



Christmas Island National Park. Credit: Mark Fitz.

# Establishing Australian Marine Parks in the Indian Ocean Territories

Report of the Director of National Parks

Under Section 351 of the Environment Protection  
and Biodiversity Conservation Act 1999

Concerning the proposed proclamation of two Commonwealth  
reserves—the Christmas Island Marine Park  
and Cocos (Keeling) Islands Marine Park

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**Australian Government**  
Director of National Parks



Australian  
Marine Parks

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# Acronyms

**AEEZ** - Australia's Exclusive Economic Zone

**AMSA** - Australian Marine Sciences Association

**CEO** - Chief Executive Officer

**CI** - Christmas Island

**CITA** - Christmas Island Tourism Association

**CINP** - Christmas Island National Park

**CKI** - Cocos (Keeling) Islands

**CSIRO** - Commonwealth Scientific and Industrial Research Organisation

**DITRDC** - Department of Infrastructure, Transport, Regional Development and Communications

**DNP** - Director of National Parks / Parks Australia

**EPBC Act** - Environment Protection and Biodiversity Conservation Act 1999

**IUCN** - International Union for the Conservation of Nature

**IUCN II** - National Park Zone or green zone

**IUCN IV** - Habitat Protection Zone or yellow zone

**KBA** - Key Biodiversity Area

**IOT** - Australia's Indian Ocean Territory/Territories (Christmas Island and Cocos (Keeling) Islands)

**NRSMPA** - National Representative System of Marine Protected Areas

**PKNP** - Pulu Keeling National Park

**SOCI** - Shire of Christmas Island

**WTBF** - Western Tuna and Billfish Fishery

# 1. Introduction

This report has been prepared in accordance with section 351 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for consideration by the Minister for the Environment, in relation to the proposed proclamation of two Commonwealth reserves, Christmas Island Marine Park and Cocos (Keeling) Islands Marine Park, in Australia's Indian Ocean Territories (IOT).

This report:

- summarises the comments received in response to an invitation issued by the Director of National Parks (DNP) on a *Proclamation Proposal for the establishment of marine parks in Australia's Indian Ocean Territories (Christmas Island and Cocos (Keeling) Islands)* ('proclamation proposal'); and,
- includes a copy of the comments received and the DNP's views on these comments.

The proclamation proposal described the location, total area and the International Union for the Conservation of Nature (IUCN) zones relevant to the proposed Christmas Island Marine Park and Cocos (Keeling) Islands Marine Park, in Australia's Indian Ocean Territories (IOT marine parks) and is available to be viewed on the Parks Australia website: <https://parksaustralia.gov.au/marine/pub/iot/AMP-Proclamation-Proposal-for-the-establishment-of-marine-parks-in-IOTs-Consultation-Paper-October-2021.pdf>.

The EPBC Act requires the DNP to provide a public comment period of at least 60 days on the proclamation proposal. The proclamation proposal was published and available for public comment from 5 October until 6 December 2021 via a 'notice of the proposed proclamations of Commonwealth reserves – Christmas Island Marine Park and Cocos (Keeling) Island Marine Park' which is available at: <https://www.legislation.gov.au/Details/F2021N00251>.

To help inform the preparation of the proclamation proposal ahead of publishing it for public comment in accordance with the EPBC Act, a *Draft proposal for the establishment of marine parks in Australia's Indian Ocean Territories (Christmas Island and Cocos (Keeling) Islands)* ('draft proposal') was also published and available for public comment, from 16 July until 13 August 2021. This phase of consultation received 60 unique submissions from a range of organisations and individuals, and 15,184 campaign submissions facilitated by the conservation sector. Forty seven of the 60 unique submissions supported the draft proposal, including all 27 submissions known to be from IOT-based stakeholders. All 15,184 campaign submissions also strongly supported the draft proposal. Of the remaining 13 submissions: four supported the draft proposal but recommended additional inshore green zones; six were unresponsive, primarily because of the views in these submissions that the proposed offshore green zones would impact on the opportunity for mainland-based commercial fishers to fish in IOT waters; and three submissions were unclear.



## 2. Overview of the marine park designs

The designs of the Christmas Island (CI) Marine Park and Cocos (Keeling) Islands (CKI) Marine Park (IOT marine parks) described in the proclamation proposal encompass nearly all IOT waters, from their shorelines to the boundary of the Australia's Exclusive Economic Zone (EEZ). The proposed marine parks contained two different types of zones. Yellow zones (Habitat Protection Zone), where fishing can occur and the seafloor is protected from disturbance; and green zones (National Park Zones) where fishing is not allowed and the seafloor is protected from disturbance.

The proposed designs of both marine parks were similar:

- The proposed Christmas Island Marine Park provided yellow zoning (from 0-12 nautical miles from the shore (with most of the Port of Christmas Island excluded)); and a green zone from 12 nautical miles to the outer boundary of the EEZ.
- The proposed Cocos (Keeling) Islands Marine Park provided yellow zoning from 0-3 nautical miles from the shore of the Southern Atoll and North Keeling Island and a green zone from this area to the outer boundary of the EEZ. Small inshore green zones were proposed for areas known as the Rip and Trannies Beach. Areas important for critical shipping operations and shoreline infrastructure are not included in the marine park.



# 3. Summary of submissions and comments

## 3.1 Summary of submissions

In response to the proclamation proposal, 45 unique submissions and 12,733 'campaign submissions'<sup>1</sup> were received (12,778 total submissions). There were 4694 campaign submissions facilitated by the Australian Marine Conservation Society and 8039 facilitated by Save Our Marine Life. Of these, 38 unique submissions and 12,730 campaign submissions supported the proclamation proposal (i.e. they didn't propose any changes to the marine park designs).

Unique submissions were from a range of IOT stakeholders, including organisations and community groups/associations, local shires, commercial fishers and individuals; and mainland-based stakeholders, including two commercial fishing representative bodies and a commercial fisher; a recreational fishing organisation; research and conservation organisations and individuals.

In accordance with the EBPC Act, all submissions received on the proclamation proposal were read and considered, including additional comments/edits made in campaign submissions (which were based on template letters that could be modified). All comments are included in an attachment to this report. This report does not directly address every individual submission or comment made, rather this report provides a summary of the comments received that are relevant to the proposed marine parks and groups them into similar theme and includes the DNP's views on those comments (see section 3.2).

**Table 1: Summary of submissions received on the proclamation proposal**

Submission category by supportive/unsupportive	Number	Comment
Supportive (unique submissions)	38	There were 38 unique submissions in support of the proclamation proposal (with no changes to the proposed marine park designs recommended). Of these: 16 specified the CI and CKI (IOT) proposal; 16 specified the CI proposal and 6 specified the CKI proposal (see 3.2.1 for details).
Supportive (campaign submissions)	12,730	There were two different campaign submission templates, respectively generating 8,039 and 4,694 submissions (12,733 total) with 12,730 supporting the proclamation proposal.
Unsupportive (unique submissions)	3*	Three unique submissions were considered unsupportive (from Tuna Australia, Seafood Industry Australia and one Western Tuna and Billfish Fishery (WTBF) concession holder/commercial fisher). The key concern raised was objections to large offshore green zones, not necessarily establishing the parks themselves.

<sup>1</sup> 'Campaign submissions' refers to submissions generated by individuals through a third-party website and generally provided the same or similar comments.



**Table 1: Summary of submissions supportive and unsupportive of the proclamation proposal**

Submission category by supportive/unsupportive	Number	Comment
Mixed views (unique submissions)	2	Two unique submissions supported the establishment of the marine parks (including the proposed offshore green zones) but recommended increased protection for inshore waters.
Unclear (unique submissions and campaign submissions)	4**	Two unique submissions and two campaign submissions indicated support for marine conservation, but it was unclear if they supported the proposed marine parks designs/ proclamation proposal.
Not relevant (campaign submission)	1**	One campaign submission provided comments that were not relevant to the IOT marine parks/ proclamation proposal.
Total unique submissions	45	
Total campaign submissions	12,733**	
Total submissions	12,778	

\* A submission from a Western Tuna and Billfish Fishery (WTBF) concession holder/commercial fisher was submitted through the Australian Marine Conservation Society IOT marine parks campaign website page. Due to this submission being significantly modified from the standard campaign template text and not supportive of the proposed marine parks, this submission was classified as an 'unsupportive' unique submission.

\*\* The 12,733 campaign submissions received included 255 modified template submissions generated through the Save our Marine Life campaign and 111 modified template submissions generated through the Australian Marine Conservation Society campaign. The changes to these modified submissions ranged from very minor changes to substantial changes to standard template text. However, other than two submissions that were classified as 'unclear' and one submission that was classified as 'not relevant' to the IOT marine park proclamation, the modified submissions also supported the proposed marine parks.



Christmas Island National Park, Red Crab. Credit: Department of Agriculture, Water and the Environment.

**Table 2: Summary of unique submissions by sector**

Sector	Number of submissions
IOT organisations and community groups/associations	10
Local government (IOT)	2
Tourism industry (IOT)	9
Recreational fishing organisations (mainland based)	1
Commercial fishing representative bodies (mainland based)	2
Commercial WTBF concession holder/fisher (mainland based)	1
Commercial fishers (IOT)	2
Conservation organisations (mainland based)	4
Research organisations/researchers (mainland based)	4
Individuals (IOT and mainland based)	10
<b>TOTAL</b>	<b>45</b>

**Note:** Appendix A provides more details about the unique submissions by sector

## 3.2 Submission themes, comments and Director of National Parks views

### 3.2.1. Support for the proposed marine park designs without any changes

A common theme across almost all submissions was strong support for the proclamation proposal. Thirty-eight of the 45 unique submissions and 12,730 of the 12,733 campaign submissions supported the proposed marine parks, with no changes to the designs recommended (i.e. location, area and zoning).

Twenty eight of the 38 unique submissions in support of the proposed marine parks were known to be from the IOT. These were from: Ten organisations and community groups/associations; the Shire of Christmas Island and the Shire of Cocos (Keeling) Islands CEO; nine IOT tourism industry bodies/operators (including the Christmas Island Tourism Association and the Cocos (Keeling) Islands Tourism Association); two Christmas Island commercial fishers and five individuals (see Appendix A for details).

The remaining ten unique submissions in support of the proposed marine park designs included four mainland-based conservation organisations and three research organisations/researchers, with one researcher providing two submissions. Recfishwest, which is the peak body representing the interests of recreational fishers in Western Australia, also indicated support for the proposed marine parks zoning.



Two submissions were classified as having 'mixed views' on the proclamation proposal, as they indicated support for establishing the parks, including offshore green zones, but also recommended changes to the design of the inshore waters (see 3.2.4 for details).

Two unique submissions and two campaign submissions indicated support for IOT marine areas being protected, but there was not enough detail to confidently assume that this meant support for the proposed marine park designs. Therefore, these four submissions were classified as being 'unclear'.

Across the submissions received, the main issues and points raised were:

- Inshore yellow zones are supported as they enable subsistence, recreational and small-scale commercial fishing and the continued cultural use of these waters by locals.
- Support the inshore yellow zone at Cocos, as well as the green zones for the Rip and Trannies Beach which are popular tourism locations.
- The zoning and spatial extent of the marine park should be maintained as outlined in the proposal, as this will help to protect and sustain fish stocks.
- The offshore green zones are of global significance and commend and congratulate the government for adopting substantial green areas that don't allow extractive activities.
- Offshore green zones will prevent industrial scale fishing and protect pelagic fish stocks, which migrate into inshore waters. This will help to ensure food security/fish stocks for islanders and support conservation of marine and terrestrial species and habitats, which are ecologically interconnected (e.g. seabirds, red crabs).
- It is important to protect IOT waters from large scale commercial fishing and mining.
- Green zones will protect a large part of the only known southern bluefin tuna spawning area on earth, as well as habitats for other significant species (e.g. foraging areas for seabirds, like the endangered Abbott's booby and Christmas Island Frigatebird).
- The proposed marine parks will protect pelagic species, threatened species and shark species, which are heavily threatened by commercial fishing.
- The green zones will have little to no negative impacts on Australian commercial fishing, as fishing has not occurred since 2013 and is not economically viable.
- Most public comments on the draft proposal supported the proposed marine park designs, particularly the large offshore green zones.
- Support the designation of the marine parks but concerned that large scale commercial fishing may still receive approval upon review.
- The designs provide a high level of protection for all the region's subregions, depth ranges, eight known ecological features (including seamounts) three biologically important areas and threatened species.

- The proposed marine parks would be amongst the world's premier parks and solidify Australia's commitment to marine conservation. They would meet/exceed the widely recommended minimum target of level of 30% for full protection.
- Australia only has the ninth-largest coverage of fully protected marine parks in the world, with nine per cent currently protected (i.e. in green zones). The marine parks will increase this to 17% and lift Australia's global ranking to fifth.
- The proposed marine parks would increase and strengthen regional protection in an ecologically diverse but heavily exploited region.
- The marine parks will significantly contribute to international ocean conservation efforts.
- The proposed marine parks will play a critical role in developing and improving Australia's National Representative System of Marine Protected Areas (NRSMPA).

#### Director of National Parks views

*One of the principles of the NRSMPA goals and principles for establishing marine protected areas in Commonwealth waters is minimising social and economic costs. To help address this principle, a key objective for establishing the marine parks was putting the views and aspirations of marine users – especially the Christmas and Cocos Island communities – at the forefront of the process to design them. To achieve this, extensive consultation was conducted with IOT communities to co-design the marine parks, through five visits during 2021. The co-design process resulted in the proposed marine park designs which encompass and protect ecological features and biologically important areas, without any known negative impacts on current socio-economic activities.*

*In addition, two phases of public consultation were held where written submissions were invited. Firstly, on the release of a draft proposal for non-statutory comment, followed by the release of the proclamation proposal for statutory public comment, as required by the EPBC Act. The views expressed through both phases of public consultation, with respect to the design (zoning, area and location) of the marine parks were consistent. The overwhelming majority of submissions in both phases supported the proposed marine park designs, apart from objections from the commercial fishing industry (discussed below in 3.2.3) and comments related to increasing protection of inshore waters (discussed below in 3.2.4).*

#### 3.2.2 Co-design and consultation processes with IOT communities

Eighteen of the 38 unique submissions that supported the marine park proposal and almost all campaign submissions provided positive comments on the process used to co-design the marine parks with IOT communities. Of these 18 unique submissions 15 were from the IOT (Shire of Christmas Island, Cocos (Keeling) Island's Shire CEO, nine organisations and groups/associations, two from the tourism industry and two individuals). The other three were from mainland-based organisations (Recfishwest, PEW Charitable Trust and the IUCN). In addition, Seafood Industry Australia and a mainland based commercial fisher commented about the co-design process with IOT communities but also highlighted the importance of conducting similar consultation with WTBF commercial fishers.

Across the submissions received, the main issues and points raised were:

- The collaborative consultation process is a positive example of government working with the community, to balance conservation and social and economic factors.
- Appreciation of the effort, care, attention and inclusiveness of community consultation.
- The process to design the marine parks has been collaborative, productive and thorough.
- The marine park proposal was explained to the community step by step from the beginning, including presentation of maps of the proposed marine park.
- Genuine and rigorous efforts were made to listen to the community to design the parks and as a result there is good community consensus.
- The consultation with local communities and simplified zoning is positive, as it addresses local socio-economic factors.
- The approach taken to consult on and co-design the proposed marine parks was commended.
- Support protected area planning, that considers and includes the views of local communities during protected area creation and management, which should generate long term benefits.
- Thank the government for the collaborative process to developing the marine parks and developing community led fishing rules.
- Encourage the process of working with the community to establish the parks to continue during the process prepare management plans for them.
- It is encouraging that the government is working closely with islanders to co-design the parks. It's equally important to also work closely with WTBF stakeholders.

#### Director of National Parks views

*The Director welcomes affirmation that the co-design process was considered effective and inclusive. Thorough consultation was conducted with IOT communities to ensure the views and aspirations of local communities were at the forefront of the process to co-design them. This was particularly important because IOT communities rely on the local marine environment for food, livelihoods and recreation and the marine environment is also culturally significant for many community members (also refer to the Directors response in 3.2.1).*

*Parks Australia will continue to work with IOT communities, as well as with scientists, industry and other stakeholders, to prepare management plans under the EPBC Act.*



### 3.2.3 Opposition to restrictions on offshore commercial fishing and associated criticism of the marine park designs

Three submissions from the commercial fishing industry sector commented on the potential impacts of the proposed marine parks on the mainland-based commercial fishing industry—Western Tuna and Billfish Fishery (WTBF) concession holders in particular.

The submissions argued that the proposed offshore green zoning should be changed to yellow zones (Habitat Protection Zones) to enable pelagic commercial fishing to occur in the future. There were a range of reasons given, including views that:

- The marine park designs do not align with the principles of comprehensiveness, adequacy and representativeness that underpin the National Representative System of Marine Protected Areas (NRSMPA).
- There is insufficient scientific justification for the proposed designs.
- Marine parks cannot address some of the most significant threats to the marine environment such as climate change, so why should they prevent pelagic fishing over such a large area.
- It appears that the designs are based on the IOT communities' desire for commercial fishing not to occur in offshore waters. More consideration should be given to the views of commercial fishing stakeholders—marine parks should not be created for fisheries management purposes, especially to manage migratory pelagic species.
- The commercial fishing methods that would be used (e.g. pelagic longline) occur in the upper water column and would not harm seafloor features. Australian fishers also use methods that minimise harm to non-target species and wildlife (e.g. from bycatch).

#### Director of National Parks views

*The IOT is the last remaining Australian marine region where representative marine protected areas have not been established. The proposed marine parks are designed to fill this significant gap in the NRSMPA. A representative system is one that includes examples of the biological diversity of the marine environment—its species, communities, habitats and ecosystems, irrespective of whether these are under threat. Such systems strengthen the health and resilience of ecosystems and in doing so can enhance their capacity to withstand and adapt to pressures, including large-scale pressures like climate change. Existing Australian Marine Parks and the proposed IOT marine parks are not designed to deliver fisheries management—they complement fisheries and other management measures in the marine environment. While seafloor features are often a focus of marine protection measures, marine parks also seek to protect and conserve biodiversity in the pelagic environment*

*Development of the NRSMPA in Commonwealth waters is guided by the Goals and Principles for its establishment<sup>2</sup>. Broadly the goals and principles aim to ensure marine protected areas are comprehensive, adequate and representative, while minimising social and economic impacts on marine based industries and coastal communities. The goals and principles do not provide minimum or maximum levels of representativeness that should be achieved. The Director considers that the current absence of commercial fishing<sup>3</sup>, mining and other extractive economic activities in offshore IOT waters provides an opportunity to achieve a high level of representativeness and protection for offshore IOT waters, while also observing the principle that social and economic costs should be minimised.*

These submissions included comments that there is no justification why Australia should exceed international targets for marine protection through this marine park's proposal.

#### Director of National Parks views

*The Director notes that the Australian Government has indicated that it wants Australia to be at the forefront of global leadership on oceans and marine protection<sup>4</sup>. In this context, the Director considers that international targets provide guidelines that should be considered a minimum, rather than an upper limit for marine protections.*

<sup>2</sup> The Goals and Principles for the NRSMPA in Commonwealth waters are available at: <https://parksaustralia.gov.au/marine/management/resources/scientific-publications/goals-and-principles-establishment-national-representative-system-marine-protected-areas/>

<sup>3</sup> Commercial fishing is considered to be absent in IOT offshore waters as there has been no catch from these waters reported to the relevant fisheries management agency (the Australian Fisheries Management Authority) since 2013.

<sup>4</sup> <https://minister.awe.gov.au/ley/media-releases/australia-announces-100-million-initiative-protect-our-oceans>

These submissions expressed concerns that the marine parks proposal does not account appropriately for future fishing prospectivity in IOT waters, including comments that:

- Lack of recent commercial fishing in offshore IOT waters doesn't mean that the marine parks will not have an impact on the industry—the historical fishing productivity and potential for future development of the area in question should also be considered when assessing impacts on fishing.
- The limited commercial fishing in offshore IOT waters in recent years is in part due to government policy. In particular, the government could have better facilitated continued partnerships between Australian concession holders and the Japanese fishing industry. Japanese ultra-low temperature longline fishing vessels and Japanese fishing expertise that supported significant fishing in IOT waters during the 1980s and 1990s has not been able to continue.

#### Director of National Parks views

*The Director notes that the value of fishing prospectivity is difficult to quantify due to multiple variables involved, which include for example, the expected abundance and quality of stocks; the expected costs of accessing, harvesting and transporting the stocks; and the expected market price at the time at which the stocks will be sold.*

*The Director understands from information provided by industry and the Australian Fisheries Management Authority (AFMA) that IOT waters have only been fished by WTBF concession holders once in the last 20 years (during 2012 and 2013)—and then, only by a single vessel in an exploratory capacity. Prior to 1997, the Director understands that IOT waters were fished frequently and profitably by Japanese vessels, which were permitted access under a broad government to government agreement.*

*The Director understands from industry comments received and from advice from AFMA and the Department of Agriculture, Water and the Environment that WTBF concession holders have made attempts since 1997 to re secure access to Japanese vessels and expertise on favourable terms as a means of profitably fishing IOT waters again – including an approach to Government in 2015 requesting support for a new agreement with the Japanese Government. The Director also understands that during this time:*

- *there have been mechanisms available to industry under fisheries legislation, policy and guidelines that could enable the use of foreign flagged vessels in Australian waters; and*
- *that no foreign vessels have successfully been brought to Australia under these mechanisms.*

*In the context of the information available, it is not clear to the Director when or if circumstances may change such that industry will recommence operations in IOT waters using foreign vessels.*

*The Director notes that there are multiple variables that affect the potential value of fisheries and fishing areas, including the WTBF and IOT offshore waters. The Director notes that it has always been possible for WTBF concession holders to invest locally in vessels and expertise that would support their access to IOT waters. The lack of fishing history in IOT offshore waters and declining activity within the WTBF more broadly over the last 20 years indicates that industry has not considered the potential value of IOT waters significant enough to make such investments to date.*



*Without clear evidence that circumstances are likely to change soon with respect local investment in capacity or access to foreign vessels, it is difficult to consider that the proposed green zoning for offshore IOT waters will impact the industry's prospects. The Director also notes that if circumstances do change significantly in the coming years, there will be opportunities to review the offshore zoning of these marine parks during future management planning processes.*

Submissions commented that, if the proposed design of the marine parks is not changed to facilitate pelagic fishing in offshore IOT waters, then a fair and reasonable assistance or compensation package for impacted fishers should be provided. The submissions suggested that such a package should consider historical productivity of IOT waters and the potential for its sustainable development as part of the WTBF. One submission noted that AFMA has catch records for one WTBF operator from the IOT area up until 2018.

#### Director of National Parks views

*The Director notes that under the Fisheries Adjustment and User Engagement Package associated with the commencement of management plans for 44 Australian Marine Parks in 2018, formula-based 'Fishing Business Assistance' payments were made direct to commercial fishers based on their catch records in affected areas from the previous five years. The parameters for assistance were developed in consultation with the fishing industry at the time.*

*The Director notes that, contrary to comment made in one submission, AFMA has advised that its most recent catch records for WTBF operators in IOT waters are from 2013. Based on this advice, the Director notes that under policy settings applied under the Fisheries Adjustment and User Engagement Package, no operators would be eligible for a Fishing Business Assistance payment due to the establishment of IOT marine parks.*

*The Director has considered the information available with respect to factors that could affect prospectivity of IOT waters for industry (see above) and does not consider that there is compelling evidence to support revisiting the eligibility framework for industry assistance established by the Fisheries Adjustment and User Engagement Package.*

*The Director notes that commercial fishing industry bodies received grant funding of over \$5 million under the Round 1 of the Our Marine Parks Grants Program in 2019 (which was part of the Fisheries Adjustment and User Engagement Package). Additional funding was recently made available under a third round of Our Marine Parks Grants and the commercial fishing sector was eligible to apply.*

There was a comment that the prospectivity of mining and commercial fishing are treated differently and that this results in disproportionate impact on the commercial fishing industry.

#### Director of National Parks views

*The Director notes that the prospectivity of IOT waters for both industries have been considered in the design process.*



Credit:

There was a comment that the same level of engagement on the marine parks proposal has not occurred with the commercial fishing sector as has occurred with IOT communities.

#### Director of National Parks views

*Comprehensive and early consultation with IOT communities was undertaken because these communities use IOT waters daily for fishing, recreation and critical commercial activities like freight transport. Parks Australia representatives have also engaged directly with the commercial fishing sector and made themselves available to discuss the marine parks proposal on request. There have also been two open opportunities for all stakeholders and any interested members of the public to make comment on the proposed marine parks during their design.*

#### 3.2.4 Increasing the level and area of inshore protection

There were two unique submissions that supported the establishment of the proposed marine parks, including offshore green zones, but recommended that the level of inshore protection be increased. One was from the Australian Marine Science Association (AMSA) and the other was from a mainland individual.

The Cocos (Keeling) Island Shire CEO noted there is some community sentiment that more inshore green zones could have been considered. However, the CEO also noted that the proposed fishing rules, being discussed between the government and Cocos Fishing Reference Group, combined with the marine parks, would give the best chance of protecting the natural environment.

Across the submissions received, the main issues and points raised were:

- Recommend modifying the park designs to ensure comprehensive, adequate and representative coverage of all ecosystems, particularly green zone protection for at least 30% of inshore waters.
- Consideration should also be given to inclusion of areas (10%) with a high level of protection (IUCN 1a – Strict Nature Reserve).
- Inshore areas are where the impacts of local and recreational fishing have the greatest impact, so it is important that these areas also receive increased level of protection.

### Director of National Parks views

*As noted at 3.2.2, thorough consultation was conducted with IOT communities to co-design the marine parks, so that the views and aspirations of local communities were at the forefront of the process to establish them. A key view expressed by IOT communities was the need to continue to access inshore waters for subsistence fishing and other uses, which the proposed designs address through inshore yellow zones.*

*The proposed marine parks already have a high level of protection and there may be potential to consider options for adjusting the level of protection of inshore waters during the preparation of management plans. However, any adjustments would be based on community consultation and views and evidence of specific sites that may warrant greater protection. Parks Australia also understands that local fishing rules are proposed to be developed by the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) with IOT communities. This will help ensure fish stocks are managed for the future and, when combined with the marine parks, will create a holistic approach for the sustainable management of the IOT marine environment. Parks Australia will also work closely with DITRDC to ensure fisheries and marine park management are (where relevant) complementary.*

### 3.2.5 Tourism benefits and opportunities

There were 18 unique submissions that provided comments about the potential benefits the marine parks would have for tourism and/or otherwise referred to the links between tourism and the marine parks. Fourteen of these submissions were from the IOT, with eight of these 14 submissions from tourism operators/industry (including the Christmas Island Tourism Association (CITA) and Cocos (Keeling) Islands Tourism Association - CKITA) with the other six IOT submissions from the CKI CEO, Cocos Fishing Reference Group, Island Care Christmas Island and three individuals. The other four submissions were from Pew Charitable Trust, Recfishwest, the IUCN and a researcher.

Across the submissions received, the main issues and points raised were:

- Marine ecotourism is a promising opportunity given the already popular activities like diving and bird watching. Surrounding waters can also be important for educational tourism.
- Visitors are astounded by the natural beauty and abundance of marine life and it's our responsibility to ensure its health into the future, including to support tourism businesses.
- Visitors enjoy the world class scuba diving, including healthy coral reefs and diverse species.
- Safeguarding marine systems will maintain ocean health, while protecting tourism attractions and providing local economic benefits, in a similar way to the Galapagos islands.
- The importance of ocean protection is obvious for marine tourism and local employment.
- The marine environment is globally significant due to endemic species, hybrid fish, whale sharks, southern blue fish tuna and coral reefs. These are key elements for marketing nature-based tourism, which is a growing sector in the IOT.
- Tourism contributes an estimated \$10.5 million annually to Christmas Island's economy, so a healthy marine environment is important for the economy.



- Except for the public service, tourism is the largest industry on Cocos and a pristine marine environment is critical for tourism marketing, visitation and jobs, so welcome the proposed marine park, including the large green zone.
- Support green zones at the Rip and Trannies Beach to protect popular tourism spots.
- The inshore yellow and inshore green zones would support local uses like fishing, while protecting the marine environment and promoting the IOT as unique ecotourism destinations.
- The marine parks are likely to benefit recreational and charter fishing by protecting southern blue fin tuna spawning grounds and other pelagic species. Both islands are also 'bucket list' destinations for charter fishers, providing a wilderness experience unlike anywhere else.
- Marine parks can help promote marine values and encourage sustainable tourism.
- Requiring approvals for tour operators to operate in the marine park provides the opportunity to specify conditions to support sustainable use of the marine environment.

#### Director of National Parks views

*The proposed marine parks have strong potential to help support the sustainable development of tourism in the IOT, consistent with the islands' strategic plans and community aspirations. An initial \$5.4 million has been allocated to support local jobs and economic growth associated with the new parks. It is envisaged that one of the uses of these funds could be to support sustainable tourism, such as to help create new or enhanced visitor experiences associated with the marine parks (e.g. through marine park grants). The marine parks will help to promote and market the IOT as nature-based tourism destinations, including through inshore green zoning at the Rip and Trannies Beach in the Cocos (Keeling) Island's marine park, which are popular tourism sites. Promotion of tourism and visitor experiences will be further considered as an element of the management plans which will be developed for the parks.*

#### 3.2.6 Socio-economic benefits for and the involvement of local communities

Twenty-three unique submissions and almost all campaign submissions provided comments related to socio-economic benefits for and the involvement of local communities in managing the marine parks (including incorporating local cultural knowledge to help manage the parks). Nineteen of these unique submissions were from the IOT and the other four were from the IUCN, Seafood Industry Australia, Birdlife Australia and PEW Charitable Trusts.

Comments associated with socio-economic benefits that were tourism related are summarised in 3.2.5 and comments specifically/only associated with fishing are summarised in 3.2.7.

Across the submissions received, the main issues and points raised were:

- Appropriate co-design of the parks will support new and exciting economic opportunities for the communities that call the islands home.
- The marine park will help to ensure local commercial fishing businesses can benefit (by allowing pelagic species like wahoo and tuna to increase).
- Locals should be involved in managing the marine environment/parks, including decision making, operations and employment/training opportunities, especially for young islanders.
- The ocean is critical to maintain a sustainable way of life in unique, remote and culturally diverse communities.
- Maintaining islander's way of life, socially and culturally, will be best achieved with inshore yellow and offshore green zones.
- Fishing is an important part of islander's culture, heritage and lifestyles and important the yellow zone allows current uses of the marine environment to continue.
- Well managed marine parks will protect the livelihoods and cultures of Christmas Islanders.
- The consultation conducted ensured community concerns and values, regarding the usage in Christmas Island's zones, were considered and included in the park design (e.g. so recreational and tourism pursuits could be maintained).
- Collaboration, local employment and research will foster capacity for islanders to manage their local environment and support a healthy community, which can reduce the financial impost on the Australian Government.
- Establishment of marine parks that accommodate sustainable use of the marine environment by locals will go a long way to protect marine habitats and seabirds.
- Governance and management arrangements for the marine parks should be participatory and collaborative and ensure islanders continue to play a central role in the planning, design management and monitoring of the marine parks.
- Large scale offshore fishing would have limited economic benefit for locals, for example, because there is little scope for refueling or restocking of boats.
- Clearly the focus of the marine parks is to have no impacts on local communities.

#### Director of National Parks views

*A purpose for which the proposed marine parks were designed for was to provide for "ecologically sustainable use that supports positive social and economic outcomes". The marine parks have strong potential to facilitate and support sustainable social and economic benefits for local communities in several ways. For example, an initial \$5.4 million has been committed to help manage the new parks. It is envisaged that a significant part of these funds will be allocated to a grants program for activities that support economic growth, jobs and community aspirations associated with protecting and promoting the marine parks. Also note the comments in 3.2.5 in relation to tourism.*

### 3.2.7 Inshore subsistence, recreational, tour and commercial fishing

There were 21 submissions that provided comments on inshore subsistence, recreational, tour and commercial fishing. Fourteen of these 21 submissions were from the IOT, including comments from two Christmas Island commercial fishers, the Cocos Fishing Reference Group and the Christmas Island Malay fishing community. The other seven submissions included comments from AMSA, the IUCN, PEW Charitable Trust, Recfishwest and one mainland researcher.

Across the submissions received, the main issues and points raised were:

- Support for the marine park proposal, as it will protect local commercial fishing and fish stocks.
- There have been some tough times for local commercial fishers. IOT waters are not regulated, so this disadvantages local fishers who need to follow commercial license rules.
- Yellow zoning to 12 nautical miles affords fairness to existing commercial fishers, who base their business planning on this, as well as recreational and subsistence fishers.
- Local Christmas Island Malay people have a vested interest in maintaining cultural fishing practices, to protect fish stocks for future generations and biodiversity.
- Fishing is an important part of the local culture, lifestyles and livelihoods and locals have responsibility to look after the sea.
- Yellow zoning will support local cultural fishing practices and uses, while green zones will safekeep offshore waters and provide an important spillover of fish into coastal waters.
- Protecting the seafloor is important but protection of fish for locals from large scale commercial fishing is what islanders want to see.
- Any impacts on Christmas Island fish stocks are unlikely to be due to local fishers, as large portions of the island are inaccessible during the year making it like a closed season.
- Establishing the marine park provides an opportunity for fisheries management reform and fisheries management by a local organisation.
- An opportunity exists for increased focus on the management and enhancement of recreational and artisanal fishing.
- Support ecosystems-based fisheries management including no take zones and monitoring of total catch by recreational fishers.
- A well-managed marine park will avoid over-exploitation and support sustainable fishing.
- Support the study, monitoring and management of fish stocks to provide future islanders with the same access to marine life, as in the past and currently.

- The differences between the marine parks and fishing rules were explained clearly, which has caused some confusion for a while.
- There have been increases in recreational, tour and spear fishing on Cocos. Some locals have called for culling of black tip reefs sharks due to interactions with fishing.
- Marine parks should aim to improve recreational fishing experiences and where possible avoid loss of access for recreational fishing.
- The proposal is also likely to have positive impacts for recreational fishers in South Australia, through protection of southern bluefish tuna habitat.
- CSIRO's assessment highlighted recreational fishing as significant for IOT tourism.
- The proposed parks are likely to have the support of recreational fishers, including because of their simplified zoning and consideration of socio-economic factors.

#### Director of National Parks views

*As noted in 3.2.1, one of the principles of the NRSMPA goals and principles for establishing marine protected areas in Commonwealth waters is minimising social and economic costs. To help address this principle, a key objective for establishing the marine parks was putting the views and aspirations of marine users – especially the Christmas and Cocos Island communities – at the forefront of the process to design them. A key view expressed by the community was the need to continue to access inshore waters for subsistence, recreational and commercial fishing, which the proposed designs address through inshore yellow zoning. This also supports recreational and charter fishing by mainland visitors/tourists, thereby also supporting local tourism and other businesses.*

*Parks Australia understands that local fishing rules are proposed to be developed by the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) with IOT communities. This will help ensure fish stocks are managed for the future and, when combined with the marine parks, will create a holistic approach for the sustainable management of the IOT marine environment.*

*Parks Australia will also work closely with DITRDC to ensure fisheries and marine park management are (where relevant) complementary.*



### 3.2.8 Threats to the marine environment

There were 11 unique submissions that commented on threats to the marine environment, as did almost all campaign submissions. Four of these unique submissions were from the IOT (Island Care Christmas Island, a dive company and two individuals). The other seven were from Tangaroa Blue, Birdlife Australia, PEW Charitable Trust, the IUCN, Tuna Australia, Seafood Industry Australia and a researcher.

Across the submissions received, the main issues and points raised were:

- The proposal doesn't identify how illegal foreign fishing will be addressed. Australian fishers should be encouraged so they can provide a presence to help detect foreign fishing vessels.
- Marine parks cannot address some of the most significant threats to the marine environment such as climate change, so why should they prevent pelagic fishing over such a large area.
- The reasons for the proposed zoning include pollution, over-exploitation, climate change, acidification and other human impacts. It's uncertain how marine parks will address these.
- Oceans are in trouble from industrial fishing, pollution and climate change. Establishing highly protected parks is critical to stop our oceans reaching a tipping point and provides an opportunity to protect these waters before over exploitation occurs.
- While there is no spatial management tool that can ensure full protection against climate change, large national park zones will foster greater resilience. Areas with less stressors offer vital refuges which may help to contribute to climate change adaptation and mitigation.
- The proposed marine parks will help to build resilience to help combat current and future threats from marine debris, climate change and other human impacts.
- Increasing global pressures like marine debris, dwindling fish stocks, climate change and illegal fishing compound the urgency to protect this region.
- The Indian Ocean Tuna Commission classifies yellowfin tuna in the region as being overfished and studies support this conclusion.
- Overfishing of larger pelagic fish by foreign vessels impacts on local marine and island ecosystems (e.g. seabirds rely on pelagic fish to drive their baitfish prey to the surface)
- Large parks and green zones make compliance and enforcement activities associated with illegal fishing easier to manage (e.g. by Australian Border Force).
- Large scale fishing operations or practices which disturb marine environments or result in the death of non-target species should not be allowed in the yellow zone.



- Official statistics under-report bycatch from commercial fishing.
- Ingestion of plastics by seabirds, fish and other marine wildlife compromises the long-term viability of fishing. Plastics also break down into micro plastics and release chemicals that can enter food chains.
- The amounts of marine debris in the IOT are immense (e.g. almost five tons of was collected in a two-week period in 2019 and most of this was plastic). The marine parks present an opportunity to develop strategies to help address marine debris.
- Island Care support and implement on-island programs to reduce and reuse plastics and remove marine debris.
- Welcome the addition of waters around Christmas Island into Australia's marine park network as it it's a Key Biodiversity Area (KBA) in danger.
- Cadmium can impact terrestrial wildlife but not aware of any testing on marine species.

#### Director of National Parks views

*The Director notes these comments on threats to the IOT marine environment. Understanding and (where possible) managing the impacts of some threats (e.g. marine pollution, climate change) will require coordinated approaches, such as through partnerships with relevant organisations. These will be elaborated on in more detail through the development of management plans.*

#### 3.2.9 Research, monitoring and management of marine parks

There were 11 unique submissions that provided comments about future research, monitoring and management of the marine parks. Six of these submissions were from the IOT (Shire of Christmas Island, Shire of Christmas Island Community Consultative Committee, Island Care Christmas Island, Cocos Fishing Reference Group and two individuals). The remaining five submissions were from Birdlife Australia, Tangaroa Blue, PEW Charitable Trust, AMSA and one researcher.

Across the submissions received, the main issues and points raised were:

- Research and testing of fish and other marine species on Christmas Island should be done to determine potential cadmium levels.
- There should be a long-term commitment and funding to monitor ecological aspects of the marine parks and management effectiveness.
- The marine parks can help create and expand opportunities for research and employment collaborations to increase capacity for locals to manage the marine environment.

- The marine parks provide opportunities to train and employ locals to conduct research, citizen science, data collection and monitoring.
- The most effective marine park will be based on local ecological knowledge alongside the best available science and management guidelines.
- Encourage ongoing scientific research, including involving/coordinating with locals and a bioregional assessment of the natural values of the region to inform future management.
- Research and data highlight the importance of the marine park as feeding grounds for seabirds including the threatened Abbotts Booby and Christmas Island Frigatebird. Recommend more targeted seabird research, including tracking of foraging trips and assessing population recruitment.
- Citizen science, scientific data and tools provided by the Australian Marine Debris Initiative (AMDII) can be used for a range of marine debris intervention strategies.
- Research and monitoring of marine habitats assessing fish stocks and habitats should be done to understand what needs to happen to sustainably manage fish stocks.
- An expanded monitoring and research program for whale sharks should be a priority, to assess the benefits of the marine parks for this species.
- Large no take zones/green zones are a cost-effective way to conserve marine biodiversity.
- Support consistent zoning across Christmas Island and Cocos (Keeling) Islands marine parks, as this will support consistent management frameworks and community interactions and collaboration between the islands.

#### Director of National Parks views

*Similar to the existing Australian Marine Parks, research and monitoring will be one of the major programs and activities for IOT marine parks. A significant part of the \$5.4 million initially provided to manage the new marine parks will be allocated for marine science and monitoring. Collaboration with research organisations will be important and Parks Australia has already allocated or contributed funding for initial research projects to support the marine parks, such as to support the CSIRO's Investigator research vessel's voyage to the IOTs in 2021 and to fund the preparation of desktop reports on the conservation values of inshore and offshore waters. There is also strong potential to engage and work with local communities in science and monitoring projects. Further discussions with local communities, scientists and government agencies will occur to help identify research and monitoring priorities and projects, as well as opportunities to engage the local community, particularly during the preparation of marine park management plans.*

### 3.2.10 Existing IOT parks and links between terrestrial and marine environments and species

There were eight submissions that commented on the existing IOT national parks (Christmas Island National Park – CINP, Pulu Keeling National Park - PKNP) and/or the ecological links between terrestrial and marine environments. Comments were received through six IOT submissions (CITA, Island Care Christmas Island, Chinese Literacy Association, Cocos Fishing Reference Group and two individuals) and through submissions from Recfishwest and a researcher.

Across the submissions received, the main issues and points raised were:

- Seabirds have had long term declines, in particular the Abbott's booby and Christmas Island Frigatebird, due to a range of land-based threats. Marine parks can help to build resilience for seabirds, by reducing by-catch and raising attention for managing land-based threats.
- Christmas Island has several threatened species and other species that are now extinct, due the invasive species and historical clearing of rainforest.
- There is a unique relationship between Christmas Islands terrestrial and marine environments (e.g. red crabs and seabirds rely on both environments, seabirds fertilise the forests that all terrestrial species rely on, whale sharks consume red crab larvae).
- Terrestrial and marine environments are globally significant because of Ramsar listed sites, endemic species, fish hybridization zone, and whale shark foraging areas.
- The red crab migration is described as one of the most amazing animal migrations on earth and the ocean plays a vital role in the migration process.
- Acknowledge work that CINP does considering budget constraints. However, the same standards as mainland parks should be expected (e.g. for biosecurity, road/track and visitor facility maintenance). Concerned the marine parks will face similar resourcing issues.
- Local Christmas Islander-Malay people have more in-depth knowledge of terrestrial and marine environments than people from the mainland and have and can continue to use this to help manage terrestrial and marine environments/parks.
- The establishment of CINP provided training to a generation of islanders and the marine park can provide the same opportunities for locals.
- Support the yellow zone for Cocos, including for North Keeling Islands/PKNPs waters.
- Currently collaborate with CINP on several programs and see opportunities to also do this with Parks Australia to help manage the marine park.
- The marine parks provide an opportunity to address irregularities of the existing marine boundaries of CINP and PKNP, through management plans. They could apply consistent zoning of these marine areas and the new marine parks, to simplify management and avoid confusion (e.g. to enable spearfishing in CINPs waters, which is currently prohibited).

### Director of National Parks views

*Whilst most of these comments are not directly related to the establishment or design of the marine parks, they will be considered for marine park management and management planning, including opportunities to integrate marine and terrestrial conservation management.*

*In relation to terrestrial biodiversity and park management, considerable resources are being allocated to address threats to terrestrial biodiversity, such as through long term programs for crazy ant and cat control, as well as reptile conservation. In addition, CINP has been progressively upgrading visitor infrastructure and roads over the last few years (e.g. at the Dales and Blowholes) and these upgrades will continue at other popular visitor sites. Also note previous comments about an initial \$5.4 million being allocated to manage the new marine parks.*

### 3.2.11 Other comments

Some submissions provided comments on items that were not relevant to the proclamation proposal/ proposed marine parks. These comments were reviewed but not considered further in this report and are therefore not summarised. However, a copy of all comments is attached to this report.



Christmas Island National Park, Whale shark feeding.  
|Credit: Rob Hughes

## 4. Appendix A: unique submissions by sector

Title	Sector
Malay Association Christmas Island	IOT organisations and community groups/associations
Island Care Christmas Island	
CI Malay Fishing Community	
Union of Christmas Island Workers	
Cocos Fisheries Reference Group	
Poon Saan Club Inc	
Christmas Island Woman's Association	
Christmas Island Neighbourhood Centre	
Chinese Literary Association of Christmas Island	
SOCI Community Consultative Committee	
Shire of Christmas Island (SOCI)	Local Government
Shire of Cocos (Keeling) Islands (CEO)	
Cocos Islands Adventure Tours	Tourism Industry (IOT)
Christmas Island Extra Divers	
Christmas Island Wet'n'Dry Adventures	
Christmas Island Tourism Association	
Cocos Keeling Island Tourism Association	
Cocos Dive	
Freedive Christmas Island	
Individual	
Individual	



Title	Sector
Recfishwest	Recreational fishing organisation
Tuna Australia Seafood Industry Australia Ltd	Commercial fishing representative bodies
WTBF concession holder	Commercial fisher (mainland based)
IOT Commercial fisher/business owner Shorefire	Commercial fisher (IOT based)
IUCN World Commission on Protected Areas Birdlife Australia Tangaroa Blue Foundation The Pew Charitable Trusts, Australian Marine Conservation Society and Save Our Marine Life Alliance	Conservation organisations
University of Western Australia (2 submissions) Murdoch University Australian Marine Sciences Association (AMSA)	Research organisations/researchers

The remaining 10 unique submissions were from individuals or organisations not clearly associated with a particular sector.



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