

Fish Aggregating Devices and Artificial Reefs

August 2023 (v.0)

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 facility¹ 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) and, as such, does not apply to Queensland State marine parks outside the Great Barrier Reef Marine Park.

2. Policy outcomes

5. The Reef Authority's position, based on multiple lines of evidence (see [Supporting Information](#)), is that fish aggregating devices (FADs) and artificial reefs, or any combination thereof, are not compatible with the main object of the Marine Park Act, which is "to provide for the long-term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region". It follows that the Reef Authority does not support FADs and artificial reefs in the Marine Park (except where paragraphs 6 to 9 apply).
6. Where a lawful² 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 application³ where the same facility does not affect, or 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 intervention⁴, this policy does not apply; the [\(Joint\) Policy on Great Barrier Reef Interventions](#) prevails.

¹ Marine Park Act, section 3A.

² Lawful facility refers to a facility in the Commonwealth Marine Park that has a valid approval required under any law of the Commonwealth or the State of Queensland; or otherwise held the requisite use rights at the time the facility was validly commenced. For example, approved tidal works under the *Planning Act 2016* (Qld).

³ Marine Park Regulations, section 5 definition 'continuation application'.

⁴ GBRMPA, [\(Joint\) Policy on Great Barrier Reef Interventions](#) (2021) definitions.

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9. Where a facility satisfies the requirements of a reef intervention(s)⁴ and could be done under a Part 5 authority⁵, this policy does not apply.

3. Definitions

The definitions includes paragraphs 1010 to 15 and should be read as a whole¹⁵.

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, people or property;
 - (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 defined 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 FADs and artificial reefs.
18. In October 2020, the Marine Park Authority Board (MPA 263-07) 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.

⁵ Great Barrier Reef Marine Park Authority, [Zoning Plan \(2003\)](#) Part 5.

19. The policy outcomes in this policy, which are based upon findings of a [scientific literature review](#) and several additional lines of evidence (see [Supporting Information](#)) articulate the Reef Authority's policy position and apply only to the Commonwealth Marine Park⁶.
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.

5. Implementation

21. 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.
22. 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.
23. Supporting regulations will be developed and implemented.
24. This policy may be revised over time.

6. Some related legislation/ standards/ policy

25. *Great Barrier Reef Marine Park Act 1975* (Cth) (the Marine Park Act)
26. Great Barrier Reef Marine Park Regulations 2019 (Cth) (the Marine Park Regulations)
27. Policy on Great Barrier Reef Interventions (Joint), GBRMPA
28. *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, [Great Barrier Reef Outlook Report 2019](#) (2019) GBRMPA, Townsville.

Great Barrier Reef Marine Park Authority, [Supporting Information, Policy on Fish Aggregating Devices and Artificial Reefs](#) (2023) GBRMPA, Townsville.

8. Further information

Great Barrier Reef Marine Park Authority

PO Box 1379, Townsville Qld 4810, Australia

Phone: + 61 7 4750 0700

Fax: + 61 7 4722 6093

Email: info@gbmpa.gov.au

Web: www.gbrmpa.gov.au

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⁶ See also the State of Queensland Marine Park management requirements for adjacent marine parks at <https://www.qld.gov.au/environment/coasts-waterways/marine-parks/managing>.

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