

NELA's proposed national oceans policy

On 15 January 2014 a delegation from NELA met with Environment Minister Greg Hunt to discuss NELA's priority policies. At the meeting the delegation introduced NELA's national oceans policy and the Minister requested further information. NELA's proposal is set out below.

One of NELA's flagship projects is a proposal for a National Oceans Policy to provide integrated management of Australia's ocean resources across all levels of government. The proposal is modeled to a large degree on the unfinished business of implementing Australia's Oceans Policy, which was introduced by the Hon Robert Hill AC, as the environment minister in 1998.

Managing Australia's vast ocean resources is complicated by the fact that the Australian government, the six state governments and the Northern Territory all have responsibility for parts of Australia's maritime territory.

Under Australia's Constitution and the 1979 Offshore Constitutional Settlement the states and the Northern Territory are responsible for activities in coastal waters, generally defined from the low water mark out to three nautical miles. The Australian Government's jurisdiction starts at the edge of state and territory waters and extends to the outer limits of Australia's Exclusive Economic Zone (EEZ). So the states and the Northern Territory have parallel responsibility for regulating commercial and recreational fishing, oil and gas resources, conservation, shipping, tourism and marine pollution in their respective territories. The result for our marine environment is far from ideal.

In Australian fisheries, for example, lack of integration has a number of impacts. Australian Government fisheries have a harvest strategy which aims to maintain populations of targeted species at between 20 and 40 per cent of pre-fishing levels. Most state fisheries, which account for about 85 per cent of the gross value of Australian fisheries production, do not apply this type of benchmark, and the population status of many of those fish stocks is poorly understood. (State of the Environment Report 2011)

According to the SoE Report 'in coastal waters and on the continental shelf, the species that can be fished are mostly fished to their limits and for some species, overfishing has resulted in population collapse.' The report also points to a lack of nationally integrated analysis of the cumulative impacts of fishing on ecosystem structure or function, and an absence of national-level initiatives to assess and report on the ecological sustainability of commercial or recreational fishing sectors.

Australia was a world leader in marine conservation in 1998 as the first country to produce a national oceans policy to implement its obligations under the United Nations Convention on the Law of the Sea, which it ratified in 1994. *Australia's Oceans Policy* was widely recognised as setting an international benchmark in taking an integrated approach and a long-term view to maintain the health of Australia's oceans.

The policy aimed for the states, the Northern Territory and the Australian Government to prepare joint ecosystem-based Regional Marine Plans that would apply across state and Commonwealth waters. The plans were also to apply to all the sectors with an interest in marine resources - fisheries, oil and gas, tourism, shipping and conservation. To administer the arrangements the government established a National Oceans Ministerial Board, a National Oceans Advisory Group, and a National Oceans Office. But the process for the Australian Government to involve the states broke down and the plans were never implemented.

The Australian Government has achieved a great deal in recent years with the development of Commonwealth marine bioregional plans and the new network of Commonwealth marine reserves, which were also committed to as part of *Australia's Oceans Policy*.

NELA believes that the government should now take the next step and develop a national oceans policy that applies integrated marine spatial planning to the rest of Australia's oceans, outside the marine reserves.

NELA's Oceans Policy proposes a national system of ecosystem-based Regional Oceans Plans (ROPs) that determine nationally-consistent marine-use zones for all of Australia's oceans. The ROPs would set out objectives and permissible uses for each marine-use zone. The zones would cover all of Australia's oceans, extending from Australia's coastal baseline to the outer edge of its EEZ, except for the areas associated with its extended continental shelf and the Antarctic.

NELA proposes that the ROPs would be developed by a cross-sectoral, expertise-based National Oceans Commission, and approved by relevant Ministers from each jurisdiction under an intergovernmental agreement. Each government would implement the ROPs under their existing sectoral management arrangements.

Australia was a global pioneer in the practice integrated marine spatial planning in 1981 when it was incorporated into the framework for managing the Great Barrier Reef World Heritage Area. NELA believes it's time for Australia to be a global leader once again.

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