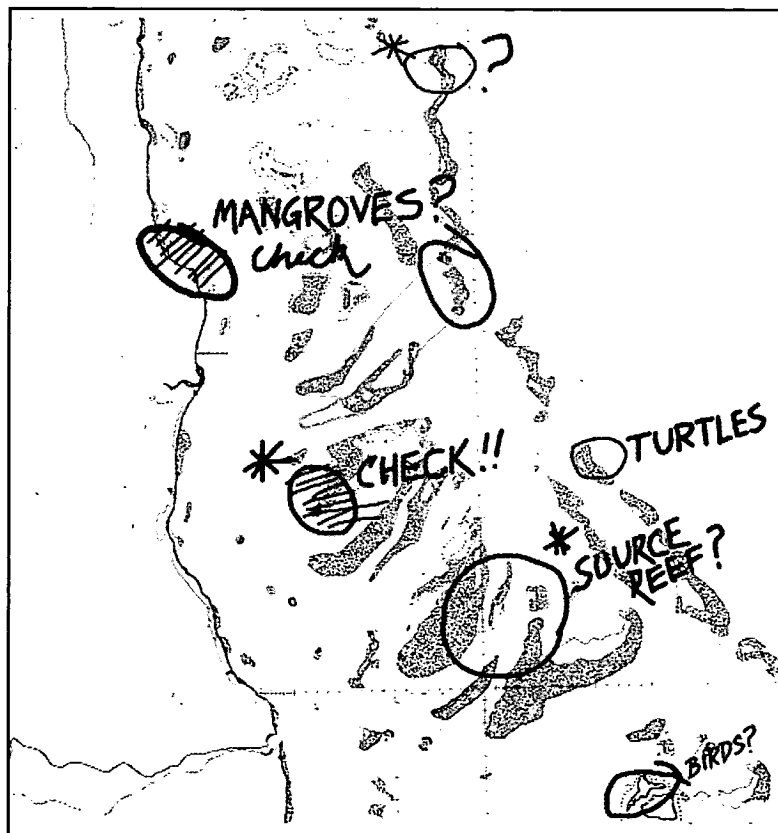


FAR NORTHERN SECTION ZONING PLAN

Comments of the Great Barrier Reef
Marine Park Authority on representations and

BASIS FOR ZONING DECISIONS



APRIL 2002



GREAT BARRIER REEF
MARINE PARK AUTHORITY

FAR NORTHERN SECTION ZONING PLAN

BASIS FOR ZONING DECISIONS

APRIL 2002



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FOREWORD

This document sets out the basis for the development of the Zoning Plan for the Far Northern Section of the Great Barrier Reef Marine Park that was approved by the Federal Parliament in 2000.

The document summarises the background information which formed the basis for recommendations to the Great Barrier Reef Marine Park Authority and, in particular, summarises the issues raised in representations on the draft Zoning Plan which was made available for public review from 5 December 1997 to 27 February 1998. The Authority's responses to those representations are incorporated in accordance with Section 32 of the *Great Barrier Reef Marine Park Act 1975*.

In accordance with Section 32 of the *Great Barrier Reef Marine Park Act 1975*, a number of alterations were made to the then draft Far Northern Section Zoning Plan in accordance with the wishes of the Minister for Environment and Heritage. These included a Conservation Park Zone in Princess Charlotte Bay, new management provisions for trawling in the General Use Zone, renaming the Wilderness Area Overlay as the Remote Natural Area, and alteration of the provisions relating to navigation aids in Additional Purposes for Use or Entry. These alterations are outlined further in this document.

The Zoning Plan was tabled in both houses of the Federal Parliament and subsequently was approved by the Parliament in March 2000. It is anticipated that the Plan will come into operation early 2002, thus replacing the Zoning Plan that exists at that time.

Any one else....who is here, is miles from their home....

(Lama Lama Aboriginal Corporation, February 1998)

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SUMMARY

The Great Barrier Reef Marine Park Authority has obligations with respect to the management of the Great Barrier Reef World Heritage Area and Marine Park, including:

- the *Great Barrier Reef Marine Park Act 1975*;
- the Convention on Biological Diversity;
- the World Heritage Convention; and
- the 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area.

Against this background, the revised Zoning Plan and management strategies for the Far Northern Section were developed to maintain and enhance the natural and cultural values of the Section. In particular the management intent for the Section is to:

- recognise and protect the ecological diversity and integrity of the Section;
- reflect the custodial obligations and contemporary needs of Indigenous people in the management of the Section, and involve Indigenous people in ongoing planning and management;
- maintain the remote and undeveloped character of the Section; and
- ensure that existing uses of the Section are ecologically sustainable and that any future expansion of uses does not have an unacceptable impact on natural and cultural values.

The draft Zoning Plan released for public comment in December 1997 documented details of management proposals and the proposed Zoning Plan for the Far Northern Section, along with the proposed Cape York Marine Park and island National Parks management strategies.

A number of areas were identified as having very high conservation values, relating to the diversity of habitats represented within relatively small areas, their conservation significance at a regional or national scale, and their importance for significant species. Protective zoning was considered by the Authority to be appropriate (i.e. National Park and Preservation Zones). Development of proposals for these areas also took into account complementary management with adjacent terrestrial National Parks, the existing use of those areas and specific requests for greater conservation measures.

Modifications to zoning in other areas were proposed on the basis of rationalising boundaries, providing a standard minimum level of protection for habitats such as seagrass meadows and coral reefs, and to address requirements for reasonable use of the Section.

The structure of the Far Northern Section Zoning Plan, nomenclature of zones, and definitions were revised to take account of recent legislative amendments, to update the provisions and make the plan consistent as far as possible with the more recent Cairns Section Zoning Plan, and to reflect current legal style. Regulations will be made to give effect to the provisions of the Zoning Plan.

An analysis of representations received during the second stage of public input has highlighted four major issues. These issues are:

- commercial fishing;
- recreational fishing access;
- Indigenous interests; and
- conservation.

Commercial fishing

Representations from the commercial fishing industry made during the first stage of public input included requests for additional areas for commercial fishing. In response to the draft Zoning Plan, the commercial fishing sector raised an objection in principle to the closure of areas currently available to commercial fishers. Requests were made for scientific justifications, or an identification of potentially threatening activities which precipitated the need for National Park Zones. A request was made for the retention of current zoning in the Section (with exception of shallow reefs north of the Cross-shelf Transect).

The industry indicated that the Section is important for commercial fishing or potential fishing, although no information relating to levels of fishing or impacts of the proposals was offered. Catch data for commercial fishing indicated that the impact of zoning proposals on commercial fishing is likely to be greatest in the southern extent of the Section, with only a few fishers working north of Port Stewart for very limited periods each year. Incidental or indirect effects of the proposals were also raised, including bait netting requirements for mackerel fishing, and anchorage requirements for primary vessels whilst tender vessels move to and from fishing grounds.

Recreational fishing access

The majority of fishing interests represented in the public input originated from local residents or long distance 4WD or boat-based visitors to the Far Northern Section. The issue of access for recreational fishing focused on points of public access to the east coast and good anchorages. Bathurst Bay and Cliff Islands were most frequently referred to as locations where zoning proposals would affect recreational fishing activities.

A number of representations from the recreational fishing sector call for a ban on, or a great reduction of, all commercial mesh netting in the Far Northern Section.

There is a perception indicated in some representations that in the provisions of the Zoning Plan, preferential and selective treatment is afforded to Indigenous people in access to and use of marine resources. Another perception is that marine resource use by Indigenous people should be carried out using 'traditional' methods and modes of transport.

Indigenous interests

The majority of coastal and inshore areas of the Far Northern Section were identified for increased protection by Indigenous people during the first stage of public input. This included a set of recommendations which, combined, would have resulted in a continuous five kilometre wide National Park Zone extending from Marrett River in the south to Cape Grenville in the north, and a ban on trawling for a large area north of the Cross-shelf Transect (the large National Park Zone). The representations received suggested that zoning proposals released for public comment appeared to Indigenous people as an absolute minimum of conservation measures, and a substantial compromise on their original submissions.

The interests of Indigenous people appear not to be directed at securing exclusive use areas, but are based on knowledge of areas, perceptions of conservation values and requirements of particular areas. Indigenous people indicate that these interests are inextricably linked to custodial obligations and cultural values (Smyth 1994). Conservation concerns extend to calls for self management of resource use, particularly traditional hunting.

Indigenous people are also interested in opportunities for economic development and have aspirations to develop commercial ventures including commercial fishing and collecting, tourism and mariculture. In many cases, potential areas have been identified by Aboriginal people for such purposes in the future.

Conservation

Conservation interests originate from regional, state and national organisations, and their representations expressed two related sets of concerns:

- (1) perceived inadequacy of conservation measures; and
- (2) impacts of fishing.

Support was given for Habitat Protection Zone proposals and the inshore proposals for National Park Zones, and strong objections were raised to the proposed zoning changes that would allow trolling for pelagic species at Cat and Osborne Reefs and Friendly Point.

Submissions to the first stage of public input requested a number of additional cross shelf transects be implemented in the Far Northern Section. Dissatisfaction was expressed that these were not proposed in the Draft Plan. Concern was expressed about the conservation requirements of habitats such as deepwater seagrass meadows and algal beds, which are largely unmapped and poorly understood. Requests were made for the reef-wide representative area review to be given priority and scope to fully address the issues for a comprehensive protected area system.

Conservation measures for the protection of dugongs were also a concern to conservation interests, and in particular the perceived lack of conservation measures for dugongs in the Princess Charlotte Bay region. Calls were made for a range of measures to be implemented; from the implementation of fishing industry proposals for Princess Charlotte Bay as a minimum measure, through to Preservation Zones in all important dugong areas.

Concerns about the impacts and sustainability of fishing practices, particularly trawling, were expressed by conservation groups. Strong calls were made to ban or greatly reduce all forms of commercial fishing in the Far Northern Section until sufficient data are available to ascertain sustainable levels of these activities. Compliance with zoning by commercial fishers was raised as an issue, particularly in relation to the Cross-shelf Transect and prawn trawling activities.

Changes recommended to the Far Northern Section Zoning Plan

Zoning Plan provisions

A number of changes to the draft Far Northern Section Zoning Plan have been introduced to 'fine tune' the zoning by taking into account representations received during the second stage of public input and to improve compliance, surveillance and enforcement. These are detailed in Section 3.11 and include changes to:

- allow traditional fishing and collecting in all zones except Preservation Zones;
- allow access in special circumstances to carry out government reconnaissance or government surveillance;
- allow additional purposes for use or entry to include the construction of authorised navigational aids and their ancillary buildings and works; and
- proposed 'Wilderness Area' renamed as 'Remote Natural Area' to better reflect the remote and undeveloped character of the area.

Zoning placements

A number of changes to the placement of new zones have been introduced to take into account issues raised in the representations made on the draft Far Northern Section Zoning Plan and to improve the capacity for enforcement. These changes are detailed in Section 4, and involve the following:

- changes to the boundaries of Habitat Protection Zones over some shallow reefs;

- expansion of the Conservation Park Zone in Lloyd Bay to adjoin the mouth of the Lockhart River estuary;
- alteration of the eastern boundary of the National Park Zone at Cape Direction (Lloyd Bay);
- retention of the existing Conservation Park (Marine National Park 'A') zoning in the waters surrounding Night Island;
- alteration to the western boundary of the National Park Zone at Cliff Islands;
- Conservation Park zoning over the Princess Charlotte Bay area;
- Conservation Park zoning over the entire Bathurst Bay area;
- extension of the National Park Zone at Wakooka Creek along the coast to Murdoch Point, and removal of the same from the offshore boundary of the Preservation Zone; and
- re-alignment of the boundary of the inshore Preservation Zone near Red Point.

1.0 INTRODUCTION

1.1 THE FAR NORTHERN SECTION

The Far Northern Section of the Great Barrier Reef Marine Park is the northernmost section of the Marine Park and is situated east of Cape York Peninsula. It shares the exceptionally high conservation, natural and cultural values of the adjacent mainland of Cape York Peninsula. The Far Northern Section is arguably the most ecologically significant of all the Sections of the Marine Park and Great Barrier Reef World Heritage Area.

The Cape York Peninsula region is often stated to be an Indigenous domain, a remote region where the Indigenous people represent the majority of the population and have ongoing cultural relationships with the land and sea.

The conservation values of Cape York Peninsula and the Far Northern Section are high, being one of the few Australian regions where the majority of the area is of high or very high natural quality.

The revised Zoning Plan and management strategies for the Far Northern Section were developed to maintain and enhance the natural and cultural values of the Section. In particular the management intent for the Section is to:

- recognise and protect the ecological diversity and integrity of the Section;
- reflect the custodial obligations and contemporary needs of Indigenous people in the management of the Section, and involve Indigenous people in ongoing planning and management;
- maintain the remote and undeveloped character of the Section; and
- ensure that existing uses of the Section are ecologically sustainable and that any future expansion of uses does not have an unacceptable impact on natural and cultural values.

1.2 REVIEWING THE FAR NORTHERN SECTION ZONING PLAN

The Far Northern Section of the Great Barrier Reef Marine Park was proclaimed in August 1983. The development of the initial Zoning Plan for the Far Northern Section took place from 1984 to 1986. The Zoning Plan for the Section came into effect on 1 February 1986, and day-to-day management was established soon after.

Following preliminary planning in 1991, the Authority approved the program for review of the Far Northern Section in 1992, then in 1993 decided to defer the review, subject to the agreement of major interest groups. Following protests from the commercial fishing industry and Indigenous groups, the Authority reinstated the decision to proceed with the review in 1993-94.

The formal announcement of intent to prepare a new zoning plan was made in mid-November 1994, and the period for public comment was extended to May 1995.

The criteria used for determining appropriate zoning for areas of the Far Northern Section as set out in Section 32(7) of the *Great Barrier Reef Marine Park Act 1975* are:

- (a) the conservation of the Great Barrier Reef;
- (b) the regulation of use of the Marine Park so as to protect the Great Barrier Reef while allowing the reasonable use of the Great Barrier Reef Region;

- (c) the regulation of activities that exploit the resources of the Great Barrier Reef Region so as to minimise the effect of those activities on the Great Barrier Reef;
- (d) the reservation of some areas of the Great Barrier Reef for its appreciation and enjoyment by the public; and
- (e) the preservation of some areas of the Great Barrier Reef in its natural state undisturbed by man except for the purposes of scientific research.

The Draft Plan was released for public comment on 5 December 1997. Public comments were invited until 27 February 1998.

The revised Zoning Plan was tabled in both houses of the Federal Parliament on 6 March 2000 and was subsequently approved by the Parliament. It is anticipated that the Far Northern Section Zoning Plan will come into operation in early 2002.

Summaries of the issues and proposals addressed in the Draft Plan are provided here, along with summaries of the representations made during the period of public input, the Authority's responses to those representations, and final outcomes for zoning.

Where the term 'as proposed' is used, it refers to the proposals contained in the Draft Zoning Plan that was released for public comment in December 1997. The term 'Draft Plan' also refers to the Draft Zoning Plan as released for public comment. The term 'revised Zoning Plan' on the Draft Plan refers to the Plan as approved by the Federal Parliament in March 2000.

1.3 STATE WATERS AND THE PROPOSED CAPE YORK MARINE PARK

In 1985 the Queensland Government began a process to declare the State waters adjacent to the Far Northern Section as the Cape York Marine Park. Background information and a Draft Zoning Plan were published in May 1987. The process was resumed in 1994 jointly with the review of the Far Northern Section. The management proposals and the proposed zoning of the Cape York Marine Park were released in the joint document along with the Draft Plan for the Far Northern Section in December 1997. The Queensland Government is in the process of finalising management arrangements for the Cape York Marine Park.

2.0 OVERVIEW OF REPRESENTATIONS AND ZONING

2.1 PUBLIC PARTICIPATION

One hundred and eight written representations were received in response to the invitation to the public to provide comment at the outset of the review. During the second public comment stage of the review, one hundred and twenty five written representations were received. Throughout the development of management proposals and the draft Zoning Plan, Marine Park users, interest groups and interested individuals were kept informed of the proposed content through update bulletins and meetings. Between December 1996 and March 1998, meetings were held with the fishing industry, Indigenous groups, conservation groups, scientific organisations, State and Commonwealth government agencies, the tourism industry, recreational fishers, the shipping industry and Regional Marine Resources Advisory Committees to discuss the content of the plan and to resolve outstanding issues.

Table 1: Summary of representations	
Total number of representations, first stage of public input	108
Total number of representations, second stage of public input	125

Table 2: Second stage representations	
Interests identified by respondents <i>(respondents may have more than one interest)</i>	Number of representations
Conservation	23
Indigenous	16
Recreational fishing	29
Commercial fishing and harvesting	17
Mariculture	1
Tourism	9
Research	7
Government agencies	11

It should be noted that, in taking into account comments on zoning proposals, the Authority is concerned with the content and information in those comments and not necessarily the volume of comments received.

Other Information Sources

The review has included the compilation of updated resource and use information. Several studies were commissioned and other projects have also provided useful information. These information sources are detailed in the document entitled "Marine Parks of Cape York" which was released for public comment in December 1997. Further information about the studies is available from the Authority.

2.2 OVERVIEW OF REVISED ZONING

The table below summarises the area in square kilometres and percent of total area of the Far Northern Section in each zone type for the revised Zoning Plan, and provides a comparison with the existing Zoning Plan which has been in operation since 1986.

Zone Type	Previous Zoning Plan (1986)	Revised Zoning Plan (2001)
General Use 'A'/General Use Zone	63 100 km ² 75%	62 525 km ² 73%
General Use 'B'/Habitat Protection Zone	10 370 km ² 12%	9 660 km ² 11%
Marine National Park 'A'/Conservation Park Zone	130 km ² <1%	1 140 km ² 1%
Marine National Park Buffer/Buffer Zone	130 km ² <1%	152 km ² <1%
Marine National Park 'B'/National Park Zone	11 120 km ² 13%	11 422 km ² 13%
Preservation Zone	238 km ² <1%	220 km ² <1%
Scientific Research Zone	31 km ² <1%	-
Islands (State & Commonwealth) ¹	81 km ² <1%	81 km ² <1%
TOTAL	85 200 km²	85 200 km²

¹ Commonwealth islands, although included within the Marine Park, are not sufficiently mapped to be differentiated from State islands. State islands are not included within the Marine Park.

Note: Area statements for the Far Northern Section Zones were calculated using an Albers Equal Area projection on GDA94 datum. All areas have been estimated from the most recent data sets held by the GBRMPA. Areas have been rounded to one percent of the total area of that zone type, and then to the nearest kilometre to reflect the minimum mappable areas achievable from the source data.

3.0 ISSUES

3.1 PROTECTION OF NATURAL VALUES

Background

The principle objective of management of the Great Barrier Reef Marine Park is the protection of the natural values of the Great Barrier Reef. To the extent that it is consistent with this objective, the Authority provides for ecologically sustainable use of the Marine Park. Zoning must balance all the values and uses in the Marine Park, including extractive use of resources (GBRMPA 1994).

Some habitats in the Great Barrier Reef Marine Park are recognised as requiring special protection for a variety of reasons including their significance for commercially and recreationally important species, their significance for threatened species, their productivity, their diversity, their scientific interest, their rarity or fragility. Foremost among these habitats are seagrass meadows and coral reefs.

A number of areas were identified as having very high conservation values, relating to the diversity of habitats represented within relatively small areas, their conservation significance at a regional or national scale and their importance for significant species. Protective zoning was considered by the Authority to be appropriate for a number of these areas (National Park and Preservation Zones). Development of proposals for these areas also took into account complementary management with adjacent terrestrial National Parks, the existing use of those areas and specific requests for greater conservation measures. Alternatively, a number of representations, particularly those from some commercial and recreational fishers, suggested that there should be no increase in protective zoning.

Substantial representations were made during the first stage of public input requesting an increase in the level of protection for ecosystems in the Far Northern Section, including the establishment of an additional two cross-shelf transect National Park Zones. A number of submissions made during the first stage of public input suggested that there needs to be a very significant increase in the amount of protective zoning in the Far Northern Section. Other submissions suggested that the Far Northern Section already has the greatest area of protective zoning of all Sections, and that significant increases were not justified.

It was agreed during 1996 in two workshops with scientists, managers and interest groups that a review of the representative protected area system would be undertaken to develop criteria and assess the adequacy of the current distribution and extent of these areas on a reef-wide basis. The review will involve the ongoing input of users and interest groups as well as formal stages of public consultation. The Authority is confident that the process will lead to achievable outcomes for a system of comprehensive and representative protected areas.

In this context, the review of the Far Northern Section has focused on the conservation status and requirements of particular habitats which require greater protection within the Far Northern Section.

Dugong management

Researchers have consistently rated the northern Great Barrier Reef region as the most important dugong habitat in the Great Barrier Reef. Except for part of the Starcke coast area, all eight significant dugong areas of the northern Great Barrier Reef are in the Far Northern Section or adjacent State waters (Marsh and Corkeron 1996, GBRMPA 1997(b)).

In 1996, the Great Barrier Reef Ministerial Council considered a package of emergency measures to eliminate or substantially reduce dugong mortality in the southern Great Barrier Reef area. The resulting dugong conservation measures established in the southern Great Barrier Reef included a system of Dugong Protection Areas in which some forms of mesh netting are not permitted, or additional controls have been applied to mesh netting activities.

Initial recommendations for dugong habitats in the Far Northern Section included the declaration of a Dugong Protection Area over Princess Charlotte Bay and Bathurst Bay. Later, it was decided not to include areas north of Cooktown as Dugong Protection Areas, but to identify dugong protection measures for the northern Great Barrier Reef in the review of management of the Far Northern Section.

The Minister for the Environment and Heritage has required the Authority's assurance that the revised Far Northern Section Zoning Plan will effectively provide for dugong conservation as an alternative to the declaration of Dugong Protection Areas as considered by the Ministerial Council.

Seabirds and turtles

Six species of marine turtles occur in the northern Great Barrier Reef. Significant green and hawksbill turtle nesting locations are found within the Far Northern Section. Isolated nesting of flatback turtles occurs, and leatherback turtles forage and migrate through the northern Great Barrier Reef.

The Far Northern Section supports the greatest abundance and diversity of seabird life in the Great Barrier Reef Region. Generally seabird colonies in the Section are established on cays and low wooded islands offshore. Nesting seabirds and turtles are particularly sensitive to disturbance. Complementary management was proposed to reflect Queensland's proposed management of National Park islands of significance to breeding seabirds and turtles.

Revised management strategies

Zoning strategies in the Draft Plan included:

- retention of existing strictly protected areas (National Park Zones and Preservation Zones), including the Cross-shelf Transect;
- the creation of additional National Park and Conservation Park Zones over some areas of identified high conservation value including:
 - Temple Bay
 - Lloyd Bay
 - Night Island
 - Cliff Islands
 - Bathurst Bay;
- upgrading zoning at Forbes Islands to Conservation Park Zone to complement National Park management intent;
- including all known shallow water seagrass beds in the Habitat Protection Zone or more protective zones (May, Hazelgrove and Exit Reef cluster, northern end of Corbett Reef);
- including all shallow reefs in the Habitat Protection Zone or more protective zones, throughout the Far Northern Section; and
- complementing Queensland measures for protection of nesting areas for turtles and seabirds from human interference during breeding seasons, through full year or seasonal closures of adjacent waters.

Summary of Public Input

Strong support was given for the emphasis of the draft Zoning Plan and management proposals for the protection of natural values. Support was given to complementary National Park zoning adjacent to terrestrial National Parks.

A number of representations supported the proposed increase of the National Park Zone, particularly in recognition of the conservation values of sea floor habitats. A request was made for the National Park Zone proposals to be upgraded to Preservation Zone for the protection of endangered species. The retention of the Cross-shelf Transect National Park Zone was supported in many representations. The absence of Princess Charlotte Bay from these proposals was perceived as a major concern in some representations.

Concern was expressed about the lack of protection of deepwater seagrass meadows and algal beds, as being largely unmapped and continuing to be trawled, because they do not impede trawling gear sufficiently to discourage trawling. Researchers expressed concern about the documentation on conservation of a few visually obvious fauna such as dugongs, turtles and seabirds, and stressed the importance of protecting ecosystems as a whole.

A number of representations expressed strong dissatisfaction with the perceived inadequacy of representation of habitats in strictly protected zones and calls were made for an expansion of these areas to cover 15% of the total area and 100% of the area. Additional cross-shelf transects were called for in some representations, and disappointment was expressed that the transects were not implemented.

A number of these representations considered this review as the last opportunity the Authority has to implement a system of protected areas that will be sustainable in the face of increasing pressures from both land-based and marine activities. Calls were made for the reef-wide representative area review process to be given the scope to fully address the issues of distribution, abundance and placement of protected area zones.

It was requested that trawling and other destructive activities should be prevented until sufficient scientific data are available to ascertain sustainable levels of these activities.

Dugong management

Dugong management was an issue of wide-ranging concern throughout the representations. Calls were made for National Park Zone, Preservation Zone, or Dugong Protection Areas to be declared over all significant dugong areas in the Far Northern Section, along with implementation of alleviation plans for threatening activities.

Particular concern was expressed that the proposed re-zoning does not address the issue of dugong conservation in Princess Charlotte Bay and the potential for increased fishing effort in the Bay with the proposed closure of Bathurst Bay. Calls were made to incorporate the fishing industry proposals to have restrictions on the use of foreshore set nets along the south-east shore of Princess Charlotte Bay or to zone Princess Charlotte Bay as a National Park Zone. A request was made to establish a dugong sanctuary in Margaret Bay (outside the Great Barrier Reef Marine Park) where no threatening activities are permitted. It was recommended that mesh netting be banned in areas used for traditional hunting.

Seabirds and turtles

Additional areas of National Park Zone were requested for some reefs on the basis of their importance as hawksbill turtle foraging areas in the northern Great Barrier Reef. The National Park

Zone was also requested in the waters around some islands reefs on the basis of their importance for turtle conservation. Requests were made to upgrade zoning of waters around some islands to Preservation Zone.

Support was given for restricted access and seasonal closures around important seabird and turtle islands. Larger restricted access and seasonal closure areas were requested, with an increase in area from 500 to 1000 metres from islands.

Responses and Outcomes

Parts of several of the significant areas for dugong in the Far Northern Section are within existing Marine National Park 'A' and 'B' Zone or Preservation Zone. Protection equivalent or greater than that achieved in Dugong Protection Areas is already afforded to some significant dugong areas through the existing Zoning Plan. The most significant dugong areas in the Far Northern Section which do not have an equivalent level of protection in the current Zoning Plan are Bathurst Bay and Princess Charlotte Bay. Conservation Park Zone has been applied at Bathurst Bay and Princess Charlotte Bay to alleviate dugong-net interactions in the waters of the Great Barrier Reef Marine Park. The revised Zoning Plan contains a provision which allows commercial mesh netters and crabbers to continue to use Princess Charlotte Bay if they are able to demonstrate a history of use of the area.

The boundaries of Restricted Access and Seasonal Closure areas have been retained on the basis of recommendations of guidelines for managing visitation to seabird breeding islands (GBRMPA 1997 (a)), and in consultation with the Raine Island Corporation and the Queensland Department of Environment.

3.2 INDIGENOUS INTERESTS

Background

Involvement of Indigenous people in management was specifically identified as an objective of the review of the Far Northern Section, as well as reef-wide in the 25 Year Strategic Plan and GBRMPA's Corporate Plan. Consultation with Indigenous people for the existing Far Northern Section Zoning Plan was limited, and Aboriginal and Torres Strait Islander peoples have indicated that the existing plan does not adequately reflect their interests. A targeted consultation program was developed to involve Indigenous people in the review. Recognition was given to the special interests of traditionally affiliated people, while acknowledging the interests of historically associated people.

Indigenous people of eastern Cape York Peninsula have expressed a desire to play a meaningful role in the day-to-day management of the Marine Park. They form the majority of the population, and their local knowledge and geographic location offer opportunities to management agencies for a unique management and surveillance service. Indigenous people also have aspirations for self development and economic independence through ventures such as tourism, mariculture and commercial fishing, although no wholly Indigenous commercial ventures have been established on the east coast of Cape York Peninsula to date.

Indigenous recommendations during the first stage of public input for zoning were mostly related to inshore areas, highlighting areas requiring greater protection because of the conservation values or perceived conservation needs of those areas. Of particular conservation interest to Indigenous people are the Starcke coast, Bathurst Bay, Princess Charlotte Bay, Cliff Islands area, Friendly Point to Lloyd Bay, Temple Bay, Margaret Bay, Shelburne Bay and Newcastle Bay, as well as rivers and estuaries along the east coast of Cape York Peninsula outside the Great Barrier Reef Marine Park.

The revised zoning partially accommodated recommendations from Indigenous people. These recommendations were not inconsistent with objectives for the protection of natural values.

Zoning provisions in the Draft Plan included:

- provision for access to the Marine Park for purposes of traditional or customary activities in all zones; and
- provision for traditional fishing and collecting without a permit in General Use, Habitat Protection, Conservation Park and Buffer Zones.

Summary of Public Input

A number of representations explicitly supported the involvement of Indigenous people in the management of the Far Northern Section. It was suggested that the protected area category should place conservation and resource use by Indigenous custodians as the primary management objective, and the regulations amended to give statutory effect to the roles of Indigenous people in management. Because of the issues of distance and remoteness, the involvement of Indigenous people in enforcement and management was seen as an excellent proposal, and should be adopted as a very high priority. Comments were made that joint management arrangements with Indigenous people over National and Marine Parks will provide for more objective guidelines than Native Title or Indigenous control.

Initiatives to provide training to Indigenous people by fishing and tourism industries were suggested. Some representations indicated that all interest groups should be involved in management, including Aboriginal people. Other representations raised objection to the involvement of Indigenous people in management.

A number of representations reflecting Indigenous interests indicated that the proposed changes to zoning were barely satisfactory, and that further areas should have been proposed for closure to at least commercial fishing.

The statement that the plan does not intend to do anything to impair or extinguish Native Title rights or interests was welcomed. Concern was raised in a number of representations about the lack of recognition of native title in the Draft Plan.

Comments from people in the harvest fishing industry indicated concern about Indigenous people's aspirations and perceived potential inequity in commercial opportunities.

A number of representations expressed concern about the perceived inequity of use and entry provisions for the National Park Zone, which were revised to allow traditional fishing and collecting by traditional inhabitants.

Traditional hunting

A number of representations raised the issue of traditional hunting. Continued provision for traditional hunting was supported. It was recommended that mesh netting should be banned in areas used for traditional hunting as the needs of Indigenous people of Cape York should be given primacy over those of other extractive users as recommended by the Law Reform Commission.

Most concerns related to the methods employed to hunt, and statements were made that only traditional hunting tools and transport should be used. Some concern is focused on perceived cruelty to turtles and dugongs. Other comments related to the level of take by traditional hunters, with

requests to support community self regulation of hunting activities or the need for very strict controls. Other representations stated that traditional hunting of endangered species is not supported.

Responses and Outcomes

The Authority is committed to the involvement of Indigenous people in the management of the Marine Park, and in particular the Far Northern Section. The involvement of Indigenous people in the Marine Park does not preclude the involvement of the wider community. The Authority does not have a role in making determinations on native title, however it recognises the special interest that traditionally affiliated people have in the marine environment. The Authority supports the principle of regional agreements, and encourages commercial industries and Indigenous people to work towards such agreements.

It is noted that the total allowable catch for trochus and bêche-de-mer has not been achieved in recent years, and that unallocated quota exists. The Queensland Fisheries Management Authority has advised that opportunities exist for Indigenous people to apply for licences for harvest fishing if they desire.

Where possible, the Authority has endeavoured to accommodate Indigenous people's interests through zoning in the Far Northern Section. Where issues cannot be addressed through zoning, they will be considered in the development of plans of management over areas in the Far Northern Section.

The Law Reform Commission and the Human Rights Commission both clearly recommend that the rights of Indigenous people be recognised, including the use of natural resources. This is also supported in documents such as the Code of Conduct for Responsible Fisheries (FAO 1995, article 6.17). The Authority accommodates the continued use of marine resources by Indigenous people in the use and entry provisions for zones in the Marine Park, within ecologically sustainable levels.

Traditional hunting is a permitted activity in all zones except the Preservation Zone. In considering an application for a permit to hunt, the Authority has regard to the conservation requirements of the species to be hunted, the means to be employed in the hunt, the number of animals, the purpose of the hunt, whether it is in accordance with tradition, and whether the applicant is a traditional inhabitant. The Authority encourages the development of hunting strategies by Indigenous groups, to ensure hunting is carried out at a sustainable level and to provide opportunities for self management. The issue of animal treatment relating to hunting is culturally sensitive. Education and awareness raising are the most appropriate strategies for addressing this issue.

3.3 TOURISM AND RECREATION: REMOTE NATURAL AREA OVERLAY

Background

An objective of the review was to establish the recreation and tourism settings which will be provided in the Far Northern Section, in the context of the development of a tourism use strategy for the whole Great Barrier Reef Marine Park.

Because of the remoteness of the Far Northern Section, no single-day reef tourism trips are conducted, and most current tourism programs involve long range charters. An opportunity exists to provide for recreational and tourism settings which will not greatly affect current tourism operations, but will maintain the current levels of low visitor numbers to most places.

Representations during the first stage of public comment emphasised the value of the Far Northern Section as a remote area, with qualities relating to remoteness and undisturbed natural environments.

To maintain these values in the Far Northern Section, a Wilderness Area Overlay was proposed, which relates specifically to recreation and tourism. This area was proposed to cover most of the Far Northern Section, and provide for large areas to be free of tourism-related and other infrastructure and noisy watersports, confine cruise ships to designated anchorages, prevent certain works such as dredging and spoil disposal, and maintain visitor use at low levels by preventing the establishment of site-dedicated tourism operations (regular operations to a single location).

Areas recognised as existing or potential nodes of recreational and tourism activity were excluded from the proposed Wilderness Area Overlay.

Summary of Public Input

The concept and provisions of the proposed Wilderness Area Overlay were widely supported throughout community representations. It was stated that the provisions for maintaining aesthetic and natural values such as wilderness may also have ecological and biological benefits.

Some representations expressed concern that the proposed Wilderness Area Overlay would allow commercial shipping and fishing operations to continue, as these activities did not conform to the respondent's perceived wilderness values. Additional comments included calls to exclude live fish trade vessels from the Wilderness Area Overlay, and to clearly state that mariculture would not be permitted in the Wilderness Area. Instances where potential site-dedicated tourism operations may arise were highlighted, and a suggestion made for industry to approach the Authority to have those cases considered. Calls were made for the ability to install moorings.

One representation stated that the Wilderness Area concept is adequately covered by existing zoning and another objected to the proposal without explanation. Concern was expressed about the future restrictions on Park users as a result of the proposal.

A request was made for no new tourism permits to be issued for the Far Northern Section. Concern was expressed about the latent capacity of unused tourism permits for the Far Northern Section.

Responses and Outcomes

The Wilderness Overlay was developed specifically to address tourism and recreational use of the Far Northern Section. The Wilderness Area Overlay has since been termed the Remote Natural Area Overlay to better reflect the remote and undeveloped character of the Section. Continued multiple use of the Far Northern Section includes shipping, prawn trawling and other activities. The Remote Natural Area Overlay is not intended to impact on these uses. The Remote Natural Area Overlay has been introduced in the Far Northern Section as proposed.

3.4 RECREATIONAL FISHING

Background

Recreational fishing is recognised as a mainly seasonal (dry season, April to October) activity in the Far Northern Section. It is limited in extent and intensity because of the remoteness of the area and low resident population. Public access to the coastline on eastern Cape York Peninsula is limited by seasonal roads, and boating opportunities for recreational fishers are also limited by seasonal weather patterns. The majority of recreational fishing effort is focused on estuarine areas and nearshore reefs and islands accessible by small dinghy.

A number of people who made representations during the first stage of public input identified themselves as recreational fishers. Their interests included maintaining access to fishing grounds and islands, and calls were made for the reduction of commercial fishing effort, greater monitoring of levels of recreational take, and the provision of opportunities for all forms of recreational fishing, including spearfishing.

Summary of Public Input

Representations which commented on recreational fishing were generally focused on access issues at specific locations. Some representations supported the proposed Conservation Park strip in Bathurst Bay to accommodate recreational fishing and recommended that similar provisions be implemented elsewhere. Other representations requested that the entire proposed National Park Zone area at Bathurst Bay be zoned Conservation Park to allow recreational fishing.

A number of representations from people who identified themselves as recreational fishers objected to the proposal to zone the Cliff Islands area National Park Zone, as people access this area through adjacent properties. Comments were made regarding the lack of provision for recreational fishing by adjacent land holders.

Concern was raised that some areas accessible to fishing tourists to Cape York have been fished out, such as Port Stewart, and requests were made for alternative areas to be maintained for recreational fishing to provide opportunities to catch fish.

One representation requested that National Park Zones be open to recreational fishing. Another representation stated that recreational catches should be monitored to assess their impact on the fishery.

Responses and Outcomes

The Queensland Fisheries Service of the Queensland Department of Primary Industries is the agency responsible for regulating and managing fishing both in the Marine Park and other Queensland waters. Marine Park management addresses the reasonable and wise use of a multiple use area, and generally deals with fishing only as it relates to whether fishing activities are ecologically sustainable and appropriate in particular areas of the Marine Park.

The relative importance of particular locations in the Far Northern Section for recreational fishing opportunities are recognised, and are considered location by location in Section 4 of this document, along with the values and views held by other users of those areas.

3.5 COMMERCIAL FISHING

Background

The Far Northern Section is one of the most valuable areas of the Great Barrier Reef Marine Park for the prawn trawl sector of the fishing industry. Because of its productivity, weather conditions and remoteness, the Far Northern Section attracts the larger and more efficient fishing vessels. Three or more permitted fishing industry service vessels provide the fishing fleet with fuel, water, stores, mail, crew transfer and product transport on a regular basis.

The reef line fishery, although not as productive as the cooler waters in the Mackay / Capricorn Section, is an expanding fishery as more operators move away from the more heavily used areas. Most commercial reef line fishing effort is directed at coral trout, followed by red throat emperor.

Collection of bait such as garfish for the northern mackerel fleet is recognised as being specific to certain locations, with a limited number of sites in the Far Northern Section suitable for this activity, including Bathurst Bay and Lloyd Island.

Inshore commercial fishing is conducted mostly in State waters and includes the mesh net fishery and the crab fishery. Both extend along the east coast of Cape York Peninsula, but only a few individuals work north of Port Stewart.

A substantial number of representations were made during the first stage of public input to greatly reduce the amount of commercial fishing in the Far Northern Section, particularly prawn and other net fishing activities. Alternatively, very strong views were expressed by the then Queensland Commercial Fishermen's Organisation (now Queensland Seafood Industry Council (QSIC)) and individual fishers which suggested that in their opinion, a case had not been demonstrated for extensive changes.

Proposed strategies dealing with commercial fishing in the Draft Plan included:

- exclude trawling from known shallow water seagrass areas;
- continue to provide for the operation of fishing industry service vessels in all zones except Preservation Zones subject to permit conditions (see Section 3.11);
- re-zone the National Park Zone around Cat and Osborne Reefs to allow for trolling for pelagics;
- reduce the National Park Zone at Friendly Point to allow trolling along the drop-off; and
- make provisions for bait netting for commercial pelagic fishing in the Conservation Park Zone in line with other Sections.

Section 3.1 identifies revised conservation strategies which may restrict activities of commercial fishers.

Summary of Public Input

Specific modifications to zoning proposals were requested by the QSIC, mostly relating to the placement of zone boundaries. Other requests were made for the current zoning to be retained in areas where commercial fishing is affected by zoning proposals. These are detailed in Section 4 ('Zoning Changes by Location').

A number of representations raised objections to the proposed National Park Zone on the basis of requiring continued commercial fishing access. Others objected to proposals on the basis of a perception that additional, adjacent areas to those proposed will be included in zones which prohibit commercial fishing. Access to additional areas for commercial fishing was requested. Some representations indicated that there needs to be more research or a demonstrated cause and effect to justify zoning measures that restrict or prohibit fishing or aquaculture activities. A call was made for an identification of potentially threatening activities which precipitate the need for conservation closures. Proposed inshore closures were not supported because they included crayfish collecting areas.

It was suggested that the Authority is attempting to manage fisheries or that the proposals are not sensitive to the needs of commercial fishers. Concern was expressed about live coral trout fishing and export. Calls were made to ban commercial fishing and promote recreational fishing.

Trawling

Requests were made for modifications to the proposed zoning to increase access for trawling. Alternatively, trawling in the Far Northern Section was raised as a concern. A number of representations expressed total opposition to trawling activities, or requested a moratorium until environmental impacts and sustainable levels were determined. In the light of research results on the effects of prawn trawling on the sea floor, a request was made for a minimum of Habitat Protection zoning to a distance of at least 500 metres from all reef edges. A call was made for no new trawl grounds to be opened for any reason. Research into alternative methods of catching prawns was called for.

Mesh netting

Requests were made for additional access for mesh netting. Alternatively, a considerable number of representations expressed concern about commercial netting. Many of these called for a total ban on mesh, or for phase-out of mesh netting. Comment was made that banning mesh netting would provide economic potential for recreational tourism focused on barramundi fishing.

Longlining

Representations were made by people who oppose longlining for tuna in the Far Northern Section. It was stated that the nature of longlining means that control over incidental catch and release is greatly reduced. It was also reported that the eastern tuna and billfish fishery has been recognised since 1988 and that it should not be regarded as an experimental fishery.

Responses and Outcomes

Ecologically sustainable levels of resource use, including recreational and commercial fishing, are identified as legitimate uses of the World Heritage Area (GBRMPA 1994). The review of zoning plans is listed as a strategy for addressing and managing such resource use. Zoning must balance all the values and uses in the Marine Park. A number of the zoning changes in the Far Northern Section have been established in response to the requirements of the fishing industry, or to provide increased protection to habitats such as seagrass meadows.

The 1999 Draft Management Plan for the Queensland East Coast Trawl Fishery was assessed by the Great Barrier Reef Marine Park Authority as inadequate to providing ecological sustainability for the east coast trawl fishery. The Far Northern Section Zoning Plan was altered before tabling in Parliament to introduce additional management measures for trawling. These measures involve: (1) accreditation of a Queensland East Coast Trawl Fishery Management Plan or, if this cannot be achieved; (2) a requirement for Marine Park permits for trawling in the Far Northern Section. The revised East Coast Trawl Fishery Management Plan was accredited by the Authority on 27 September 2001.

In light of dugong conservation and management issues, particularly in relation to the impact of commercial mesh netting on dugong populations, protection measures have been addressed in the review of management of the Far Northern Section. The Bathurst Bay and Princess Charlotte Bay areas have been zoned Conservation Park, restricting the use of commercial mesh nets in these significant areas for dugong. However, the Zoning Plan stipulates that commercial netting may continue with permission in Princess Charlotte Bay. Regulations will provide that such permissions will be granted to fishers who can demonstrate a history of fishing in the Bay.

The Queensland Fisheries Service (QFS) co-ordinates the development and implementation of management plans for fishing in the Marine Park, including trawling and mesh netting. The Australian Fisheries Management Authority (AFMA) is responsible for the management of the eastern tuna and billfish fishery. Marine Park permits are required for tuna and billfishing in addition to endorsement from the AFMA. No permits and no applications for permits for longlining for tuna and billfish are current for the Great Barrier Reef Marine Park. Applications for permits would be considered under the category of developmental fisheries.

3.6 HARVEST AND COLLECTION FISHERIES

Background

Commercial collecting permits have been issued in the Far Northern Section for trochus and bêche-de-mer. These activities are controlled through Queensland Fisheries Service (QFS) licences as well as by Marine Parks permits. The Far Northern Section is currently the only Section in the Marine Park in which east coast licences are issued for the commercial harvest of tropical spiny lobsters by the QFS. A Marine Parks permit is not required for this activity.

Representations received during the first stage of public input expressed concern about the sustainability of such harvest fisheries, particularly the collection of tropical spiny lobsters whilst using underwater breathing apparatus other than snorkel.

Summary of Public Input

Concerns were raised about proposals for areas zoned National Park Zone where trochus, crayfish and bêche-de-mer are currently harvested.

Comments from the bêche-de-mer and trochus industries indicated concern about Indigenous people's aspirations and their impact on current use of the Far Northern Section, and specifically the perceived potential inequity in commercial opportunities.

Responses and Outcomes

The revised decrease in area available to commercial harvest and collection fishing is approximately 1.2% of the Far Northern Section. The proposals do not involve the reduction of access to the more productive reefs for harvesting.

It is noted that the total allowable catch for trochus and bêche-de-mer has not been achieved in recent years and that unallocated quota exists. Opportunities exist for Indigenous people to apply for licences for harvest fishing if they desire, and such applications would be considered by the QFS.

3.7 MARICULTURE

Background

Although there are few, if any, remaining mariculture operations in the Far Northern Section, pearling is one of the oldest industries in the region and pearl shell culture is still considered to have substantial potential. Pearl culture operations are usually located in inshore waters, although the industry has indicated this may change in the future. Few wild pearl oyster resources are believed to remain, but if located should be protected from damaging activities as a source of genetic material.

Unlike the rest of the Marine Park, mariculture is a permitted activity in the Marine National Park 'A' Zone (renamed Conservation Park Zone) in the Far Northern Section. It was proposed to remove this provision to establish consistent zoning provisions throughout the Marine Park.

It was proposed to continue to allow mariculture in the General Use and Habitat Protection Zone with permission, and to define mariculture in Schedule 2 of the revised Zoning Plan (previously undefined).

Summary of Public Input

Advances in hatchery technology have been highlighted by the pearling industry as a significant factor facilitating the growth of that industry, and the industry's interest in the Far Northern Section as a potential area for expansion. It was noted that some areas of interest to the pearling industry are proposed as National Park Zones.

A request was made for pearl farming to be treated separately to other mariculture operations, and to be recognised as being environmentally benign therefore permissible in all zones except the Preservation Zone.

Alternatively, calls were made for the provision for mariculture to be removed from the Far Northern Section Zoning Plan to recognise the ecological sensitivity of the region.

Responses and Outcomes

It is acknowledged that the impacts of bivalve culture are relatively benign compared to other forms of mariculture. However, the installation of structures in the Marine Park has potential for adverse environmental impact. The nature of pearl culture areas may also conflict with other values of the Marine Park, including amenity, and cultural and heritage values. The intent of the National Park Zone is to maintain minimum human interference with the marine environment.

The General Use and Habitat Protection Zone would fulfil the requirement for settlement areas for mariculture stock. It may be possible in the future, as a result of the joint Queensland Department of Primary Industries (QDPI)/industry assessments, to consider replenishment areas as a tool to accommodate pearl industry requirements.

Mariculture is permitted in the General Use and Habitat Protection Zones in the Far Northern Section, and defined in the dictionary at Schedule 2 of the revised Zoning Plan.

3.8 SHIPPING AND PORT OPERATIONS

Background

The Inner Route of the Great Barrier Reef is an established shipping route, with an estimated 1600 to 2000 ships transiting the route annually. The International Maritime Organisation has declared the Great Barrier Reef region as a 'Particularly Sensitive Sea Area', and special environmental protection measures including compulsory pilotage for parts of the Great Barrier Reef have been established.

Whilst no major ports exist in the Far Northern Section, a small community port at Quintell Beach is administered by the Queensland Ports Corporation along with the non-trading port at Margaret Bay. A draft environmental plan for the port of Quintell Beach forecasts that current facilities are adequate to accommodate future trade over the next 25 years, and no dredging is undertaken or expected to be required during that period.

Strategies in the Draft Plan included:

- revision of the definition of 'ship' to greater than 70 metres in overall length, for consistency with the compulsory pilotage legislation, definitions used in other Sections, and to improve ease of enforcement;
- consideration of the designation of a Shipping Area within the port limits of Quintell Beach;
- removal of designated shipping areas that are no longer required; and
- as part of a Wilderness Area Overlay, provision for a limited number of cruise ship anchorages to be designated after consultation with government agencies, industry and interest groups.

Summary of Public Input

A call was made for the plan to recognise the importance of the Inner Route as an international shipping route, and to recognise Australia's obligations in respect of international shipping routes. Opposition was expressed to the removal of the Blackwood Channel as a designated shipping area.

Requests were made to remove shipping, particularly tankers, from the Far Northern Section (with the exception of cruise ships).

Responses and Outcomes

The Authority recognises the Inner Route as an international shipping route, and shipping is recognised as a legitimate use of the Great Barrier Reef Marine Park. The Blackwood Channel is no longer required as a recognised shipping route and hence is proposed to be removed as a designated shipping area in the Zoning Plan for the Far Northern Section.

3.9 RESEARCH

Background

Research is essential to support the decision-making processes for management of natural areas such as the Great Barrier Reef. It is a statutory function of the Authority to carry out or arrange for research and investigations relevant to the Marine Park.

The current zoning plan for the Far Northern Section distinguishes between manipulative research and other research. The Cairns Section Zoning Plan defines 'limited research', and requires permits in all zones for research other than limited research. Limited research activities are those activities which, if they were not part of a research program, would be allowed without a permit (as of right).

An inshore area adjacent to Murdoch Point at the southern boundary of the Far Northern Section is currently zoned as Scientific Research Zone. The Authority, in consultation with the scientific community, reviewed the use of the Scientific Research Zones when the Cairns Section Zoning Plan was reviewed in the early 1990s. It was agreed that the zone category did not address the needs of researchers and that the zone category would no longer be used in the Cairns Section. Further discussion with researchers suggests that the same situation exists for the Far Northern Section, and that areas zoned Scientific Research Zone are no longer required.

Strategies revised in the Draft Plan included:

- allowing limited research without a permit in all zones except the Preservation Zone, in line with the Cairns Section Zoning Plan;
- removing the Scientific Research Zone category; and
- allowing research other than limited research in all zones with a permit. Permit applications for manipulative or intrusive research will be referred to the Great Barrier Reef Environmental Research Ethics Advisory Committee for advice.

Summary of Public Input

Support is given for the strategies documented in the Draft Plan in a number of representations, whilst concern is expressed in other representations about the removal of the Scientific Research Zone as a zone category in the plan. It was considered that research was not stated as an explicit objective in other zones except the Preservation Zone. Additional comment was made that the proposed Zoning Plan does not clearly define what levels of research will be allowed in each zone.

Responses and Outcomes

The definitions of 'research' and 'limited research' are used to describe categories of research permissible in zone categories in the Far Northern Section, as proposed. These definitions can be found in the dictionary at Schedule 2 of the revised Zoning Plan.

It is proposed to retain the provisions of the Draft Plan as they relate to research. It is considered that the permit system and the provisions of the zones provide an adequate system for managing the impact of research, and provide a sound basis to meet the needs for research activities in the Section.

3.10 COMMONWEALTH ISLANDS

Background

While all islands within the Great Barrier Reef Region are in the World Heritage Area, most are State lands, managed by the Queensland Department of Environment or other State agencies. There are several Commonwealth islands or parts of islands managed as part of the Far Northern Section for the purposes of light stations, namely Albany Rock, East Hannibal Island, Clerke Island, Hannah Island, Pison Island and Coquet Island.

It was proposed to introduce a new zone, the Commonwealth Islands Zone, for areas of the Far Northern Section above low water mark. References to camping, road-making, and other exclusively land-based activities can then be made separately to all other zones, and be specifically provided for in the Commonwealth Islands Zone.

Regulations will provide scope for specifying what activities can be carried out on Commonwealth islands (e.g. camping), and under what conditions (time of year, group size etc.). Public notification is required when regulations are made or amended.

The Authority will continue to liaise with the responsible Commonwealth authorities regarding appropriate use and management of the land.

Summary of Public Input

Representations provided support for the establishment of a Commonwealth Islands Zone. However, the need for another management zone was also questioned. The fishing industry indicated that it is not clear how the management of Commonwealth islands will affect commercial fishers: crayfish divers have raised concerns about their industry if access to these islands is prohibited. The Australian Maritime Safety Authority requested that Commonwealth islands be clearly identified as not available for recreational camping or similar activities.

Responses and Outcomes

The new zone category, the Commonwealth Islands Zone, is included in the Zoning Plan as proposed. It is proposed that regulations will provide scope for specifying the conditions under which activities can be carried out on Commonwealth islands. Public notification is required when regulations are made or amended.

3.11 ZONING PLAN PROVISIONS AND OTHER DETAILS

Background

Some changes to the structure of the Far Northern Section Zoning Plan, nomenclature of zones and definitions are proposed to take account of recent legislative amendments, to update the provisions, to make the plan consistent as far as possible with the Cairns Section Zoning Plan, and to reflect current legal style. A summary of changes is given below.

General Use 'A' Zone

- To be called General Use Zone.
- The provision for amateur netting to be replaced by a provision for bait netting.

- Traditional fishing and collecting to be provided for without permission.
- Limited collecting to be identified separately from collecting, and provided for without permission.

General Use 'B' Zone

- To be called Habitat Protection Zone.
- The provision for amateur netting to be replaced by a provision for bait netting.
- Traditional fishing and collecting to be provided for without permission.
- Limited collecting to be identified separately to collecting, and provided for without permission.

Marine National Park 'A' Zone

- To be called Conservation Park Zone.
- Traditional fishing and collecting to be provided for without permission.
- Mariculture to be prohibited.
- Bait netting is to be provided for, in line with the Zoning Plans in other Sections of the Marine Park.

Marine National Park Buffer Zone

- To be called Buffer Zone.
- Traditional fishing and collecting to be provided for without permission.

Marine National Park 'B' Zone

- To be called National Park Zone.
- Traditional fishing and collecting to be provided for with permission.

Preservation Zone

- Remains relatively unchanged.

Scientific Research Zone

- To be removed as a zone category (see section 3.9).

Commonwealth Islands Zone

- A new zone category (see section 3.10).

Remote Natural Area Overlay

- A new zone overlay proposed for the Far Northern Section (see section 3.3).

Designated Areas

- Seasonal Closure Areas are proposed. The objective is to protect, from human intrusion, areas of particular importance to animals in the Marine Park. Seasonal Closure Areas will provide for an area where access is restricted by permit for a period of up to seven months a year. The waters surrounding four islands of significance to seabirds and/or turtles, to a distance of 200 metres from low water, are proposed for this category.

- Restricted Access Areas are proposed. The objective is to restrict access to areas of the Marine Park which adjoin areas of Queensland parks or reserves to which access is restricted or prohibited by law of Queensland. Permission will be required to enter a restricted access area. The waters surrounding three islands to a distance of 500 metres from low water are proposed for this category.
- Replenishment Areas are proposed to be maintained, in response to Indigenous requests for opportunities for self regulation of fishing effort. It is proposed that, when areas are designated, all forms of fishing will be prohibited for the duration of the period set in the regulations.
- Shipping Areas remain relatively unchanged.
- Cruise Ship Anchorage Areas are proposed as a part of the Remote Natural Area Overlay concept, in which provision will be made for the designation of cruise ship anchorages which may be used or entered without permission for the anchorage or mooring of a cruise ship. No Cruise Ship Anchorages have been designated at this time.

Access in Special Circumstances

- Proposed to be called Additional Purposes for Use or Entry.
- Provisions to be amended to allow the removal of an aircraft that is wrecked, to allow access by traditionally affiliated people for traditional purposes that do not involve the harvesting of resources, and to allow the construction of authorised navigational aids and their ancillary buildings and works.

Definitions

Several definitions have been added to the Zoning Plan or revised. New definitions include those for bait gathering, bait netting, crabbing, cruise ship, crab, eugarie (pippy), limited collecting, limited crabbing, limited educational program, limited line fishing, limited oyster-gathering, mariculture, oyster-gathering and yabbies. Revised definitions include those for research, limited research, traditional fishing and collecting, traditional inhabitant and ship. Fishing industry service vessels are identified separately in the revised Zoning Plan.

Summary of Public Input

Support was given in a number of representations for the new nomenclature which reflects the Cairns Section Zoning Plan. Support was also given for bringing provisions into line with southern Zoning Plans.

Habitat Protection Zone

A number of representations questioned the application of the term 'Habitat Protection', on the basis that the zone to which it is applied is a generally used zone and does not give priority to 'protection'. Inconsistency was perceived with the range of exploitative activities allowed with or without permit, and calls were made for the original name of the zone (General Use 'B') to be retained.

Conservation Park Zone

Representation was made opposing trolling in the Conservation Park Zone. Opposition was expressed to the proposed provisions for bait netting in the Conservation Park Zone. The proposal to continue to prohibit spearfishing in the Conservation Park Zone was supported. The removal of the provision for mariculture from the Conservation Park Zone was supported.

Buffer Zone

The requirement for Buffer Zone was questioned. It was perceived as serving no other function than to allow trolling around National Park Zone reefs.

National Park Zone

A number of representations indicated dissatisfaction that the National Park Zone provisions apparently made certain areas available for fishing and hunting by a select group of people, and suggested the Conservation Park Zone would achieve the same result without alienating the rest of the Australian community.

The provision for permitting traditional fishing and hunting in the National Park Zone was not perceived as being inconsistent with conservation objectives. National Park Zone areas that allow extraction by Indigenous people would need additional controls to protect the objectives of the zones.

Concern was expressed about the operation of fishing industry service vessels in strictly protected areas, as it would appear to devalue those areas and open opportunities for crews to transgress the provisions of the zones.

Designated Areas

Some representations stated that seasonal closures are not needed or that the extension of closure period is not justified. Questions were raised regarding the purpose and provisions of Replenishment Areas. Absence of the provision for trolling for pelagic species within Replenishment Areas was questioned. Complementary restrictions on access to waters around important island National Parks was supported. The absence of Experimental Fisheries Areas and Special Management Areas in the Zoning Plan was questioned.

Support was given in one representation for designated anchorages for cruise ships. The comment was made that designation of cruise ship anchorages requires public comment. Another representation suggested that no anchorages should be provided for cruise ships. The Department of Defence questioned the absence of Defence Area provisions in the Far Northern Section.

Access in Special Circumstances

Concern was expressed about the proposal to allow Indigenous people to enter any zone with the suggestion that Aboriginal and Torres Strait Islander people should indicate reasons why Preservation Zones should be entered, and if there are none, the Authority should remove this provision from the Zoning Plan.

Definitions

Some representations expressed disagreement with the definitions for traditional fishing and collecting, and traditional hunting. The suggestion was made that they should be described as 'fishing, collecting and hunting by traditional inhabitants' to reflect the use of 'non-traditional gear'.

Responses and Outcomes

- Habitat Protection is the name proposed for the zone currently called General Use 'B' to establish consistency with the Cairns Section Zoning Plan. The objectives of the zone are 'to provide for the conservation of areas free from trawling and generally free from shipping, and to provide for ecologically sustainable use, including fishing and collecting'.
- Trolling is allowed in the Conservation Park Zone in the same way as other line fishing. The objectives of the zone specifically provide for these activities.
- For consistency with Zoning Plans of other Sections of the Marine Park, and responding to identified requirements for bait fishing, the provision for bait netting has been included in the Conservation Park Zone. It is not considered to be inconsistent with the objectives of the zone.
- The Buffer Zone was established to provide for trolling for pelagic fish species, and is usually associated with reefs zoned National Park (Marine National Park 'B') which prohibit fishing.

- The Law Reform Commission and Human Rights and Equal Opportunity Commission both clearly recommend that the rights of Indigenous people continue to be recognised, including that of natural resource use. The Authority accommodates the continued use of marine resources by Indigenous people in the use and entry provisions for zones in the Marine Park, within ecologically sustainable levels. To improve enforcement of the Zoning Plan, and in recognition of the region as an Indigenous domain, traditional fishing and collecting without permission is to be provided for in all zones except National Park and Preservation Zones in the Far Northern Section. As there are some areas of cultural or mythological importance to Indigenous people in the reefs of the Far Northern Section to which access may be required for purposes of custom or tradition (that does not involve extractive use), provision is made for such access by traditionally affiliated people.
- Strict standards are applied as permit conditions to the operation of fishing industry service vessels. These vessels tend to follow the fishing fleet rather than the fishing fleet coming to them. Operations are generally conducted at safe anchorages which may be within National Park Zones. There are no records of sinking, grounding or collision by fishing industry vessels, and no significant environmental impacts have been determined.
- Replenishment Areas are established in the current Zoning Plan. Although this category of Designated Area was removed from the Cairns Section Zoning Plan when it was reviewed, the decision was made to retain this category in the Far Northern Section, to accommodate Indigenous requests for future management of reefs in the vicinity of east coast townships. The removal of the provision for trolling in Replenishment Areas allows the designated area to be treated as a protected area for the duration of the closure period.
- The requirement for Fisheries Experimental Areas and Special Management Areas in the Far Northern Section has not been identified. The Authority may consider the provision of such areas in the future if need arises. Amendments to the revised Zoning Plan would then be required.
- For the purpose of this Zoning Plan, the term 'traditional' as it relates to fishing, hunting and collecting refers to the activities of 'traditional inhabitants'. A 'traditional inhabitant' is defined as a person of Aboriginal or Torres Strait Island descent who is recognised in the community as an Aboriginal or Torres Strait Islander and who identifies as an Aboriginal or Torres Strait Islander. The criteria against which traditional hunting, fishing and collecting activities are assessed for permission are set out in the *Great Barrier Reef Marine Park Regulations*.
- Defence activities are not constrained by either the current or the revised Zoning Plan. Defence Areas allow for the management of Marine Park users other than Defence personnel. As no specific areas have been identified by the Department of Defence, the category of Defence Area is not included in this plan. The Authority will consider amending the Zoning Plan to introduce specific Defence Areas in the Far Northern Section when and if they are identified as a requirement.

3.12 MANAGEMENT PLANNING

Background

Similar to the review of the Cairns Section, the review of the Far Northern Section has highlighted a need for further planning to be undertaken to address issues of culture and heritage, tourism settings at a local scale, activities such as traditional hunting, and to formalise roles of Indigenous people in day-to-day management and decision-making. A proposal to commence plans of management for a number of areas in the Far Northern Section was detailed in the Draft Plan.

Summary of Public Input

A number of representations explicitly supported the involvement of Indigenous people in the management of the Far Northern Section. Because of the issues of distance and remoteness, the involvement of Indigenous people in enforcement and management were seen as an excellent proposal, and should be adopted as a very high priority. Comments were made that joint management arrangements with Indigenous people over National and Marine Parks will give more objective guidelines than Native Title or Indigenous control.

Comment was made to the effect that, providing the plans of management take into account the interests of both Indigenous and non-Indigenous people, they will succeed. Comment was also made to the effect that co-management models are weakly developed in Australia, and the plans must include funding for training of community members.

Response and Outcomes

Plans of management may be developed to address the following objectives:

- (a) to ensure that particular areas of the Marine Park with nature conservation values, cultural and heritage values or scientific values that are or may be under threat are protected by eliminating or reducing those threats;
- (b) to ensure that species and ecological communities are managed to enable their recovery and continued protection and conservation;
- (c) to ensure that activities within areas are managed on the basis of ecologically sustainable use;
- (d) to provide a basis for managing the uses of a particular area that may conflict with other uses or values of the area;
- (e) to provide for management of areas in conjunction with community groups in circumstances where those groups have a special interest in the areas concerned; and
- (f) to enable people using the Marine Park to participate in a range of recreational activities.

The process for developing plans of management requires public notification and two stages of public participation in the same way as Zoning Plans. It is proposed that the primary focus in preparing the plans of management in the Far Northern Section will be in relation to stakeholder interests, in particular the interests of Indigenous people, and the development of a strategic approach to tourism and conservation.

3.13 COMPLEMENTARY ZONING

Background

It is an established policy that wherever possible, zoning across State-Commonwealth Marine Park boundaries should be complementary. In the State Marine Park proposal, a number of areas are proposed to be zoned in a non-complementary way to the revised Far Northern Section zoning, particularly where the Marine Park abuts the estuarine and tidal areas.

Summary of Public Input

A number of representations stated that complementary zoning across Queensland and Commonwealth waters should be addressed as a matter of priority, especially where highly protective zoning is proposed in Commonwealth areas. Calls were made for particular estuarine areas to be given complementary zoning to adjacent National Parks such as Lakefield and Cape Melville National Parks.

Response and Outcomes

To date it has been difficult to secure complementary zoning with Queensland in all areas adjacent to the Far Northern Section. However, the Authority and the Queensland Parks and Wildlife Service (QPWS) continue to work towards maximising complementary management across jurisdictions. QPWS will be responding to representations through the public participation process for the declaration and zoning of a State Marine Park.

3.14 COMPLIANCE, SURVEILLANCE AND ENFORCEMENT

Background

Surveillance is conducted by a number of organisations, including QPWS, Queensland Boating and Fisheries Patrol (QBFP), Customs and Coastwatch. Because of the remoteness and expanse of the Far Northern Section, enforcement and surveillance presence is limited. Many submissions received during the first stage of public input commented on the lack of management/enforcement presence and requested increased funding to the agencies to conduct effective operations of this nature.

Summary of Public Input

Representations commented that surveillance and enforcement is greatly inadequate.

Concern was expressed over the log book data of prawn catches in the Far Northern Section, particularly in grids covered by the Cross-shelf Transect, and a request was made to implement more cross-shelf transects to make surveillance and enforcement easier.

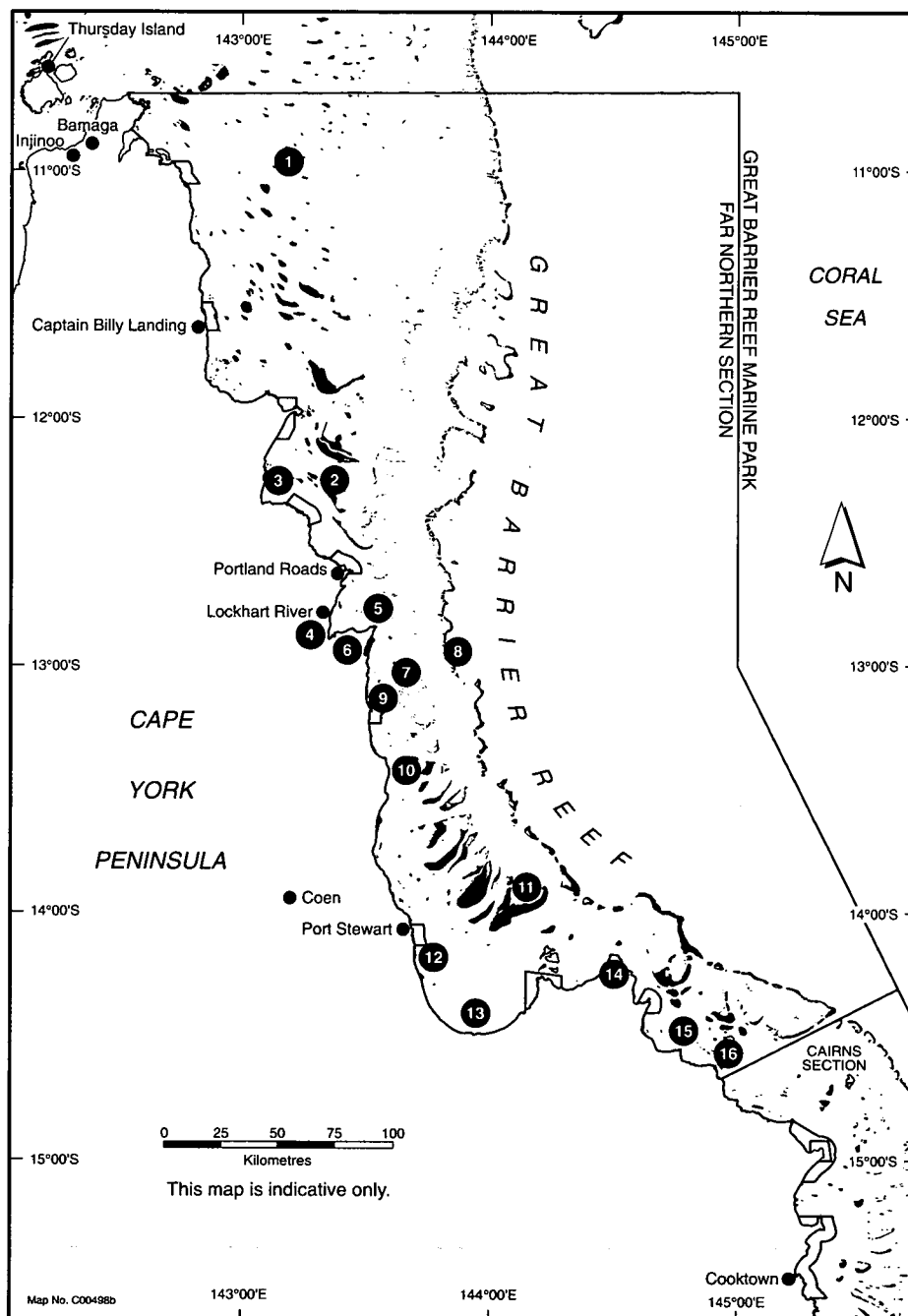
Response and Outcomes

The limited management presence in the Far Northern Section is acknowledged. The three-year funded Enforcement and Surveillance Program for the day-to-day management of the Great Barrier Reef Marine Park incorporates funding to develop a strategy to enhance enforcement that will coincide with the introduction of the new Zoning Plan. The Strategy will maximise the use of surveillance and enforcement resources from a wide range of agencies, including QPWS, QBFP, Customs and Coastwatch. In addition, the strategy will also aim to maximise support for the compliance program from Cape York communities.

Compliance and enforcement of prawn trawling activities has been enhanced by the installation of Visual Monitoring Systems on fishing vessels.

4.0 ZONING CHANGES BY LOCATION

A number of areas have been identified as having very high conservation values, relating to the diversity of habitats represented within relatively small areas, their conservation significance at a regional or national scale, and their importance for significant species. Development of zoning proposals for these areas also took into account complementary management with adjacent terrestrial National Parks, the existing use of those areas, and specific requests for greater conservation measures. The following diagram indicates those locations with major changes to zoning as a result of the review of the Far Northern Section Zoning Plan (diagram numbers correspond to the sections of this chapter; for example location 1 is section 4.1).



4.1 SHALLOW REEFS CURRENTLY ZONED GENERAL USE 'A' ZONE

Background

A number of shallow reefs in the Far Northern Section are currently zoned General Use 'A'. It was proposed that these reefs be zoned Habitat Protection Zone to a distance of 500 metres to protect the coral reef habitat. This approach is consistent with zoning of shallow reefs elsewhere in the Section and in other Sections.

Summary of Public Input

Support is given for the minimum zoning change over all General Use 'A' Zone reefs to Habitat Protection Zone, providing that the boundaries of these zones are 500 metres from the reef edge. It was stated that the introduction of the Habitat Protection Zone, with boundaries 500 metres from reef edges, brings protection up to current levels in southern Sections of the Marine Park.

Opposition is also expressed in representations to the 500 metre boundaries proposed, on the basis that in some areas it is impractical to anchor at distances of 500 metres and that valuable trawl grounds will be lost. A request was made to amend the boundary descriptions of the Habitat Protection Zones around sixty-five reefs to 100 metres and around four reefs to 200 metres.

Responses and Outcomes

Habitat Protection Zone provisions do not constrain the ability to anchor. Discussions with the commercial fishing industry have indicated that the reef types north of the Cross-shelf Transect are different to those within trawlable grounds elsewhere, in particular they have clearly defined edges. Habitat Protection Zone boundaries over some reefs north of the Cross-shelf Transect have been modified.

The commercial fishing industry also suggested changes to some reefs south of the Cross-shelf Transect. However, information was not provided to support those changes, and discussions in meetings suggested that the reef edges south of the Cross-shelf Transect were generally not as easily identified. Accordingly, the 500 metre boundary has been retained on these more southern reefs.

4.2 FORBES ISLANDS

Background

The Conservation Park Zone was proposed for the waters surrounding Forbes Islands to a distance of 500 metres to complement the management of the island National Park, to provide for recreational opportunities at an identified potential tourism node, and to accommodate the requests in submissions to the first stage of public input.

Summary of Public Input

Support was given for the upgrade of the Forbes Islands area to a Conservation Park Zone and some representations called for an upgrading of the zoning to the National Park Zone around Forbes Islands. Objection was raised to the proposal on the basis that the Conservation Park Zone would be extended out to Gallon, Eel and Piper Reefs, and that this area is productive for trochus.

Responses and Outcomes

The proposal covers an area around the Forbes Islands to a distance of 500 metres from the reef edge. There are no proposals to close Gallon and Eel Reefs to fishing, and the Habitat Protection Zone is proposed over the Piper Islands reef. Because of the recreational potential of the islands and intended management of the National Park, Conservation Park zoning was considered the most appropriate zoning and use of the area. The waters around Forbes Islands are zoned Conservation Park to a distance of 500 metres, as proposed.

4.3 TEMPLE BAY

Background

Temple Bay is recognised as having very high conservation values, based on a combination of factors, including:

- a nationally important wetland site which includes subtidal aquatic beds and intertidal forested wetlands. The area is considered to have high to very high wilderness quality (ANCA 1996);
- one of the three most significant estuarine crocodile habitats on Cape York Peninsula (ANCA 1996);
- recognised as important fish habitat (Fish Habitat Reserve 015-038) (Danaher 1995);
- significant wetland of conservation value (Abrahams et al. 1995);
- seagrass communities with six species recorded (Abrahams et al. 1995);
- important dugong habitat (Marsh and Corkeron 1996); and
- identification by Indigenous groups as an important fish spawning and nursery area. It is an area of continuing cultural and social significance to Indigenous groups. Recommendations from Indigenous groups were for highly protective zoning.

The most appropriate zoning for the Temple Bay area has been determined as National Park Zone on the basis of identified conservation values, and in response to requests during the first stage of public input.

Summary of Public Input

Support is given to this proposal in a number of representations, on the basis of the area's high conservation values. Comments were made about the need to provide high level protection for estuarine crocodiles in the waters and estuaries of Temple Bay and other areas through a minimum of Conservation Park zoning.

Alternatively, requests were made for Conservation Park or Habitat Protection zoning. The area was reported to be important for inshore commercial fishing and has potential as a grey mackerel fishery.

Objection was raised to this proposal on the basis that the proposal will be extended to take in the Piper Islands Reefs. Specific objections were expressed to this proposal on the basis that recreational fishing will be restricted, which includes the views of the Cook Shire Council and the Cook Regional Marine Resources Advisory Committee. Objection was expressed to this proposal on the basis that commercial fishing or harvesting will not be permitted.

Responses and Outcomes

Information available to the Authority suggests that at the present time, commercial and recreational fishing effort in Temple Bay is low. It is acknowledged that the proposed National Park Zone in the bay would restrict recreational and commercial fishing. However, increasing use of the Far Northern Section could see this situation change unless management is put in place now. The area is currently not easily accessible to the general public. The management of this area for total ecosystem conservation is considered a priority.

4.4 LLOYD BAY

Background

Lloyd Bay is recognised as having high conservation values, based on a combination of factors, including:

- a nationally important wetland site which includes marine waters, subtidal aquatic beds and estuarine/intertidal wetlands. Most of the bay has high biophysical naturalness and high or very high wilderness quality. The bay is of national significance for its extensive and diverse estuarine wetlands (ANCA 1996);
- six species of seagrass have been recorded in Lloyd Bay (Abrahams et al. 1995);
- the eastern side of the bay, between Orchid Point and Cape Direction has been recognised as one of the most important areas of dugong habitat on Cape York Peninsula (ANCA 1996). Dugong densities are greater than 1.7 per 6km² (Abrahams et al. 1995);
- adjacent to Indigenous land (Lockhart River Deed of Grant in Trust), recommended to be managed for its conservation values (CYRAG 1997);
- area of continuing cultural and social significance to Indigenous groups. Recommendations from Indigenous groups for highly protective zoning;
- significant wetland of conservation value (Abrahams et al. 1995);
- undeveloped natural catchment of Lockhart River provides opportunity for a highly protected area in a near natural state (Abrahams et al. 1995); and
- recognised as important fish habitat, of natural heritage significance (Danaher 1995).

The appropriate zoning for an area of such high conservation value was identified as National Park Zone on the basis of identified conservation values, and in response to requests during the first stage of public input.

Summary of Public Input

Support is given to this proposal in a number of representations. A call was made to upgrade the entire bay to National Park Zone, including the area of Conservation Park Zone. Calls were also made to extend the National Park Zone south to Night Island and to Friendly Point. Requests were made in some representations to zone the adjacent estuarine area as Conservation Park Zone.

Requests were made to provide a high level of protection for estuarine crocodiles in the waters and estuaries of the Lockhart River and other areas through at least Conservation Park zoning. Other representations requested the adjacent Lockhart River estuary to be zoned Conservation Park Zone.

It was recommended that mesh netting be banned in areas used for traditional hunting, as the needs of Indigenous people of Cape York should be given primacy over those of other extractive users as recommended by the Law Reform Commission.

Objection was expressed to this proposal on the basis that recreational fishing is not permitted or that commercial fishing is not permitted. Requests were made for the area to be returned to Habitat Protection zoning. Regulations prohibit the movement of fishing tenders to and from primary reef line or net fishing vessels whilst within the National Park Zone. This issue was raised as it relates to access to fishing grounds from anchorages.

Other objections were raised on the basis that the proposal would also include May, Hazelgrove and Exit Reefs which are productive bêche-de-mer reefs.

Responses and Outcomes

Conservation values of the Lloyd Bay area are high. Whilst public access is possible for recreational fishing use, the preferred destination for this activity is Chili Beach in the north of Lloyd Bay, the Portland Roads area and offshore reefs. Residents at Lockhart River derive a high proportion of their subsistence economy from the Lockhart River and Lloyd Bay area, and are the most significant and consistent users of this area. Commercial fishing effort in Lloyd Bay is low. The area of Conservation Park Zone in the bay has been extended to Orchid Point to provide for complementary zoning with anticipated zoning of the estuarine area and to respond to public requests. The remainder of the proposal area is zoned as National Park Zone as proposed. Alternative anchorages for primary vessels whilst their tenders move to and from fishing grounds are located nearby, including Night Island.

4.5 EXIT, MAY AND HAZELGROVE REEFS AREA

Background

Seagrass meadows have been located in the area around this cluster of reefs. As a minimum conservation measure, the seagrass area was proposed to be zoned Habitat Protection Zone. This area incorporates the reef structures, which also should receive a minimum zoning of Habitat Protection Zone.

Summary of Public Input

Support was given to this proposal in a number of representations. Objection to the proposal was expressed in one representation.

Responses and Outcomes

Protection of seagrass meadows is an established conservation and fisheries management practice in the Marine Park. The removal of trawlable area has been minimised as far as possible. The area is zoned Habitat Protection Zone as proposed.

4.6 OLD SITE AREA

Background

The Old Site area is recognised as having the following values:

- includes an area of significant marine vegetation (Abrahams et al. 1995);
- adjacent to Aboriginal land (Lockhart River Deed of Grant in Trust) recommended to be managed for its conservation values (CYRAG 1997), and new outstation at Old Site; and
- extensive coastal fringing reef, a reef type under-represented in protected zones in the Far Northern Section.

In addition, recommendations from Indigenous groups advocated for highly protective zoning along the entire coastline adjacent to Lockhart DOGIT (Deed of Grant in Trust land) (Report for Marine Parks 1996). Old Site is an area of cultural and economic importance to the Lockhart River community, and forms part of the community's hunting and fishing area. It was, until the late 1970s, the site of the old mission settlement, and is the site of a current outstation development.

The Old Site proposal area, which is contiguous with the Lloyd Bay proposal area, was proposed for National Park Zone on the basis of identified conservation values and the requests for conservation measures received during the first stage of public input.

Summary of Public Input

Support was given to this proposal in a number of representations. Objection was raised to the proposal, on the basis that commercial fishing is not permitted, and that recreational fishing is not permitted. Requests were made for the area to be returned to Habitat Protection Zone or to be modified to allow trolling for mackerel close to Cape Direction. Objection to the proposal was expressed without explanation.

Responses and Outcomes

Fringing reefs are a limited resource and are under-represented in the Far Northern Section. The conservation values held by Indigenous people for the Old Site area are high. Commercial fishing effort in the proposal area is considered to be low and the area is not a popular recreational fishing destination. The request for minor adjustment to the outer boundary for mackerel fishing has been accommodated by a slight alteration to the north-eastern boundary near Cape Direction.

4.7 OSBORNE REEF

Background

A request was made by the fishing industry during the first stage of public input to allow trolling for pelagic fish species around Osborne Reef.

Summary of Public Input

Support was given to this proposal in one representation. Two representations expressed strong opposition to this proposal suggesting that it is an obvious attempt to accommodate the fishing industry.

Responses and Outcomes

The proposal was established in response to a specific request. Reef areas are well represented in protected zoning in the Section and allowing trolling for pelagic fish species at this location is not considered to be inconsistent with the requirements of conservation management. Buffer Zone replaces National Park Zone from the reef edge to a distance of 500 metres.

4.8 CAT REEF

Background

A request was made by the fishing industry during the first stage of public input to allow trolling for pelagic fish species around Cat Reef.

Summary of Public Input

Support was given to this proposal. Two representations expressed strong opposition to this proposal.

Responses and Outcomes

The proposal was established in response to a specific request and the circumstances are identical to those at Osborne Reef (see above). Buffer Zone replaces National Park Zone from the reef edge to a distance of 500 metres.

4.9 NIGHT ISLAND

Background

The Night Island area has been identified as an area of high conservation and cultural significance to traditionally affiliated people. Current zoning is Conservation Park Zone and the Draft Zoning Plan considered upgrading of the zoning to National Park Zone to protect the values of the area.

Summary of Public Input

A number of representations supported the proposed National Park Zone and requested that the National Park Zone boundary be extended to include coastal areas between Round Point and Friendly Point.

Objection was raised to the National Park Zone proposal. The issue of the requirement for anchorages which allow the movement of tenders to and from the primary reef line fishing vessels that use the area was raised.

Responses and Outcomes

Night Island is recognised as an important anchorage for trawl vessels, primary fishing vessels and cruising yachts. It is also used by fishing industry service vessels. The issue of prohibition of movement of tender vessels whilst in the National Park Zone is acknowledged. Current zoning for the area is Conservation Park Zone, which accommodates this requirement. It is considered that the Conservation Park Zone is appropriate, and the current zoning has been retained.

4.10 FRIENDLY POINT AREA

Background

The Friendly Point area is currently zoned National Park Zone, and partially covers an important dugong area and seagrass meadows. A request was made during the first stage of public input by the fishing industry to re-align the eastern boundary of the zone to allow trolling along the edge of a drop in the sea floor. The request did not involve a significant change in the National Park Zone area.

Summary of Public Input

Support was given to the proposal as it accommodates commercial fishing activities.

Two representations expressed strong opposition to this proposal. Requests were made for the establishment of a cross-shelf transect National Park Zone incorporating coastal areas south to the Nesbit River and extending out to Sand Banks No. 7 and No. 8.

Responses and Outcomes

The reduction in National Park Zone at Friendly Point is considered reasonable and has been implemented as proposed. The Authority is not satisfied that there is a need for any additional cross-shelf transects in the area. The matter will be considered further in the representative areas review process (see section 3.1).

4.11 CORBETT REEF (NORTHERN END)

Background

Seagrass meadows have been mapped in the area around the northern end of Corbett Reef. As a minimum conservation measure, the seagrass area was proposed to be zoned Habitat Protection Zone.

Summary of Public Input

Support was given for this proposal, particularly on the basis that the reef and associated seagrass meadows support a high density of foraging green turtles and a moderate number of foraging hawksbill turtles.

Calls were made to upgrade this proposal to Preservation Zone to completely protect dugongs from all fishing activity, or to upgrade zoning of this area to Conservation Park Zone to prevent mesh netting interactions with dugong.

Objection was expressed on the basis that this is a productive prawn catching area.

Responses and Outcomes

Protection of seagrass meadows from trawling is an established conservation and fisheries management practice in the Marine Park. The Authority considers that appropriate strategies are in place for protection of dugongs and turtles in the Section, and that a higher level of protection is not required in this case. The area is zoned Habitat Protection Zone as proposed.

4.12 CLIFF ISLANDS AREA

Background

The Cliff Islands area is recognised as having very high conservation values, based on a combination of factors, including:

- part of the nationally important Princess Charlotte Bay wetland. This is one of the largest tidal wetland systems in Australia. It is an important fish habitat, and has diverse medium and dense seagrass beds offshore (ANCA 1996);
- adjacent to island National Parks, submissions called for complementary management across National and Marine Parks;
- identified seagrass beds within Cliff Islands group, and between Cliff Islands and June Reef (Coles et al. 1980);
- data from Marsh and Corkeron (1996) show an aggregation of dugongs in the proposal area (from 1985, 1990 and 1995 surveys); and
- area of major significance to Aboriginal claimants, both at June Reef and Cliff Islands. Recommendations were for management which prevents extractive activities along the entire length of Princess Charlotte Bay from Port Stewart to Bathurst Head and which provides for sensitive visitor use for the area around the Cliff Islands.

The area provides a representative sample of Princess Charlotte Bay, provides opportunities for complementary management with the adjacent island National Parks and was the subject of strong requests during the first stage of public input for highly protective zoning. A National Park Zone was proposed as the most appropriate zoning for this area.

Summary of Public Input

Support was given to this proposal in a number of representations. A request was made to upgrade zoning of the area to Preservation Zone and to remove June Reef from the proposal. The proposal was endorsed by representations from traditionally affiliated people, although it was considered to be a significantly smaller area than they recommended.

Comments were made that the Ministerial Council initially considered the establishment of a Dugong Protection Area in Princess Charlotte Bay and subsequently decided that dugong conservation would

be addressed in the zoning of the Far Northern Section. It was considered that the zoning does not address the issue of dugong/net interactions in Princess Charlotte Bay. It was suggested that the preferred habitat for dugongs in the area is southern Princess Charlotte Bay.

A number of representations from people who identified themselves as recreational fishers objected to the proposal to zone the Cliff Islands area National Park Zone, as people access this area through adjacent properties. Other representations also raised objections to the proposal to close the Cliff Islands area to recreational fishing, including representations from the Cook Shire Council and the Cook Regional Marine Resources Advisory Committee, or requested Conservation Park zoning for the area.

Some representations raised objections to the proposed zoning over the Cliff Islands on the basis that it is a commercial crayfishing area and bêche-de-mer and trochus collecting area, or that Habitat Protection zone is adequate. The fishing industry indicated that there have been no reports of conflicts between Indigenous people and commercial fishers in this area.

Responses and Outcomes

The Cliff Islands area is the only part of the larger Princess Charlotte Bay area to be proposed for strict conservation measures, and was selected because of the relatively high diversity of habitats within a confined area. A relatively small number of commercial and recreational fishers use the area, and it is acknowledged that these activities would be displaced. However the management of this area for total ecosystem conservation is considered a priority.

Commercial crayfishing licences issued by Queensland Fisheries Service are not available for areas south of the latitude of 14° south, including the Cliff Islands area.

Because of the cultural significance of the islands to traditionally affiliated people, their visits to the area are sacred and occasional. Of all places in or adjacent to the Far Northern Section, the Cliff Islands are arguably the most mythologically important.

The area is zoned National Park Zone as proposed, with minor amendments to the boundary to incorporate a coastal fringing reef (previously dissected by the proposed zone boundary).

4.13 PRINCESS CHARLOTTE BAY

Background

Princess Charlotte Bay is recognised as having very high conservation values, based on a combination of factors, including:

- extensive seagrass beds in shallow waters (Danaher, 1995) with nine species recorded (Abrahams et al. 1995);
- recognised as a highly important dugong habitat in the Great Barrier Reef Region on the coastal waters of Cape York (Marsh and Corkeron, 1996). High local densities of dugong in inshore waters; and
- one of the largest tidal wetland systems in Australia and an important fish habitat (ANCA, 1996).

In November 1996 the Great Barrier Reef Ministerial Council proposed the Bathurst Bay and Princess Charlotte Bay areas as interim Dugong Protection Areas, along with areas in the southern Great Barrier Reef. A subsequent decision was made in July 1997 to address measures for dugong protection in the Bathurst Bay area and other areas in the northern Great Barrier Reef through the review of management of the Far Northern Section.

Summary of Public Input

Zoning of the Princess Charlotte Bay area as a Conservation Park Zone or affording even greater levels of protection was supported in a number of representations. It was considered that such levels of protection are required in the area to maintain the conservation and ecological diversity of habitats and afford protection to seagrass and dugong populations in the area.

Particular concern was expressed that the proposed re-zoning does not address the issue of dugong conservation in Princess Charlotte Bay. Calls were made to incorporate the fishing industry proposals to have restrictions on the use of foreshore set nets along the south-east shore of Princess Charlotte Bay.

Comments were made that the Ministerial Council initially considered the establishment of a Dugong Protection Area in Princess Charlotte Bay and subsequently decided that dugong conservation would be addressed in the zoning of the Far Northern Section. It was considered that the zoning does not address the issue of dugong/net interactions in Princess Charlotte Bay. It was suggested that the preferred habitat for dugongs in the area is southern Princess Charlotte Bay.

Other representations indicated that Habitat Protection zoning is sufficient for the area as it provides appropriate levels of protection for hard bottom areas and dugong populations.

A number of representations referred to the issue of dugong protection in Princess Charlotte Bay. In particular, concern was expressed regarding mesh netting and gill netting practices in the bay.

Responses and Outcomes

The basis for protective zoning over Princess Charlotte Bay has been questioned. However, the conservation values of the area have been shown to be high and the area has been identified as one of the most important dugong areas in the northern Great Barrier Reef, and has high priority for dugong conservation measures in the Far Northern Section. In balancing the use and values of the Princess Charlotte Bay area, it is considered that the most appropriate zoning is Conservation Park Zone throughout the bay.

In November 1996 the Great Barrier Reef Ministerial Council proposed the Bathurst Bay and Princess Charlotte Bay areas as interim Dugong Protection Areas. A subsequent decision was made in July 1997 to address measures for dugong protection in these areas through the review of management of the Far Northern Section. Incorporating dugong protection measures in the revised Far Northern Section Zoning Plan will effectively provide for dugong conservation as an alternative to the declaration of Dugong Protection Areas as considered by the Ministerial Council.

The Princess Charlotte Bay area was originally proposed for Habitat Protection Zone. However, in light of identified conservation values and the findings of the Great Barrier Reef Ministerial Council, the area has been zoned Conservation Park Zone. This zoning effectively restricts commercial netting activities in Princess Charlotte Bay thereby affording a higher level of protection to dugong in the area. It is acknowledged that commercial netting activities would be displaced by this zoning arrangement. In response a special provision has been developed for the Princess Charlotte Bay Conservation Park zone which allows the zone to continue to be used by commercial netters who can demonstrate a history of use of the area for those purposes.

4.14 BATHURST BAY

Background

Bathurst Bay is recognised as having very high conservation values, based on a combination of factors, including:

- extensive, high density seagrass beds, with seven species recorded (Danaher 1995);
- recognised as important fish habitat on the basis of seagrass species richness (Abrahams et al. 1995);
- the single most important dugong area in the northern Great Barrier Reef on the basis of numbers and densities of dugong from northern dugong surveys of 1995. The highest densities of dugongs were recorded in Bathurst Bay and recommendations were made for additional conservation measures (Marsh and Corkeron 1996);
- adjacent to Cape Melville National Park, managed for its nature conservation values; and
- adjacent to the important wetland at Bathurst Bay (ANCA 1996).

In November 1996 the Great Barrier Reef Ministerial Council proposed the Bathurst Bay and Princess Charlotte Bay areas as interim Dugong Protection Areas, along with areas in the southern Great Barrier Reef. A subsequent decision was made in July 1997 to address measures for dugong protection in the Bathurst Bay area and other areas in the northern Great Barrier Reef through the review of management of the Far Northern Section.

Recommendations for a high level of protection were made during the first stage of public input by Aboriginal claimants of Cape Melville National Park (Interim Planning Committee, Starcke Conservation Region 1995).

It was proposed to zone the area with a combination of Conservation Park Zone and National Park Zone on the basis of identified conservation values, the requirement to implement dugong conservation measures, to establish complementary management with the adjacent Cape Melville National Park and in response to requests during the first stage of public input (see section 3.1).

Summary of Public Input

Support was given to this proposal in a number of representations. Some representations specifically supported the proposed Conservation Park Zone strip in Bathurst Bay to accommodate recreational fishing. A request was made to extend the proposed Conservation Park Zone strip along the entire length of Bathurst Bay to better accommodate recreational fishing. Requests were made for the entire Bay to be zoned National Park Zone and for the National Park Zone proposal to be extended into eastern Princess Charlotte Bay. Requests were made for the coastline of Bathurst Bay and the Rocky Islets to be zoned as Conservation Park Zone.

Other representations requested that the entire National Park Zone proposal area should be made Conservation Park Zone to accommodate recreational fishing, or Habitat Protection Zone as the view was expressed that conservation measures were not justified. Objection was expressed to this proposal without explanation. Reference was made to the tribunal hearings of the Cape Melville National Park Aboriginal land claim, and to the advice that commercial fishing would not be affected. Comments were made that the Ministerial Council initially considered the establishment of a Dugong Protection Area in Princess Charlotte Bay, and subsequently decided that dugong conservation would be addressed in the zoning provisions of the Far Northern Section as it was considered that the zoning does not address the issue of dugong/net interactions in Princess Charlotte Bay.

Indigenous people with traditional affiliations to the area strongly supported the proposal for zoning Bathurst Bay as a National Park Zone area with a small area of Conservation Park Zone to accommodate four-wheel drive tourists.

4.14 BATHURST BAY

Background

Bathurst Bay is recognised as having very high conservation values, based on a combination of factors, including:

- extensive, high density seagrass beds, with seven species recorded (Danaher 1995);
- recognised as important fish habitat on the basis of seagrass species richness (Abrahams et al. 1995);
- the single most important dugong area in the northern Great Barrier Reef on the basis of numbers and densities of dugong from northern dugong surveys of 1995. The highest densities of dugongs were recorded in Bathurst Bay and recommendations were made for additional conservation measures (Marsh and Corkeron 1996);
- adjacent to Cape Melville National Park, managed for its nature conservation values; and
- adjacent to the important wetland at Bathurst Bay (ANCA 1996).

In November 1996 the Great Barrier Reef Ministerial Council proposed the Bathurst Bay and Princess Charlotte Bay areas as interim Dugong Protection Areas, along with areas in the southern Great Barrier Reef. A subsequent decision was made in July 1997 to address measures for dugong protection in the Bathurst Bay area and other areas in the northern Great Barrier Reef through the review of management of the Far Northern Section.

Recommendations for a high level of protection were made during the first stage of public input by Aboriginal claimants of Cape Melville National Park (Interim Planning Committee, Starcke Conservation Region 1995).

It was proposed to zone the area with a combination of Conservation Park Zone and National Park Zone on the basis of identified conservation values, the requirement to implement dugong conservation measures, to establish complementary management with the adjacent Cape Melville National Park and in response to requests during the first stage of public input (see section 3.1).

Summary of Public Input

Support was given to this proposal in a number of representations. Some representations specifically supported the proposed Conservation Park Zone strip in Bathurst Bay to accommodate recreational fishing. A request was made to extend the proposed Conservation Park Zone strip along the entire length of Bathurst Bay to better accommodate recreational fishing. Requests were made for the entire Bay to be zoned National Park Zone and for the National Park Zone proposal to be extended into eastern Princess Charlotte Bay. Requests were made for the coastline of Bathurst Bay and the Rocky Islets to be zoned as Conservation Park Zone.

Other representations requested that the entire National Park Zone proposal area should be made Conservation Park Zone to accommodate recreational fishing, or Habitat Protection Zone as the view was expressed that conservation measures were not justified. Objection was expressed to this proposal without explanation. Reference was made to the tribunal hearings of the Cape Melville National Park Aboriginal land claim, and to the advice that commercial fishing would not be affected. Comments were made that the Ministerial Council initially considered the establishment of a Dugong Protection Area in Princess Charlotte Bay, and subsequently decided that dugong conservation would be addressed in the zoning provisions of the Far Northern Section as it was considered that the zoning does not address the issue of dugong/net interactions in Princess Charlotte Bay.

Indigenous people with traditional affiliations to the area strongly supported the proposal for zoning Bathurst Bay as a National Park Zone area with a small area of Conservation Park Zone to accommodate four-wheel drive tourists.

Bathurst Bay has been described as an important bait netting area for the northern mackerel fishing industry and concern was expressed about continued access to this resource. Concerns were also raised about the potential for fishing effort to be displaced.

Responses and Outcomes

The conservation values of this area have been shown to be high. It is worth noting that the conservation values of this area were also recognised during the initial zoning exercise in the Far Northern Section, and the area was proposed to be zoned Marine National Park 'B' Zone (GBRMPA 1984).

Commercial fishing industry has questioned the basis for protective zoning over the Bathurst Bay area. However, Bathurst Bay has been identified as the most important dugong area in the northern Great Barrier Reef, and of highest priority for the implementation of dugong conservation measures in the Far Northern Section. It is noted that the data provided for Princess Charlotte Bay are derived from the activity of one dugong, and that the trend of dugong activity referred to is not apparent in the results of aerial surveys conducted over 1985, 1990 and 1995 (Marsh and Corkeron 1996).

The importance of the area for recreational and charter fishing, and for bait gathering for the northern mackerel fleet is recognised. Its value as one of a limited number of public access points to the east coast on Cape York Peninsula for recreational fishing is acknowledged.

The issue of requirements for primary vessel anchorages whilst tender vessels move to and from fishing grounds is also acknowledged.

In balancing the values and uses of the Bathurst Bay area, it is considered that the appropriate zoning is Conservation Park Zone throughout the Bay.

4.15 BARROW POINT TO DEAD DOG CREEK

Background

The conservation values of this coastline have been well documented (the GBRMPA 1992, Marsh and Corkeron 1996). Revision of zone categories and boundaries was undertaken to rationalise the current zoning placements, consider the replacement of the Scientific Research Zone with appropriate zoning, and accommodate current patterns of access to this coast by National Park visitors.

The proposal involved replacing some areas of Preservation Zone with National Park Zone, and extending the National Park Zone offshore to enclose the area of Preservation Zone.

Summary of Public Input

Support is given to this proposal on the basis that there be no reduction in the area of Preservation Zone. Requests were made for the area to be zoned National Park Zone, as the Preservation Zone area is difficult to enforce.

A request was made to simplify zoning on the outside of the inshore Preservation Zone, or to establish a cross-shelf transect National Park Zone in this area. Requests were made for the 500 metre coastal National Park Zone strip to be extended along the length of the Preservation Zone to accommodate access by National Park visitors, and to expand the area covered by Preservation Zone. A request was made to remove the National Park Zone from the outer boundary of the Preservation Zone.

Responses and Outcomes

The request for the 500 metre National Park Zone strip to be extended along the coast from Red Point to Murdoch Point was considered to be reasonable given that this area lies adjacent to the extended Cape Melville National Park, and access to the coast at a number of locations is possible by four-wheel drive tracks. The proposed National Park Zone strip has been extended along the length of the coast between Red Point and Murdoch Point and the Preservation Zone area remains relatively unchanged. The strictly protected area now lies inside the scheduled trawl closure. The proposed 'buffer' of National Park zoning along the eastern boundary has been removed, primarily on the basis that it did not achieve any significant additional conservation outcome and may have created some difficulties for enforcement by adding a need to consider additional boundaries.

4.16 DEAD DOG CREEK AREA

Background

With the proposed removal of the Scientific Research Zone as a zone category, two alternatives affording a high level of protection were considered: Preservation Zone and National Park Zone. The conservation values of the area are well known and include the presence of extensive seagrass meadows and extremely high dugong numbers (Marsh and Corkeron 1996, Danaher 1995). The proposal involved zoning approximately half of the area currently zoned Scientific Research Zone as Preservation Zone and the remainder as National Park Zone.

Summary of Public Input

Support was given for the replacement of Scientific Research Zones with National Park or Preservation Zones. Requests were made for a Conservation Park Zone to accommodate recreational fishing.

Responses and Outcomes

Current zoning in this area prohibits fishing (Scientific Research and Preservation Zones) in waters of the Marine Park. It is recommended that the area remain strictly protected. The Scientific Research Zone is replaced partly by Preservation Zone, and partly by National Park Zone, as proposed.

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