contained in the 2009 draft management plans and reinforced by the NWBAP Review (33437 km<sup>2</sup> to 9164 km<sup>2</sup>), a reduction of over 60% in the national park zoning.

The proposed change is a significant reduction in the high level of protection of the area that buffers the Ningaloo Coast WHA. No additional evidence has been supplied to justify this major reduction in protection. Given that the NW BAP review was conducted with commercial and recreational fishing interests represented on the Panel and through extensive discussions with stakeholders during the review we are at a loss to understand what additional scientific and other information has prompted such a change between the submission of the NWBAP Review report and that of the Expert Scientific Panel in 2016 and the production of the draft NWS Marine Parks plans in 2017.

The proposed change in zoning means more opportunity for fishing, and less protection of deepwater ecosystems from such extraction. The difference means that this new area which was previously not open to recreational fishing is now able to be fished recreationally. In addition, certain types of commercial fishing which were previously not permitted are now permitted (longline (pelagic) and minor line (hand lining, rod & reel, trolling, squid jigging, poling).

The extensive and careful public consultation process undertaken by the NW Bioregional Advisory Panel did not identify any need to change the zoning and reduce the protection for this area, nor recommend any change. Similarly the Expert Scientific Panel Report made no such recommendations. No scientific or

other evidence has been produced in the proposed plan to justify the change. To have such a major and unsubstantiated change between the public consultation review processes and the draft plan release suggest to us that the stakeholder discussion process was a waste of time and effort for stakeholder groups such as the NCWHAC.

The NCWHAC does not support this proposed change in zoning as it significantly reduces the protection of offshore deepwater systems that buffer the Ningaloo Coast World Heritage Area and **recommends** that the proposed national park zoning contained in the NW BAP report be retained.

## References

Brewer, D.T., Lyne, V., Skewes, T.D., and Rothlisberg, P. (2007) Trophic Systems of the North West Marine Region: Report to The Department of the Environment and Water Resources. CSIRO; Cleveland.

Geoscience Australia 2009 Ausgeo News June 2009 Issue no. 94  
<http://www.ga.gov.au/ausgeonews/ausgeonews200906/marine.jsp> ]

Wurtz, M. (ed). 2012. Mediterranean Submarine Canyons; ecology and governance/ IUCN

## Attachment 1

### Ningaloo Coast World Heritage Advisory Committee

The Ningaloo Coast World Heritage Advisory Committee was established as a representative stakeholder group in 2013 by agreement between the Commonwealth and Western Australia governments. Membership covers a wide range of expertise and community interest including indigenous heritage, pastoral interests, local government, planning, science, tourism, conservation and industry,

The role of the NCWHAC is to:

- provide advice to the Commonwealth and State Environment Ministers on the protection, conservation, presentation and management of the values of the World Heritage area;
- develop and provide input into initiatives and opportunities for the promotion and presentation of the World Heritage area values to the local, national and international communities; and
- contribute to enhancing the stewardship and connection of the community to the World Heritage area
- nominate members from the NCWHAC to represent the Committee on the Australian World Heritage Advisory Committee and the Australian World Heritage Indigenous Network.

### Attachment 2 Membership September 2017

<b>Members</b>	<b>Stakeholder Affiliation</b>
Mr Simon Woodley	Chairperson and Scientific research (Marine)
Cr Karl Brandenburg	Shire of Carnarvon
Mr Anthony Dowling	Local community interests
Mr Anthony Evans	Broader community interests
Ms Jacqueline Hine	Conservation interests
Professor William Humphreys	Scientific research (Terrestrial)
Ms Leonie McLeod	Chamber of Commerce and Industry
Mr Frazer McGregor	Tourism interests
Mrs D. Ann Preest	Local Indigenous group, Exmouth
Ms Hazel Walgar	Local Indigenous group, Carnarvon