

Ministerial directions to the Marine Parks Authority regarding review of the zoning plan for Jervis Bay Marine Park

April 2010

Background

The zoning plan for Jervis Bay Marine Park has been reviewed by the Marine Parks Authority, in consultation with the community and Jervis Bay Marine Park Advisory Committee.

A review report has been prepared by the Marine Parks Authority and, together with Advisory Committee comments, was submitted to the Minister for Climate Change and the Environment and the Minister for Primary Industries.

The review report contained detailed findings and recommendations on the performance of the current zoning plan for Jervis Bay Marine Park. The Marine Parks Authority recommended in the review report that changes to the zoning plan are required to improve its performance against the objects of the *Marine Parks Act 1997*.

Comments from the Jervis Bay Marine Park Advisory Committee indicated that there was general support for improving the zoning plan but that members differed somewhat in their opinions about the scope and scale of the changes required.

The zoning plan review report also contained many findings and recommendations that were not directly matters for the zoning plan, such as a recommendation that opportunities to improve the understanding of ecosystem processes and functions in the marine park should be considered during any future review of the operational plan and development of the research plan. The Advisory Committee was typically in agreement with these recommendations.

The directions set out below are intended to guide suitable changes to the zoning plan for Jervis Bay Marine Park.

Ministerial directions

On the basis of the zoning plan review report for Jervis Bay Marine Park and having considered the comments of the Jervis Bay Marine Park Advisory Committee, in accordance with s. 17E (6) of the *Marine Parks Act 1997*, we hereby direct the Marine Parks Authority to:

1. cause a draft zoning plan to be prepared to amend the zoning plan for Jervis Bay Marine Park, and
2. take other actions to implement recommendations of the zoning plan review report.

Directions for amendment of zoning plan

In preparing a draft zoning plan to amend the zoning plan for Jervis Bay Marine Park, the Marine Parks Authority and the Jervis Bay Marine Park Advisory Committee should have regard to the issues and directions listed in the following table. The draft zoning plan is to be publicly exhibited for a period of at least three months.

Jervis Bay Marine Park – Ministerial directions for amendment of zoning plan

No.	Issue	Direction	Review report recommendations
1	Drum and Drum Sticks sanctuary zone	Improve the manageability (e.g. change to straight-line boundaries) while minimising effects on park users where possible.	Recommendations under review criteria <ul style="list-style-type: none"> • 4 (4.1) • 5 (5.1) • 6 (6.1) • 8 (8.2) • 9 (9.2) • 10 (10.2) • 11 (11.6) • 12 (12.4) • 13 (13.1) • 14 (14.1).
2	Representation of 'intermediate reefs' in sanctuary zones	Increase the representation of 'intermediate reefs' (rocky reefs in 20 to 60 m of water) without increasing the total area of sanctuary zone by: <ul style="list-style-type: none"> • Adjusting the boundaries of the St Georges Head–Steamers Head sanctuary zone northward from Steamers Head to Moe's Rock (and out to the marine park boundary) while maintaining access for rock fishing between Stoney Creek and Moes Rock • 	Recommendations under review criteria <ul style="list-style-type: none"> • 1 (1.1) • 2 (2.1) • 3 (3.3) • 4 (4.2) • 5 (5.1) • 7 (7.1) • 8 (8.2) • 11 (11.1, 11.2) • 12 (12.4) • 14 (14.1).
3	Sustainable use of the marine park	Improve sustainable use of the marine park by: <ul style="list-style-type: none"> • prohibiting trawling in the marine park and changing the general use zone at the southern end of the marine park to habitat protection zone (noting that the original purpose of the general use zone was to allow turning at the end of a trawl shot) which will improve manageability by straightening the habitat protection zone boundary • prohibit lift netting in the marine park • restrict purse seining as per current permitting arrangements but remove designated purse seining area near Bowen Island (as a site of high conservation significance) and realign the boundaries of the remaining designated area to make it more useable whilst maintaining its general location and approximate size. 	Recommendations under review criteria <ul style="list-style-type: none"> • 4 (4.2, 4.3) • 8 (8.2) • 12 (12.1).

Jervis Bay Marine Park – Ministerial directions for amendment of zoning plan

No.	Issue	Direction	Review report recommendations
4	Aquaculture	<p>As per current arrangements in the operational plan for the marine park, specify in the zoning plan that:</p> <ul style="list-style-type: none"> • extensive aquaculture of local species is permitted with consent in habitat protection and general use zones of the marine park • aquaculture in the Jervis Bay embayment is not to exceed a total area of 440 hectares. <p>Additionally, aquaculture in the marine park would only occur in accordance with a sustainable aquaculture management plan</p>	Recommendations under review criterion 12.
5	Public use and enjoyment of the marine park	<p>Improve opportunities for public use and enjoyment of the marine park by:</p> <ul style="list-style-type: none"> • prohibit spearfishing and motorised vessel access in Honeymoon Bay • introduce a designated area for anchoring between Red Point and Hare Point in the Hare Bay sanctuary zone • prohibit the use of personal watercraft in the habitat protection zone at Hyams Beach 	<p>Recommendations under review criteria</p> <ul style="list-style-type: none"> • 4 (4.2, 4.3) • 8 (8.2) • 11 (11.1, 11.3).
6	Protection of culturally important sites	Continue to work with Aboriginal communities to explore options to protect culturally important sites.	<p>Recommendation under review criteria</p> <ul style="list-style-type: none"> • 11(11.6)
7	Potential marina and boat harbour development	Amendments to the zoning plan should not be made in anticipation of any future proposals for a marina, boat harbour or wharfing facilities. Any future proposals should be assessed in accordance with environmental planning provisions, including sections 19 and 20 of the <i>Marine Parks Act</i> .	<p>Recommendation under review criteria</p> <ul style="list-style-type: none"> • 11 (11.5)
8	Protection of seagrass beds and other habitats	Increase protection for seagrass beds and other habitats in Moona Moona Creek and Carama Inlet by restricting motorised vessel access.	<p>Recommendations under review criteria</p> <ul style="list-style-type: none"> • 4 (4.3) • 8 (8.2).
9	Species of fish and plants	<p>Review and if necessary amend the protection of species of fish and plants in habitat protection zones by:</p> <ul style="list-style-type: none"> • protecting species as required and • otherwise being consistent with fisheries management regulations. 	Recommendations under review criterion 6.

Directions for other actions to implement findings and recommendations of the zoning plan review report

Review report criteria 1, 3, 7, 8, 10, 11, 12 and 13 include recommendations that may be implemented through the operational plan and/or research plans for Jervis Bay Marine Park. The 2003 Jervis Bay Marine Park Operational Plan and future research plan for Jervis Bay Marine Park should be reviewed and as necessary revised to implement the review report recommendations.

In response to recommendation under review report criteria 11, opportunities for cultural resource use by Aboriginal people should be explored through the future implementation of the *Policy and Operational Guidelines for Aboriginal Engagement and Cultural Use of Fisheries Resources in NSW Marine Parks* and recent fisheries legislation reforms.

Hon. Frank Sartor MP
Minister for Climate Change and the Environment

Hon. Steve Whan MP
Minister for Primary Industries