

## **Submission on the Draft NSW Mainland Marine Park Network Management Plan 2021-2031 On Behalf of 'Keep Jervis Bay Unspoilt' Community Group, January 2022**

*Keep Jervis Bay Unspoilt (KJBU)* is a community group working to stop inappropriate development and to 'keep Jervis Bay unspoilt'. We welcome the opportunity to comment on the draft NSW Mainland Marine Park Network Management Plan 2021-31 (the Plan). We would also wish to remain engaged as this process progresses, including in Stage 2 of the Plan's finalisation and in the development/review of the Implementation Plan and park/zoning rules for the Jervis Bay Marine Park.

Core issues for KJBU, which we wish to see reflected in the Plan, include:

- ensuring that the primary purpose of Marine Parks remains as conservation.
- ensuring that planning, management and rule setting for Marine Parks is science based and based on the principles of ecologically sustainable development and the precautionary principle
- stressing the importance of no-take/sanctuary zones for ensuring the ecological integrity of Marine Parks
- retaining the existing prohibition on the use of Jervis Bay Marine Park by cruise ships, except in the case of unforeseen safety at sea reasons
- improving monitoring and reporting on the health of Marine Parks, including enhanced opportunities for citizen science and community engagement and participation
- ensuring high levels of transparency and improved opportunities for community consultation and engagement in Marine Park management, especially for matters with strongly-held community views and interest – eg zoning, cruise ships, commercial fishing, use of PWC such as jet skis and e-foils.

### **General Comments**

Other general comments on the Plan and specific actions relevant to the Jervis Bay Marine Park, in no particular order, are outlined below.

- The presence of **cruise ships** in Jervis Bay is not consistent with the primary purpose of marine parks and their presence will increase the threats to the park rather than diminish it. We fully support the detailed submission made by the Jervis Bay Cruise Ship Coalition and believe that the development of cruising will negatively impact the park through dredging, damage to seagrass beds, increased boat and human traffic, increased air pollution, oil spills and garbage, biological threats from infiltrated bilge systems and wildlife injury through vessel strike. The disruption to existing minimal impact tourism activities, pressure on infrastructure and negative impact on as well as the the enjoyment of the bay by other visitors and local residents is also of primary importance.
- The Plan should prioritise conservation and **recognise the importance of sanctuary zones**. The section on no-take and sanctuary zones is very vague. In a statutory plan this provides little guidance to park managers, policy and regulation makers, park users or the community. The Marine Estate Expert Knowledge Panel notes 'Marine Protected Areas, and in particular no-take Sanctuary Zones, address the cumulative impacts of fishing by re-establishing key aspects of ecosystem functioning'. The Australian Marine Sciences Association recommends marine parks 'with at least 30 percent sanctuary (no-take) zone are the most effective and therefore the preferred design option'. The CAR principles should not just be 'noted' but should be referenced specifically as the principles that must be taken into account in developing zoning plans.

- The Plan should be amended to provide an unambiguous commitment across all marine parks that any assessment of risks and trade-offs give primacy to biological and ecosystem outcomes and be consistent with principles of ecological sustainable development.
- All action items in the Plan should be amended or removed to be consistent with the legislative requirement to conserve, i.e. in regards to commercial ventures such as cruise ships and aquaculture and any supporting works and infrastructure; recreational activities such as boating, jet skiing, four wheel driving, spear fishing and dog walking; and any proposed marine infrastructure and works.
- We support consistent approaches across the New South Wales marine park estate, but this should not mean a 'lowest common denominator' approach. Specific parks have particular values and varying threats, and the Plan needs to be flexible enough to recognise and accommodate these.
- The ongoing recognition of land-based impacts in the Plan is welcomed.
- The Plan lacks timeframes or target dates for any of the key actions in the plan. This is a major failing and provides no impetus for actions to be delivered, or accountability for any delays, should they occur.
- The Plan lacks a clear program logic that links actions in the Plan back to the objectives and threats. The latter seems to be missing and is only referenced in a very general sense.
- The Plan is lengthy and not necessarily user friendly. For example, discussion of objectives and actions doesn't start until nearly half-way through the document. Consideration should be given to revising the document to shorten the preliminary content, or perhaps moving some detail to an Appendix. Also, it would be very helpful if a short summary guide was prepared to sit alongside the detailed document.
- The Plan does not indicate how progress will be measured and reported. It indicates that a monitoring plan will be developed, but no timeframe is outlined for its development. Ideally, this should be prepared concurrently with this Plan so that it can operate from the time the Plan comes into effect. At a minimum, clear indicators for measuring progress, clearly linked back to the objectives, should be developed, monitored and reported on.
- We support the inclusion of a two month public consultation process for any proposed changes to statutory rules. This should be inclusive and not confined to the Partner organisations listed in the actions tables.
- The Values table is missing any value that talks about the importance of marine parks for climate change resilience (eg storm surge protection, conservation and protection of blue carbon ecosystems). This is referred to on p.28 but not specifically in the Values table.
- The Plan notes that additional resourcing will be required to implement the full suite of actions in the Plan. It would be useful if the Plan identified what these areas are.
- The document does not clearly outline how the state-wide Plan will interact with existing park-specific management plans. Will all the existing plans be revoked when the state-wide Plan is approved? Similarly, the statutory status of the proposed Implementation Plans is unclear. Will these be statutory Management Plans as per Division 5 of the Act, or simply 'guidance' documents with no statutory effect? We recommend retaining the existing individual park management plans until the proposed implementation plans are in place, and that these operational plans be designated as statutory management plans, as per Division 5 of the Act. A timeframe for the development of the operational plans should be included in the Plan.

- Include an action item to partner with conservation and community organisations to address key threats, such as urchin barrens and coastal development, noting that the Plan refers to several partnerships with extractive industries. There are also opportunities for community engagement in monitoring and reporting on Marine Park health – the Queensland Healthy Waterways Report Cards could provide a suitable model?
- Revise the Plan to include the following action items specifically for Jervis Bay Marine Park:
  - a. Increase no-take sanctuary zones to 30 percent of the Jervis Bay Marine Park, consistent with current scientific recommendations.
  - b. Invest in research and monitoring of the impact of sanctuary zones on local ecology and fish stocks in Jervis Bay Marine Park.
  - c. Invest in communication and compliance resources, such as signage and enforcement staff, to improve community knowledge of marine park rules and zoning.
  - d. Research and monitor the impacts of urchin barrens, the health of sea grass beds and any carbon opportunities, impact of development on mangroves.

### **In Conclusion:**

Jervis Bay Marine Park is the jewel in the crown of the Shoalhaven region and has experienced exponential growth in tourism in the last ten years as well as an increased permanent population which is already placing stress on infrastructure. Without historical scientific research and monitoring it can only be presumed that the Marine Park is also under pressure, and increased visitation from additional commercial activity will only exacerbate this pressure.

In our effort to come to a position on the Plan through research, expert analysis, extensive communication with the local community and feedback from tourist visitors, we know there is a deep concern that the primary purpose of Marine Parks, namely conservation and protection will not be served by this Draft Plan, and that there is much that needs to be done to ensure the next phase of the Plan addresses these concerns.

We look forward to being consulted in the next phase and working together to ensure the best outcome and plan so that the natural environment is protected and so that future generations can enjoy the Jervis Bay area as we have.

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Signed: 

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