

AUSTRALIAN MARINE PARKS MANAGEMENT PLANS REVIEW

Australian Energy Producers | 30 September 2026

Australian Energy Producers (AEP) welcomes the opportunity to provide input into Parks Australia's review of the management plans for the Temperate East, North, North-west, South-west and the Coral Sea Marine Park Networks.

AEP supports a well-designed Australian Marine Parks network that delivers genuine biodiversity outcomes while enabling the well-regulated exploration and production of offshore energy resources. Continued oil and gas development, together with emerging carbon capture utilisation and storage (CCUS) activities, are important for Australia's energy security, economic prosperity, emissions reductions and regional development.

The Australian Marine Parks network was established as a representative multiple-use system that balanced environmental protection with sustainable economic activity. On 21 March 2018 the Minister for the Environment and Energy tabled five management plans for 44 Australian Marine Parks in Parliament, based on two dual objectives:

1. the protection and conservation of biodiversity and other natural, cultural and heritage values of marine parks; and
2. ecologically sustainable use and enjoyment of the natural resources within marine parks, where this is consistent with objective 1.

The plans gave effect to these objectives through multiple-use zoning, providing long-term certainty for marine users, including the offshore energy sector.

Australia's offshore petroleum industry operates under one of the world's most robust environmental regulatory regimes. The 2018 Australian Marine Parks Regulatory Impact Statement highlighted that offshore energy activities were already subject to "world-leading environmental assessments and approvals process of the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)". Any activities proposed within or adjacent to marine parks undergo rigorous assessment, including detailed consideration of potential impacts on marine park values.

New management plans must provide certainty for existing and future offshore titles, complement existing regulatory processes without duplication, and support efficient, evidence-based decision-making.

Recommendations:

1. **Enshrine dual management objectives in all plans** | The dual objectives of (1) protection and conservation of biodiversity and other natural and cultural values; and (2) provision for ecologically sustainable use of natural resources where consistent with objective 1, should be standard across all networks in Australian waters. These objectives are already applied in the South-east network.
2. **Preserve multi-use (IUCN VI) zoning over existing petroleum titles and areas of medium-to-high prospectivity** | Multi-use zoning should remain a priority, particularly in the North and North-west networks. Compatible petroleum activities should continue to be allowable subject to the existing rigorous Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGs Act)/NOPSEMA regime and class approval arrangements.

3. **Avoid regulatory duplication** | Management plans and associated approvals should recognise and rely on the existing NOPSEMA Environment Plan process and the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) strategic assessment of the offshore petroleum regime. Additional conditions should only be imposed where robust science demonstrates a clear residual risk to defined conservation values that is not already managed.
4. **Provide certainty for infrastructure** | Explicitly allow construction, operation and maintenance of pipelines and associated subsea infrastructure through Habitat Protection and National Park zones where impacts can be demonstrated to be acceptable. Avoid arrangements that force costly and environmentally sub-optimal detours around reserves.
5. **Ensure evidence-based and adaptive zoning** | Any expansion of highly protected (IUCN Ia/II) zoning in pursuit of the 30 per cent by 2030 target must be underpinned by robust scientific evidence of conservation need and a transparent assessment of socio-economic impacts, including on energy security and investment. Zoning frameworks should retain flexibility for adaptive refinement as new information becomes available.
6. **Maintain title and investment certainty** | Prior usage rights must continue to be fully respected. Decisions on title renewals and extensions under the OPGGS Act should not be subject to additional discretionary consent processes that create investment uncertainty.
7. **Strengthen socio-economic data and industry engagement** | Improve data on the social and economic impacts of marine park management, as identified in the independent evaluations. Ensure meaningful, early engagement with the oil and gas sector in the design of zoning and management arrangements and incorporate metrics that capture both conservation and sustainable-use outcomes.

AEP looks forward to further engagement with the Director of National Parks and the Department of Climate Change, Energy, the Environment and Water throughout the development of the draft management plans and subsequent consultation stages. Industry welcomes any opportunity to provide additional information or to participate in technical discussions on any of the matters raised in this submission.

Further comments and recommendations are provided below.

Economic Contribution and Investment Climate

The offshore oil and gas sector makes a substantial economic contribution, with future investment dependant on clear, predictable rules that balance conservation outcomes.

Oil and gas remain a major contributor to Australia's marine economy and to the national economy more broadly. The sector supplies essential energy to Australian households, businesses and manufacturing, underpins LNG exports of national significance, supports substantial direct and indirect employment, and generates significant taxation and royalty revenue. Natural gas also plays a critical role in firming renewable generation and in the production of lower-emission fuels and materials needed for the energy transition.

The AIMS Index of Marine Industry found that economic output from the natural gas, offshore oil exploration and extraction sector reached approximately \$122 billion in 2022-23, representing growth of 12 per cent over the preceding two years and making it the largest marine industry sector in Australia.

The industry is global and competes for a limited pool of international investment capital. Additional regulatory uncertainty or restriction that is not clearly justified by conservation outcomes risks deterring investment that would otherwise support Australian energy security, jobs and public revenue.

The continued development of Australia's resources cannot be taken for granted. While the industry has delivered a number of large-scale projects in the offshore marine jurisdiction over recent decades, the next generation of investments and extensions to existing projects will be heavily dependent on market conditions, prospectivity and the presence of an efficient, coordinated and transparent regulatory framework.

Support for the Australian Marine Parks Network

AEP remains committed to the ongoing success of the Marine Park network and to constructive participation in the design and ongoing management of the network. Our members operate to high environmental standards and generate substantial marine science, environmental monitoring and seabed data that can contribute to improved understanding and management of marine park values.

Future management plans must be evidence-based, proportionate, and supported by a clear and publicly available rationale for any management measures or zoning changes.

AEP has engaged constructively with successive governments since Australia committed to a national system of marine protected areas in 1993. AEP supports the network where it is designed and managed to deliver measurable biodiversity outcomes while recognising and minimising social and economic impacts. This principle of balancing environmental protection with sustainable use has enjoyed long-standing support across marine users and Governments. The independent evaluations of the 2018 management plans¹ recognise that zoning is used as a way of balancing conservation objectives with sustainable use. However, the evaluations also identify legitimate stakeholder

¹ The independent evaluations of the 2018 management plans (undertaken by ORIMA Research) are available from the official Parks Australia page: <https://australianmarineparks.gov.au/management/consultations-reviews/review-2018-australian-marine-park-management-plans/>

concerns about the evidence base for some zoning decisions, the rigidity of arrangements, gaps in socio-economic data, and the need for more adaptive and inclusive processes.

AEP notes that the evaluations recorded some stakeholder concern about the allowance of oil and gas activities within certain marine park zones. These views should be considered alongside the supporting evidence provided and weighed against the original design intent of multi-use zones, the stringent existing regulatory regime administered by NOPSEMA, the significant economic contribution of the industry, and the absence of evidence that properly regulated petroleum activities are incompatible with the conservation values of those zones. The evaluations themselves acknowledge that zoning arrangements were intended to support longer-term outcomes and that the full effects of the 2018 management plans may not yet be fully measurable.

Dual Objectives | Conservation and Ecologically Sustainable Use

The dual objectives should be adopted consistently across all six new management plans and be reflected in zoning rules, class approval conditions, performance measures and review processes.

Management plans should continue to clearly articulate the dual objectives that underpinned the original Australian Marine Park management plans. Management plans must:

1. provide for the protection and conservation of biodiversity and other natural and cultural values; and
2. provide for ecologically sustainable use of the natural resources within the network where this is consistent with the first objective.

These objectives were recently reaffirmed through the South-east Marine Park Network review.

Multi-use (IUCN Category VI) zones were specifically established to accommodate economic activities alongside the protection of marine values. Therefore, the objective of allowing sustainable resource use (including oil and gas exploration and production) should be given equal significance with the protection of conservation values. As recognised by the IUCN, management plans should support the use of natural resources without unnecessary restriction where activities have been identified as compatible with the reserve.

The independent evaluations note that some stakeholders felt management plans and zoning were overly restrictive in places, while others called for stronger protection. A balanced approach that gives genuine effect to both of the dual objectives is the most durable and effective path forward. Management plans that do not fully value sustainable use, or treat it as secondary to conservation, risk undermining the original design compact that enabled the network to be established with broad support.

Maintaining Access through Multi-Use Zoning

Preserve Multiple Use zoning and practical access to existing titles and prospective offshore resources, particularly in the North and North-west networks, unless clear evidence shows that compatible activities would harm identified marine park values.

When the Commonwealth marine reserve network was designed, the objective was to establish a representative system of marine parks that delivers conservation outcomes through a combination of zoning arrangements, including Multiple Use Zones that accommodate compatible economic

activities. This design principle remains sound and should be retained and clearly reflected in the new management plans.

Significant petroleum titles and prospective acreage continue to exist within and adjacent to Multiple Use and Special Purpose Zones, particularly in the North and North-west networks. These areas underpin current and potential investment and employment, while supporting Australia's energy security. The North-west Network evaluation itself recognises shipping, port-related activities and opportunities for offshore operations as industries of national economic significance. Reliable access to these areas, subject to the existing rigorous environmental controls, is essential to Australia's energy security and economic contribution from the sector.

Current arrangements allow petroleum and greenhouse gas storage activities within Multiple Use Zones and most Special Purpose Zones, subject to class approval and NOPSEMA assessment. Mining activities are not permitted in Sanctuary, National Park, Recreational Use or Habitat Protection zones (with limited exceptions for pipelines under licence and prior usage rights). These arrangements reflect a deliberate policy balance. They should not be narrowed in the absence of clear evidence that regulated petroleum activities are causing unacceptable impacts on the conservation values the zones were established to protect.

AEP submits that management plans should continue to give genuine effect to both conservation and sustainable use objectives. Treating Multiple Use Zones as candidates for progressive closure or increased restriction would be inconsistent with the original design principles of the network and would undermine the long-term certainty on which marine users, investors and regional communities have relied.

AEP is particularly concerned that any significant expansion of Habitat Protection, National Park or other highly protected zoning within prospective areas in the North and North-west networks could unnecessarily constrain access to resources that are important to Australia's energy security, economic prosperity and emissions reduction objectives. Any proposal to increase restrictions should be supported by robust scientific evidence demonstrating a clear benefit and be accompanied by a transparent assessment of impacts.

Consistent with the design of the network, any move to expand highly protected (IUCN Ia and II) zoning in pursuit of the Government's 30 by 30 target should avoid areas of existing titles, approved activities and areas of high prospectivity. Management arrangements should preserve practical pathways for essential infrastructure, including pipelines and associated facilities, to ensure conservation objectives can be achieved without unnecessarily increasing environmental impacts, project costs or risks to Australia's energy security.

Existing Regulatory Frameworks

Marine Park plans should not impose additional conditions unless there is a robust assessment that identifies a risk to defined conservation values that existing offshore regulation does not adequately manage.

The Australian offshore oil and gas industry operates under one of the most stringent environmental regulatory regimes in the world. The primary framework is the OPGGS Act and associated Environment Regulations, administered by NOPSEMA. Titleholders must comprehensively demonstrate that all environmental risks from petroleum activities are reduced to a level that is as low as reasonably practicable (ALARP) and that residual risk is acceptable. This is a continuous-

improvement regime enforced by an independent, expert regulator through accepted Environment Plans.

In 2014, the then Environment Minister endorsed the NOPSEMA Environment Plan approval programme under a strategic assessment pursuant to the EPBC Act. This arrangement was specifically intended to avoid regulatory duplication while ensuring that matters of national environmental significance are appropriately considered within the offshore petroleum approvals framework.

Management plans for Australian Marine Parks should recognise this existing framework and minimise additional administrative and regulatory layers. The independent evaluations note difficulties navigating multiple permits across jurisdictions and the risk of fragmented management.

Management plans should rely on NOPSEMA's established environmental assessment process, retain class approvals for compatible activities and provide predictable treatment of existing titles.

Class approval arrangements that allow NOPSEMA to authorise activities in Multiple Use and Special Purpose Zones on behalf of the Director of National Parks have proven practical. They should be retained and, where appropriate, streamlined. Unnecessary duplication and uncertainty risk undermining Australia's attractiveness as an investment destination. Capital that is deterred from Australian offshore projects is typically redirected to competing jurisdictions overseas, not to other sectors of the Australian economy.

AEP also reiterates the importance of title certainty. Prior usage rights must continue to be fully respected. Decisions about the extension or renewal of titles awarded under the OPGGS Act should operate through the OPGGS framework and should not be subject to additional discretionary consent processes under the EPBC Act that create investment uncertainty for existing titleholders. Operators who have invested significant resources in exploration need high confidence that they will have a reasonable opportunity to develop a discovery.

Infrastructure – Pipelines and Shipping

Maintain practical pathways for pipelines and shipping through marine parks, with any conditions based on demonstrated risks to the conservation values of the affected zone.

Pipelines and shipping are critical enablers for the offshore industry and for Australia's LNG export industry, which remains a major source of national income and energy supply for regional partners.

Pipeline systems represent significant long-term investment and form a critical component of offshore oil and gas infrastructure. In an ideal setting, pipelines follow the route of least engineering difficulty, which also tends to result in the least environmental disturbance and lowest environmental risk. Requiring operators to route pipelines around marine reserves, particularly Habitat Protection Zones, can impose significant additional cost, increase pipeline length and, paradoxically, elevate overall environmental risk through longer corridors and more complex construction solutions.

This issue is particularly relevant in the North and North-west networks, where future discoveries could result in an operator being required to extend a pipeline around a marine reserve. AEP recommends that management plans explicitly provide for the construction, operation and maintenance of pipelines and associated subsea infrastructure through Habitat Protection and National Park zones under licence, where the proponent can demonstrate that impacts on the relevant

conservation values are acceptable. Such arrangements would provide development certainty without compromising the integrity of the reserves.

In many cases, laying pipelines around marine reserves, particularly newly created or expanded Habitat Protection Zones, will add significant costs to potential developments, potentially with little environmental benefit. The zoning of Habitat Protection Zones should allow for transmission infrastructure easements where they can be shown not to impact on the habitat value of the particular reserve.

Safe and efficient movement of LNG carriers, condensate tankers, LPG carriers and support vessels remains essential to service export demand and domestic energy needs. Transit rights through marine park zones (other than Sanctuary Zones) should continue to be clearly protected. Any operational restrictions on shipping should be strictly justified by evidence of risk to conservation values and should not create unintended barriers to navigation or port access. Oil and gas related shipping is expected to remain an important component of activity in several networks as existing and new capacity continues to operate.

The 30 Per cent Highly Protected Target and Zoning Decisions

A rigid, area-based approach that prioritises percentage targets over demonstrated outcomes risks suboptimal conservation results and unnecessary economic cost.

AEP supports the ambition of effective marine conservation and acknowledges the Australian Government's commitment to protect 30 per cent of Australia's ocean in highly protected zoning (IUCN Categories Ia and II) by 2030, and the role of this management plan review in laying foundations toward that target. Effectiveness, however, depends on the quality of decisions – not simply on the quantum of area placed under the highest protection categories.

The independent evaluations highlight stakeholder concerns that some zoning decisions have lacked a sufficiently robust evidence base, that monitoring has been limited, and that socio-economic impacts have not always been adequately assessed. Stakeholders also called for greater flexibility, including the ability to refine boundaries and restrictions as new information becomes available. These findings should guide the approach to any further expansion of highly protected zones.

Decisions on zoning changes should:

- be grounded in the best available science demonstrating clear conservation need and likely measurable benefit;
- include transparent assessment of socio-economic impacts, including on energy security, regional economies, employment and investment;
- avoid unnecessary displacement of compatible activities in multi-use zones;
- retain capacity for adaptive refinement as monitoring data and new science become available.

The evaluations themselves recommend strengthening the evidence base for zoning decisions and exploring more flexible and nuanced approaches, such as seasonal closures, species-specific protections or gear-specific regulations, that better reflect local needs and reduce unintended consequences.

AEP urges that any proposals to increase highly protected zoning be accompanied by a clear public explanation of the conservation values being protected, the evidence supporting the change, and the assessed impacts on existing and prospective sustainable uses, including oil and gas activities.

Science, Monitoring and Industry Contribution

Use stronger ecological, social and economic evidence to assess marine park outcomes, drawing on industry science and early engagement with offshore operators.

AEP strongly supports robust science and monitoring as the foundation for marine park management. The independent evaluations correctly identify gaps in socio-economic and community awareness data, limitations in the evidence base for some zoning decisions, and the need for improved monitoring to assess whether zoning is achieving its intended objectives. Addressing these gaps should be a priority for the next generation of plans.

The oil and gas industry is a significant generator of high-quality marine environmental science. Environmental studies required under the OPGGS Act, together with industry-funded research partnerships with universities and research institutions, contribute substantial new knowledge of the marine environments in which we operate, including areas within and adjacent to marine parks. Where these studies are relevant to park management, arrangements should facilitate appropriate sharing and use of the science while respecting commercial confidentiality.

Management plans should include clear metrics and review processes that allow assessment of both conservation outcomes and the continued sustainable use of natural resources. Performance measures should not be limited to ecological indicators alone; social and economic outcomes are also important and have been identified as under-developed in the current evaluation cycle.

Make zoning rules clearer and more consistent across jurisdictions.

AEP supports improved alignment of zoning descriptions, colours and rules across Commonwealth and state/territory jurisdictions where practical, to reduce confusion for operators working across multiple marine park systems. The evaluations identified inconsistencies between Commonwealth and state/territory marine parks as a source of confusion for park users.

Governance, Engagement and Adaptive Management

Establish clear, inclusive governance and evidence-based adaptive management that engages the offshore energy sector, and measures conservation and sustainable-use outcomes.

Drawing on both the 2016 APPEA submission and the recent independent evaluations, AEP recommends that the new plans:

- include a clearly defined governance structure with all key stakeholder groups fairly represented;
- establish processes to ensure key stakeholders, including the oil and gas sector, are involved in the assessment, review and updating of management goals, planning and practices;
- incorporate metrics and appropriate review cycles that demonstrate natural resources are being managed to achieve both conservation and sustainable-use objectives;
- support an effective monitoring programme that addresses the data gaps identified in the evaluations, including socio-economic information; and
- outline the financial and human resources required for ongoing management of the reserve estate.

Adaptive management principles should enable genuine flexibility to address emerging risks and new information without creating open-ended uncertainty for existing titleholders or planned developments. The ability to refine boundaries or activity conditions on the basis of monitoring results and improved science will improve both conservation outcomes and stakeholder confidence.