

## Fish Aggregating Devices and Artificial Reefs

October 2022

The Reef Authority acknowledges the continuing Sea Country management and custodianship of the Great Barrier Reef by Aboriginal and Torres Strait Islander Traditional Owners whose rich cultures, heritage values, enduring connections and shared efforts have and are protecting the Reef for future generations

**Objective:** To ensure that the environment, biodiversity and heritage values of the Great Barrier Reef Region are protected and conserved with regard to placing or deploying fish aggregating devices (FADs) and artificial reefs in the Great Barrier Reef Marine Park.

**Target audience:** Marine Park manager(s) and Marine Park users (including commercial and recreational users).

### 1. Purpose

1. To define the policy outcomes of the Great Barrier Reef Marine Park Authority (the Reef Authority) regarding fish aggregating devices and artificial reefs within the Great Barrier Reef Marine Park (the Marine Park).
2. To define a fish aggregating device for the purposes of this policy.
3. To define an artificial reef for the purposes of this policy including to distinguish such a facility<sup>1</sup> from that which meets the purpose of the [\(Joint\) Policy on Great Barrier Reef Interventions](#).
4. This Marine Park management policy document ('policy') is made under section 7(4) of the *Great Barrier Reef Marine Park Act 1975* (Cth) (the Marine Park Act).

### 2. Policy outcomes

5. The Reef Authority prohibits fish aggregating devices (FAD) and artificial reefs, and any combination thereof, in the Marine Park except where paragraphs 6 to 9 apply.
6. Where a lawful facility exists in the Marine Park and is an artificial reef defined by this policy, the Reef Authority may consider granting a permission for a continuation application<sup>2</sup> where the same facility does not affect/ is unlikely to cause additional risk to the values of the Marine Park.
7. The Reef Authority allows for 'actions, actively undertaken in the Marine Parks to support ecosystem recovery, build resilience and achieve conservation benefits for the Great Barrier Reef' as defined in the [\(Joint\) Policy on Great Barrier Reef Interventions](#).
8. Where a facility is a reef intervention<sup>3</sup>, this policy does not apply; the [\(Joint\) Policy on Great Barrier Reef Interventions prevails](#).
9. Where a facility satisfies the requirements of a reef intervention(s)<sup>3</sup> and could be done under a Part 5 authority<sup>4</sup>, this policy does not apply.

<sup>1</sup> Marine Park Act, section 3A.

<sup>2</sup> Marine Park Regulations, section 5 definition 'continuation application'.

<sup>3</sup> GBRMPA, [\(Joint\) Policy on Great Barrier Reef Interventions](#) (2021) definitions.

<sup>4</sup> GBRMPA, [Zoning Plan \(2003\)](#) Part 5.

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### 3. Definitions

The definitions includes paragraphs 1010 to 1515.

10. **Artificial reef** means a facility (including, but not limited to, goods or equipment)—
  - (i) that remains, is affixed to, or is placed on, the seabed to replace existing, natural habitat (whether degraded or not) with different or new artificial habitat; and
  - (ii) is intended to, or may lead to, an increase or change in recreational or commercial use and entry at a location, not limited to fishing or diving; and
  - (iii) has a purpose to artificially increase or artificially concentrate populations of marine plants or animals which, previously, were less abundant, or were not located, in the area.
11. An artificial reef includes underwater artwork.
12. **Fish aggregating device (FAD)** means a facility (including, but not limited to, goods or equipment) —
  - (i) floating at the surface or sub-surface, that may be anchored, fixed or drifting; and
  - (ii) is intended, or may lead to, an increase or change in recreational or commercial use and entry at a location, not limited to fishing; and
  - (iii) is purposely deployed to attract or produce fish.
13. An artificial reef, a FAD or a combination of both does not include a facility with another primary purpose such as, but not limited to:
  - (i) any purpose protected by a heritage statute;
  - (ii) the safety of, or access for, vessels, aircraft or people;
  - (iii) restoration or adaptation interventions of a natural habitat (as per the Joint Policy on Great Barrier Reef Interventions);
  - (iv) ecologically sustainable use of marine resources by Traditional Owners consistent with their traditional practices.
14. An artificial reef, a FAD or a combination of both can be a single installation, a group of parts or separate components making up a facility.
15. The term 'natural habitat' is defined as the natural environment (which occurs in nature and is not made or caused by people) in which an animal or plant normally lives or grows. ([Collins Dictionary, 2022](#), Accessed 21/02/22) and examples are included in the [Outlook Report 2019](#).
16. Terms not contained in this policy may be defined in tools listed in the section below: [Some related legislation/ standards/ policy](#).

### 4. Context

17. Integral to management of the Great Barrier Reef Marine Park are the management tools that the Reef Authority develops and applies. To ensure that the Reef Authority's tools are contemporary and current, the Reef Authority has reviewed its policy position on FAD and artificial reefs.
18. In October 2020, the Marine Park Authority Board (MPA 263) approved an [interim policy](#) position that no FAD or artificial reefs are to be deployed in the Great Barrier Reef Marine Park and that a policy position was to be developed.
19. The policy outcomes in this policy articulate the Reef Authority's policy position.
20. Waters surrounding Australia's coastlines are protected from waste and pollution dumped at sea by the [Environment Protection \(Sea Dumping\) Act 1981 \(Cth\)](#) (the Sea Dumping Act). The Sea Dumping Act also regulates the placement of artificial reefs within Australian waters. This policy should be read in conjunction with the Sea Dumping Act. To the extent that this policy

outlines definitions and policy outcomes for the Marine Park, the Fish Aggregating Devices and Artificial Reefs Policy will apply.

## Background

21. The Reef Authority's draft policy outcomes on FAD and artificial reefs was developed by considering several factors and multiple lines of evidence as listed below.
22. The policy outcomes on FAD and artificial reefs are commensurate with the Reef Authority's management obligations. That is, 'the main object of the Marine Park Act is to provide for the long term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region'. Other objects of the Marine Park Act apply 'so far as is consistent with the main object'. Examples of other obligations include World Heritage obligations, the corporate plan and [Blueprint for Resilience](#).
23. The policy outcomes apply the concept and principles of ecologically sustainable use which includes the principle of inter-generational equity (sections 3AA and 3AB of the Marine Park Act).
24. Historically, the Reef Authority has granted few permissions for facilities that may constitute a FAD or artificial reef. Contemporary proposals to do with FAD or artificial reefs often relate to the intention to enhance fishing opportunities, which may be due to declines in fish stocks. This speaks, in part, to management failures best addressed by improvements in management rather than by creating more opportunities to extract fish more easily.
25. The Outlook Report 2019 outlines that many Marine Park values (for example, including some fished species and their habitats) are in poor and deteriorating condition. Fishing and illegal fishing are already identified as high and very high risks to Marine Park values and indicative of the need for improved management. The management effectiveness of fishing is generally assessed as stable, however, the outcomes achieved are poor.
26. Anecdotal evidence from marine resource managers elsewhere in Australia speaks to significant, ongoing resource burdens associated with managing FAD or artificial reefs. A risk-based approach to management requires applying the Reef Authority's limited, ongoing management resources towards more efficiently addressing existing threats to Marine Park values that are within our control.
27. To harness the best available science, in 2020, the Reef Authority commissioned a scientific literature review on FAD and artificial reefs. The review specifically considered the alignment of FAD and artificial reefs with the objects of the Marine Park Act. Overall, the scientific literature concludes that neither FAD nor artificial reefs will help achieve the objects of the Marine Park Act.
28. The literature points to strong dependencies between the range of potential positive and negative impacts from these facilities and adequate mitigating actions and controls. In over 550 studies reviewed, not one successfully applied the required mitigating actions and controls.
29. Artificial reefs — the science identifies that artificial reefs pose many potential high- and moderate- level negative impacts on the values of Great Barrier Reef Marine Park. Multiple potential high- and moderate-level benefits of artificial reefs to Marine Park values do not offset these potential risks. Many pros and cons of artificial reefs against the subordinate objects of the Marine Park Act were also identified.
30. Fish aggregating devices — the science identifies that FAD pose multiple potential extreme-, high- and moderate- risks to the values of Great Barrier Reef. The few high-level potential benefits to Marine Park values do not offset these potential risks. Many pros and cons against the subordinate objects of the Marine Park Act were also identified.
31. The precautionary principle has been applied in developing the Reef Authority's policy outcomes (section 3AB Marine Park Act).

32. There are well over 3000 natural reefs and shoals in the Great Barrier Reef World Heritage Area which attract fish and most are available for fishing, snorkelling and/or diving.
33. Resilience management prioritises effort that builds the ecosystem resilience of the Reef (refer [Blueprint for Resilience](#)).

## 5. Implementation

34. The Reef Authority will apply this policy to support enforcement of the Marine Park Act and Regulations, to support assessment of permission applications, and to guide management decisions within the Marine Park. Some specific provisions include:
  - (i) Parts of the Great Barrier Reef Marine Park Regulations 2019 (Cth) (the Marine Park Regulations), specifically, sections 77(1), 91, 103, 120; and
  - (ii) Part VAA Offences and penalties under the Marine Park Act.
35. A communication plan will be developed and implemented to ensure relevant stakeholders are aware of the Reef Authority's policy outcomes on FADs and artificial reefs.
36. Supporting regulations will be developed and implemented.

## 6. Some related legislation/ standards/ policy

37. *Great Barrier Reef Marine Park Act 1975* (Cth) (the Marine Park Act)
38. *Great Barrier Reef Marine Park Regulations 2019* (Cth) (the Marine Park Regulations)
39. Policy on Great Barrier Reef Interventions (Joint), GBRMPA
40. *Environment Protection (Sea Dumping) Act 1981* (Cth)

## 7. Supporting information

O2 Marine, [Fish Aggregating Devices and Artificial Reefs: literature review of benefits and negative impacts for the Great Barrier Reef](#) (2021) Report to the Great Barrier Reef Marine Park Authority, Townsville.

Great Barrier Reef Marine Park Authority 2019, [Great Barrier Reef Outlook Report 2019](#) (2019) GBRMPA, Townsville.

## 8. Further information

### Great Barrier Reef Marine Park Authority

280 Flinders Street  
 PO Box 1379  
 Townsville Qld 4810  
 Australia  
 Phone: + 61 7 4750 0700  
 Fax: + 61 7 4722 6093  
 Email: [info@gbmpa.gov.au](mailto:info@gbmpa.gov.au)  
 Web: [www.gbrmpa.gov.au](http://www.gbrmpa.gov.au)

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*Guidelines for the Management of Artificial Reefs in the Great Barrier Reef Marine Park (2011), Revoked October 2020; and interim policy (MPA-2020-263-07).*

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