



Biodiversity Council

Submission to Sustainable Oceans Plan

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About The Biodiversity Council

The Biodiversity Council brings together leading experts including Indigenous knowledge holders to promote evidence-based solutions to Australia's biodiversity crisis. The Council was founded by 11 universities with the support of Australian philanthropists.



Introduction

The Biodiversity Council welcomes the opportunity to provide feedback on the [draft Sustainable Ocean Plan](#) (the Plan).

Our understanding

The draft Plan presents the Australian government's vision for how to manage Australia's Oceans. The plan was developed as a part of Australia's commitment to the [High Level Panel for a Sustainable Ocean Economy](#) ('the Ocean Panel'), and reflects the approach to achieving the commitment under the Ocean Panel's transformations framework to ensure that 100% of the ocean under the national jurisdiction is well managed by 2025.

The Plan recognises the strong interdependence between the health of our oceans and the wellbeing of Australian communities. This included workshops on the themes of:

- our ocean future
- ocean data
- ocean coordination, integration and governance.

In addition, workshops were held with First Nations people and organisations as well as the fisheries and aquaculture sectors.

The Plan represents commitment to a national vision:

"We commit to working together for a better ocean future; one where our coasts and ocean are healthy and resilient; where we make sustainable use of ocean resources; and where all can share in the benefits that flow from it, now and in the future."
(pg.9)

The Plan identified four national priorities (Climate Action, First Nations, Protect and Restore, Industry) and four enabling factors to achieve these priorities (Collaboration, Equity and Inclusion, Knowledge and Finance).

Establishing national priorities, and matching actions for achieving them, is an important step in achieving meaningful progress in addressing many of the sustainability challenges facing marine ecosystems.

However, the Biodiversity Council is concerned that the current version of the Plan has critical gaps and would likely fail in achieving its stated national vision for a sustainable ocean economy. Our key concerns are outlined below.

Key concerns

1. The analysis of key threats to Australia's marine biodiversity, and identification of effective actions, is insufficient

The Plan provides general commentary on pressure to Australia's oceans, and identifies eight broad thematic priorities. However, the plan fails to capture that the threats facing Australia's oceans and coastal communities are highly variable. As presented in the State of the Environment report, coral and temperate rocky reef ecosystems and associated species are in poor condition and deteriorating due to on-going climate change impacts and cumulative pressures.¹ Similarly, many habitats and ecological communities face localised threats that are overlooked in regional reporting.

The Australian government has made a commitment to 'no new extinctions', yet the plan makes no mention of marine species that are perilously close to this threshold of no return, such as the Maugean skate. Similarly, the plan provides no data on how many marine species and ecosystems are threatened or conservation dependent, nor where they occur. This is a missed opportunity to uplift the urgency and importance of a coordinated and suitably funded Plan for Australia.

The Australian government has committed to [Target 3 of the Kunming-Montreal Global Biodiversity Framework](#), which aims to ensure that at least 30% of marine areas are effectively conserved and managed through ecologically representative protected areas. The plan makes several references to the commitment to 'protect and conserve 30% of marine areas by 2030'. However, the Plan does not analyse how Australia is tracking against this target, particularly with regards to ecological representation and management effectiveness. While 48% of Australia's oceans are classified as 'marine parks',² commercial fishing and oil and gas exploration area allowed in much of the marine park estate.³ The majority of highly protected no-take marine parks are in remote external territories and offshore islands;⁴ areas that are valuable to industry are often excluded from marine parks regardless of biodiversity values.⁵ There is a need to increase both the ecological representativeness and level of protection of Australia's marine park estate to truly meet the ambition of Target 3.

¹ Trebilco R, Fischer M, Hunter C, Hobday A, Thomas L, Evans K (2021). Australia state of the environment 2021: marine, independent report to the Australian Government Minister for the Environment, Commonwealth of Australia, Canberra. <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-marine.pdf>

² <https://parksaustralia.gov.au/marine/parks/>

³ Presssey, B., Álvarez-Romero, J. G., Devillers, R. and Ward, T. (2021). Australia's marine (un)protected areas: government zoning bias has left marine life in peril since 2012 *The Conversation* <https://theconversation.com/australias-marine-un-protected-areas-government-zoning-bias-has-left-marine-life-in-peril-since-2012-153795>, <https://www.marineconservation.org.au/commitment30x30/>

⁴ Cockerell, B, Presssey, R. L, Grech, A., Álvarez-Romero, J. G., Ward, T. and Devillers, R. (2020) Representation does not necessarily reduce threats to biodiversity: Australia's Commonwealth marine protected area system, 2012-2018 *Biological Conservation* **252**: 108813. <https://www.sciencedirect.com/science/article/pii/S0964569124000851>

⁵ <https://www.sciencedirect.com/science/article/pii/S0006320720308715>

The plan ignores several likely future or emerging threats to marine biodiversity, such as deep-sea mining, changes in tourism and shipping patterns, and impacts from the highly pathogenic avian influenza H5N1 strain that has been decimating seabird and marine mammal populations globally since 2021.⁶

To identify interventions that will make a meaningful difference, more analysis is required about the spatial distributions and impacts of pressures. For instance, which ecosystems are most vulnerable, the adequacy of current approaches and the gaps in governance.

Recommendation 1: *The Biodiversity Council recommends that the Australian Government includes contextual detail in the plan that emphasises our species and ecosystems at greatest risk, to aid public awareness and prioritisation of government and private investment.*

Recommendation 2: *The Biodiversity Council recommends that the Sustainable Ocean Plan be amended to incorporate a strategy for targeting interventions for the greatest on-water outcomes in terms of biodiversity conservation and associated ecosystem services.*

Recommendation 3: *The Biodiversity Council recommends that the Sustainable Ocean Plan be amended to include details of how the Australian Government plans to meet its commitment to effectively protect 30% of every mappable marine ecosystem in no-take marine reserve (IUCN I or II) under its commitments to the Kunming-Montreal Global Biodiversity Framework.*

2. The plan fails to provide a path for self-determination for First Nations communities

The Plan correctly identifies that First Nations communities through Cultural practices have cared for Sea Country for millenia.

Indigenous self determination is a key requirement for meaningful First Nations contributions to sustainable oceans. In the context of Sea Country matters, Indigenous self determination refers to the ability of First Nations peoples to have decision making power over Sea Country management.

Indigenous self-determination was identified as a key priority in the First Nations workshops used to inform the Plan. Australia has also endorsed the The UN Declaration on the Rights of Indigenous Peoples, a core foundation of which establishes the rights of Indigenous peoples to self-determination. However, the Plan provides very little opportunity for Indigenous

⁶ Leguia, M., Garcia-Glaessner, A., Muñoz-Saavedra, B., Juarez, D., Barrera, P., Calvo-Mac, C., Jara, J., Silva, W., Ploog, K., Amaro, L., Colchao-Claux, P. Johnson, C. K., Uhart, M. M., Nelson, M. I. and Lescano, J. (2023) Highly pathogenic avian influenza A (H5N1) in marine mammals and seabirds in Peru *Nature Communications* **14**: 5489 <https://www.nature.com/articles/s41467-023-41182-0>

decision making power, and therefore assertion of the right of self-determination amongst Australia's First Nations peoples.

Recommendation 4: *The Biodiversity Council recommends that the Australian Government engage First Nations communities and organisations to co-design a detailed plan for achieving Indigenous self-determination in Sea Country management within the Sustainable Ocean Plan.*

3. The plan lacks details on implementation

Whilst the plan outlines the Australian Government's vision for ocean sustainability, it is critically lacking in specific objectives and accountability measures that are critical for success in high-level strategic policy.

In developing the Plan, the Department of Climate Change, Energy, the Environment and Water ran a series of [workshops](#). The [Sustainable Ocean Plan shared future workshop](#) included a very clear call for "specific, measurable, achievable, relevant and time-bound (SMART) goals or indicators that are transparent and reported on....". Yet, there are no SMART goals in the Plan, only 'opportunities for collective national action'.

The [Victorian Marine and Coastal Strategy](#) provides a clear example of how this could be done with clear actions, responsibilities and timing. This level of clear accountability is missing from the Plan, and jeopardises meaningful progress.

Recommendation 5: *The Biodiversity Council recommends that the Sustainable Ocean Plan be amended to include SMART objectives against each of the eight national priorities.*

Recommendation 6: *The Biodiversity Council recommends that the Sustainable Ocean Plan include details on who is responsible for implementing each action under the eight national priorities.*

4. The plan fails to provide any funding commitment to support implementation

The Plan presents no new commitments to Australian Government funding to help realise the national vision. Instead the Plan emphasises the role of private industry in funding actions.

The ocean is a global commons and the government will always have the main responsibility for its protection and management. Whilst industry funding may be useful as a complement, it cannot be relied upon as a primary means of addressing the substantial, cumulative and immediate challenges facing ocean ecosystems.

Recommendation 7: *The Biodiversity Council recommends that the Australian Government include details of funding commitments to implement the national vision set out in the Sustainable Ocean Plan.*

5. The plan misses an opportunity for better integration

The [Ocean Panel](#) states that an effective Plan should be integrative. This means ensuring that collaboration occurs among government agencies, ocean sectors, and decision-making processes that occur at different levels of government to improve coordination. Other nations such as [Chile](#) and [Mexico](#) are developing integrative approaches. A commitment to national coordination on key pressures to oceans could make a meaningful impact in working towards a Sustainable Ocean Economy.

The [Sustainable Ocean Plan shared future workshop](#) included a very clear call for the plan to be “...integrated across a wide range of departments and sectors (horizontal integration)”. Like for SMART targets, this recommendation for integration is ignored.

Disjointed management and monitoring systems across state and Commonwealth waters, and across marine interests (e.g., conservation, fisheries, oil and gas, defence, transport infrastructure), represents a major challenge in tackling cumulative impacts on Australia’s ocean ecosystems. National leadership is needed to achieve effective coordination .

Recommendation 8: *The Biodiversity Council recommends that the Australian Government amend the Sustainable Ocean Plan to reflect its role in national coordination of management and monitoring across jurisdictions and sectors.*