

Ms Sally Barnes  
Director of National Parks  
Department of Environment and Energy

Submitted electronically to: [managementplanning.marine@environment.gov.au](mailto:managementplanning.marine@environment.gov.au)

19 September 2017

Dear Ms Barnes,

### **International Fund for Animal Welfare (IFAW) comments on the Draft Commonwealth Marine Park Management Plans**

As one of the leading international animal welfare and conservation organisations, the International Fund for Animal Welfare (IFAW) works to save animals in crisis around the world. IFAW focuses its work on improving the welfare of wild and domestic animals by reducing the commercial exploitation of animals, protecting wildlife habitats and assisting animals in distress. IFAW seeks to promote animal welfare and conservation policies that advance the well-being of both animals and people.

IFAW has historically had a particular focus on the protection of marine mammals and works around the world to protect whales and dolphins from the many threats they face today, including through the protection of critical habitats for these species.

Providing a solid foundation for the long term health of Australia's marine environment is critical. Australia is the most biodiverse marine environment in the world<sup>1</sup> but the marine regions being addressed in the Marine Bioregional Planning process are among the least protected in the world with less than 1% in sanctuary level protection.

Australia's Commonwealth waters are home to 45 of the world's 78 whale and dolphin species, including many threatened and migratory species, therefore, it is vitally important that Australia takes steps to protect cetacean habitats. The marine reserves proposal makes a valuable contribution in this regard.

IFAW previously endorsed and welcomed the Proclamation of the Commonwealth Marine Reserves Network as outlined in the Government Gazette on 11 July 2012, as important and historic step forward for marine conservation. Marine reserves are an important component of the suite of measures required to adequately protect the marine environment and our way of life which depends upon it. In the years since we have expressed our deep

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<sup>1</sup> Census of Marine Life 2010 [www.coml.org](http://www.coml.org)

disappointment and that of the thousands of IFAW Australian supporters at the Abbott Government's decision to review the protections placed on these vital marine spaces.

The cutbacks to high level protection proposed around the nation are to make way for destructive forms of commercial fishing and mining, and far exceed those proposed by the Government's own independent Review, released last year. Almost 40m hectares of marine 'sanctuary' area (Marine National Park / IUCNII) is proposed to be cut from Australia's marine parks network – an area twice the size of Victoria – and equivalent to removing almost every second national park on land.

If these new plans proceed, Australia will be the first nation in the world to go backwards on marine protection – setting a damaging international precedent at a time when the world's oceans need more, not less protection.

Please find following IFAW's comments and recommendations to the Department on the Draft Marine Reserve Management Plans. We thank you for the opportunity to provide these.

Yours faithfully,



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IFAW, as part of the Save Our Marine Life coalition, an alliance of 26 environment organisations across Australia, and on behalf of our supporters provides the following comments on the overall marine park network, as well as the individual regions: -

## Network/Australia-wide points:

- 1. The cut backs of Marine National Park ‘sanctuary’ IUCN II zoning (MNPZ) across the Network are unacceptable** - The Government’s independent Review recognised the extensive science and consultation that led to the creation of the 40 parks in 2012. However, the Turnbull Government’s draft management plans recommend reducing, relocating and in most cases completely removing the MNPZ protection over key habitats, particularly in the globally important Coral Sea. In the face of devastating coral bleaching, mangrove dieback and vanishing kelp forests, MNPZ coverage in Australia’s Marine Parks are even more important now than ever. IFAW calls on the Government to fully restore and increase the IUCN II zoning in Australia’s Marine Parks without delay.
- 2. The marine park zoning must be science-based** – the Government’s own Expert Science Panel found that marine parks declared in 2012 were the result of sound science and consultation. Further, leading scientists found that the 2012 network would need more marine sanctuary coverage, not less (eg: Barr and Possingham, *Are outcomes matching policy commitments in Australian marine conservation planning?* Marine Policy 42, 39-48 2013).
- 3. Partial protection zones are not a substitute for high level ‘sanctuary’ (Marine National Park / IUCNII) protection** – claims by government that Habitat Protection (HPZs/yellow zones) are equal to Marine National Park zone (MNPZ/green zones) are false and misleading. Protecting the sea floor provides only partial protection and does not protect the marine life living within the water column. Each marine park should have adequately sized and located zones of high level MNPZ protection, with partial protection zones used in an ancillary way. It is well established in the scientific literature that partial protection does not generate biodiversity benefits comparable to full protection.
- 4. Reject the proposal to allow mining in parks** – the Government proposes to allow mining and pipelines in the vast majority of the parks. Marine parks not currently containing mining exploration rights should be considered for full protection from mining. As emphasised at the recent World Conservation Congress, industrial activities like mining and mining exploration are not compatible with marine parks. Marine parks should be fully protected from mining as has been achieved in the Great Barrier Reef Marine Park.
- 5. Reject the proposal for destructive commercial fishing activities such as trawling, gillnetting and longlining in the marine parks** – by opening up 38 of the marine parks to destructive commercial fishing practices such as trawling, gillnetting and longlining, the Government is proposing to ignore the findings of the independent Fishing Gear Risk Assessments it commissioned, which found those types of fishing to be incompatible with many of the conservation values in the parks. Further, allowing in destructive forms of commercial fishing puts at risk the benefits that marine parks provide not only to marine life, but also more broadly to tourism, recreational fishing and other types of commercial fishing that *can* operate sustainably inside parks alongside high level MNPZ zoning.
- 6. There is no justifying economic argument** – Australia’s marine tourism industry is worth \$28b per year, whereas the catch value being returned to commercial fishing from the network-wide MNPZ cuts is worth only \$4m per annum – only 0.3% of the total revenue of Australia’s wild catch fisheries.

- 7. The results of the statutory consultation are being ignored** - it is deeply concerning that despite the vast majority of submissions to Parks Australia's first consultation round last year strongly supporting the restoration and increase in high level marine national park zone protection, the Government is proposing the complete opposite to the consultation outcomes in all but 1 of the 44 marine parks.

## Comments and recommendations specific to the Coral Sea Marine Park

### The Coral Sea Draft Management Plan fails the science test

The Government's Expert Science Panel recognised the Coral Sea as a significant biodiversity hotspot for sharks and tuna and marlin. It acknowledged it as one of the few remaining areas globally that hasn't been impacted significantly by humans. It also recognised the value of its unique reefs and acknowledged that they warrant higher protection.

However, the Government proposes:

- **Large cuts of 53% and fragmentation of Marine National Park Zone (MNPZ) coverage in the park** - the large offshore oceanic Marine National Park Zone in the Coral Sea is Australia's major global contribution to the protection of intact tropical pelagic marine life at a large scale. With such values and little if any fishing, this area is intact and therefore an important, achievable and rare opportunity for inclusion in the marine parks network as a large area of high level protection. Under the government's proposals, most of the park would be opened up to longlining – a commercial fishing activity that the Government's independent Fishing Gear Risk Assessment, concluded posed an unacceptable risk to the conservation values of the Coral Sea Marine Park.
- **Reducing protection at a number of ecologically important reefs (Osprey, Shark, Vema, Flinders, Holmes, Marion and Wreck).** The Government's Expert Science Panel recognised the need to increase protection at key reefs. However the draft plan fails to do so, proposing MNPZ protection for only 7 of the Coral Sea's 40 or so reefs. Fully protecting reefs protects fish and shark populations that are highly valuable to the dive tourism industry and will help build reef resilience in the face of climate change. This is not only to the benefit of marine life but also delivers economic certainty to dive operators who need a diversity of reefs protected against extreme weather events such as cyclones and coral bleaching. Recent research in the Coral Sea shows that reefs not in Marine National Park Zones see their shark populations depleted by 90% of their original biomass, with populations of other large predators halved and fish populations depleted by 70%. The importance of protecting the Coral Sea's reef sharks was highlighted by the Expert Science Panel which identified that: "Coral Sea reefs comprise a globally significant hotspot for reef sharks".
- **Partial protection (Habitat Protection Zones) as a substitute for full protection.** The role of partial protection zones (yellow or blue on the map) is to achieve particular social or economic outcomes, or to act as a buffer to the marine national park zones which drive the biodiversity conservation outcomes in the parks. Scientific evidence clearly shows that full protection is one of five keys factor in effective conservation of marine life. For example, the Government's Expert Science Panel found that areas within the Coral Sea outside fully protected areas have suffered a 90% depletion in their shark populations. Furthermore, almost all the Habitat Protection Zones allow destructive commercial fishing activities such as longlining, mid-water trawl, and purse

seining. These are commercial fishing activities that the Government's independent Fishing Gear Risk Assessment, concluded posed an unacceptable risk to the conservation values of Australia's marine parks.

### The Draft Plan fails the economics test

- **The draft plan undermines the economic viability of one of the Coral Sea's biggest industries - dive tourism**, by removing protection of some reefs most critical to the industry's future. Coral Sea dive tourism is estimated to contribute \$6m to the economy per year.
- **The Draft recommends significant losses in protection at the Osprey Group of Reefs** - some of the world's premier dive spots with Marine National Park Zones completely removed for Shark and Vema Reefs and a very large section of the Marine National Park Zone protection of Osprey Reef also removed, leaving the iconic and economically critical shark populations vulnerable to the 90% depletion that has been documented on other unprotected coral reefs within the Coral Sea. The Review recommended increased protection for other key reefs like Holmes and Flinders due to their ecological and economic value to the dive industry but the Government has ignored this recommendation in the Draft Management Plan.
- **The proposed management plan undermines the security of the existing dive industry and its potential to expand**. For scale, the current \$6 million in reef tourism direct sales in the Coral Sea Marine Park alone, is much larger than the total \$4 million projected gain for commercial fishers across all 44 of Australia's marine parks, let alone the small set of commercial fishers operating in the Coral Sea.
- **Commercial fishers also consistently argue that marine national parks are having too great an impact on their activities - this position is not supported by the evidence**. The total maximum potential negative impact on commercial fishers from the 2012 plans, before taking into account the variety of potential positive impacts, is less than 1% of commercial fishing activities across the network. In the Coral Sea some of the commercial fisheries that have been promoted as being heavily affected are estimated to be displaced by as little as 0.1%.

### The Draft Plan fails recreational fishers

- **The draft management plan proposes the reintroduction of longlining, mid-water trawl and purse seining into what was effectively Australia's largest and most prized recreational fishing zone**. The removal of longlining in the 2012 declaration was to protect the world's only known black marlin spawning area and the highly valuable recreational fishing in this area.
- **The draft plan proposes the introduction of damaging fishing techniques like mid-water trawl, bottom trawling and demersal longlining** throughout vast sections of the Coral Sea marine park. These fishing practices not only have a significant impact on the conservation values of the park but the recreational fishing values of this globally iconic location of the world's oceans.

### Recommendations

Despite finding that highly protected marine parks are vital as a key tool in marine management, the Turnbull Government has failed to act on its own advice, missing the opportunity to deliver a science based result in the Coral Sea.

The following are our recommendations to the Government in relation to the finalisation of the Coral Sea Marine Park Management Plan: -

1. Reject the proposed major loss and fragmentation of **the large Marine National Park Zone (MNPZ)**;
2. Reject the loss of protection at **Osprey Reef, Shark and Vema Reefs**. Osprey Reef needs high level MNPZ protection in order to deliver economic security to the valuable dive industry;
3. Reject the proposed loss of protection for **Flinders, Holmes and Wreck Reef** – reefs the Review found required protection;
4. Accept the proposed new MNPZ protection **at the border with the Great Barrier Reef**;
5. Reject the proposed opening up of the Coral Sea to **longlining, purse seining and mid-water trawl in the 'Area E' Coral Sea Zone of the Eastern Tuna Billfish Fishery**. Removal of these damaging commercial fishing techniques should be achieved in this area to ensure protection of the Queensland Plateau, Queensland Trough and the world's only known spawning ground for Black Marlin and their recreational fishing, economic and social values;
6. Reject the proposed loss of MNPZ protection for **Marion Reef**. Marion Reef is the only location where protection is proposed for the coral reefs, cays and herbivorous fish of the Marion Plateau which is a key ecological feature of the Coral Sea;
7. Reject the proposed **expansion of mid-water trawling, purse seining, demersal longlining and prawn trawling** within the Coral Sea.
8. Finalise the management plan and make it operational within the next 12 months.

## Comments and recommendations specific to the Temperate East Region's Marine Park Network

*[See separate attachment for maps showing the zoning proposed by the Government's Review in 2015, and the Turnbull Government's new draft plans released in August 2017 that are currently out for consultation.]*

The Temperate East marine region is recognised as an area of global significance for a number of protected marine species including the critically-endangered east coast population of grey nurse shark and the vulnerable white shark. The network includes: important offshore reef habitat at Elizabeth and Middleton Reefs (one of Australia's longest standing highly protected marine parks), Lord Howe Island and at Norfolk Island that support the threatened black cod; the southernmost extent of many reef-building coral species; as well as important breeding, foraging and feeding areas for several species of seabird including the little tern.

- **Regarding Lord Howe Marine Park** – IFAW is concerned about the Government's proposal to remove protection over part of the seamount ecosystem of Middleton Reef – one of Australia's longest and most highly protected remote coral reef habitats, declared 30 years ago 1987. The returned catch value returned to the fishing industry from the loss of this important ecosystem is estimated by ABARES to be just \$31,000 per annum, or \$770 per annum to each of the 40 active longlining vessels in the Commonwealth's Eastern Tuna and Billfish Fishery. Therefore there is no economic justification for the loss of such an important legacy area of Australia's marine parks network.

We are also concerned that the Government is ignoring the advice of its expert Review, in downgrading the zoning in the northern half of the Lord Howe marine park outside the pre-existing Elizabeth and Middleton Reef area, from the recommended Habitat Protection Zone (yellow) to the very low level Multiple Use Zone (blue) which will in particular allow mining.

- **Regarding Norfolk seamount protection** – IFAW is concerned that the government does not propose high level MNPZ protection for any of the Norfolk Seamounts despite being identified by the Howard Government as one of Australia’s 11 most unique habitats for marine life. The Government’s proposals are contrary to the recommendation of the Government’s own Review, which found that **the Vening Meinsez Fracture Zone** some way south of Norfolk Island should be given MNPZ status. Research trips have found it to be covered with a thick manganese crust and a community of benthic organisms using as substrate. The biological samples found included: Gorgonians, black coral, soft coral, crinoids, bryozoans, bivalves, gastropods, silica sponges, brittle stars, ascidians, tunicates and polychaete worms.
- **Regarding protection levels in the Norfolk Marine Park overall** – IFAW is concerned that the Government is again ignoring the advice of its own expert Review, by not upgrading the zoning outside the MNPZs and the Island’s extended MOU Box, from the very low level Multiple Use Zone (blue) to Habitat Protection Zone (yellow). In doing so, the Government is opening up much of the marine park to the possibility of becoming an oil field, and/or the possibility of highly destructive seabed mining. Geoscience Australia reports consider the region to be somewhat prospective for oil and gas finds.
- **Regarding high level protection levels in the Temperate East region overall** – IFAW is concerned that the Government is not proposing to increase high level protection in the Temperate East marine region despite 96% of the region having no high level MNPZ protection, and 85% of the region having no protection at all. Further, the proposed zoning fails to implement the CSIRO recommendation for all marine reserves to contain at least one Marine National Park Zone, with the draft plan proposing no MNPZ for the **Gifford, Hunter and Jervis Marine Parks**.

#### **Recommendations to make in your submission:-**

Despite finding that highly protected marine parks are vital as a key tool in marine management, the Government has failed to act on its own advice, missing the opportunity to deliver a science-based result in the Temperate East.

The following are my recommendations to the Government in relation to the redrafting of the Temperate East marine region management arrangements: -

1. IFAW supports the Government’s proposal to increase protection from mining in the **Central Eastern, Jervis and Hunter Marine Parks**;
2. We reject the proposed removal of MNPZ protection at the long standing highly protected **Middleton Reef in the Lord Howe Marine Park**;
3. We reject the proposal to remove the new MNPZ over the Vening Meinsez Fracture Zone in the **Norfolk Marine Marine Park** which was recommended for MNPZ protection by the Government’s Review;
4. IFAW rejects the proposal to downgrade protection from mining in **Norfolk and Lord Howe Marine Parks** which the Review recommended be protected as yellow Habitat Protection Zone.
5. **IFAW calls on the Government to adopt the CSIRO recommendations for each marine reserve to contain at least one MNPZ**, with a particular focus on ensuring that the shelf, continental slope and seamounts are better represented with MNPZ coverage.

## Comments and recommendations specific to the South-west Marine Park Network

*[See separate attachment for maps showing the original marine parks zoning declared in 2012, and the Turnbull Government's new draft plans released in August 2017 that are currently out for consultation.]*

The South-west region includes the cooler, temperate waters of southern Australia, home to an extremely high number of unique species restricted to our southern coastline including the fascinating Ruby seadragon, the Australian sea lion and the Western Rock Lobster. The SW region hosts two of only three known places in Australian waters where the largest animal ever – the blue whale – comes to feed from vast distances away. The mysterious, wild waters of the Great Australian Bight is where many threatened species – such as the southern right whale and their calves – seek sanctuary at important stages of their life cycles.

- **Regarding overall high level green/National Park Zone protection across the South-west region** – IFAW is concerned that the Government proposes to cut NPZ protection in the South-west by 40%, despite the Review and the science community finding the need for more high level protection, not less.
- **Regarding Geographe Bay Marine Park** – we are concerned with the Government's proposal to remove both the Marine National Park (green) zones in the Geographe Bay Marine Park, replacing them with weaker (yellow) Habitat Protection zones. These yellow zones have only been applied elsewhere in our region in waters more than 600m deep – a very different environment to our shallow, sheltered and heavily pressured Geographe Bay. The removal of the Marine National Park zones goes against the science recommendations from the Government's own Review. Acknowledging the level of consultation, the science evidence and the 'intense community interest', the Review recommended retaining the Marine National Park zones, while reconfiguring them slightly to better align with immediately adjacent green zones in the Ngari Capes Marine Park established by the Barnett Government, and to improve ease of navigation for fishers. These two Marine National Park zones recommended by the Review would take up only about 4% of the Geographe Marine Park – a balanced approach that would deliver improved outcomes for everyone and a great tourism beacon for the region.
- **Regarding Perth Canyon Marine Park** – IFAW is concerned about the proposal to move the Marine National Park Zone protection away from the key blue whale feeding grounds at the head of the Perth Canyon to an area of far less ecological importance. The blue whale is a protected species, still a long way from recovering from being threatened with extinction – and this area is the only area of its critical habitat feeding ground to be included in Australia's marine parks network.
- **Regarding Twilight Marine Park** - we are concerned about the proposal to reduce over 1,000km<sup>2</sup> of Marine National Park Zone in this park. For comparison, this is an area larger than the entire NSW state waters marine sanctuary network, with the maximum economic benefit to fisheries estimated by the Government commissioned ABARES report to be only \$82,500 per annum, or \$2,500 per annum to each license holder in Zone 2 of the WA Temperate Gillnet Fishery. This combined with the loss of critical continental shelf protection at Peaceful Bay (in the **SW Corner Marine Park**) and at the head of the **Bremer Marine Park** (western side) leads to

an overall loss of shelf protection across the South-west marine reserve network when there was too little to start with, as per the 2011 Science Statement of Concern -

[http://www.meeuwig.org/wp-content/uploads/2015/08/2011\\_ScienceStatement\\_SW-National-System-Reserves.pdf](http://www.meeuwig.org/wp-content/uploads/2015/08/2011_ScienceStatement_SW-National-System-Reserves.pdf)

- Regarding **SW Corner Marine Park/Diamantina Fracture Zone** – IFAW is concerned about the loss of a very large area of Marine National Park Zone over the Diamantina Fracture Zone – a Key Ecological Feature whose ridges and seamounts are thought to act as ‘stepping stones’ for species dispersal and migration across the region and the wider abyssal plain (Wilson & Kaufman 1987, in Richardson et al. 2005). Further, its size, physical complexity and isolation indicate that it is likely to support deep-water communities characterised by high species diversity and uniqueness – ref: <https://www.environment.gov.au/sprat-public/action/kef/view/22;jsessionid=ACF4D013818E181DD36A2CF029BE5656> The zoning proposed is a downgrade to the lowest level of protection in the park system – Multiple Use (blue) zone – which will allow mining and most forms of fishing, despite its extremely remote, rough and deep location – making it unsafe for oil and gas drilling (with an adequate oil spill response most likely impossible) and highly unlikely to be a serious economic proposition for fishing.
- Regarding the **Western and Southern Kangaroo Island Marine Parks** – We are concerned that despite there being no oil and gas leases over these two parks, the strong desire of the local community for their island to be as protected as possible from debilitating oil spills and the long term effects of oil and gas industrialisation of pristine seas, has not been heeded with an upgrade of zoning to ‘Special Purpose Zone (Mining Exclusion)’, as has been afforded the northern most section of the Great Australian Bight Marine Park. This is perplexing as the area around Kangaroo Island is considered to be highly prospective for oil and gas discovery, and therefore at significant risk of such operations being allowed in the foreseeable future. Creating an oil or gas field in these near-shore marine parks would put the Island’s important fishing and lucrative tourism industries at risk. This will greatly diminish the reputation and facility of marine parks in this community.

### Recommendations:-

Despite finding that highly protected marine parks are vital as a key tool in marine management, the Turnbull Government has failed to act on the advice of the Review it commissioned, missing the opportunity to deliver a science based result in the South-west marine region.

The following are my recommendations to the Government in relation to the Draft South West marine region management arrangements:-

1. **IFAW supports the draft management plan where** the Marine National Park Zone (green no-take IUCN II) areas have not changed from what was declared in 2012, or where there are new and/or increased National Park zones, ie -
  - a. the new National Park zones in the **Bremer Marine Park** (the transect and over the Bremer Canyon);
  - b. the new National Park zone transect over the Swan Canyon in **the SW Corner Marine Park**;
  - c. the increased National Park zone area in the **Two Rocks Marine Park**.

2. **IFAW rejects the draft management plans where** the Marine National Park zone (no-take IUCN II) are reduced or removed entirely, ie:-
  - a. in the **SW Corner Marine Park** (Diamantina Fracture Zone section), at the **Twilight Marine Park**; and over the western inner-shelf area in the Bay at **Bremer Marine Park** – all which have important areas of MNPZ removed;
  - b. in the **Geographe Marine Park**, and the Peaceful Bay section of the **SW Corner Marine Park** where the Marine National Park Zones are removed entirely;
  - c. In the **Perth Canyon Marine Park** where the National Park zone over the Head of the Canyon has been moved away from the critical habitat of a protected species, to an area of far less ecological importance;
  
3. **IFAW recommends that the following increase in MNPZ be made:-**
  - a. Expansion of the MNPZ in Great Australian Bight Marine Park westwards to the SA border. There is very little MNPZ protection on the continental shelf in the Commonwealth waters marine parks network. This proposal would create Australia’s largest area of high level protection on the continental shelf, in an area with globally recognised values, and with no displacement of mining and very little additional fishing displacement.
  
4. **Mining** – IFAW supports the Draft’s proposal to put in place a large no-mining zone ‘Special Purpose Zone (Mining Exclusion)’ in the **Great Australian Bight Marine Park**, and recommend that the **Western and Southern Kangaroo Island Marine Parks** are given the same zoning upgrade throughout. Further, I recommend that the other key coastal communities adjacent to commonwealth marine parks be given protection from mining – at Esperance (the **SW Corner and Eastern Recherche Marine Parks**), Peaceful Bay (**SW Corner Marine Park**) and **Perth Canyon Marine Park**.
  
5. **Gillnetting** – IFAW recommends that the provision of permanent protection for Australian Sea Lions from gillnetting be provided in the relevant commonwealth marine parks by ensuring that the zoning does not offer less protection than existing fisheries closures.

## Comments and recommendations specific to the North-west Marine Park Network

The North-west region is home to iconic Australian marine species, including turtles, dugongs, sharks, sea snakes and sawfish. The whale shark – the world’s largest fish - aggregates every year off the World Heritage-listed Ningaloo Reef. The world's largest population of humpback whales - estimated to be made up of more than 29,000 individuals - migrates every year from their summer feeding grounds in Antarctica to breed in the warm tropical waters off the Kimberley coast. Many species in the North-west region face serious threats to their survival elsewhere in the world. With this in mind, the following are my concerns -

- **Regarding high level green/National Park Zone protection in the North-west region** – IFAW is am very concerned that the government is proposing to reduce green/Marine National Park Zone (MNPZ) protection across the 11 parks in the region by 49% when the Review and the science community is clear that there should be more, not less.

Further, we are concerned that the Government is proposing to leave 6 marine parks in the NW region without any high level MNPZ protection at all – at **Roebuck, Eighty Mile Beach,**

**Montebello, Carnarvon Canyon, Ningaloo and Shark Bay Marine Parks** - despite the CSIRO recommendation that each marine park should have at least one MNPZ.

- **Regarding the Argo-Rowley Terrace Marine Park** – IFAW is concerned that the Government is proposing to open-up the globally significant **Rowley Shoals** ecosystem to trawling and is not dealing with the risk of mining. The Rowley Shoals is an iconic area for marine life, a key Australian tourism asset (being one of the world’s greatest collections of coral Atolls, and one of the best dive sites in Australia) and contains recreational fishing values – yet the draft plan proposes compromising these values for a maximum economic benefit to fishers estimated by ABARES to be \$36,900 per annum or \$5,271 per annum to each license holder in the North-west Slope Trawl Fishery.

The draft fails to protect the Rowley Shoals from mining even though the Federal Environment Minister (when the Federal Resources Minister) last year rejected proposals to mine the area for oil and gas, by cancelling new acreage inside the park near the Shoals. No protection is afforded the tourism and recreation sector, despite the Shoals’ standing

Further, IFAW is concerned that a large area - 29,730km<sup>2</sup> - of the Argo Rowley Tce Marine Park would be downgraded from high level MNPZ protection to the lowest level zoning – Multiple Use Zone. This represents a loss of 42% of the MNPZ in the park. The canyons at the north of the MNPZ feed the ecologically important Scott Plateau. These canyons are thought to be some 50 million years old and are responsible for creating upwellings of colder nutrient rich water from the abyssal plain onto the plateau. These upwellings create nutrient rich cold-water habitats, important food sources for predatory fish, sharks, toothed whales and dolphins. The Scott Plateau is an important breeding ground for sperm and beaked whales. The canyons linking the Argo Abyssal Plain to Scott Plateau are also considered a National Key Ecological Feature, and are fed by the ecological processes that occur in the Argo Abyssal Plain that would lose its protection under the draft plan.

- **Regarding the Gascoyne Marine Park** adjacent to **Ningaloo** – IFAW is concerned that another large area in the NW marine region - 24,305km<sup>2</sup> – would be downgraded from high level MNPZ protection to sea floor protection only, representing a loss of 73% of the MNPZ in the park. The large deep water MNPZ in the Gascoyne Marine Park is located over the Cuvier Abyssal Plain. This abyssal plain feeds a series of canyons, linking the nutrient rich deep waters to the Cape Range Peninsula. These deep waters support the rich diversity of marine life around the Cape Range peninsula, and Ningaloo Reef. The canyons that link the Cuvier Abyssal Plain with the Cape Range Peninsula are considered a National Key Ecological Feature (a feature that is considered to be important for regional ecosystems function and integrity). The upwelling at the heads of the canyons are known to support species aggregations of humpback whales and the highest recorded aggregations of whale sharks in the world. These deep waters are the life blood of Ningaloo Reef - the only extensive coral reef in the world that fringes the west coast of a continent, extending over 260 kms, with over 200 species of coral and 460 species of reef fish.

Both the cases of MNPZ loss above demonstrate a key issue – ecological processes are crucial for ecosystem function and as such should receive adequate high-level protection in marine parks.

- **Regarding the Dampier Marine Park** – we are concerned at the loss of two thirds of the original Marine National Park Zone (MNPZ) at the Dampier Archipelago and opening up 84% of the marine park to mining. The Government’s proposal to replace the original MNPZ with a smaller

area not contiguous with the Archipelago and offering less continuity with the Marine Park being planned by the WA Government is a poor outcome for one of Western Australia's highest conservation value marine environments.

- **Regarding the Kimberley Marine Park** – we are concerned about the proposal to remove 2,860km<sup>2</sup> of MNPZ over critical tropical shelf habitats in this park. For scale, this single loss of MNPZ equates to an area almost equivalent in size to all the marine sanctuaries in the New South Wales, Victorian, Tasmanian and Northern Territory state waters combined. This park is important not just for its conservation values but its economic value to the growing tourism industry. It will also play an important role as a buffer to the increasing mining activity in the Browse Basin and therefore should have its zoning upgraded in general. Like at the Bremer Marine Park, there are no mining permits or leases over the park, and very limited commercial fishing activity.

IFAW is disappointed that the Federal Government is not proposing protection of the globally significant values of **Adele Island** within a MNPZ in the Kimberley Marine Park or to match the proposed MNPZs in the North Kimberley's state waters marine parks. The Government misses a key opportunity to improve the protection of one of Australia's most globally significant marine environments including around **the Lacepede Islands** which are one of the most important seabird and turtle breeding colonies in Australia - they receive no protection from mining development in this plan. Seabirds forage over a large area around the islands and any mining accidents would be particularly devastating to this important colony.

By leaving the north section of the Kimberley Marine Park without a MNPZ, the Government is missing an important opportunity to enhance the conservation outcome of this park – the WA Government has placed a green zone (MNPZ equivalent) in the adjacent North Kimberley Marine park, over Long Reef and the East Holothuria Reef. The **Holothuria Banks** in the federal park important for flatback turtles, should also be protected with a MNPZ.

- **Regarding the 80 Mile and Roebuck Marine Parks** – as well as their ecological values, these parks are critical to the Pearling industry, are both adjacent to Ramsar-listed wetlands of international importance and host migrating humpback whales – a species recovering from the threat of extinction and increasingly important to the Kimberley's \$68m tourism industry. As well as established impacts on cetaceans, new evidence suggests that seismic testing can kill pearl oyster larvae and any decline in water quality will be devastating to the economically important Kimberley pearling industry.

## Recommendations:

Despite finding that highly protected marine parks are vital as a key tool in marine management, the Turnbull Government has failed to act on its own advice, missing the opportunity to propose a science based result in the North-west.

The following are my recommendations to the Turnbull Government in relation to the North-west marine region draft management arrangements:-

1. IFAW strongly rejects the proposed removal of MNPZs in the **Kimberley, Argo-Rowley, Gascoyne and Dampier Marine Parks**;

2. We reject the proposed trawling zone close to the **Rowley Shoals** in the **Argo Rowley Terrace Marine Park**, and recommend the protection of Rowley Shoals from mining by the establishment of Habitat Protection Zones (HPZs);
3. With respect of the **Kimberley Marine Park**, IFAW recommends:-
  - a. the replacement of the proposed HPZ for **Adele Island** with a MNPZ,
  - b. the upgrading of the Multiple Use Zone around the **Lacepede Islands** to a higher level zoning,
  - c. the upgrading of the MUZ throughout the Kimberley marine park to either HPZ or Special Purpose Zone (mining exclusion);
  - d. the establishment of a new large MNPZ in the north section of the Kimberley Marine Park to match the protection declared by the WA Government in state waters in the adjacent '**Great Kimberley Marine Parks network**'. This would protect globally significant values including the **Holothuria Banks** – an important breeding area for flatback turtles and tourism.
4. IFAW recommends that adequately placed and sized MNPZs be placed in the 6 marine parks that do not currently have any high level/IUCN II protection – **Roebuck, 80 Mile Beach, Montebello, Shark Bay, Ningaloo and Carnarvon Canyon**, so that the management arrangements for the NW marine region marine parks meet **CSIRO recommendations for each marine park to contain at least one MNPZ**;
5. We recommend that as well as appropriately placed MNPZs that do not displace pearling operations, that the remainder of the **80 Mile Beach** and **Roebuck Marine Parks** are made Special Purpose (mining exclusion) Zones;
6. IFAW seeks an increase in protection for the **Ningaloo Marine Park** by matching the protection provided in the adjacent WA state waters marine park (which has a network of IUCN II zones) with matching zoning in Commonwealth waters - as has been proposed for the boundary between the Coral Sea Marine Park and the Great Barrier Reef Marine Park.

## Comments and recommendations specific to the North Region's Marine Park Network

*[See separate attachment for maps showing the original marine parks zoning declared in 2012, and the Turnbull Government's new draft plans released in August 2017 that are currently out for consultation.]*

The North region – the world's last remaining pristine tropical coastline - includes the warm, and shallow waters of the Timor and Arafura seas, a world biodiversity hot spot where the continental shelf is at its widest, and species travel freely from Australian up to Papua New Guinea and into Asia. The North region is host to some of Australia's most plentiful reef fish stocks, a diverse range of shark species and a variety of marine mammals - including the illusive dugong. The North region is home to all seven species of marine turtles, which nest on the sandy beaches of the outer islands, and head to deeper waters to feed. Australia's very own species of dolphin, the Australian Snubfin dolphin, also calls the North home. Affectionately known as 'snubby' this dolphin seeks refuge in the calmer shallow waters of North feasting on local barramundi stocks.

- **Regarding high level green/Marine National Park Zone protection in the North region** – we are very concerned that the government is proposing to reduce green/Marine National Park

Zone (MNPZ) protection across the 8 parks in the region by 57% - leaving only 1% of the region in high level protection - when the Review and the science community is clear that there should be more, not less.

More specifically - we are concerned that over half of the marine parks in the North region (**Joseph Bonaparte, Arafura, Arnhem, Limmen and Wessel Marine Parks**) do not have a green/Marine National Park zone – despite the CSIRO recommendation that each marine park have at least one MNPZ.

- Regarding **West Cape York Marine Park** – IFAW is concerned with the Government’s proposal to reduce the size of the Marine National Park (green) zone by over 4600km<sup>2</sup> and split this zone into two isolated green zones. This reduction in green zone is the largest proposed in the North region, equivalent to twice the area of the ACT, and much larger than reductions proposed by the Government’s own review. The Marine National Park (green) zone has been re-zoned as Habitat Protection Zone, a zone which still allows trawling, longlining and hand collection. A Government commissioned ABARES report shows that these changes to West Cape York Marine Park will decrease the potential displacement by just \$141,200.

IFAW is also concerned about the removal of the Multiple Use Zone adjacent to QLD coastal waters - a change which opens the area within the Marine Park to gillnetting. Gillnetting has been designated as a destructive fishing by two Government reviews and is particularly dangerous for with local populations of dugong and marine turtles including those at Crab island- the world’s largest nesting population of flatback turtles.

- Regarding **Gulf of Carpentaria Marine Park** – we are concerned about the Government’s proposal to reduce the size of the Marine National Park (green) zone in the Gulf of Carpentaria Marine Park, from 7400km<sup>2</sup> to 3600km<sup>2</sup>, moving much of the remaining green zone further offshore. The removal of high value shelf habitat adjacent to the Wellesley Islands will compromise the protection of this biodiversity hotspot - and important nesting site for the endangered hawksbill turtle, the vulnerable olive ridley turtle as well as a known biologically important area for coastal dolphins. This is an area where the Traditional Owners declared one of Australia’s first *marine* Indigenous Protected Areas/IPAs – over the Wellesley Islands. This speaks to the opportunity to enhance the conservation and cultural outcomes that a well zoned federal marine park in the southern Gulf should deliver. Further, the Review’s advice to the Federal Government recommended increasing the size of this Marine National Park Zone to provide additional protection for this important ecosystem which is representative of several Key Ecological Features including the Gulf’s famous submerged coral reefs.
- Regarding **Wessel Marine Park** - we are concerned about the Government’s proposal to remove the Marine National Park (green) zone from the Wessel Marine Park. The Wessel Islands are known for their high level of endemism (uniqueness), a hotspot which supports a range of pelagic fish such as sharks, snapper, tuna and mackerel, as well as variety of unique sponge and coral communities. As recommended by the Government’s own review this Marine National Park should be increased in size, to provide additional protection for this unique area.
- Regarding **Oceanic Shoals Marine Park** – we are concerned about the new Special Purpose Zone (trawling) that has been created within the Oceanic Shoals Marine Park. This new zone will open a large area of the Carbonate bank and terrace systems of the Van Diemen Rise to

gillnets, and demersal trawling which would not have been permitted if they remained as Multiple Use Zones. Both gear types are of great concern to the NT community – consistently rallied against by recreational fishers, the general public and commercial fishers who use more sustainable gear types in this fishery. As a result of this concern, the NT Demersal Fishery's WTO accreditation remains under review. Further, these fishing techniques have been deemed incompatible with the aims of marine parks, by the Government's fishing gear review, and have the ability for further impact on already stressed reef fish stocks. The NT state government has already acknowledged the fragility of the reef fish stocks in the area, bringing in special Reef Fish Protection zones. Large offshore marine parks which protect these important fish stocks are required to compliment these Reef Fish Protection Zones.

- Regarding **Arafura Marine Park** – IFAW is concerned about the Government's proposal to introduce a large Special Purpose Zone (Trawl) into this marine park allowing the use of bottom trawling and over the unique tributary canyons. These canyons support a diversity of large predatory fish, endangered saw fish, marine turtle and whale sharks, species that may be significantly affected by increased destructive fishing techniques. The lack of Marine National Park (green) zone within this Marine Park is also concerning. The Government's own expert science panel highlighted the importance of all marine parks having at least one Marine National Park (green) zone. The Arafura Marine Park is one of four Marine Parks in the North without a Marine National Park zone.
- Regarding **Limmen Marine Park** – IFAW is concerned with the continued lack of a Marine National Park (green) zone within the Limmen Marine Park – an iconic marine area off the Top End and one of only two areas in the NT state waters to be a marine park. The Government's own Review recommended the addition of a Marine National Park (green) zone in the North-west of the Limmen Marine Park, to compliment the Northern Territory state marine park and provide additional protection for threatened Dugong populations which feed around the labyrinth of shoals and sand banks in these shallow waters. It is representative of the near-pristine Gulf of Carpentaria Key Ecological Feature. It is important to also note here that the federal and state waters of the Limmen Marine Park are at risk from seabed mining (the moratorium runs out in 2018) and continued attempts to barge iron ore through the park, as a cheaper option than land transport to Port Darwin – something which the Traditional Owners and AFANT have been very public in their concern over.
- Regarding **Joseph Bonaparte Gulf Marine Park** and **Arnhem Marine Parks** – we are concerned with the continued lack of Marine National Park (green) zone within the Joseph Bonaparte Gulf and Arnhem Marine Park. The Government's own expert science panel highlighted the importance of all marine parks having at least one Marine National Park (green) zone. The Joseph Bonaparte Gulf and Arnhem Marine Parks are two of four Marine Parks in the North region without a Marine National Park zone.

Specifically, a green/Marine National Park Zone in the **Joseph Bonaparte Marine Park** would satisfy the Government's long-standing commitment to create a Marine National Park Zone within the Anson Beagle, Cambridge-Bonaparte and Bonaparte Gulf bioregions. (ANZECC TFMPA 1998. *Guidelines for Establishing the National Representative System of Marine Protected Areas*). Australian and New Zealand Environment and Conservation Council, Task Force on Marine Protected Areas. Environment Australia, Canberra). It would also provide the first ever protection within Marine National Park Zones of the feeding

habitats for endangered green turtles within the Bonaparte Gulf and the inter-nesting habitats of one the world's largest populations of flatback turtles nesting at Cape Dommet.

With respect of **Arnhem Marine Park** – a green/Marine National Park Zone in the Arnhem Marine Reserve is recommended by the CSIRO and would satisfy the Government's long standing commitment to create a Marine National Park Zone within the Arnhem-Wessel bioregion (ANZECC TFMPA 1998). It would provide protection for known feeding grounds of a number of migratory seabirds nesting in Boucat Bay (Crested Tern/ Roseate Tern, Bridled Tern) and for Flatback turtles known to nest on the Cobourg peninsula and feed in these waters. Further, there are currently no oil and gas rights in the park – so a Special Purpose Zone (mining exclusion) should be declared as a complimentary measure to a MNPZ.

### Recommendations:-

Despite finding that highly protected marine parks are vital as a key tool in marine management, the Turnbull Government has failed to act on the advice of the Review it commissioned, missing the opportunity to deliver a science based result in the North marine region.

The following are my recommendations to the Government in relation to the Draft North marine region management arrangements:-

6. **IFAW rejects the large loss of green/Marine National Park zone in the North region** – which reduces the coverage in the region to 1%. This ignores the Government's own Review, which recommended it be increased by 10% and CSIRO advice which recommends that each marine park include at least one MNPZ green zone.
7. **IFAW supports the two increases of MNPZ -**
  - a. in the **Oceanic Shoals Marine Park**; and
  - b. the increase in protection around the north Wellesley Islands within the **Gulf of Carpentaria Marine Park** (notwithstanding the large loss of MPNZ in that park overall).
8. **We reject the draft management plans where** the green/Marine National Park zones are reduced or removed entirely, ie:-
  - a. in the **West Cape York Marine Park**- where the Marine National Park has been reduced by over half;
  - b. in the **Wessel Marine Park**, where the Marine National Park Zones has been removed entirely;
  - c. In the **Gulf of Carpentaria Marine Park** where the Marine National Park over the high value shelf habitats have been removed and replaced by lower value deeper habitats. The overall size of this National Park zone has decreased by over 60% of it's original size.
9. **We recommend that the following increase in MNPZ be made:-**
  - a. Introduction of a new Marine National Park zone MNPZ in the western half of the **Limmen Bight Marine Park**, as suggested by the Government's own Review. This would complement the Northern Territory state waters marine park, providing much needed protection to the shallow waters of Limmen Bight.
  - b. Marine National Park Zones in those marine parks without any, being the Arafura, Arnhem and **Joseph Bonaparte Gulf Marine Parks** as well as reinstatement in those

parks where the Government proposes to remove them altogether – **Wessel and Limmen Marine Parks**.

10. **Mining** - IFAW supports the Draft's proposal to put in place no mining 'Habitat Protection Zones' in the **West Cape York, Oceanic Shoals, Limmen and Wessel Marine Parks**. These zones do not go far enough though, still permitting mining infrastructure and pipelines to be constructed. Further, we recommend that the other key coastal communities adjacent to commonwealth marine parks be given protection from mining – at Tiwi Islands (the **Oceanic Shoals Marine Park**), Port Keats and Wyndham (the **Joseph Bonaparte Gulf Marine Park**), Maningrida (the **Arnhem Marine Park**), and Minjilang (the **Arafura Marine Park**).