

Annual Report

1 JULY 2015 – 6 May 2016





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1 July 2015 - 06 May 2016

Marine Parks and Reserves Authority

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Hon Albert Jacob, MLA
MINISTER FOR ENVIRONMENT

In accordance with section 31 of the *Conservation and Land Management Act 1984*, I submit for your information and presentation to Parliament, the annual report of the Marine Parks and Reserves Authority from 1 July 2015 until 6 May 2016.

A handwritten signature in black ink that reads "Christopher Doepel". The signature is written in a cursive style with a large initial 'C'.

Professor Christopher Doepel PSM
Deputy Chair

October 2016

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MARINE PARKS AND RESERVES AUTHORITY

The Marine Parks and Reserves Authority was established in August 1997 subsequent to amendment of the *Conservation and Land Management Act 1984* (CALM Act). The Authority's primary role is to oversee the development of marine reserves policy and management plans and the implementation of these plans by the Department of Parks and Wildlife. The Authority also advises the Minister for Environment on marine conservation and can develop policies to preserve the natural marine and estuarine environments outside marine conservation reserves. The Authority has formulated a strategic plan which includes a vision and strategy as set out below.

OUR VISION

Healthy, sustainable, marine and estuarine ecosystems

OUR RESPONSIBILITIES

- To oversee the development and management of the marine parks and reserves system.
- To advise the Minister for Environment on marine conservation.
- To develop policies to preserve and promote natural marine and estuarine environments.

OUR STRATEGIES ARE FORMULATED TO:

- Guide Authority decisions and actions by effective policy development and application.
- Promote marine and estuarine conservation in Western Australia.
- Consider proposals for marine and estuarine parks and reserves.
- Prepare effective management plans for marine parks and reserves.
- Implement and assess management plans for marine parks and reserves.

CHAIRMAN'S REVIEW

This foreword precedes the final annual report of the Marine Parks and Reserves Authority (MPRA) after an organisational lifetime of almost 19 years. On 7 May 2016, the Conservation and Parks Commission came into existence. The new Commission combined the functions of the MPRA and the Conservation Commission, superseding both statutory bodies. So, it is with both sadness and excitement that this foreword has been compiled.

Assisting the Government of Western Australia in the identification and protection of the State's marine conservation estate was the heart of the MPRA's work from its inception in 1997. Inheritor of three marine parks - Marmion, Ningaloo and Shark Bay - it would be fair to say that the MPRA's progress in extending the marine conservation estate was slow during its early years. The long gestation period for new parks was determined in large part by the interaction of political processes with the evolving values and attitudes of the people of Western Australia. By around 2005, it was clear that caring for the marine environment had become a widespread community aspiration. Consequently, the rate of progress in establishing new marine parks and protected areas quickened.

During the lifetime of the MPRA the State's marine conservation estate was enhanced through the:

- extension of the Rowley Shoals and Ningaloo marine parks
- creation of Jurien Bay, Montebello Islands, Barrow Island, Walpole and Nornalup Inlets, Ngari Capes, Lalang-garram / Camden Sound and Eighty Mile Beach marine parks
- creation of the Barrow Island and Muiron Island marine management areas
- establishment of management plans for the Rowley Shoals, Swan Estuary and Shoalwater Islands marine parks, and
- release for public comment of indicative management plans for proposed marine parks in Roebuck Bay, Horizontal Falls and North Kimberley.

Facts and figures from the beginning and the end of the MPRA's lifetime also tell the story. In June 1998, at the end of its first reporting period, the MPRA was vested with one marine nature reserve of 132,000 hectares and six marine parks totalling around one million hectares. There were no marine management areas. By May 2016, there were 13 marine parks totalling around 2.2 million hectares. In addition to the existing marine nature reserve, there were two marine management areas totalling 143,000 hectares (see Appendix 1 for a list of achievements).

Consultation has been the key to the successful establishment of Western Australia's network of marine parks. Identification on the basis of scientific data and emerging community attitudes of areas for protection invariably prompted the interplay of many competing interests. It was through the careful sifting and discussion of interests that consensus, or at least a broad common understanding, was developed to enable the creation of new parks. The MPRA realised that perfection in achieving outcomes was not always possible in marine conservation. Its response was pragmatic, recognising that community attitudes tended to consolidate after the creation of a new marine protected area and further enhancements could be recommended to government over time.

During its lifetime the MPRA's membership was made up of Western Australians who represented with distinction various scientific, social and commercial interests throughout the State (see Appendix 2 for full list of members). The fields from which members were drawn included marine biology, oceanography, environmental auditing, commercial and recreational fishing, native title, oil and gas, and public and private sector governance. A total of 20 members served over the 19 years, including three chairpersons. I would like to

thank the past members for their commitment to the MPRA's objectives. I would also like to thank the successive Directors General and officers of the Department of Parks and Wildlife and its predecessors for the high professional standards which they applied in supporting the MPRA's work.

The marine conservation baton has been handed to the Conservation and Parks Commission. The future looks exciting as work continues to develop marine parks, particularly the Great Kimberley Marine Park, which will eventually rival the Great Barrier Reef Marine Park in diversity and extent. I am confident that the people of Western Australia will continue to value their marine parks and proudly share them with visitors from elsewhere in Australia and overseas. It has been an honour for the members of the MPRA to have served them in this important venture.

Professor Christopher Doepel PSM
Deputy Chair

GENERAL INFORMATION

REPORTING TIMEFRAME

On 7 May 2016 the Conservation and Parks Commission was formally established by publication of the Governor's *Conservation and Land Management (Conservation and Parks Commission Appointments) Instrument 2016* in the Government Gazette on Friday 6 May 2016, along with the *Conservation and Land Management Amendment Act 2015 Commencement Proclamation 2016*. The Marine Parks and Reserves Authority and the Conservation Commission ceased to exist upon commencement of the new Commission. This annual report covers the period between 1 July 2015 – 6 May 2016 which will henceforth be referred to as the 2015/2016 year. References in this document to the *Conservation and Land Management Act 1984* mean that Act prior to 6 May 2016 amendments.

FUNCTIONS OF THE MARINE PARKS AND RESERVES AUTHORITY

The Marine Parks and Reserves Authority (MPRA) was established as the vesting body for Western Australia's marine parks and reserves in 1997 and is responsible to the Minister for Environment (the Minister).

The Department of Parks and Wildlife is responsible for the day to day management of these vested waters and provides administrative support to the MPRA.

In addition to being the vesting authority for marine parks and reserves, section 26B of the CALM Act prescribes the functions of the MPRA. These are:

1. Development of policies to:
 - a) preserve the natural marine and estuarine environments of the State;
 - b) provide facilities for the enjoyment of those environments by the community;
 - c) promote appreciation of marine and estuarine flora and fauna and natural marine and estuarine environments; and
 - d) achieve and promote the management objectives of the various types of marine conservation reserve vested in it, as outlined at section 56 of the CALM Act.
2. To consider and advise (in accordance with section 17) any proposed cancellation, change of purpose or boundary alteration in respect of land or water vested in it.
3. To advise the Minister on proposals for reservations (for the purposes of section 14)
4. To submit proposed management plans, for the marine conservation reserves vested in it, to the Minister for consideration and approval (Part V of the Act).
5. With the approval of the Minister, cause study or research to be undertaken to assist in policy development.
6. In relation to management plans for land and waters vested in the MPRA:
 - a) develop guidelines for monitoring the implementation of the management plans by the Department of Parks and Wildlife;
 - b) set performance criteria for evaluating the carrying out of the management plans; and
 - c) conduct periodic assessments of the implementation of the management plans.
7. Inquire into and advise the Minister on any matter on which the Minister has sought the MPRA's advice. However, if the matter involves a specific area of land or waters, the MPRA is required under section 26B(4), to first contact the relevant local government

council to provide an opportunity for it to comment. If the matter relates to marine archaeology, the MPRA is required under section 26B(6), to first contact the Western Australian Museum to provide an opportunity for it to comment.

8. In response to requests, provide advice to any person or body on matters relating to conservation reserves vested in the MPRA - if it is practical for the MPRA to do so and if also in the public interest.

Note: Except where otherwise indicated, the terms “the Minister”, “Parks and Wildlife”, “the Authority”, “the CALM Act” and “the Amendment Act” used in this report refer to the Minister for Environment, the Department of Parks and Wildlife (Parks and Wildlife), the Marine Parks and Reserves Authority (MPRA), the CALM Act and the *Amendment (Marine Reserves) Act 1997*, respectively.

WRITTEN DIRECTION BY THE MINISTER

Section 26C(1) of the CALM Act provides the Minister with a discretionary power to direct the MPRA in writing with regard to the exercise or performance of its functions.

If the Minister exercises the power of direction provided in section 26C(1) of the CALM Act, the MPRA is required under section 26C(2) to include the text of any direction given in its annual report.

Refer to Section on *Advice to Minister*.

MPRA MEMBERSHIP

The MPRA members are appointed under the provisions of sections 26D(1) and 26D(2) of the CALM Act, and are to be persons who, in the opinion of the Minister for Environment, have knowledge and experience or a particular function or vocational interest which is relevant to the functions of the MPRA.

One of the members shall, on the nomination of the Minister, be appointed by the Governor as Chairman and another as Deputy Chairman (section 26D(3) of the CALM Act).

Appointed members:

Dr Tom Hatton - Chair (appointed December 2011, resigned 31 October 2015)

Tom is Principal of *Thomas Hatton, Environmental Consulting* and Adjunct Professor at UWA. He serves on the boards of the *Environmental Protection Authority*, the *Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development*, the *International Centre for Radio Astronomy Research*, the *UWA Oceans Institute* and the *Science Advisory Panel* for the Department of Water. Dr Hatton retired as CSIRO's Group Executive for Energy in 2014, where he previously directed national water and marine research programs. Tom has a Bachelor of Science and Master of Science in Natural Resources from Humboldt State University. He completed his doctorate in the College of Natural Resources at Utah State University and postdoctoral studies in mathematics at the University of New South Wales in 1988. In 2008, Tom received the CSIRO Chairman's Medal and the Australian Public Service Medal for his contributions to the management of Australia's water resources. Tom resigned as Chair on the 31 October 2015.

Professor Christopher Doepel PSM – Deputy Chair (appointed July 2006)

Chris is an Adjunct Professor in the School of Law at the University of Notre Dame Australian in Fremantle. Until March 2016, he was the Dean of Business and Chair of College Committees for Arts & Sciences, Business and Law at the University. Prior to undertaking this role he was Dean of the Faculty of Law and Business at Murdoch University in Perth. Before joining Murdoch University in 2008 Chris was the Registrar and Chief Executive Officer of the National Native Title Tribunal. He has extensive experience as a senior manager in public administration and in the formulation of policy advice to

governments. Chris holds a Bachelor of Jurisprudence, a Bachelor of Laws and a Master of Arts. He is an Associate Member of the Law Society of Western Australia, an Associate Member of the Chartered Institute of Arbitrators, and a Fellow of the Australian Institute of Management. He is currently Chairman of the Western Australian judging panel for the Australian-American Fulbright Commission. Chris was awarded a Public Service Medal (PSM) in the 2006 Australia Day Honours for his native title work.

Emeritus Professor Diana Walker (appointed August 1997).

Diana is an Emeritus Professor at the Oceans Institute and School of Plant Biology at the University of Western Australia. She has a Bachelor of Science with Honours in Marine Biology from the University of Liverpool, Isle of Man and a PhD from the University of York, England. Diana has over 35 years experience as a marine and estuarine ecologist, researcher and educator. Diana is an inaugural member of the MPRA and of the Australian World Heritage Advisory Committee. She is Acting Chair of the Shark Bay World Heritage Advisory Committee, former chair of the Shark Bay World Heritage Property Scientific Advisory Committee and former member of the Shark Bay World Heritage Property Community Consultative Committee.

Mr Kim Colero (appointed December 2002)

Kim is Managing Director of JK Colero Enterprises P/L, an Australian fishing company, focusing on the Western Rock Lobster Industry. Kim was appointed to the MPRA in December 2002. He has a history of involvement in the commercial fishing industry and is a past president of the Dongara Professional Fisherman's Association Inc., past member of the Western Australian Fishing Industry Council Rock Lobster Sub-committee and past committee member of the Fisheries Adjustment Scheme. He was appointed to the board of the Western Australian Fishing Industry Council (WAFIC) in January 2007 and was Chair of WAFIC 2009 - 2011. Kim is immediate past Chair of the Combined Zone C Association (CZCA) and is still an active member of the CZCA committee.

Dr Kellie Pendoley (appointed December 2011)

Kellie has over 25 years' experience as an environmental practitioner within the oil and gas and mining industries in Western Australia. Kellie holds a BSc in Environmental Science, a MSc in Oceanography (Chemical) and a PhD in Biology. Her PhD studies were on marine turtles and the environmental management of industrial activities in the north-west of Western Australia. She has participated in the environmental management of multiple large-scale oil and gas developments in WA, providing advice on all aspects of development from seismic programs through to exploration drilling, production drilling, oil spill contingency planning, dredging, onshore and offshore construction and plant operations. She is a Ministerial appointee on the Gorgon project Marine Turtle Expert Panel and is the Australasian Regional Vice-Co Chair for the IUCN Marine Turtle Specialist Group.

Mr Jeff Cooper (appointed December 2011)

Jeff holds a Bachelor of Applied Science (Fisheries) and has been actively involved in the aquaculture industry for the past 15 years. He is currently a Portfolio Manager at the Kimberley Training Institute, responsible for developing and implementing innovative strategies for the future direction for training and the Broome Aquaculture Centre and the Broome Maritime Simulation Centre. Jeff is an avid recreational angler and is currently a committee member of the International Game Fish Association and past President of the Broome Fishing Club.

Ms Ida Holt (appointed August 2012)

Ida is a Chartered Accountant with 30 years of professional accounting, auditing and commercial experience. She has worked for over 20 years in senior finance and management positions for publicly listed oil and gas companies. Ida holds a Bachelor of Commerce and a Post Graduate Diploma in Business, majoring in business law. She is also an Associate Member of the Governance Institute of Australia. Her experience in the oil and

gas industry and her commercial and corporate governance experience complement the strong skills base of the MPRA.

MEETING NOTICE AND ATTENDANCE

Reasonable notice of the MPRA meetings is required to be given to Parks and Wildlife and to the Chief Executive Officer of any other agency which, in the view of the Chairman, is concerned with a matter to be considered at the meeting, and no resolution purportedly passed at a meeting shall be valid unless such notice of the meeting was given (section 26D(4) of the CALM Act).

Parks and Wildlife's Director General, or his representative, is entitled to attend any meeting and take part in the consideration and discussion of any matter before a meeting, but shall not vote on any matter (section 26D(5)(a) of the CALM Act).

A Chief Executive Officer, or his representative, of another agency who receives notice of a meeting is entitled to attend any meeting and take part in the consideration and discussion of any matter before a meeting, but shall not vote on any matter (section 26D(5)(b) of the CALM Act).

Attendance of the Director General and other Chief Executive Officers, observers and visitors

In accordance with section 26D(5) of the CALM Act, the Director General of Parks and Wildlife and Chief Executive Officers of other relevant agencies were advised of meetings of the MPRA throughout 2015/2016 so that they could take part in the discussion and consideration of the business before the MPRA.

Representatives of Parks and Wildlife, Western Australian Museum (WAM), Department of Fisheries (DoF), Department of Mines and Petroleum (DMP) and Department of Transport (DoT) attended MPRA meetings throughout 2015/2016. The attendance and contributions from Chief Executive Officers or their representatives at meetings provided valuable input to the considerations of the MPRA during this year.

Where it was considered appropriate, the MPRA also invited persons with an interest in matters to attend meetings including representatives of peak bodies with an interest in marine conservation and marine resource management, to develop stronger relationships (see section on *Liaison*).

MPRA MEETINGS

Formal meetings of the MPRA were held on eight occasions during 2015/2016. The dates of these meetings and attendees are shown below.

Table 1: MPRA meetings for the 2015/2016 financial year

MPRA 2015/2016 MEETINGS AND DATES	
23 July 2015	17 December 2015
27 August 2015	28 January 2016
22 October 2015	25 February 2016
26 November 2015	23 March 2016

Table 2: Member attendance at the eight MPRA meetings in 2015/2016

MEMBER	MEETINGS ATTENDED
Dr Tom Hatton	1*
Professor Christopher Doepel	8
Emeritus Professor Diana Walker	7
Mr Kim Colero	8
Mr Jeff Cooper	8
Dr Kellie Pendoley	6
Ms Ida Holt	8

*Dr Tom Hatton resigned from the MPRA 31 October 2015

SUBCOMMITTEE MEETINGS

The MPRA forms subcommittees to deal with specific issues and policy matters. Subcommittees meet in accordance with a charter drawn up by the MPRA and provide recommendations to the full membership of the MPRA.

The MPRA Audit Subcommittee is a standing subcommittee. In 2015/2016 subcommittee members were Diana Walker (subcommittee Chair), Jeff Cooper, Kellie Pendoley and Ida Holt. Other members of the MPRA also participated in audit activities as required and appropriate. The audit subcommittee met once during the year to discuss MPRA audit responsibility.

CONFLICT OF INTEREST

The MPRA has formally adopted a Conflict of Interest Policy (2002) and members are required to consider all matters discussed at meetings, and that are considered at any other time, for any conflict of interest.

PUBLIC INTEREST DISCLOSURE

In 2007/2008 the MPRA developed Public Interest Disclosure Procedures and Internal Guidelines in accordance with the *Public Interest Disclosure Act 2003*. The procedures were endorsed by the MPRA on 19 July 2007. Deputy Chairman, Christopher Doepel, was nominated by members as the MPRA's Public Interest Disclosure Officer. No public interest disclosures were made during the 2015/2016 period.

THE MARINE CONSERVATION ESTATE

LEGISLATIVE BACKGROUND

Under sections 7(5) and 26B(1)(a) of the CALM Act, the MPRA is the vesting authority for marine parks and reserves to which the CALM Act applies. The MPRA considers any cancellation and change of purpose or boundary for its reserves under section 26B(1)(c) and associated section 17.

CATEGORIES OF RESERVE AND FUNCTIONS

Marine nature reserves, marine parks and marine management areas are the three marine conservation reserve categories vested in the MPRA under the CALM Act. The CALM Act marine conservation reserve categories are outlined below.

Marine nature reserves. Marine nature reserves are created for conservation and scientific research. Although low-impact tourism may be permitted, no recreational or commercial fishing, aquaculture, pearling, petroleum drilling or production is allowed in these areas.

Marine parks. Marine parks are created to provide for the proper conservation and restoration of the natural environment and preservation of features of archaeological, historic or scientific interest. They also provide for recreational and commercial use where these activities do not compromise conservation values.

There are four types of management zones applicable to marine parks.

1. General Use Zones

Commercial and recreational activities consistent with the conservation of natural resources are permissible in a general use zone. For example, commercial and recreational fishing and aquaculture under the *Fish Resources Management Act 1994* (FRM Act) are permissible activities, as are pearling and hatchery activities under the *Pearling Act 1990*. Similarly, exploratory drilling for and the production of petroleum, and mining are permissible activities subject to petroleum and mining legislation and the *Environmental Protection Act 1986*.

2. Recreation Zones

Specified recreation activities consistent with conservation of natural resources are permissible in a recreation zone. Commercial fishing, aquaculture and pearling and hatchery activities are not permitted in recreation zones. Similarly, exploratory drilling for and the production of petroleum, and disturbance by mining are not permissible activities in marine park recreation zones.

3. Special Purpose Zones

Special purpose zones provide for a purpose or purposes specified in the management plan and in the CALM Act section 62 notice. They are primarily used to recognise and emphasise particular biodiversity conservation values (e.g. wildlife breeding, habitat protection). They can also be used to recognise cultural heritage protection (European or Aboriginal), or particular social or commercial values (e.g. pearling). Where a particular social or commercial value is recognised in a special purpose zone, any complementary biodiversity conservation purpose(s) should also be specified.

4. Sanctuary Zones

Sanctuary Zones are 'no-take' areas and provide the highest level of protection for representative areas of marine habitat and wildlife. Sanctuary zones are managed for nature conservation and allow recreation and tourism activities that do not compromise their high protection focus. Exploratory drilling for and the production of petroleum, mining, commercial and recreational fishing, aquaculture and pearling are not permitted in sanctuary zones.

Marine management areas. Marine management areas provide a formal integrated management framework over areas that have high conservation value and intensive multiple use. These areas will be selected primarily on the basis of their biological and recreational values and their existing or future commercial activities such as petroleum production and commercial fishing.

Section 5(g) reserves. Land reserves with purposes the same as those prescribed in the CALM Act for marine reserves were originally vested in the National Parks and Nature Conservation Authority under the *Land Act 1933* (now *Land Administration Act 1997*) and are designated 'section 5(g)' reserves. To date, all of these land reserves, which are now vested in the MPRA, have the purpose 'marine park' and they comprise either islands within the waters or land adjoining the shoreline of a CALM Act marine park.

RESERVE CLASSIFICATIONS AND SECURITY OF TENURE

All marine conservation reserves established under the CALM Act and all *Land Administration Act 1997* reserves vested in the MPRA are Class A.

Any CALM Act marine park or reserve that is Class A cannot have its purpose amended or cancelled or its boundary changed, except by addition, unless this has been effected by an Act of Parliament.

Before the Minister for Lands can put any major change into effect under the *Land Administration Act 1997*, such as a change of purpose or a major excision to Class A CALM Act section 5(g) reserves, it requires tabling in, and the approval of, both Houses of Parliament where it may be disallowed.

AREA VESTED

Western Australia's marine nature reserves, marine parks and marine management areas cover approximately 2.5 million hectares. Of this, "no take" areas comprise approximately 300,000 hectares or about 12% of the current marine reserve system.

These "no take" areas cover approximately 2.4% of Western Australia's coastal waters and provide the highest level of protection by prohibiting extractive activities to ensure that environmental values and ecosystem functions are maintained as much as possible in their natural condition.

The management zoning for Eighty Mile Beach Marine Park, Lalang-garram / Camden Sound Marine Park and Ngari Capes Marine Park is yet to be proclaimed. Once management zoning is proclaimed, the marine reserve system will contain approximately 20% "no take" areas. These "no take" areas will then cover nearly 4% of Western Australia's coastal waters.

Marine nature reserves. As at 06 May 2016, one marine nature reserve, Hamelin Pool Marine Nature Reserve, of approximately 132,000 hectares was vested in the MPRA. This reserve type provides the highest level of protection of environmental values.

Marine parks. As at 06 May 2016, 13 marine parks, totalling approximately 2.2 million hectares, were vested in the MPRA. These are Rowley Shoals Marine Park, Ningaloo Marine Park, Shark Bay Marine Park, Marmion Marine Park, Shoalwater Islands Marine Park, Swan Estuary Marine Park, Jurien Bay Marine Park, Montebello Islands Marine Park, Barrow Island Marine Park, Walpole and Nornalup Inlets Marine Park, Ngari Capes Marine Park, Lalang-garram / Camden Sound Marine Park and Eighty Mile Beach Marine Park.

Marine management areas. As at 06 May 2016, two marine management areas, totalling approximately 143,000 hectares were vested in the MPRA. These are Muiron Islands Marine Management Area and Barrow Island Marine Management Area.

NOTE: The quality of mapping of marine reserve boundaries is variable and as such area figures are approximate only. Improved mapping of watermark boundaries and historical boundaries may result in revised area figures in the future.

CONSIDERATION OF PROPOSED CHANGES FOR VESTED LAND AND WATERS

As the vesting and controlling body, the MPRA considers proposals presented to it throughout the year relating to boundary changes, classification changes, vesting or other matters.

On 1 December 2015 the MPRA and Parks and Wildlife released for public comment, proposed amendments to the *Ngari Capes Marine Park Management Plan 2013-2023*, *Management Plan No. 74*. The amendments were proposed to fix an inconsistency between

the permitted activities in the Cowaramup Bay Recreation Zone and the existing Reef Observation Area.

On 6 December the MPRA and Parks and Wildlife released for public comment, proposed amendments to the *Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015 No. 52*. The amendments were proposed to ensure safe public access to the marine park and require changes to the permitted activities table and associated key to allow small scale dredging in recreation zones and special purpose zones (shore-based activities).

CALM ACT CONTROLLING BODIES

MARINE PARKS AND RESERVES AUTHORITY AND THE CONSERVATION COMMISSION OF WESTERN AUSTRALIA

Marine and terrestrial conservation reserves are vested in “Controlling Bodies” established under Part III of the CALM Act; marine reserves in the MPRA (Division 3A, sections 26A-26E) and terrestrial reserves in the Conservation Commission of Western Australia (the Commission) (Division 1, section 18-26A). The function and membership of the MPRA are outlined in the section on *General Information* in this report. Reserve management and policy development functions of the MPRA and the Commission are analogous.

Areas of intertidal and coastal land may be vested in either the MPRA or the Commission. Reciprocal statutory requirements have been placed on the MPRA and the Commission so that when a matter before either body is about a reserve vested in the other body or otherwise relevant to the other body’s functions it must be referred for comment and advice to the relevant vested body (sections 22(6) and 26B(7) of the CALM Act). Joint or reciprocal policies on matters of common interest are developed, particularly where integrated management of contiguous reserves vested in the MPRA and the Commission is to be addressed, and where island and coastal management issues relate to species conservation and environmental degradation.

Please refer to the annual report of the Commission for details of its activities.

POLICY DEVELOPMENT

LEGISLATIVE BACKGROUND

A statutory function of the Authority under section 26B(1)(b) of the CALM Act is to develop policies for:

- a) the preservation of the natural marine and estuarine environments of the State, and the provision of facilities for the enjoyment of that environment by the community;
- b) promoting the appreciation of flora and fauna, and the natural marine and estuarine environments; and
- c) achieving and promoting the management objectives of the various types of vested marine conservation reserves as outlined in section 56 of the CALM Act.

POLICY STATEMENTS

In accordance with its statutory functions under the CALM Act, the MPRA considers policy development to be one of its key functions and has a policy development process as described in the MPRA Policy Formulation Guidelines (2003) to formalise and expedite this function.

Executive, policy and planning support is provided by Parks and Wildlife as outlined in the MPRA's memorandum of understanding with Parks and Wildlife and annual financial schedule. The MPRA also provides policy advice to the Minister on specific matters as it considers appropriate.

Where directly relevant to the MPRA, Parks and Wildlife and other agency policy statements will be presented to the MPRA for comment and formal endorsement. Parks and Wildlife produces policy statements that provide practical guidelines for Parks and Wildlife staff in the performance of their duties and also provide to the public a statement about these management guidelines. Once endorsed, Parks and Wildlife policies may also be accepted as MPRA policy.

POLICY DEVELOPMENT DURING 2015/2016

The MPRA did not develop any new policies during 2015/16.

PROPOSALS FOR NEW MARINE PARKS AND RESERVES

DEVELOPMENT OF THE MARINE PARKS AND RESERVES PROGRAM

There is an agreed classification of the bioregions of Australian waters, including those of Western Australia (*Integrated Marine and Coastal Regionalisation for Australia*, IMCRA, Commonwealth of Australia, 2006). There is also an agreed national strategy for development of an Australian representative system of marine protected areas (*Strategic Plan of Action for the National Representative System of Marine Protected Areas*, ANZECC Task Force on Marine Protected Areas, 1999). These documents provide guidance for development of the Western Australian representative marine reserves program.

The national bioregional classification system identifies 19 bioregions within Western Australian coastal waters. Ten of these bioregions now contain one or more marine park or reserve.

LEGISLATIVE BACKGROUND

The CALM Act (section 14) requires an indicative management plan which indicates how the reserve is to be managed once it is established, for a statutory three month public submission.

Following establishment of the new marine park or reserve, the Minister may approve the indicative management plan which becomes an operational management plan upon publication of a notice of that approval in the *Western Australian Government Gazette* (see section on *Management Plans*).

STATUS OF PROPOSED NEW MARINE PARKS AND RESERVES

The following section sets out the status of proposals for marine parks and reserves, and relevant activities undertaken during 2015/2016.

PROPOSED YAWURU NAGULAGUN ROEBUCK BAY MARINE PARK

Background

On 22 October 2010, the State Government announced it would establish a marine park at Roebuck Bay under the Kimberley Science and Conservation Strategy and in accordance with the Yawuru Area Agreement Indigenous Land Use Agreement (ILUA). Parks and Wildlife began developing an indicative management plan (IMP) for the proposed marine park with its joint management partners the Yawuru Registered Native Title Body Corporate

(Yawuru) under the guidance of the ILUA and associated Joint Management Agreement (JMA) and Yawuru Park Council (Park Council).

Under the JMA, an IMP for the proposed marine park was due to be released within eighteen months of registration of the Agreement, and be informed by a Cultural Management Plan prepared by the Yawuru. The Yawuru Cultural Management Plan was produced by the Yawuru in September 2011. The Cultural Management Plan has been used to inform the development of the component management plans for the conservation estate.

While the original ILUA proposal provides for the creation of a proposed marine park to extend from lowest astronomical tide mark to the limit of State waters, it is now intended to extend the proposed marine park over the intertidal reserve in Roebuck Bay. This approach would ensure that full integration of planning for subtidal and intertidal areas of Roebuck Bay is achieved and provide for a simpler, more effective management regime. Additionally, this would allow for the relevant marine park provisions of the CALM Act to be applied to the intertidal area. To achieve this, a new ILUA will be required prior to gazettal of the marine park and release of the final management plan.

An integrated subtidal and intertidal draft IMP was developed with Yawuru and endorsed by the Yawuru Prescribed Body Corporate and Park Council on 22 August and 22 September 2014 respectively. On 10 June 2015 the MPRA provided the Minister for Environment with a report on the proposal under section 14 (1a)(a) of the CALM Act. Ministerial approvals were received on the same date and the IMP was released for the statutory three month public submission period on 19 June 2015.

Progress in 2015/2016

A range of community consultation was undertaken during the public submission period which closed on 25 September 2015. The final management plan was progressed in partnership with Yawuru Traditional Owners, along with a new Indigenous Land Use Agreement to provide for the creation of the marine park over the intertidal areas.

PROPOSED LALANG-GARRAM / HORIZONTAL FALLS AND NORTH LALANG GARRAM MARINE PARK

Background

On 28 January 2013, the State Government announced a proposal to create a marine park at Horizontal Falls under the Kimberley Science and Conservation Strategy, covering approximately 300,000 hectares. Dambimangari Traditional Owners and joint management partners have added Lalang-garram to the marine park name to reflect the significance of the ocean as a spiritual place in their culture. As part of the marine park management plan, the government has included an area approximately 110,000 hectares within Dambimangari sea country which will form the North Lalang-garram Marine Park. This area was previously proposed as part of the North Kimberley Marine Park.

The proposed Lalang-garram Horizontal Falls, North Lalang-garram, North Kimberley and the already established Lalang-garram / Camden Sound marine parks will collectively be referred to as the Great Kimberley Marine Park, which will cover approximately 2.6 million hectares.

Progress in 2015/2016

Parks and Wildlife continued to work with Dambimangari joint management partners on the development of zoning and management arrangements throughout 2015/2016. Key stakeholder engagement also occurred with commercial and recreational fishers, commercial tourism operators, the conservation sector and the science community. On 16 October 2015 the Minister for Environment and the Dambimangari Aboriginal Corporation formally released the *Proposed Lalang-garram / Horizontal Falls and North Lalang-garram marine parks, and proposed Oomeday National Park Draft joint management plan 2015* for public comment. On 20 October 2015 a notice of intent to reserve the marine parks was

published in the *Government Gazette*. The final management plan was progressed in partnership with Dambimangari Traditional Owners.

PROPOSED NORTH KIMBERLEY MARINE PARK

Background

The establishment of the North Kimberley Marine Park is a key commitment under the State Government's Kimberley Science and Conservation Strategy. The proposed North Kimberley Marine Park will cover approximately 1.9 million hectares. This marine park will be jointly managed with three different Traditional Owner groups: Wunambal Gaambera, Balanggarra and Miriuwung Gajerrong.

Progress in 2015/2016

Key stakeholder engagement continued with commercial and recreational fishers, commercial tourism operators, the conservation sector and the science community. Planning meetings were held with all traditional owner groups. The Minister for Environment released the *Proposed North Kimberley Marine Park Indicative Joint Management Plan 2016* on 16 February 2016 for the statutory three-month public comment period.

NEW MARINE PARKS

No new marine parks were created in 2015/16

EXISTING MARINE PARKS

LEGISLATIVE BACKGROUND AND MANAGEMENT PLAN DEVELOPMENT

The MPRA is responsible for the preparation of management plans for the marine parks and reserves that are vested in it and for the review of expiring plans and preparation of further management plans (Section 54 of the CALM Act). The plans are prepared through Parks and Wildlife, having regard to the resources made available for the purpose. Management plans are to contain statements of the policies or guidelines to be followed and summaries of operations that are to be undertaken. They remain in force for a specified period not exceeding 10 years, but continue to have effect until replaced by a new approved management plan.

For marine parks and reserves established prior to 1997 that did not have a management plan in place when the Amendment Act became effective, the first management plan that will apply to the reserve is a CALM Act Part V management plan.

For marine parks and reserves established subsequent to the Amendment Act an IMP is prepared in accordance with Section 14(2d) of the CALM Act. Once the MPRA has reported to the Minister on the proposed reserve (under sections 14(1a) and 26B(1)(d) of the CALM Act) a notice of intent is published in the *Western Australian Government Gazette* and the IMP is released for public comment for a period not less than three months.

Written submissions on the IMP are analysed and the MPRA must then submit a report to the Minister in accordance with Section 14(6)(a) of the CALM Act. The Minister may then submit the proposal, modified as she/he thinks fit to give effect to submissions made under this section, to the Governor for the making of an order under Section 13. Before seeking these orders, the Minister must seek concurrence from the Ministers for Fisheries and Mines and Petroleum.

The MPRA has responsibility for development of guidelines for monitoring the implementation of management plans, and setting performance criteria against which periodic assessment of management plan implementation is undertaken. Since 2004,

management plans prepared by Parks and Wildlife for the MPRA contain summaries of ecological and social values, summaries of existing and potential uses, threats and pressures, strategic management objectives, and performance measures and targets. Work plans that relate to the management strategies, performance measures and targets for each marine park and reserve are prepared by Parks and Wildlife, thus providing the basis by which periodic assessment may be made.

The status of marine reserve proposals including their reservation status and progress towards an approved management plan, is outlined in Tables 1-4 below.

Table 3 lists approved management plans for established marine reserves. Table 4 lists indicative management plans released for proposed marine reserves in 2015/2016.

Table 3: Approved management plan by Department plan number

NUMBER	PLAN	DATE GAZETTED
23	Marmion Marine Park	15-May-92
34	Shark Bay Marine Park and Hamelin Bay Marine Nature Reserve	7-Mar-97
41	Swan Estuary Marine Park and Adjacent Nature Reserves	7-Apr-00
49	Jurien Bay Marine Park	1-Jul-05
52	Ningaloo Marine Park and Muiron Islands Marine Management Area	14-Jan-05
55	Montebello/Barrow Islands Marine Conservation Reserves	10-Apr-07
56	Rowley Shoals Marine Park	10-Apr-07
58	Shoalwater Islands Marine Park	30-Oct-07
62	Walpole and Nornalup Inlets Marine Park	2-Jul-09
74	Ngari Capes Marine Park	5-Feb-13
73	Lalang-garram / Camden Sound Marine Park	5-Nov-13
80	Eighty Mile Beach Marine Park	2-Dec-14

Table 4: Indicative management plans for proposed marine reserves available for public comment 2015/2016

INDICATIVE MANAGEMENT PLANS	Date released for the statutory public comment period
Proposed Yawuru Nagulagun / Roebuck Bay Marine Park	19 June 2015
Proposed Lalang-garram / Horizontal Falls and North Lalang-garram marine parks, and proposed Oomeday National Park	16 October 2015
Proposed North Kimberley Marine Park	16 February 2016

STATUS OF KEY MANAGEMENT FRAMEWORKS AND PLANS

The following section summarises the 2015/2016 status of key legal, administrative and management frameworks for effective management, including approved management plans, for existing marine parks and reserves.

NINGALOO MARINE PARK AND MUIRON ISLANDS MARINE MANAGEMENT AREA

A management plan for Ningaloo Marine Park was approved in November 1989 and became due for review in 1999. On 7 January 2005, the then Minister approved a revised management plan for Ningaloo Marine Park, including southern extensions to the marine park as well the new Muiron Islands Marine Management Area.

The CALM Act zoning notices were gazetted on 21 January 2005, formally putting the new zoning scheme into effect. An amendment to the CALM Act zoning notice to rectify some minor descriptive errors was gazetted on 11 April 2008.

Complementary orders relating to the regulation of fishing were gazetted by the Minister for Fisheries on 9 September 2005. FRM Act orders to implement the fishing restrictions for the Muiron Islands Marine Management Area were published in the *Government Gazette* on 30 December 2008.

On 6 December 2015 the MPRA and Parks and Wildlife released for public comment, proposed amendments to the *Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015 No. 52*. The amendments were proposed to ensure safe public access to the marine park and require changes to the permitted activities table and associated key to allow dredging in recreation zones and special purpose zones (shore-based activities).

ROWLEY SHOALS MARINE PARK

Rowley Shoals Marine Park was established in May 1990, covering Clerke and Imperieuse Reefs. An extension to the marine park was gazetted on 10 December 2004. The management plan became operational on 10 April 2007 when notification was published in the *Western Australian Government Gazette*. The CALM Act zoning notices were gazetted on 29 June 2007. FRM Act orders to implement the fishing restrictions were published in the *Government Gazette* on 13 February 2009.

SHOALWATER ISLANDS MARINE PARK

Shoalwater Islands Marine Park was established in May 1990. A draft management plan was released for public comment in 1995 but was never finalised. In December 2002, Parks and Wildlife commenced a new round of community consultation, and the original draft management plan was substantially amended so as to include sanctuary zones and bring the plan into line with the outcome-based format currently in use.

The management plan became operational on 30 October 2007 when notification was published in the *Western Australian Government Gazette*. The CALM Act notices to establish the zoning scheme were gazetted on 30 May 2008. The FRM Act orders were gazetted by the Department of Fisheries on 16 April 2010 and prohibit extraction of fish as defined under the FRM Act within sanctuary zones. The MPRA undertook a statutory periodic (5 year) assessment of the implementation of the Shoalwater Islands Marine Park Management Plan in 2013/2014. The report was submitted to the then Minister for Environment.

JURIEN BAY MARINE PARK

Jurien Bay Marine Park was gazetted in August 2003 and the management plan was approved on 1 July 2005. The CALM Act notices and FRM Act orders to establish the zoning scheme were gazetted on 21 October 2005 and 23 December 2005, respectively.

MARMION MARINE PARK

Marmion Marine Park was established in March 1987 and the management plan was approved in January 1992. The MPRA Audit subcommittee completed a ten year assessment of the implementation of the management plan in 2012/2013. The report was submitted to the then Minister for Environment.

SHARK BAY MARINE PARK AND HAMELIN POOL MARINE NATURE RESERVE

These two marine reserves were established in November 1990 and a management plan was approved in March 1997. Given that these marine reserves are a significant component of the Shark Bay World Heritage Property, the MPRA considers that revision of the management plan is a priority task. The MPRA undertook a ten year assessment of the implementation of this management plan in 2008/2009. The report was formally submitted to the then Minister for Environment in August 2010.

MONTEBELLO/ BARROW ISLANDS MARINE CONSERVATION RESERVES*

Montebello Islands Marine Park, Barrow Island Marine Park and Barrow Island Marine Management Area were gazetted on 10 December 2004. The management plan for these reserves was approved on 10 April 2007. The CALM Act zoning notices were gazetted on 29 June 2007. Complementary orders under the FRM Act were gazetted on 27 June 2008.

WALPOLE AND NORNALUP INLETS MARINE PARK

The Walpole and Nornalup Inlets Marine Park was gazetted on 8 May 2009 and the management plan was formally launched at a ceremony in Walpole on 2 July 2009. The CALM Act notices to establish the zoning scheme were gazetted on 17 November 2009. Existing notices under the *Fish Resources Management Act 1994* over the area are sufficient to give effect to commercial fishing closures indicated in the management plan.

SWAN ESTUARY MARINE PARK AND ADJACENT RESERVES

Swan Estuary Marine Park was gazetted on 25 May 1990 and the management plan was approved in January 1999. The plan is now due for review but remains in operation until it is replaced by a new approved management plan.

The MPRA undertook the majority of work associated with the statutory 10 year assessment of the implementation of the Swan Estuary Marine Park and Adjacent Reserves Management Plan during 2013/2014. The final assessment report was completed at the end of June 2014 and was forwarded to the Minister later in 2014.

NGARI CAPES MARINE PARK

Ngari Capes Marine Park was gazetted on 12 June 2012. The management plan was approved by the Minister on 29 January 2013, and publicly notified in the *Government Gazette* on 5 February 2013.

On 1 December 2015 the MPRA and Parks and Wildlife released for public comment, proposed amendments to the *Ngari Capes Marine Park Management Plan 2013-2023, Management Plan No. 74*. The amendments are proposed to fix an inconsistency between the permitted activities in the Cowaramup Bay Recreation Zone and an existing *Fish Resources Management Act 1994* reef observation area.

LALANG-GARRAM / CAMDEN SOUND MARINE PARK

Lalang-garram / Camden Sound Marine Park was gazetted on 19 June 2012. The final management plan was gazetted 5 November 2013. The name of the marine park was changed to Lalang-garram / Camden Sound Marine Park, to represent the joint management arrangements for the park.

EIGHTY MILE BEACH MARINE PARK

The Eighty Mile Beach Marine Park was created on 29 January 2013 and the final management plan was gazetted on 2 December 2014. Three of the four ILUAs relevant to the marine park have been negotiated and joint management agreements (JMAs) with the

Nyangumarta and Ngarla people have been signed and attached to the plan to enable joint management of the park. The boundary of the marine park will be extended to the high water mark in the areas covered by these JMAs. An alteration of boundaries order, allowing the intertidal areas (except the Nyangumarta-Karajarri Overlap Proceeding (Yawinya) Determination Area) to be added to the marine park was published in the Government Gazette on 8 April 2016.

** On 29 November 2011, the Minister for Fisheries published in the Government Gazette, notices to amend and/or revoke fishing prohibitions orders under section 43 of the Fish Resources Management Act 1994. The notices included the revocation of prohibitions on various recreational and commercial fishing activities in relevant recreation zones, special purpose zone (pearling) and special purpose zone (benthic habitat) of these marine reserves. For the full detail of revocations refer to the DoF Gazettal notice of 29 November 2011 or the Department of Fisheries.*

MANAGEMENT IMPLEMENTATION AND AUDIT

ASSESSMENT OF THE IMPLEMENTATION OF MANAGEMENT PLANS

The MPRA's statutory responsibility to assess the implementation of management plans is put into effect by the development of the MPRA's audit policy and functions. These continue to evolve as more information on the status of our marine parks become available.

Under its audit policy, the MPRA conducts annual, periodic and ten yearly assessments of the management plans. The MPRA's output from the annual review process is an Annual Performance Assessment Report. The timing of the assessment process and the Annual Report means that the Annual Performance Assessment Report included in the MPRA Annual Report is for the preceding year.

During the 2015-2026 year the Office of the Auditor General (OAG) undertook an audit of marine parks and reserves established under the CALM Act in Western Australia and released a report in June 2016. The purpose of the audit was to assess how effectively the marine parks and reserves are managed to protect the marine environment. In undertaking the audit the OAG reviewed a number of documents including all the marine parks and reserves management plans, annual performance assessments reports, periodic and 10-year assessment reports and collaborative operational plans with DoF. They also examined policies, strategies and planning processes for the establishment of new marine parks and reserves in addition to meeting with the MPRA, Parks and Wildlife Staff and DoF staff in addition to interviewing stakeholders such as conservation and fishing groups, environmental groups and academics.

The key findings of the report were:

- Good progress has been made establishing MPRs but the network is not yet complete;
- Overall marine parks and reserves are in a good condition;
- A good management framework for marine parks and reserves is in place; and
- Not all aspects of the management framework have been implemented in all marine parks and reserves.

Further information on the audit, and recommendations from the audit report can be found here: https://audit.wa.gov.au/wp-content/uploads/2016/06/report2016_14-MarineParks.pdf

ANNUAL PERFORMANCE ASSESSMENT REPORT 2014/2015

The annual performance assessment report is a summary of the results of the Marine Parks and Reserves Authority's (MPRA) annual performance assessment of the implementation of management plans for all 16 Western Australian marine parks and reserves, for the 2014/2015 financial year.

The review process consisted of two parts; a performance assessment summary of the implementation of management plans based on detailed annual reports prepared by the Department of Parks and Wildlife (Parks and Wildlife) and a supporting workshop. From this process, this annual performance assessment report was prepared by the Parks and Wildlife Planning Branch for the MPRA.

A performance assessment report was completed for the Eighty Mile Beach Marine Park for the first time in 2014/2015 which indicated that 61% of the high key management strategies (H-KMS) had been either partially, substantially or fully implemented in the first year of the management plan.

Using targets outlined in each marine park management plan, the status of the KPIs indicated that the large majority of ecological and social assets (KPI's and non-KPIs) were being managed with a 'high' level of effectiveness across all the marine parks and reserves.

Some sectors of the Ningaloo Marine Park e.g. Bundegi and Muiron Islands and South of Coral Bay, have shown declines in coral cover and community composition as a result of the 2010/11 and 2013 marine warming events (Moore et al. 2012; WAMMP unpublished data). Northern sector coral communities appear to be relatively resilient across the sampling period, with no appreciable deviations from the long-term mean cover of approximately 25 percent.

While the overall area of seagrass in Shark Bay Marine Park has not changed dramatically, it appears that there has been a significant shift in seagrass cover from dense cover to sparse cover across large areas of the Bay, as a result of cumulative impacts of the 2010/11 warming event and subsequent floods and cyclones.

The MPRA continues to be concerned with the currency of some of the marine park management plans which have exceeded their 10 year life span. Whilst these management plans (Shark Bay, Marmion and Swan Estuary) remain in effect until new outcome based plans are prepared, the MPRA would prefer these plans be reviewed to address changing pressures in these marine parks.

A periodic assessment of implementation of the *Rowley Shoals Marine Park Management Plan 2007-2017* was finalised in April 2015. These assessments found that a large proportion of the management plan strategies have been implemented and that all of the key ecological and social values are in a good condition.

The annual performance assessment reports and workshop presentations for each marine park have been reviewed by the MPRA's Audit Subcommittee and a series of recommendations have been put forward. For the 2014/2015 reporting year 12 recommendations were made and these are detailed in Table 5.

Table 5: Recommendations from the MPRA Annual Performance Assessment Report 2014/2015

REFERENCE	KEY RECOMMENDATION
1-14/15	The MPRA are concerned at the state of finfish populations in marine parks, especially under conditions of climate change. It is recommended that Parks and Wildlife and DoF monitoring programs consider including non-target finfish species.
2-14/15	For each marine park, condition pressure response management effectiveness showing the degree of certainty of assessments should be provided.
3-14/15	All marine park zones should be gazetted as soon as practicable.
4-14/15	The MPRA requests a larger emphasis on the conservation outcomes achieved through management actions in relation to marine park values for the next assessment rather than on management inputs.
5-14/15	The MPRA suggests that attention be given to ensuring marine park information is made available in a variety of formats as soon as possible.
6-14/15	Consistent continued monitoring by Parks and Wildlife Marine Science Program (MSP) and DoF are commended and should be maintained, especially as vulnerable assets are threatened under scenarios of increasing global temperatures
7-14/15	Auditable metrics for seascapes are required and should be developed
8-14/15	Marine Science Program should make sure that where necessary, suitable surrogates are in place for all High priority Key Performance Indicators.
9-14/15	Old management plans (Marmion, Shark Bay, Swan River) require updating, in collaboration with Traditional Owners where required
10-14/15	Where relevant, consideration should be given to controlling access and/or seasonal closures
11-14/15	Marine Park signage needs to be developed and installed as soon as practicable for popular parks such as Capes and the new Kimberley parks.
12-14/15	MPRA suggests Parks and Wildlife investigate viability and benefits of charging fees in marine parks.

INTERIM MANAGEMENT

Section 33 of the CALM Act makes provisions for management actions in respect of MPRA vested land and waters, in circumstances where there is no approved management plan. These provisions relate to two kinds of circumstances.

Necessary Operations (section 33(3)(b)(i) of the CALM Act). Such operations are defined as “... *those that are necessary for the preservation or protection of persons, property, land, waters, flora or fauna, or for the preparation of a management plan*” (section 33A(1) of the CALM Act). Parks and Wildlife’s *Administrative Instruction No. 23 Interim Guidelines for Operations* applies to the implementation of necessary operations. It is not a requirement that necessary operations be referred to the MPRA, however, the MPRA’s advice may be sought as required. No necessary operations were referred to the MPRA in 2015/2016.

Compatible Operations (Section 33(3)(b)(ii) of the CALM Act). Such operations include necessary operations (see above) but may also include “... *operations approved by the Minister as being in his opinion compatible with the purposes for which the park or*

management area is managed..." (section 33A(2) of the CALM Act). Before the Minister approves such an operation it must be publicly notified and an opportunity for public submissions must be provided as for management plans. Advice from the MPRA on compatible operations may be sought as required.

No compatible operations were referred to the MPRA in 2015/2016.

MANAGEMENT IMPLEMENTATION ISSUES CONSIDERED DURING 2015/2016

The MPRA considered and/or provided comment on the following management issues where necessary:

- Proposed amendments to the *Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015, Management Plan No. 52*
- Dredging at the end of Tern Island Nature Reserve sand bar, adjacent to Shoalwater Islands Marine Park
- A wildlife interaction licence in Monkey Mia
- The construction of a new jetty at Mersey Point within Shoalwater Marine Park

LEASES, LICENCES AND PERMITS

Commercial operations on MPRA vested land and waters are required to be licensed according to the *Conservation and Land Management Regulations 2002*. This enables access and use to be monitored and licence conditions set to ensure the conservation values and public amenity of these areas are maintained. Leases can also be issued on MPRA vested reserves.

Under section 99 of the CALM Act, licenses and leases are issued by the Director General and require approval of the Minister. The CALM Act also requires that the Director General consults with the MPRA before issuing leases for commercial activities within marine reserves vested in the MPRA.

A number of commercial operator licence applications were considered by the MPRA during 2015/2016 for a variety of activities within marine parks and reserves in Western Australia. All applications were approved as recommended.

Leases, licences and permits issues considered during 2015/2016

The MPRA considered and/or provided comment on the following management issues where necessary:

- 'E' and 'T' Class licence extensions and renewals
- Licences and leases issued under section 100 and 101 of the *Conservation and Land Management Act 1984*

ADVICE TO THE MINISTER

LEGISLATIVE BACKGROUND

The MPRA may provide advice to the Minister for Environment on:

- The development of policies for the conservation and management of the marine and estuarine flora and fauna and natural environments of the State; and
- Any matter on which advice is sought by the Minister.

The MPRA may provide advice to any other body, including Parks and Wildlife, on matters relating to marine parks and reserves vested in the MPRA, if it is practical for the MPRA to do so and if also in the public interest (section 26B(1)(g) and (i) of the CALM Act).

ACTION DURING 2015/2016

On 30 July 2015 under section 14(1a)(a) of the CALM Act, the MPRA provided a report to the Minister for Environment on the *Proposed Lalang-garram / Horizontal Falls and North Lalang-garram marine parks and proposed Oomeday National Park draft joint management plan 2015*.

On 30 October 2015 under section 14(1a)(a) of the CALM Act, the MPRA provided a report to the Minister for Environment on the *Proposed North Kimberley Marine Park indicative joint management plan 2016*. A further report was provided on 12 November 2015 following a modification to the proposed marine park zoning.

On 22 December 2015 the MPRA provided a copy of the *Annual Performance Assessment Report for 2014-2015* to the Minister for Environment as required under section 26B(f) of the CALM Act.

AQUACULTURE AND PEARLING

BACKGROUND

Aquaculture and pearling are activities that require the setting aside and occupation of specified sites and the establishment of infrastructure at those sites.

Licensing and leasing of aquaculture sites/operations other than aquaculture of the pearl oyster *Pinctada maxima* are subject to the FRM Act. Pearling and hatchery activities using *P. maxima* are subject to the licensing and leasing requirements of the *Pearling Act 1990*.

Aquaculture and pearling are allowed in marine conservation reserves in accordance with the *Pearling Act 1990*, *FRM Act 1994* and the *CALM Act 1984*. These activities are not permitted in marine nature reserves or sanctuary zones, recreation zones and some special purpose zones in marine parks.

MPRA INVOLVEMENT

In accordance with the processes set down in the Minister for Fisheries' *Ministerial Policy Guideline No. 8 Assessment of Applications for Authorisations for Aquaculture and Pearling in Coastal Waters of Western Australia*, all aquaculture and pearling applications are referred to the MPRA by the Department of Fisheries for comment. However, the MPRA only considers and comments on those proposals that involve existing or proposed marine parks or reserves. The MPRA did not consider any aquaculture activities during the 2015/2016 year.

INDUSTRY AND RESOURCES

BACKGROUND

Petroleum and mineral development within Western Australia is permitted under a variety of tenements (licences, leases, permits) which are regulated under petroleum laws and the *Mining Act 1978*. The *Mining Act 1978*, *Petroleum Act 1967*, *Petroleum Pipelines Act 1969* and *Petroleum (Submerged Lands) Act 1982* generally prevail over the CALM Act, although the CALM Act imposes restrictions on petroleum drilling and production in marine nature reserves and specified zones in marine parks. Environmental conditions imposed on

tenements and projects vary according to the nature of the project and the tenure of the waters or land affected.

MPRA INVOLVEMENT

The MPRA has a role in reviewing applications to mine or explore for minerals in marine conservation reserves vested in it and to provide advice to the Minister for Environment on such proposals.

The MPRA has instituted regular briefings from the Department of Mines and Petroleum staff in regard to general industrial development that is likely to affect existing or proposed marine reserves.

LIAISON

BACKGROUND

In carrying out its functions, the MPRA attended meetings with other organisations and was briefed by representatives from Government, private industry, and marine stakeholder groups.

COMMUNICATION

One of the key strategies of the MPRA is to promote marine and estuarine conservation in Western Australia. The MPRA has adopted a formal Stakeholder Relationship Program and Implementation Strategy to assist in this.

RESOURCES

FUNDING AND ADMINISTRATIVE ARRANGEMENTS

Funding for the operation of the MPRA has historically been allocated by Parks and Wildlife annually after receipt of a proposed financial schedule from the MPRA. A financial schedule was not developed in the 15/16 year due to the expectation of the imminent cessation of the MPRA. In total Parks and Wildlife expended \$73,912 for member sitting fees as well as administration and support of the MPRA.

PURPOSE	EXPENDITURE (\$)
Honoraria (sitting fees etc.)	54,722
Authority Operations (including catering, travel for stakeholder consultation, annual report, assessment of management plan implementation)	19,190
TOTAL	73,912

In accordance with the requirements of section 175ZE of the *Western Australian Electoral Act 1907*, the MPRA incurred nil expenditure for the 2015/2016 financial year.

APPENDIX 1

Parks and marine protected areas gazetted during the MPRA's lifetime*

MARINE PARK AND OR RESERVE	DATE OF RESERVE CREATION	DATE OF MARINE RESERVE EXTENSION	DATE OF MANAGEMENT PLAN GAZETTAL
Swan Estuary Marine Park			Apr. 00 (amended Jul. 06)
Shoalwater Islands Marine Park			Oct. 07
Jurien Marine Park	Aug. 03		Jul. 05
Ningaloo Marine Park		Nov. 04	Jan 05.
Rowley Shoals Marine Park		Dec. 04	Apr. 07
Montebello Islands Marine Park	Dec. 04		Apr. 07
Barrow Islands Marine Park	Dec. 04		Apr. 07
Barrow Islands Marine Management Area	Dec. 04		Apr. 07
Muiron Islands Marine Management Area	Nov. 04		Jan. 05
Walpole and Nornalup Inlets Marine Park	May 09 (amended Sep. 09)		Jul. 09
Ngari Capes Marine Park	Jun. 12		Feb. 13
Lalang-garram / Camden Sound Marine Park	Jun. 12 (re-named Oct 13)		Nov. 03
Eight Mile Beach Marine Park	Jan. 13		Dec. 14

*the MPRA inherited thee marine parks; Marmion Marine Park, Ningaloo Marine Park and Rowley Shoals Marine Park

New parks and plans in progress at the end of the MPRA's lifetime

PROPOSED MARINE PARK	RELEASE DATE OF INDICATIVE MANAGEMENT PLAN
Yawuru Nagulagun Roebuck Bay	Jun 15
Lalang-garram / Horizontal Falls	Oct 15
North Lalang-garram	Oct 15
North Kimberley	Feb 16

APPENDIX 2

MPRA membership in chronological order of appointment

MEMBER	LENGTH OF MEMBERSHIP
Dr Barry Wilson (Chair)	Aug. 97 - Jan. 06
Mr Michael Hardy (Deputy Chair)	Aug. 97 - Nov. 99
Mr David Hayes	Aug. 97 – Apr. 99
Emeritus Professor Diana Walker	Aug. 97 – May 16
Mr Ian Finlay (Deputy Chair from May 00)	Aug. 97 – Nov. 02
Ms Edwina Davis Ward	Aug. 97 – Feb. 04
Mr Angus Horwood	Aug. 97 – Dec. 11
Mr Tony Van Merwyk	May 00 – Feb. 04.
Mr Eric Streitberg (Deputy Chair, Chair)	Aug. 99 – Dec. 11
Mr Kim Colero	Dec. 02 – May 16
Dr Lynnath Beckley	Feb. 04 – Jul. 06
Dr. Iva Stejskal	Feb. 04 – Aug. 04
Emeritus Professor John Penrose	Jan. 06 – Dec. 11
Professor Christopher Doepel (Deputy Chair)	Jul. 06 – May 16
Dr Trevor Ward	Jul. 06 – Dec. 11
Dr Tom Hatton (Chair)	Dec. 11 – Oct. 15
Dr Kellie Pendoley	Dec. 11 – May 16
Mr Jeff Cooper	Dec. 11 – May 16
Ms Ida Holt	Aug. 12 – May 16

Marine Parks and Reserves Authority

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