



GOVERNMENT OF NORFOLK ISLAND

NORFOLK ISLAND MARINE PARK PROPOSAL

Questions for Parks Australia and the Commonwealth at General Assembly

Saturday, 22 August 2026 | GNI Preparation Paper

Purpose of this paper

This paper provides a disciplined basis for General Assembly questioning, community participation and the Government of Norfolk Island's (GNI) subsequent submission. It seeks clear evidence, reasons, documents and commitments before any irreversible decision is made. It is not an endorsement of the proposal and does not predetermine the position of the General Assembly or the Government of Norfolk Island.

Express reservation of rights and non-acquiescence

Participation by GNI, the General Assembly, or any Norfolk Island resident in either consultation process must not be interpreted as acceptance of Commonwealth title, jurisdiction or control; acquiescence in the description of the surrounding maritime area as 'Australia's EEZ'; acceptance that Norfolk Island's interests are confined to the Special Purpose Zone; or waiver, limitation or prejudice of any claim concerning Norfolk Island's territorial sea, full 200-nautical-mile maritime area, continental shelf, natural resources, self-determination or constitutional status. GNI requests that this reservation be recorded in the Director's report to the Minister and in all subsequent instruments and consultation records.

The proposal in a snapshot

Parks Australia's process contains two related but legally distinct matters:

- a proclamation process to expand and rename the park, alter its internal zoning, remove the park from the Temperate East Network and revoke 1.28 km² around Cascade Pier; and
- a separate process to prepare a standalone ten-year management plan, with later consultation on the draft plan.

The present proposal would expand the park to 430,792 km², covering the whole maritime area described by the Commonwealth as Australia's EEZ around Norfolk Island. It would place 94% in Category II National Park Zone and 6% in Category VI Special Purpose Zone (Norfolk), while eliminating the existing Category IV Habitat Protection Zone.

Measure	Present	After proposal	Significance
Australian waters in marine protected areas	52%	54.7%	+2.7 percentage points
Australian waters under high protection	24%	28.2%	+4.2 percentage points
Norfolk proposed Category II	—	405,010 km ²	94% of proposed park
Special Purpose Zone (Norfolk)	7,986 km ²	25,782 km ²	6% of proposed park

The central evidence question

What specifically is being protected, from which demonstrated activity or threat, at what present level of impact, and what measurable ecological improvement will 405,010 km² of no-take Category II zoning produce that a more targeted, locally governed and proportionate approach would not?

Preliminary evidence issues requiring answers

- The consultation paper says there are no currently operating commercial concessions in either the Norfolk Island Inshore Fishery or Offshore Demersal Finfish Fishery, and no stock assessments or biomass estimates have been made for those fisheries.
- It says the Eastern Tuna and Billfish Fishery is the only other fishery operating around Norfolk Island and that its fishing intensity is relatively low compared with mainland areas, but supplies no Norfolk-area catch, effort, bycatch or revenue figures.
- It describes deep offshore ecosystems as under-sampled, while proposing that almost the entire maritime area receive no-take Category II protection.
- The principal identified present pressures include climate change, marine pollution, invasive-species risk and inshore runoff. Several of those pressures are not caused by offshore fishing and will not be removed merely by drawing a no-take boundary.
- Cascade Pier is proposed for removal from the park to facilitate infrastructure upgrades supporting shipping and tourism, but the scope, proponent, approvals, alternatives and long-term intended use are not adequately explained.
- Two third-party papers supplied to GNI—an April 2025 commercial fishing analysis and a February 2025 mining brief—contain material claims about statutory fishing access, AIS-derived apparent fishing activity, mineral deposits and petroleum prospectivity. Their commissioning, funding, official status and use in designing the proposal have not been disclosed.
- The fishing analysis reports apparent fishing signals inside existing marine park zones, including the no-take National Park Zone. Those algorithm-derived signals require validation: they do not by themselves establish actual fishing, illegality, catch or ecological impact.
- Local residents and experienced mariners have reported repeated observations of tuna longline vessels operating in waters surrounding Norfolk Island, including apparent activity within the Norfolk Island fishing box. These observations appear inconsistent with descriptions of little or no commercial fishing activity and require investigation against AFMA logbook, vessel-monitoring, AIS, surveillance and enforcement records. The identity, activity and legal status of each vessel must be verified before any conclusion is reached about whether fishing occurred or whether it was authorised.
- Local fishers hold practical and intergenerational knowledge of established and prospective fishing grounds or “marks”, including areas they may seek to investigate as vessels, technology, infrastructure and environmental conditions change. The absence of present recorded fishing effort at those locations must not be treated as evidence that they have no present or future importance to Norfolk Island.
- The mining brief identifies prospective seabed resources but reports no current mineral licences, petroleum wells or demonstrated industry interest. It also states that mining is prohibited in every existing park zone, raising the question why mining prevention requires 94% Category II no-take zoning rather than a targeted prohibition combined with locally governed sustainable use.

GNI's preliminary principles

- GNI supports responsible, evidence-based marine conservation and the intergenerational protection of Norfolk Island's marine environment.
- Conservation must be proportionate to the threats demonstrated and must address the actual causes of harm.
- Norfolk Island's relationship with its surrounding seas is cultural, economic, constitutional and intergenerational; it cannot be reduced to conditional permission to fish within a small box.
- No proclamation should precede full disclosure of the scientific, fisheries, legal, cultural and socioeconomic evidence or the community's ability to consider the operative management rules.
- Meaningful participation requires shared authority, transparent reasons and an enduring local role—not merely an opportunity to submit views to a decision made elsewhere.
- Norfolk Island's experience with the governance of the Kingston and Arthur's Vale Historic Area demonstrates why assurances given before a major conservation designation must be binding, measurable and enduring. The representative KAVHA Management Board identified in the World Heritage governance arrangements was subsequently replaced by an advisory committee without executive decision-making or expenditure powers. Any governance commitments associated with Norfolk Marine Park must therefore be protected against later unilateral abolition, downgrading or conversion to a merely advisory role.
- Present low use must not be used to extinguish future rights, economic options or adaptive access for later generations.

Conduct of the General Assembly session

Questions should be answered by reference to evidence, statutory authority and practical effect. Where the attending representative cannot answer authoritatively, GNI requests formal referral to the responsible officer or agency and a written response within 14 days, in time to inform submissions due on 30 September 2026.

- The Clerk will identify each unanswered or partly answered question for the record.
- Documents promised should be listed with a responsible officer and delivery date.
- Questions outside Parks Australia's direct remit should be referred, not dismissed.
- All answers should distinguish what is fixed by proclamation, what will be determined in the management plan and what can later be changed administratively.

Acronyms and abbreviations

The following abbreviations are used in this paper.

Abbreviation	Meaning	Abbreviation	Meaning
ABARES	Australian Bureau of Agricultural and Resource Economics and Sciences	AFMA	Australian Fisheries Management Authority
AIS	Automatic Identification System	AMSA	Australian Maritime Safety Authority
CBD	Convention on Biological Diversity	Cth	Commonwealth of Australia
DCCEEW	Department of Climate Change, Energy, the Environment and Water	EEZ	Exclusive Economic Zone
EMNIC	Emergency Management Norfolk Island Committee	EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Cth)
ETBF	Eastern Tuna and Billfish Fishery	FOI	Freedom of Information
GA	General Assembly	GFW	Global Fishing Watch
GNI	Government of Norfolk Island	IUCN	International Union for Conservation of Nature
IUU	Illegal, unreported and unregulated fishing	NEMA	National Emergency Management Agency
NIFA	Norfolk Island Fishing Association	NORDISPLAN	Norfolk Island Disaster and Emergency Management Plan
RCC	Rescue Coordination Centre	SFR	Statutory fishing right
TACC	Total allowable commercial catch	UNCLOS	United Nations Convention on the Law of the Sea
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples	WCPFC	Western and Central Pacific Fisheries Commission

Questions for the General Assembly

1. Norfolk Island's maritime rights and EEZ

Purpose: establish the Commonwealth's asserted basis of authority while preserving Norfolk Island's wider claims and preventing the fishing box or consultation from being treated as acquiescence.

Q1. Please identify the complete constitutional, statutory and international-law basis relied upon to describe the full maritime area surrounding Norfolk Island as 'Australia's EEZ' and to proclaim, zone, regulate and control it.

- Provide the relevant proclamations, maps, coordinates, UNCLOS and continental-shelf submissions, maritime delimitation agreements, delegations and other instruments.
- Distinguish the territorial sea, EEZ, continental shelf and the marine park, and explain the legal consequences of each.

Q2. Will the Department formally record that participation in this process does not prejudice Norfolk Island's claims concerning its full 200-nautical-mile maritime area, resources, self-determination or constitutional status?

- Will that reservation appear in the Director's report, the proclamation materials and the management-plan record?
- Will the Commonwealth confirm that the Special Purpose Zone is a management proposal, not an agreed boundary of Norfolk Island's rights or interests?

Q3. Why is Norfolk Island's cultural, economic and stewardship relationship recognised only through a Special Purpose Zone rather than throughout the maritime area generated by Norfolk Island's geography?

Q4. Does the Commonwealth claim sole authority to grant, refuse, transfer or extinguish fishing, seabed-mineral, petroleum and other marine-resource rights throughout Norfolk Island's surrounding maritime area?

- Identify the constitutional and statutory basis relied upon for each class of resource.
- What proprietary, cultural, constitutional and self-determination interests of the Pitcairn–Norfolk People are recognised?
- Could any resource right be granted, altered, compensated or extinguished without prior informed agreement of GNI and the General Assembly?
- Will the Commonwealth commit that protection measures are without prejudice to Norfolk Island's underlying maritime and resource claims?

2. What is being protected, from what, and with what result?

Purpose: require a demonstrated causal link between identified threats, proposed restrictions and measurable conservation outcomes.

Q5. What specific existing or imminent harm requires the park to be expanded and 94% placed in no-take Category II zoning?

- Identify the activity, location, scale, frequency, responsible sector and trend for each alleged pressure.
- Separate present documented harm from hypothetical future risk.
- Identify which threats originate outside the proposed park or from land-based activity.

Q6. For each identified threat—climate change, runoff, pollution, invasive species, fishing, mining or another activity—explain exactly how the proposed boundary and zoning will reduce it.

- What threats will remain substantially unaffected by no-take zoning?
- What complementary land, water-quality, biosecurity or climate measures are funded?

Q7. What measurable environmental outcomes are expected after 1, 5 and 10 years, and against what baseline will success or failure be judged?

- Who will monitor the outcomes?
- Will results and underlying data be published?
- What happens if the restrictions do not produce the predicted benefit?

Q8. If little or no fishing presently occurs across much of the proposed Category II area, what additional ecological protection is achieved by prohibiting an activity that is not occurring?

- Is the proposal intended principally to prevent future activity rather than remedy present damage?
- If so, why are targeted safeguards or locally controlled approval requirements insufficient?

Q9. Who commissioned, funded, prepared and distributed the April 2025 commercial fishing analysis and February 2025 mining brief supplied to GNI, and what official status do Parks Australia, AFMA and the Department give them?

- Were either paper, its underlying data or its authors' advice relied upon to initiate, design or justify the proposal?
- Were they provided to the Director of National Parks or the Minister? If so, by whom and when?
- Why were they not identified among the public consultation materials?
- Provide the commissioning instructions, funding source, correspondence, spatial files, underlying datasets, methodology and departmental assessments.

Q10. If apparent fishing signals are being recorded, or unlawful fishing is verified, within the existing no-take National Park Zone, what practical protection will a much larger no-take boundary provide without materially increased surveillance, investigation and enforcement capability?

- Is the Department proposing an increase in effective protection, or principally an increase in the area recorded as protected?
- What additional recurrent funding, personnel, technology, patrol capacity and response standards are guaranteed?
- What measurable reduction in unlawful activity is expected after 1, 5 and 10 years?

3. Fisheries: actual catch, effort, revenue and impact

Purpose: obtain the complete factual picture for the Norfolk Island fisheries and the Eastern Tuna and Billfish Fishery before access is closed or future options are constrained.

Q11. Provide annual Norfolk-area data for at least the last ten years for the Norfolk Island Inshore Fishery, Offshore Demersal Finfish Fishery and Eastern Tuna and Billfish Fishery.

- Number and origin of vessels and operators; days fished; hooks or gear deployed; locations and seasonal patterns.
- Catch by species, retained catch, discards, bycatch and interactions with protected species.
- Gross landed value, export value, quota value, licence or access revenue, and where each economic benefit accrued.
- The proportion of catch and revenue attributable specifically to waters around Norfolk Island.

Q12. The consultation paper says there are no operating commercial concessions and no stock or biomass assessments for the two Norfolk Island fisheries. How was the fisheries impact and conservation need assessed without those fundamentals?

Q13. The consultation paper calls ETBF fishing intensity 'relatively low'. What numeric threshold defines 'low', what is the actual level, and what ecological harm has been attributed to that effort around Norfolk Island?

- If AFMA already regulates quota, bycatch mitigation, vessel monitoring and electronic monitoring, what regulatory gap remains?
- Why is permanent no-take zoning more proportionate than strengthened fishery management?

Q14. Who currently receives the economic benefit from ETBF activity in waters around Norfolk Island, and what benefit is returned to Norfolk Island?

- Will exclusion of ETBF operators affect Commonwealth quota values or create compensation claims?
- Will any avoided fishing value or conservation credit be recognised as a contribution made by Norfolk Island?

Q15. Will all aggregated fisheries data be published at a spatial scale that permits the community to test the proposal, with confidentiality managed without withholding the overall facts?

Q16. Reconcile all Commonwealth statements since 2025 about whether commercial fishing occurs in Norfolk Island's surrounding waters.

- Does 'no commercial fishing' mean none in the current year, none in the Offshore Demersal Finfish Fishery, none inside the Norfolk Island box, or none across the entire asserted EEZ?
- What was the most recent verified ETBF fishing date, location, catch and class of statutory right?
- Will future statements distinguish legal access, active concessions, verified effort, catch and apparent fishing signals?

Q17. The April 2025 analysis reports AIS-derived apparent fishing activity inside the Norfolk Marine Park, including the no-take National Park Zone. Have Parks Australia and AFMA independently validated every relevant record?

- Provide coordinates, dates, vessel identifiers, flag states, gear classifications and apparent fishing hours, subject only to necessary lawful confidentiality protections.
- Separate verified fishing, lawful transit, drifting, gear deployment, algorithmic or data error, suspected unlawful activity and unresolved signals.
- How has the Department investigated and reconciled repeated local observations of tuna longliners, including reported activity within the Norfolk Island fishing box, with Commonwealth statements that commercial fishing activity is absent or relatively low?
- Which vessels were authorised, which incidents were investigated, and what enforcement or flag-state action followed?
- Will Parks Australia and AFMA confirm that AIS-derived apparent fishing activity will not be characterised as illegal, unreported or unregulated fishing unless the vessel's activity and legal status have been investigated and verified?

Q18. Provide an area-normalised comparison of fishing activity for each year from 2013 to 2025 across the National Park Zone, Habitat Protection Zone, Special Purpose Zone, Norfolk Island fishing box and remainder of the asserted EEZ.

- Show verified and apparent fishing hours, vessels and events, including hours and events per 1,000 km².
- Separate lawful Australian fishing, suspected foreign fishing, verified illegal fishing and unverified signals.
- Explain whether the data supports or contradicts the claim that fishing activity is greater inside existing protected zones than elsewhere.

Q19. On what basis were transferable Australian statutory fishing rights allocated over waters surrounding Norfolk Island without the agreement of the Norfolk Island community?

- When were the rights created or extended, and which Norfolk Island institutions or fishers were consulted?
- What access revenue, compensation or economic benefit has Norfolk Island received?
- Can those rights be transferred to non-resident or foreign-controlled interests?
- If rights are displaced, who receives compensation and why would Australian rights holders be compensated while Norfolk Island's wider interests remain confined to a Special Purpose Zone?

Q20. For each species taken by the ETBF or otherwise commercially harvested around Norfolk Island, identify every applicable TACC, quota, effort control, allocation, harvest strategy and WCPFC conservation and management measure.

- Which controls are established by AFMA and which arise from WCPFC decisions?
- Which stock assessments and scientific advice support them?
- How are Norfolk Island's future domestic fishing aspirations protected when Australia sets or negotiates regional allocations?

Q21. What formal opportunity does Norfolk Island have to participate in WCPFC decisions affecting highly migratory stocks occurring in its surrounding waters?

- Is Norfolk Island separately consulted when Australia develops its position, or represented on the Australian delegation or relevant advisory bodies?
- Will the Commonwealth support participating-territory, observer or other appropriate standing for Norfolk Island?
- Until then, what binding process will ensure GNI, NIFA and local fishers influence Australia's position before decisions are made?

4. Seabed minerals, petroleum and Commonwealth licensing control

Purpose: test whether an identified extraction threat exists, why Category II zoning is necessary, and who would control valuable resources and future decisions

Q22. What specific evidence demonstrates an existing or imminent seabed-mining, petroleum or other extraction threat within the proposed expanded park?

- Identify every resource assessment, prospectivity study, acreage consideration, application, title, nomination, expression of interest and industry approach.
- Distinguish geological prospectivity from commercially recoverable resources and a credible development proposal.
- Confirm whether any mineral exploration licence, petroleum title, exploration well or active industry proposal presently exists.

Q23. The February 2025 brief describes seven sedimentary basins as having low or low-to-medium petroleum prospectivity and reports no petroleum wells or demonstrated industry interest. How did the Department convert that evidence into the scale and urgency of the proposed zoning?

- What probability, timeframe and consequence assessment was applied?
- What independent geological, economic and environmental review was undertaken?

Q24. If mining and petroleum exploration are prohibited in every marine park zone category, why is Category II no-take zoning required across 94% of the proposed park to address the extraction risk?

- What protection against mining does Category II provide that Category VI does not?
- Could the area be protected through Category VI zoning, exclusion from acreage release, a statutory moratorium, a prohibition under the Offshore Minerals Act 1994 or another dedicated instrument?
- Why should preventing mining also foreclose sustainable fishing, renewable energy, research, tourism or future locally authorised uses?

Q25. Which Minister, Joint Authority, Designated Authority, regulator and decision-maker could invite, grant, refuse, condition, renew, transfer or cancel mineral or petroleum rights in the area?

- Provide the applicable legislation, delegations and decision criteria.
- Could a right be granted without Norfolk Island's agreement?
- Will the Commonwealth commit to no exploration or extraction decision without prior informed agreement of GNI and the General Assembly?

Q26. Was a permanent prohibition on mining and petroleum activity, combined with locally governed adaptive-use zoning for other sustainable activities, assessed as an alternative?

- Provide the assessment and reasons for accepting or rejecting that option.
- How will any prohibition preserve Norfolk Island's underlying resource claims rather than convert asserted Commonwealth control into accepted title?

5. Australia's 30-by-30 target

Purpose: determine whether the zoning is driven by a Norfolk-specific conservation need or by the convenience of meeting a national numerical target.

Q27. Does the Norfolk proposal alone move Australia's highly protected marine area from 24% to 28.2%, thereby supplying approximately 4.2 of the 6 percentage points needed to reach 30%?

- If the calculation differs, provide the Department's calculation and underlying area data.
- What proportion of Australia's remaining national target is supplied by Norfolk's surrounding waters?

Q28. If Australia did not have the 30% highly protected target, would this expansion—at this scale, with 94% Category II zoning and at this time—still be proposed?

Q29. What assessment was made of whether it is equitable for the maritime area surrounding a community of approximately 2,200 people to carry such a large part of Australia's remaining target?

- What alternative Australian areas were assessed?
- Why was the burden not distributed more broadly?

Q30. How has Australia applied the complete international Target 3 requirements concerning equitable governance, local-community rights, traditional territories and sustainable use—not merely the numerical 30% component?

6. IUCN zoning and the confinement of Norfolk Island's interests

Purpose: translate category labels into real consequences and test the necessity of the proposed 94/6 division.

Q31. Explain in plain language every IUCN category presently applying and every category proposed, including what residents may and may not do in each zone.

- Address subsistence, recreational and commercial fishing; charter fishing; aquaculture; anchoring; tourism; research and sampling; renewable energy; structures; emergency access and future industries.
- Distinguish restrictions fixed by proclamation from those set or changeable through the management plan, permits, class approvals or Director's determinations.

Q32. Why was 94% Category II selected?

- What other percentages and spatial configurations were modelled?
- Provide the comparative ecological benefit, displacement, opportunity cost and community impact for each alternative.

Q33. Why is the existing Category IV Habitat Protection Zone being abolished and converted to Category II?

- What activities possible under Category IV would be lost?
- What evidence shows Category IV has failed or is inadequate?
- Why could Category IV not be retained or expanded as a proportionate balance?

Q34. Does the Special Purpose Zone recognise an enduring Norfolk Island right or merely a conditional Commonwealth permission?

- Who authorises commercial fishing, aquaculture and charter fishing; what criteria, fees and conditions apply; and what review rights exist?
- Can future management action reduce or remove authorised uses without Norfolk Island agreement?

Q35. Who defined the expanded fishing box and who authorised NIFA, AFMA and the former Regional Council to determine the extent of the Norfolk Island people's wider maritime interests?

- Provide all proposals, maps, correspondence, meeting records and approvals.
- Did participants understand the remainder would be overwhelmingly no-take Category II?

Q36. Before defining the proposed Special Purpose Zone, did Parks Australia undertake a confidential process to identify established, traditional, prospective and exploratory fishing grounds or “marks” known to Norfolk Island fishers, including areas that residents may seek to investigate or use in the future?

- Were NIFA, the fishing club and other experienced local fishers invited to identify relevant areas without publicly disclosing individual names or commercially sensitive coordinates?
- How many established or prospective fishing marks fall outside the proposed Special Purpose Zone and would consequently be placed within the Category II no-take area?
- Were deep-water, pelagic, seamount, bank and climate-dependent future fishing grounds considered—not merely grounds presently reached or regularly used by local vessels?
- Will Parks Australia establish a confidential mapping process, facilitated through GNI and appropriate local fishing bodies, before the proposed boundaries are finalised?
- How will information supplied through that process be protected from public disclosure, commercial exploitation or use by non-resident fishing interests?
- Will the proposed boundaries be reconsidered where locally identified existing or prospective fishing grounds fall outside the Special Purpose Zone?

Q37. Why should current low use, limited vessels and infrastructure become a permanent boundary on future generations?

- How will climate-driven movement of tuna and other pelagic stocks beyond the box be handled?
- Can Norfolk develop a sustainable offshore fishery later, and who would decide?

7. Cascade Pier exclusion

Purpose: obtain the complete reason, project scope and environmental safeguards for removing 1.28 km² from the park while expanding high protection elsewhere.

Q38. What specific infrastructure upgrades, shipping activities and tourism uses require the Cascade area to cease being part of the marine park?

- Identify the project, proponent, business case, funding, intended commencement, approvals and expected operating life.
- Does the intended use include renewed long-term quarry operations, rock handling, stockpiling, loading or export?

Q39. Why is revocation necessary rather than retaining the area in an appropriate zone with project-specific authorisation and conditions?

- What alternatives were assessed and why were they rejected?
- Would the same outcome be possible through the management plan or a permit?

Q40. What environmental assessment has been completed for sediment, runoff, turbidity, blasting, noise, lighting, vessel movements, ballast water, biofouling and invasive-species risk at Cascade?

- What baseline monitoring exists and what enforceable controls will apply?
- Who will monitor compliance and publish results?

Q41. Who requested the Cascade revocation, when, and through what consultation?

- Provide all correspondence and advice between Parks Australia, Infrastructure, the former Regional Council and any project proponent.
- Are there any additional intended uses or policy reasons not identified in the consultation paper?

8. What has already been decided and in what order?

Purpose: test whether consultation is genuine and whether proclamation is being advanced before the community sees the operative rules.

Q42. Which elements remain genuinely open to change, and which have already received departmental, Director or ministerial approval? Is no expansion still a live option?

Q43. Could a clear General Assembly objection stop or materially change the proposal? If not, what would consultation be capable of changing?

Q44. Why is proclamation proposed before the community sees the draft standalone management plan?

- Which consequences become fixed at proclamation?
- Could the later plan reverse Category II zoning?
- Will proclamation be deferred so the zoning and draft rules can be considered together?
- Will Parks Australia commit that no proclamation will be recommended until the Norfolk Island community has seen and considered the draft management plan, the proposed governance structure, the practical rules for each zone and the complete supporting evidence?

9. Alternatives and proportionality

Purpose: establish whether less restrictive and more locally controlled conservation options were genuinely evaluated.

Q45. What alternatives were assessed, including existing boundaries, expanded Category IV protection, targeted habitat protection, seasonal or adaptive closures, fishery controls, locally managed conservation areas and co-management?

- Provide the option analysis, scoring criteria and reasons for rejection.
- Was a Norfolk-led conservation model assessed?

Q46. What precautionary measures could protect under-sampled areas while research is completed without permanently foreclosing Norfolk Island's future options?

10. Why Norfolk Island's waters were selected

Purpose: test the selection criteria and whether remoteness and limited representation made Norfolk a convenient national conservation gain.

Q47. What criteria selected Norfolk Island for this scale of expansion, and how were remoteness, population size and limited representation weighed?

Q48. How can the community be assured the area was not selected because a very large national gain could be obtained with comparatively little Australian political resistance?

11. The standalone management plan

Purpose: expose what changes when Norfolk is removed from the Temperate East Network and whether the change expands local authority or Commonwealth flexibility.

Q49. What powers, protections, restrictions and procedures change under a standalone plan?

- Which network-plan safeguards cease?
- Which decisions become easier to make specifically for Norfolk?
- Who initiates and approves future changes?

Q50. Who first proposed a standalone plan, when, and following what consultation?

- Did a Norfolk Island body formally request or endorse it? Provide the resolution or correspondence.

Q51. Identify one enforceable provision that gives Norfolk Island greater decision-making authority under the standalone model than under the present network plan.

12. Commonwealth chain of authority and documents

Purpose: require the complete legal and administrative record before the proposal advances.

Q52. Identify the powers relied upon under the EPBC Act and any other law for expansion, partial revocation, category assignment, management planning, permits, enforcement and later amendment.

Q53. Provide the complete instrument and delegation register relevant to the park, including who presently exercises each decision-making power.

Q54. Will the Director's legal and factual report to the Minister be published before a ministerial decision, with sufficient time for GNI to respond?

13. Democratic decision, consultation and consent

Purpose: distinguish collecting views from shared decision-making and require an answer about the effect of Norfolk Island's democratic position.

Q55. What weight will be given to a resolution of the General Assembly and a formal position of GNI?

- Could the proposal proceed despite clear local opposition?
- If so, who decides, under what test, and will reasons for overriding Norfolk be published?

Q56. How does Parks Australia define 'meaningful participation' and a 'community-based approach'?

- What decision can Norfolk Island make, change or prevent without Canberra approval?
- What aspect requires Norfolk agreement rather than consultation?

Q57. Will Parks Australia publish a response to each material GNI and community recommendation, explaining why it was accepted, modified or rejected?

Q58. What lessons has Parks Australia drawn from the February 2023 no-take conditions at Emily Bay, Slaughter Bay and Cemetery Bay?

- What community, cultural and socioeconomic consultation occurred and which customary users, fishers and cultural knowledge holders participated?
- What evidence showed that restricting take would address ecological condition when stormwater and groundwater pollution were also identified pressures?
- What action addressed those land-based causes, and what measurable monitoring outcomes have been recorded since 2023?
- Will Parks Australia publish the decision record, supporting evidence, consultation materials, monitoring results and criteria for reviewing, continuing, varying or revoking the restrictions?
- What safeguards will prevent future restrictions being imposed without early community participation and assessment of underlying causes?

Q59. Has any individual, organisation or submission been represented to the Minister or Department as speaking 'on behalf of the Norfolk Island community' concerning marine protection or park expansion?

- Provide all correspondence and the Minister's reply, including attachments, subject lines and circulation records.
- What community authority or mandate was asserted and how was it verified?
- Was the correspondence treated as evidence of community support or relied upon in initiating, designing or justifying the proposal?
- Will the Director's report distinguish individual advocacy?

14. Recognition of the Pitcairn–Norfolk People

Purpose: ensure the distinct people, culture, knowledge and intergenerational marine relationship are treated as rights-bearing interests rather than ordinary stakeholder views.

Q60. How has the Department identified and assessed the distinct historical, cultural and intergenerational relationship of the Pitcairn–Norfolk People with the surrounding seas?

Q61. How have self-determination, free prior and informed participation, UNDRIP Articles 19, 25, 26 and 32, traditional knowledge and cultural practices been considered?

Q62. Will the GNI and the Council of Elders be engaged separately and in good faith rather than treated as ordinary public stakeholders?

15. Governance, delegation and co-management

Purpose: test why Norfolk should be limited to consultation when Parks Australia law and practice accommodate formal shared management elsewhere.

Q63. What provisions allow the Director or Minister to delegate functions, establish advisory bodies or enter co-management arrangements with local entities?

Q64. Where has Parks Australia used joint management and delegated administration, and what lessons apply to Norfolk Island?

Q65. What binding assurance will the Commonwealth provide that any co-management, delegated authority or shared-governance arrangement established for Norfolk Marine Park will not later be abolished, downgraded or converted into a purely advisory body without the prior informed agreement of GNI and the Norfolk Island General Assembly?

- The World Heritage nomination arrangements for KAVHA identified a Management Board containing representatives of both the Australian and Norfolk Island governments. Departmental material records that the Management Board was replaced by the KAVHA Advisory Committee in 2016. Who made that decision, under what legal authority, following what consultation with Norfolk Island, and was Norfolk Island's agreement obtained??
- What decision-making, management, financial and operational powers were held or exercised under the former Management Board arrangements, and which of those powers were lost when it was replaced?
- The present KAVHA Advisory Committee has no executive powers and cannot enter contracts or authorise expenditure. What decisions can it make in its own right, as distinct from recommendations that the Commonwealth may accept or reject?
- What economic, tourism, employment, funding and community benefits were represented, forecast or expected in connection with KAVHA's World Heritage inscription, and what independently verified assessment has since been undertaken of whether those benefits were delivered to Norfolk Island?
- Will the Commonwealth publish the relevant agreements, governing instruments, ministerial and departmental decision records, consultation material, economic forecasts and subsequent evaluations relating to the change from the KAVHA Management Board to the Advisory Committee?
- Could a governing or co-management body established for Norfolk Marine Park later be altered or abolished by the Director of National Parks, the Minister, the Department or the Commonwealth without Norfolk Island's agreement? Identify every legal mechanism by which this could occur.
- Will the Commonwealth agree to entrench Norfolk Island's representation, defined decision-making powers, secure funding and protection against unilateral amendment in legislation or another enforceable instrument, rather than relying only on policy statements, administrative arrangements or assurances contained in a management plan?

Q66. Booderee National Park, for example, is jointly managed with Traditional Owners through a Board of Management with majority representation. What statutory or policy barrier prevents a comparable locally led structure for Norfolk Island?

Q67. Will Parks Australia support a permanent Norfolk Island marine governing body with a locally selected majority and defined powers over zoning, permits, research, monitoring, budgets and amendments?

- Will the GNI, fishers and other community representatives hold voting positions?
- Will the body have authority to withhold support for material changes?
- Will its powers be secured in legislation or the management plan?
- Will Commonwealth agencies and technical experts serve in an advisory or appropriately limited capacity so that Norfolk Island residents retain the decision-making majority?
- What eligibility, conflict-of-interest, expertise and accountability requirements will apply?

Q68. If similar models are legally possible, why should Norfolk Islanders accept consultation without guaranteed authority over decisions affecting their marine estate?

Q69. What formal arrangement presently allocates responsibilities among Parks Australia, the Director of National Parks and AFMA for fisheries advice, compliance, scientific assessment and marine management around Norfolk Island?

- Provide every current memorandum of understanding, service agreement, delegation or operating protocol.
- Which body supplies specialist marine and fisheries expertise, and what Norfolk-specific qualifications and experience are required?
- Will the Director and AFMA serve as technical resources without displacing the locally selected decision-making majority?
- How will independent marine science and Norfolk Island practical and traditional knowledge be given appropriate standing?

Q70. Will the proposed governing body include residents appointed through GNI and representatives of NIFA and other relevant local groups, with the Director of National Parks and specialist agencies available as members or technical advisers in an appropriately limited capacity?

- Will Norfolk Island residents retain the voting majority?
- Will the body's structure, powers and funding be agreed before any expanded park is proclaimed?

16. Local fishing, food security and future development

Purpose: secure present access without converting it into the ceiling of Norfolk Island's future rights and sustainable economy.

Q70. What present Norfolk activities become prohibited, permit-dependent or exposed to future restriction?

- Identify every affected ground, species, method and class of operator.
- Distinguish enforceable guarantees from current policy intentions.

Q71. Will Parks Australia support permanent protection for local subsistence, cultural, recreational and small-scale commercial fishing throughout an adaptive area rather than a fixed box?

Q72. What future options are prohibited or placed under Commonwealth control across 94% of the area?

- Address sustainable pelagic fishing, aquaculture, biotechnology, scientific sampling, tourism, renewable energy and future industries.

Q73. Why is renewable energy prohibited in both proposed zones, and was Norfolk Island's energy security assessed?

Q74. Who qualifies for Norfolk arrangements, and how will local rights be protected from transfer or use by non-resident commercial interests?

17. Marine safety, vessel regulation, enforcement and search and rescue

Purpose: resolve how park rules interact with the Marine Safety Act 2013 (NI), local seamanship, enforcement powers and lifesaving arrangements.

Part 4 and Divisions 2–5 of Part 5 of the Marine Safety Act have not commenced. In practice, this has allowed longstanding local vessel practices to continue without the full certificate, registration, seaworthiness and licensing system contemplated by those provisions.

Q75. Has Parks Australia assessed how the proclamation, zoning and management plan interact with the Marine Safety Act and its uncommenced provisions?

- Could park implementation prompt commencement or amendment of those provisions?
- Will no change be recommended without prior GNI and community consultation?

Q76. Will residents require new permits, licences, certificates, registration or approvals to operate vessels or continue existing activities?

Q77. How will charter fishing and commercial tourism be defined, including payment, cost-sharing and taking visitors aboard a resident-owned vessel?

Q78. Which agencies and officers will enforce park rules, what boarding, inspection, direction, detention and seizure powers will they hold, and what review rights apply?

Q79. Will emergency entry, anchoring, shelter, assistance and search-and-rescue activity be expressly protected in every zone?

Q80. What search-and-rescue capability assessment exists for a 430,792 km² park?

- Identify coordination responsibility, assets, communications coverage and expected response times.
- Explain the current and future role of Rescue Coordination Centre New Zealand and New Zealand resources.

Q81. What surveillance and enforcement coverage currently applies across the 430,792 km² proposed park, and what additional capability will accompany expansion?

- Identify satellite, AIS, vessel-monitoring, electronic-monitoring, aerial, surface-patrol and intelligence resources and their coverage limitations.
- State the number of suspected incidents detected, investigated, referred, infringed or prosecuted since 2013.
- Identify the responsible agency, escalation pathway, flag-state process and expected response time.
- Will recurrent funding and published performance measures be guaranteed rather than left to competitive grants?

Questions to be referred to responsible authorities

Q82. Which Minister and department administer the Marine Safety Act, and who now exercises the functions of Minister, Chief Executive Officer, Administration, Marine Registrar, Marine and Harbour Authority and Harbour Master?

Q83. Who can commence the uncommenced provisions, is commencement being considered, and will no action occur without public disclosure, cultural and socioeconomic assessment and General Assembly consideration?

Q84. Who holds authorised-officer status under sections 4 and 61, under what instruments and conditions, and across what geographic area?

Q85. Who is the section 99 officer in charge and designated search-and-rescue mission coordinator, and what operative plan allocates roles among local police, AFP, AMSA, RCC Australia, RCC New Zealand, EMNIC, Parks Australia and local vessels?

18. Socioeconomic assessment and distribution of benefits

Purpose: to determine whether the proposal will support, rather than constrain, Norfolk Island's wellbeing, cultural continuity, self-reliance and future economic base—and to ensure that any claimed benefits are measurable, equitably distributed and enduring.

Q86. Has an independent, comprehensive and Norfolk Island-specific social, cultural and economic impact assessment been completed before the proposed boundaries and zoning were selected?

- Who commissioned and conducted the assessment, what were its terms of reference, and was it undertaken independently of the agencies responsible for developing or promoting the proposal?
- How does the assessment address food and energy security, commercial and customary fishing, recreational fishing, tourism, boating, scientific research, biotechnology, port and maritime infrastructure, compliance costs, cultural practices, population sustainability and potential future industries?
- Does it assess the loss of future opportunities—not merely the effect on activities currently recorded or undertaken?
- What alternative zoning and management scenarios were examined, including options involving less extensive Category II zoning and stronger locally governed sustainable-use arrangements?
- Will the complete assessment be published, including its data, assumptions, methodology, limitations, scenarios, opportunity costs and distributional impacts?
- How were Norfolk Island residents, fishers, businesses, cultural knowledge holders and community organisations involved in identifying the impacts to be assessed?

Q87. What direct, measurable and enduring benefits will the proposed expansion deliver to Norfolk Island, and who will receive those benefits?

- How many permanent local jobs, ranger positions, traineeships, research opportunities and accredited training places will be created?
- What infrastructure investment, local procurement, scientific capacity, community programs and annual management funding will be based on Norfolk Island?
- What proportion of expenditure associated with the expanded marine park will be retained within the Norfolk Island economy?
- Will funding be guaranteed through continuing appropriations or binding agreements, rather than depending upon short-term projects or competitive grant programs?
- What tourism, employment, investment, research or other economic benefits are being forecast, and what evidence supports those forecasts?
- How will benefits be distributed so that they are not principally received by Commonwealth agencies, visiting researchers, external organisations or off-island service providers?
- What safeguards will ensure that restrictions and compliance costs are not borne locally while the principal conservation, reputational and national 30-by-30 benefits accrue to the Commonwealth?
- What lessons have been drawn from Norfolk Island's experience with KAVHA, including the need to distinguish projected benefits associated with a major conservation designation from benefits demonstrably delivered to the Island and its community?

Q88. What binding accountability framework will ensure that claimed benefits are delivered and that adverse consequences are identified and remedied?

- What baseline social, cultural and economic indicators will be established before any expansion takes effect?
- Who will independently monitor whether the promised tourism, employment, investment, funding, infrastructure, research and community benefits are actually delivered?
- How frequently will results be measured and publicly reported, and will the reporting separately identify expenditure and benefits retained on Norfolk Island?
- What targets, timeframes and responsible agencies will be specified for each promised benefit?
- What corrective action, additional resourcing, compensation or zoning review will occur if promised benefits do not materialise or if unforeseen adverse impacts arise?

- Will Norfolk Island, through GNI and the General Assembly, have a formal role in setting the indicators, reviewing the results and requiring corrective action?
- Will the management plan include mandatory socioeconomic review points and an accessible mechanism through which residents, fishers and businesses can report impacts?
- If no adequate Norfolk-specific impact assessment and enforceable accountability framework presently exist, on what evidentiary basis could the Minister conclude that the proposal is in Norfolk Island's interests or proceed to proclamation?

19. Future control, amendment and accountability

Purpose: establish who controls the plan after approval and what future generations can change or prevent.

Q89. Once approved, who may amend the plan, zoning, access rules, permits and prohibited activities?

- Which changes are administrative, ministerial, parliamentary or require a new proclamation?
- Can Norfolk Island initiate amendments?

Q90. Can Norfolk Island prevent a material change it considers harmful? If not, whose decision prevails and why?

Q91. How often will the plan be independently reviewed, and what enforceable role will the General Assembly have?

Q92. What authority will future generations have to adapt the plan when ecology, climate, technology, population or community needs change?

20. Information to the Minister, timing and completeness

Purpose: ensure the Minister receives an accurate, separately identifiable Norfolk Island record and does not decide on incomplete information.

Q93. Will the Director's report separately identify GNI, General Assembly, and Norfolk-resident views rather than combining them with national campaign responses?

Q94. Will the report disclose submission numbers, material issues, evidence, the Department's response and the Director's recommendation before the Minister decides?

Q95. Will GNI be allowed to correct any factual mischaracterisation of its position before the report is finalised?

Q96. Will Parks Australia recommend no final design until all scientific, fisheries, legal, cultural and socioeconomic evidence is disclosed and independently assessable?

- If not, what urgency justifies proceeding before those matters and the draft management rules are resolved?

Q97. Will the Director's report identify every external advocacy paper, campaign submission, commissioned analysis and prior ministerial representation relied upon, together with its author, funder, evidentiary status and the Department's verification?

- Will material supplied by national organisations be reported separately from Norfolk-resident and democratically authorised positions?
- Will GNI be able to correct any claim that an individual or organisation spoke for the Norfolk Island community without authority?

21. Binding commitments sought

Purpose: conclude by asking what enduring authority and protection Parks Australia is prepared to secure, rather than merely promise.

Q98. What binding and enduring protection will Parks Australia give Norfolk Island for every future decision affecting these waters?

Q99. Will Parks Australia commit to all of the following?

- Formal recognition of the GNI, the General Assembly, Council of Elders and Pitcairn–Norfolk People.
- A locally selected majority on a statutory or otherwise enforceable management body.
- No material zoning or access change without prior informed local agreement.
- Protected cultural, subsistence, recreational and sustainable commercial access.
- Full publication of evidence, decisions, reasons, monitoring and expenditure.
- Regular independent cultural, social, economic and ecological review.
- An express non-prejudice clause protecting Norfolk Island's maritime, resource, constitutional and self-determination claims.
- A locally led governance structure negotiated and secured before, not after, any expanded park is proclaimed.
- No locally representative marine park governing body may be abolished, have its powers materially reduced, or be converted into an advisory body without the prior informed agreement of GNI and the Norfolk Island General Assembly.

Q100. Will Parks Australia and the Commonwealth commit that any expanded marine protection will be accompanied by funded, measurable surveillance and enforcement, rather than relying on zoning alone?

Q101. Will the Commonwealth commit to a binding prohibition on mining and petroleum activity that does not prejudice Norfolk Island's resource claims or unnecessarily extinguish other sustainable future uses ?

Closing questions

Q102. Will Parks Australia commit that the future of Norfolk Island's surrounding seas will be determined with the Norfolk Island community, rather than decided by the Commonwealth after consulting us?

Q103. Can Parks Australia identify a single material management decision affecting Norfolk Island waters that Norfolk Islanders will have authority to make, change or prevent without approval from Canberra?

Q104. Where a complete answer or document cannot be provided today, will it be supplied to the Government of Norfolk Island within 14 days and in time to inform submissions before 30 September 2026?

Documentation specifically sought: all correspondence to the Minister for the Environment (Department and representatives of the Minister included) and the Department/ Minister's reply/s, including attachments and circulation records. The correspondence has been reported to GNI but was not included in the material reviewed for this paper.

Primary source documents

- Director of National Parks, Proposal to expand Norfolk Marine Park – Public consultation paper, July 2026.
- DCCEEW, Proposal to proclaim changes to Norfolk Marine Park, Lord Howe Marine Park and Gifford Marine Park – Have Your Say consultation.
- DCCEEW, Proposal to prepare six draft management plans for 44 Australian Marine Parks.
- Environment Protection and Biodiversity Conservation Act 1999 (Cth), current compilation.
- Marine Safety Act 2013 (NI), current compilation.
- Convention on Biological Diversity, Kunming–Montreal Global Biodiversity Framework, Target 3.
- National Emergency Management Agency, NORDISPLAN documents released under FOI 2526-21.
- Director of National Parks, Determination of conditions of use of Norfolk Marine Park—Emily Bay, Slaughter Bay and Cemetery Bay, February 2023.
- Parks Australia, Norfolk Marine Park—no-take areas and February 2023 public information.
- Australian Fisheries Management Authority, Eastern Tuna and Billfish Fishery Management Arrangements Booklet 2025.
- Australian Fisheries Management Authority, Eastern Tuna and Billfish Fishery and Norfolk Island Fishery webpages, current versions.
- Fisheries Management Act 1991 (Cth) and applicable ETBF statutory fishing right, quota and closure instruments.
- Western and Central Pacific Fisheries Commission, Convention, current membership and participating-territory information, and applicable conservation and management measures.
- Global Fishing Watch, AIS-based apparent fishing effort dataset and methodology, current versions.
- Australian Commercial Fishing and Illegal, Unreported or Unregulated (IUU) Fishing in the Norfolk Island Exclusive Economic Zone (EEZ), April 2025, third-party paper supplied to GNI; commissioning and official status to be confirmed.
- Norfolk Island Oil, Gas, and Minerals Mining Brief, February 2025, third-party paper supplied to GNI; commissioning and official status to be confirmed.
- Offshore Minerals Act 1994 (Cth) and Department of Industry, Science and Resources, Offshore mineral exploration and mining guidance.
- Geoscience Australia, Fairway Basin and Ridge, New Caledonia Basin and Norfolk Ridge petroleum prospectivity material, 2014 and current catalogue records.
- CSIRO, Ecological Risk Assessment for the Effects of Fishing: Eastern Tuna and Billfish Fishery—Pelagic Longline Sub-fishery, data 2018–2022, report for AFMA, 2025.

Status

Preparation paper for GNI and the General Assembly.

To be updated as further documents and written answers are received. Nothing in this paper constitutes legal advice, final acceptance or rejection of the proposal, or waiver of Norfolk Island's rights and claims.