

Annual Report

1 JULY 2009 – 30 JUNE 2010





ANNUAL REPORT

1 July 2009 - 30 June 2010

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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 for the year ending 30 June 2010.



Mr Eric Streitberg
Chairman

November 2010

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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. 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 Environment and Conservation. 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 has allowed it to develop 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 audit management plans for marine parks and reserves.*

CHAIRMAN'S REVIEW

Western Australia's marine environment is unique in Australia and globally, and despite the increasing pressures of a growing population and expanding resources development, it still contains areas that are in relatively pristine condition by world standards. The Western Australian community therefore has a unique opportunity to preserve its marine environment and associated marine biodiversity for future generations if it acts in a timely manner to establish a system of comprehensive adequate and representative marine parks.

The establishment of the marine park and reserve system in Western Australia has been under way since 1987. With the creation of the Walpole and Nornalup Inlets Marine Park in May 2009, there are now 13 marine parks and reserves established in Western Australian waters.

While significant progress has been made in the establishment of the State's marine park and reserve system over many years, it remains a concern to the MPRA that, despite the very high biodiversity and conservation values of Western Australia's coastal waters, and the pressure that is being brought to bear on those values, the State's marine reserve system covers only some 12% of the State's coastal waters in the 13 marine parks and reserves. Furthermore, only about 2.5% of the State's coastal waters are contained within *Conservation and Land Management Act 1984* (CALM Act) marine park sanctuary zones and marine nature reserves such that they have a high level of protection and are free of extractive uses. Only nine of the State's 19 marine bioregions contain a marine park or reserve, with significant gaps in the reserve system in the Kimberley and South Coast bioregions.

However, the MPRA was pleased to note that, after the effective date of this report, the Government announced its intention to substantially advance the marine conservation program in the state with the creation of the Great Kimberley Marine Park and the advancement of the planning processes for the Pilbara Eighty Mile Beach and Roebuck Bay parks.

As was reported last year, the proposed Ngari Capes Marine Park and the Dampier Archipelago Marine Park and Regnard Marine Management Area were under consideration by the current Government after their consideration by the previous Government was interrupted by the 2008 election process, and these marine parks proposals have not materially progressed during the last year. During 2007/08 and 2008/09, Department of Environment and Conservation substantially developed preliminary proposals for an expanded network of marine parks and reserves across the Pilbara and Eighty Mile Beach bioregions. These proposals have not been formally considered by the MPRA and there has been no further progress on them since that time due to other Government priorities.

In this context, the MPRA welcomed the announcement on 3 October 2009 by the Premier and the Minister for Environment that a marine park would be created in the Camden Sound area of the Kimberley to recognize the importance of that region as one of the world's most significant humpback whale calving areas and also to protect the very high biodiversity values of the area more generally. In late November 2009 the MPRA provided interim advice to the Minister in relation to the boundaries and zoning for the proposed Camden Sound Marine Park.

In April 2010 the MPRA reviewed the indicative management plan which had been prepared by DEC for the proposed park, and then provided its report on the indicative management plan to the Minister for Environment on 14 May 2010, as required under section 14 of the

CALM Act. At that time, the MPRA also provided its advice to the Minister regarding the process of consultation during the statutory three month public submission period which will take place once concurrence for the release of the draft plan is obtained from the Minister for Fisheries and the Minister for Mines and Petroleum. The MPRA strongly endorses the establishment of the proposed Camden Sound Marine Park, looks forward to the process providing an outcome which protects the unique nature of the area. The Indicative Management Plan for this park was released by the Minister on 22 October 2010.

The MPRA has a key role in the assessment and review of the implementation of management plans under section 26B and section 54 of the CALM Act. The MPRA conducts annual, periodic and ten yearly assessments of the implementation of the management plans of the marine reserves under its jurisdiction. The output from the annual audit review process is an Annual Audit Report which is appended to this Annual Report of the Authority.

The timing of the audit process and the Annual Report means that the Annual Audit Report is for the preceding year to the year of the Annual Report. The annual audit review for 2008/2009 is included in this report and it identified that the majority of key ecological and social values in each marine park or reserve had been qualitatively assessed as being in a good or satisfactory condition. However, in specific parks, a number of values were assessed as having unsatisfactory condition ratings, high pressure and/or unsatisfactory management responses.

In addition, the qualitative nature of many assessments resulted in a relatively low level of confidence in almost all of the assessments. It is expected that continuing refinements to the performance assessment process will ensure that an increasing number of quantitative condition ratings will be applied across all marine parks and reserves. The need for quantitative data to support condition assessments of the key ecological values of most reserves continues to be a matter of the utmost importance, and is expected to be systematically addressed by DEC's Marine Science Program.

In addition to conducting its annual audit review during 2009/10, the MPRA conducted a ten year audit assessment of the implementation of the *Shark Bay Marine Reserves Management Plan 1996-2006* which has provided guidance for management of the Shark Bay Marine Park and Hamelin Pool Marine Nature Reserve for the last 14 years. This is the first 10 year audit review of management plans conducted under the MPRA's Audit Policy, and the first audit of the Shark Bay marine reserves by the MPRA.

The audit found a very high level of acceptance of the reserves by stakeholders, and that management systems were effectively delivering on many of the identified management strategies. However, the lack of a fully functional outcome-based management plan was identified by the review as a key problem to be resolved. The audit also found that there are a number of weaknesses in the management systems that should be addressed with high priority, including development of consistent and effective policies and plans for the conservation of targeted species of fish, identification and high-level protection of representative habitats that are important but poorly represented within the existing park, and an improved focus on cooperation across government for management of catchment and foreshore recreational activities that are affecting the park values. The MPRA encourages the Government to support a formal revision of this management plan in the near future so that management of the Shark Bay Marine Reserves can be consistent with aspirations for the Shark Bay World Heritage Area and provide for effective conservation and enjoyment of the Shark Bay ecosystems and values.

The MPRA congratulates the Government on its stated intention to establish the Camden Sound Marine Park, which will be the first marine park in the Kimberley bioregion. It also looks forward to working with the Government and the community to progress the pending and future marine parks and reserves to provide effective protection for Western Australia's incredible marine biodiversity.

The MPRA expresses its thanks to its supporting agency and to the members of the community who have expressed their support for the continued development of the State's marine reserves program. Special thanks go to the members of the MPRA who selflessly give their expertise, time and advice, and remain highly committed to the progression of marine biodiversity conservation through the establishment of the marine reserves system in Western Australia.

Eric Streitberg
Chair

GENERAL INFORMATION

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 Environment and Conservation (DEC) 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 DEC;
- (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", "the Department", "the Authority", "the CALM Act" and "the Amendment Act" used in this report refer to the Minister for Environment, the Department of Environment and Conservation (DEC), the Marine Parks and Reserves Authority (MPRA), the *Conservation and Land Management Act 1984* and the *Acts 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.

The Minister for Environment did not provide written direction to the MPRA in 2009/10.

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).

On 30 April 2009 all members were reappointed until 31 March 2010. After this date, appointments were further extended to 31 December 2010 by the Minister.

Appointed members

Mr Eric Streitberg (Chair) was appointed to the MPRA in August 1999, appointed Deputy Chairman in 2002, Acting Chairman in February 2006 and Chairman in July 2006. Mr Streitberg has followed a professional career in international oil and gas operations/exploration and holds a Bachelor of Applied Science in Geophysics and Geology. As at 30 June 2010, Mr Streitberg is the Chair of the Australian Petroleum Production and Exploration Association (APPEA). He also holds directorships of two public companies. He is an executive director of Buru Energy Limited and a non-executive director of Adelphi Energy Limited.

Mr Christopher Doepel is the Dean of the Faculty of Law and Business at Murdoch University in Perth. Prior to joining the University in early 2008 he 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. Mr Doepel has a Bachelor of Jurisprudence and a Bachelor of Laws and is an Associate Member of the Law Society of Western Australia and a Fellow of the Australian Institute of Management. He was awarded a Public Service Medal (PSM) in the 2006 Australia Day Honours for his Native Title work.

Mr Angus Horwood was a member of the National Parks and Nature Conservation Authority for four years and has been a member of the MPRA since its formation in 1997. Mr Horwood is the Owner/Operator of Dress Circle Farm, a broiler growing operation in the City of Wanneroo. Mr Horwood has a history of affiliation with recreational fishing and was Chair of the West Australian Recreation and Sport Fish Council for 10 years and President of the Australian Recreational and Sport Fishing Confederation Inc.

Emeritus Professor Diana Walker is an Emeritus Professor at the School of Plant Biology (Botany) at the University of Western Australia. Professor

Walker has a Bachelor of Science in Marine Biology from the University of Liverpool, Isle of Man and a PhD from the University of York, England. Professor Walker is an inaugural member of the MPRA and of the Australian World Heritage Advisory Committee. She was Chair of the Shark Bay World Heritage Property Scientific Advisory Committee and member of the Shark Bay World Heritage Property Community Consultative Committee.

Mr Kim Colero is Managing Director of JK Colero Enterprises P/L, an Australian fishing company, focusing on the Western Rock Lobster Industry. Mr Colero was appointed to the MPRA in December 2002. Mr Colero 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. Mr Colero was appointed to the board of the Western Australian Fishing Industry Council (WAFIC) in January 2007 and was appointed Chairman of WAFIC in October 2009.

Emeritus Professor John Penrose is the former Director of the Centre for Marine Technology at Curtin University and has been a member of the Department of Physics at the university since the 1970's, specializing in marine acoustics. Professor Penrose holds a PhD in Solid State Physics from the City University, London. He was Project Manager of the national Coastal Water Habitat Mapping Project of the Cooperative Research Center for Coastal Zone, Estuary and Waterway Management and a Council Member of the Australian National Maritime Museum. He is an Honorary Associate of the Western Australian Museum.

Dr Trevor Ward is the Principal Marine Ecosystems and Biodiversity Consultant for Greenward Consulting. He is Visiting Professor at University of Queensland (The Ecology Centre), Adjunct Senior Research Fellow at the University of Western Australia (Institute for Regional Development) and Adjunct Associate Professor at the University of the Sunshine Coast (Faculty of Science). Dr Ward's scientific expertise is in the fields of strategic policy and planning for ecologically sustainable development, marine environmental management, design and implementation of marine parks, reserves and protected areas. Dr Ward is currently engaged in research and management projects in decision support systems, ecological sustainability in marine fisheries, and tropical lagoon management.

MEETING NOTICE AND ATTENDANCE

Reasonable notice of the MPRA meetings is required to be given to DEC 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).

DEC'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 DEC and Chief Executive Officers of other relevant agencies were advised of meetings of the MPRA throughout 2009/2010 so that they could take part in the discussion and consideration of the business before the MPRA.

Representatives of DEC, Western Australian Museum (WAM), Department of Fisheries (DoF), Department of Mines and Petroleum (DMP), Department of Transport (DoT) and Tourism Western Australia (TWA) attended MPRA meetings throughout 2009/2010. 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. On a regular basis the MPRA also invited representatives of peak bodies with an interest in marine conservation and marine resource management to its regular monthly meetings to develop stronger relationships (see section on *Liaison*).

MPRA MEETINGS

Formal meetings of the MPRA were held on eleven occasions during 2009/2010. The dates of these meetings were:

16 July 2009
20 August 2009
17 September 2009
15 October 2009
19 November 2009
17 December 2009
21 January 2010
18 March 2010
15 April 2010
20 May 2010
17 June 2010

Member attendance at these eleven meetings was as follows:

Member	Meetings attended
Mr Eric Streitberg	8
Mr Christopher Doepel	10
Mr Angus Horwood	7
Emeritus Professor Diana Walker	11
Mr Kim Colero	10
Emeritus Professor John Penrose	10
Dr Trevor Ward	9

Mr Streitberg's attendance was affected by an extended period of personal leave during late 2009 and Mr Horwood's was affected by medical matters.

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 committee is a standing subcommittee whose members are Dr Trevor Ward (subcommittee Chair), Emeritus Professor John Penrose, Emeritus Professor Di Walker and Mr Eric Streitberg. Other members of the MPRA also participated in audit activities as required and appropriate.

The audit subcommittee met on 24-25 September 2009 to review the implementation of management plans by DEC in the 2008/09 period (see section on *Management Plan Implementation and Audit*).

The audit subcommittee also met on various occasions to finalise the ten year audit of the Shark Bay Marine Reserves Management Plan. The audit committee undertook a field inspection of Shark Bay Marine Park on 22-26 June 2009 and met with

key stakeholders during this visit and in Perth on 19 June 2009 as part of the ten year audit process.

Representatives of the MPRA attended four meetings with the Minister for Environment during 2009/2010, and five meetings with the Minister's staff.

Other communications and liaisons

- A representative of the MPRA attended the Government's Kimberley Science and Conservation Strategy stakeholder forum held in Broome on 21 & 22 July 2009.
- The MPRA Audit Sub-committee members attended a joint meeting of the Shark Bay World Heritage Scientific Advisory Committee and the Shark Bay World Heritage Community Consultation Committee in Denham on 24 & 25 August 2009 as part of the MPRA's 10-year audit of the Shark Bay Marine Reserves Management Plan 1996-2006.
- DEC provided a brief overview of the coastal compartments in coastal and marine conservation at the MPRA's 125th meeting on 16 July 2009.
- Representatives of the MPRA attended the Commonwealth Government's North-west Marine Bioregional Planning information session in Perth on 22 September 2009.
- DEC provided a detailed briefing on the proposed amendments to the CALM Act and the Wildlife Conservation Act at the MPRA's 128th meeting on 15 October 2009.
- DoF presented an update of a review of aquaculture policies and guidelines at the 129th MPRA meeting on 19 November 2009.
- The Department of Transport provided a detailed presentation on coastal erosion issues in developed coastal areas of Western Australia at the MPRA's 129th meeting on 19 November 2009.
- Dr Lars Bejder presented an overview of the current research projects of Murdoch University's Cetacean Research Unit in Western Australia at the MPRA's 130th meeting on 17 December 2009.
- DEC provided a briefing of the whale shark tour operator sustainability audits being conducted in the Ningaloo Marine Park at the 131st MPRA meeting on 21 January 2010.
- The Office of Native Title provided a briefing to the MPRA on 18 February 2010 regarding the Yawuru Native Title Agreement for the areas surrounding Broome.
- The Department of Mines and Petroleum provided a detailed presentation on the existing and proposed oil and gas production and exploration activities in the Ningaloo and

Kimberley coastal areas at the 134th MPRA meeting on 15 April 2010.

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.

Mr Kim Colero declared a potential conflict of interest and removed himself from discussions relating to the proposed Camden Sound Marine Park due to his position as Chair of the Western Australian Fishing Industry Council.

Mr Eric Streitberg declared a potential conflict of interest in relation to future marine park planning for Roebuck Bay due to his employer's interest in a petroleum exploration licence application that currently extends over the area, and he took no part in any discussions in relation to the matter.

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. Christopher Doepel was nominated by members as the MPRA's Public Interest Disclosure Officer. No public interest disclosures were made during the 2009/2010 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 protect natural features and aesthetic values while at the same time enabling recreational and commercial use where these activities do not compromise conservation values.

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

(i) *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.

(ii) *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*.

(iii) *Sanctuary Zones*

A sanctuary zone provides for the total protection of environmental values, while the limited range of recreational uses consistent with the protection of these values is permissible. Exploratory drilling for and the production of petroleum, mining, commercial and recreational fishing, aquaculture and pearling are not permitted in sanctuary zones.

(iv) *Special Purpose Zones*

A special purpose zone can be established for any purpose(s) where the purposes assigned to recreation, general use and sanctuary zones are inappropriate for the values intended to be protected and the activities to be managed in a particular area of a marine park. A

combination of commercial and/or recreational uses could be permissible activities in a special purpose zone.

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

Marine nature reserves. As at 30 June 2010 one marine nature reserve, Hamelin Pool Marine Nature Reserve, of approximately 132,000 hectares was vested in the MPRA.

Marine parks. As at 30 June 2010 ten marine parks, totalling 1,262,508 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, and Walpole and Nornalup Inlets Marine Park.

The zoning in these marine parks is predominantly general use. The areas included in sanctuary zones which provide the highest level of protection of environmental values and prohibit extractive activities total some 187,000 hectares or approximately 15 % of the 1.22 million hectares of marine parks. Across the whole of the marine park and reserve system which totals approximately 1.48 million hectares, approximately 20% is zoned or managed as 'no-take'

Marine management areas. As at 30 June 2010 two marine management areas, totalling 145,232 hectares were vested in the MPRA. These are Muiron Islands Marine Management Area and Barrow Island Marine Management Area.

Further details of the conservation estate are contained in the annual report of DEC.

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. During 2009/2010 no such changes were considered by the MPRA.

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 inter-tidal 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.

During the 2009/2010 period the MPRA and the Commission met on one occasion and liaised over a number of issues including:

- The roles and responsibilities of each agency;
- The vesting of intertidal areas within marine parks and reserves and national parks and reserves;
- The potential for a regional approach to management plans for national parks and reserves;
- Commenting on the review of the Rottneest Island Management Plan;

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:

- 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;
- promoting the appreciation of flora and fauna, and the natural marine and estuarine environments; and
- 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 developed a policy development process as

described in the MPRA Policy Formulation Guidelines (2003) to formalise and expedite this function.

The MPRA has no directly engaged staff responsible for general policy development. Consequently, policy development has tended to be restricted to matters requiring urgent operational attention or support. Executive, policy and planning support is provided by DEC as outlined in the MPRA's memorandum of understanding with DEC and annual financial schedule. The MPRA also provides ad hoc policy advice to the Minister on specific matters as it considers appropriate. This advice is not generally translated into formal policies that are made publicly available.

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

ACTION DURING 2009/2010

The MPRA developed and/or endorsed the following documents:

- An update and revision of the MPRA Audit Policy and Guidelines.
- MPRA position statement - Artificial Structures in Marine Parks and Reserves.

The MPRA endorsed prioritised topics for policy development for the 2010/11 year are as follows:

1. Management of short-term impacts of industrial development on values of the marine parks and reserves;
2. Aquaculture assessment in marine parks and reserves and marine areas of conservation interest; and
3. Continued development of the MPRA's audit policy.

The MPRA also received briefings on or considered the following policy issues:

- Development of the Commonwealth Government's North-west Marine Bioregional Plan;
- Proposed amendments to the CALM Act and the *Wildlife Conservation Act 1950*;
- DEC arrangements for audits of all commercial whale shark tour operators in Ningaloo Marine Park;
- DEC draft commemorative memorials policy;

- Review of the Department of Fisheries' Aquaculture Guidelines and Policies;
- Draft DEC policy: Management of Organised Group Activities in National Parks and Reserves and Marine Parks and Reserves; and
- Development of the State Government's Kimberley Science and Conservation Strategy;

POLICY REVIEW DURING 2009/2010

The MPRA and DEC undertook an internal review of the MPRA Policy Formulation Guidelines (2003) and a list of priority policies for development.

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 agreed regionalisation of Western Australian waters identifies 19 bioregions. Nine of these now include marine parks and reserves.

LEGISLATIVE BACKGROUND

The CALM Act (section 14) requires that accompanying public notification of a new marine reserve proposal there must be an indicative management plan, that is, a plan that indicates how the reserve is to be managed once it is established.

The legislative provisions that deal with the content and objectives of management plans also apply to indicative management plans (except that the minimum public consultation period is 3 months).

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 2009/2010.

PROPOSED DAMPIER ARCHIPELAGO/REGNARD MARINE CONSERVATION RESERVES

Background

The MPRA submitted its report in respect of the indicative management plan for the Proposed Dampier Archipelago Marine Park and Cape Preston Marine Management Area to the then Minister for the Environment (under Section 14 (1a) of the CALM Act) on 29 August 2003.

On 27 April 2007, the then Minister provided the MPRA with directions on progressing the establishment of the proposed marine reserves, and on 14 May 2007 the MPRA provided its final report to the then Minister for Environment under Section 14 (6a) of the CALM Act. This report included a recommendation that the name of the proposed marine management area be changed to Regnard Marine Management Area, given the excision of all the area to the west of Cape Preston from the proposed reserve as a result of the State Agreement Act obligations and to reflect the geographical position of the reserve across a broad part of Regnard Bay.

The then Minister for Resources and the then Minister for Fisheries provided concurrence to create the reserves and gazette the management plan on 16 August 2007 and 19 September 2007, respectively.

Gazettal of the amended boundary for Dampier Port occurred on 25 May 2007. However, due to potential future requirements for port facilities and resource development in the region, further negotiations were undertaken to finalise a revised boundary for Port Walcott.

Progress in 2009/2010

The Minister for Environment requested and was provided a revised indicative management plan for the proposed reserves and an updated package of

letters seeking ministerial concurrence to gazette the reserves in March 2010. The Minister for Environment is considering the management plan for the proposed reserves and has requested the MPRA provide its advice as to the progression of the proposal.

PROPOSED GEOGRAPHE BAY/ LEEUWIN-NATURALISTE/HARDY INLET MARINE PARK (“NGARI CAPES”)

Background

A community-based Advisory Committee was formed in August 2003 to assist planning for the proposed marine reserve encompassing the western part of Geographe Bay, the Leeuwin-Naturaliste coast, and Hardy Inlet. In August 2004, the Advisory Committee provided advice and the draft indicative management plan was forwarded to the then Minister for the Environment, who then referred it to the MPRA for its report.

The MPRA considered the indicative management plan at a subcommittee meeting on 8 September 2004, and at the then Minister for the Environment’s request, additional consultation with stakeholder groups was undertaken on 9 September 2004. The MPRA considered the subcommittee report, the outcomes of the stakeholder consultation, and the indicative management plan and provided its report to the then Minister for the Environment (under Section 14 (1a) of the CALM Act) on 30 September 2004.

After additional consultation and review and a number of administrative matters being resolved, the MPRA provided its final report on the revised indicative management plan to the then Minister under Section 14 (6a) of the CALM Act. on 7 August 2007, The MPRA’s report included a recommendation for the inclusion of the Noongar word “*Ngari*” (meaning salmon fish) in the name of the marine park.

Progress in 2009/2010

The Minister for Environment requested and was provided a revised indicative management plan for the proposed reserves and an updated package of letters seeking ministerial concurrence to gazette the reserves in March 2010. The Minister for Environment is considering the management plan for the proposed reserve and has requested the MPRA provide its advice as to the progression of the proposal.

PROPOSED PILBARA AND EIGHTY MILE BEACH MARINE PARKS AND RESERVES

DEC undertook substantial work in 2008/2009 in relation to planning for the Pilbara and lower west Kimberley (Eighty Mile Beach) coasts.

To ensure a whole-of-government approach to planning for this initiative, an Interagency Working Group (IWG) was established in 2007 with senior officers from relevant Government agencies.

An Aboriginal engagement program was progressed with groups whose claimed or determined native title areas were in the vicinity of proposed marine parks and reserves. Groups involved expressed general support for the concept of improved coastal and sea country protection through marine parks and reserves. Further consultation will be required to investigate these matters fully and to develop Indigenous Land Use Agreements for the intertidal and other areas subject to native title.

Progress in 2009/2010

This proposal was not fully developed prior to the 2008 state election and no further work has been undertaken by DEC since mid 2009.

PROPOSED CAMDEN SOUND MARINE PARK

Background

Planning for the proposed Camden Sound Marine Park in the Kimberley Region of Western Australia was commenced by DEC in late 2009. On 3 October, 2009 the Premier and Minister for Environment announced that a marine park would be created in the Camden Sound area of the Kimberley to recognize the importance of this place as one of the worlds most significant humpback whale calving areas and also to protect the biodiversity of the area more generally.

The MPRA has since worked with its supporting agency to review the initial proposal and prepare an Indicative Management Plan (IMP). In the course of its deliberations, and the preparation of the plan, reports were made to the Authority on the results of consultation by DEC with various stakeholders. Three of these non-government stakeholders, the fishing industry (WAFIC), the science community, and the conservation sector, have corresponded with the Government and/or the MPRA in relation the proposal, including making specific comments in relation to boundaries, zoning and consultation.

The MPRA prepared and provided detailed interim advice in relation to the proposal on 27 November 2009 to the Minister for Environment and the Minister for Fisheries and Mines and Petroleum. The MPRA also recommended in its interim advice that after the establishment of the Camden Sound marine park that a systematic and transparent process for the establishment of further protected areas in the Kimberley region should be implemented.

Since that time DEC has prepared an indicative management plan (IMP). The MPRA provided a report to the Minister for Environment on 14 May 2010 as required under section 14 of the CALM Act. In addition, the MPRA provided advice to the Minister regarding consultation during the three month public submission period. The MPRA provided further advice to the Minister regarding consultation on 23 June 2010. In order to progress the proposal, the Minister must obtain concurrence from the Minister for Mines and Petroleum and the Minister for Fisheries to publish a notice of intent to reserve a part of the coastal waters of Western Australia as a marine park and to release the IMP for a statutory three month consultation period.

MANAGEMENT PLANS

LEGISLATIVE BACKGROUND AND MANAGEMENT PLAN DEVELOPMENT

As the relevant controlling body, 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 DEC, 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.

In its preparation of a management plan, the MPRA has the objective of achieving or promoting the purpose for which the marine park or reserve is established. The general purposes of the three marine reserve categories are set out in the section on *The Marine Conservation Estate* of this report. Each marine park or reserve may also have specific

natural features, conservation values and other uses particular to itself. Such attributes, leading to specific management objectives, will be detailed in the management plan for the reserve.

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 indicative management plan 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 indicative management plan is released for public comment for a period not less than three months.

Written submissions on the indicative management plan are analysed and the MPRA must then submit a report to the Minister in accordance with Section 14(6a) 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.

After approval of a management plan, regulations may be made (s130 of the CALM Act) to put in place necessary protection, management or control, including special zoning provisions (see section on *The Marine Conservation Estate*). Regulations may not, however, be made under the CALM Act relating to commercial or recreational fishing, aquaculture or pearling. Regulations governing those activities in a marine park or marine management area are made under the FRM Act or *Pearling Act 1990*.

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 DEC for the MPRA contain summaries of ecological and socio-economic 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 DEC, thus providing the basis by which periodic assessment may be made.

During 2009/2010 this relationship of management plan, work plans and performance assessment processes has continued to be refined under the MPRA's audit processes (see section on *Management Plan Implementation and Audit*).

Table 1 lists approved management plans for established marine reserves. **Table 2** shows indicative management plans released but reserves not yet created and final management plans not yet approved by the Minister for Environment.

Table 1
APPROVED MANAGEMENT PLANS
by Department plan number

NUMBER	PLAN	DATE GAZETTED
23	Marmion Marine Park	15-May-92
34	Shark Bay Marine Park and Hamelin Bay	7-Mar-97
41	Marine Nature Reserve 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

Table 2

**INDICATIVE MANAGEMENT PLANS
RELEASED - RESERVE NOT YET
CREATED AND FINAL MANAGEMENT
PLAN NOT YET APPROVED BY THE
MINISTER FOR ENVIRONMENT**

INDICATIVE MANAGEMENT PLANS

- Ngari Capes Marine Park (released 6 September 2006)
- Proposed Dampier Archipelago/Regnard (formerly Cape Preston) Marine Conservation Reserves (released 11 January 2005)
- Camden Sound Marine Park (concurrence for release being sought at the date of this report)

STATUS OF MANAGEMENT PLANS

The following section summarizes the status of management plans for existing marine parks and reserves, and relevant activities undertaken during 2009/2010.

**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.

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 of its approval 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, the Department 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 of its approval was published in the *Western Australian Government Gazette*. The CALM Act notices to establish the zoning scheme were gazetted on 30 May 2008. Fisheries management 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

JURIEN BAY MARINE PARK

Jurien Bay Marine Park was gazetted in August 2003. The 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. It is the Authority's intention to undertake a ten year assessment of the implementation of this management plan in 2010. This assessment has been delayed past the 10 year limit set out in the MPRA's audit policy due to a lack of resources to undertake the review and audit, but is scheduled to begin in the latter half of 2010.

**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, and the subsequent report has now been finalized. A summary of the results is included in this Annual Report. The report was formally submitted to the Minister during 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 DoF notices over the area are sufficient to give effect to commercial fishing closures indicated in the management plan.

SWAN ESTUARY MARINE PARK

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.

MANAGEMENT IMPLEMENTATION AND AUDIT

MANAGEMENT PLAN IMPLEMENTATION AND AUDIT

The functions of the MPRA in relation to management plans for land and waters vested in the MPRA (as outlined in section 26B(1)(f) of the CALM Act) are to:

- develop guidelines for monitoring the implementation of the management plans by the Department;

- set performance criteria for evaluating the carrying out of the management plans; and
- conduct periodic assessments of the implementation of the management plans.

The Authority's audit policy and functions are steadily evolving. A fully functional audit of the reserves requires the determination of ecological and social baselines and establishment of statistically valid monitoring programs. It also requires access to activity and financial data as well as an assessment of outcomes.

The audit policy adopted by the MPRA includes the preparation of annual marine work plans for each park and reserve. The work plans facilitate the implementation of respective management plans by detailing the management actions and resourcing of annual work programs. The framework requires completion of an annual status report by DEC for each marine park and reserve. The status report includes an assessment of the condition, pressures and management responses for key values and the progress in implementing the marine work plans and management plans. The policy also specifies periodic and 10 year audits by the MPRA of the implementation of each management plan.

On 23 and 24 September 2009, the MPRA Audit subcommittee facilitated the seventh annual workshop of DEC and DoF staff to conduct a performance assessment of the Western Australian parks and reserves system. At this workshop the MPRA was provided with status reports on each of the parks and reserves vested in the MPRA. The workshop and status reports have been used by the MPRA as the basis for the 2008/2009 evaluation of the implementation of marine park and reserve management plans. The outcome of the evaluation is summarised in the appended 2008/2009 Annual Audit Report.

2008/2009 AUDIT REPORT

The findings of the Annual Audit Report provide the context for the ongoing improvement of the management of Western Australia's marine parks and reserves.

The 2008/2009 Annual Audit Report includes the following findings related to the performance of management plans.

The 13 marine parks and reserves received funding of approximately \$5.9 million from DEC, with direct operational expenditure accounting for a high proportion of this total. This is approximately an equivalent level to 2007/08 expenditure. Overall, the highest proportion of expenditure occurred in the Ningaloo Marine Park, with its DEC expenditure accounting for 46% of total DEC expenditure across all marine parks and reserves.

The audit process has been unable to access financial data related directly to marine management activities from DoF and those figures have not been included. The maintenance of the 2007/2008 level of expenditure by DEC through 2008/2009 is a welcome commitment of resources and has provided for a strong level of achievement of many management strategies designed to maintain and enhance the effectiveness of the parks and reserves network. Nonetheless, insufficient resources continue to limit operational management and monitoring in specific parks and reserves, and this is becoming increasingly acute with the rapid growth of coastal and resource developments across the whole state that provide for escalating pressures on the values of the marine conservation network.

The performance review identified that the majority of key ecological and social values in each marine park or reserve had been qualitatively assessed as being in a good or satisfactory condition. However, a number of values in specific parks were assessed as having unsatisfactory condition ratings, high pressure and/or unsatisfactory management responses. In addition, the qualitative and uncertain nature of many assessments resulted in a relatively low level of confidence in those assessments, leading to significant risk of management failures.

The assessment of management risks for each marine park or reserve across all of the key performance indicators (KPI) indicates a high level of management risk for a number of the values. Targeted fish populations, where they could be qualitatively estimated, consistently scored poorly across all marine parks and reserves indicating a high risk of management failure at the park scale for this KPI across the network of marine parks and reserves.

Research and monitoring provides critical baseline and historical quantitative information which can be applied to park assessment. A much stronger focus on quantitative condition reporting for all the KPIs in each park or reserve is required. This must be supported by the development of quantitative conservation benchmarks at the park-level, including for exploited species.

Shark Bay Marine Reserves Audit

Under the audit policy of the MPRA a 10-year review of Shark Bay Marine Reserves Management Plan was conducted in 2009. The audit found a very high level of acceptance of the reserves by stakeholders, and that management systems were effectively delivering on many of the identified management strategies. However, the lack of a fully functional outcome-based management plan was identified by the review as a key problem to be

resolved. The audit also found that there are a number of weaknesses in the management systems that should be addressed with high priority, including development of consistent and effective policies and plans for the conservation of targeted species of fish, identification and high-level protection of representative habitats that are important but poorly represented within the existing park, and an improved focus on cooperation across government for management of catchment and foreshore recreational activities that are affecting the park values. The MPRA encourages the Government to support a formal revision of this management plan in the near future so that management of the Shark Bay Marine Reserves can be consistent with aspirations for the Shark Bay World Heritage Area and provide for effective conservation and enjoyment of the Shark Bay ecosystems and values.

The annual assessment process is persistently, and significantly, hampered by the lack of relevant and available information about the condition and trends of key indicators in the parks and reserves. This is most acute for Ningaloo Marine Park, for which, despite very large expenditures over the past years by government and research providers, very little information has been made available to the MPRA in a form suitable for its performance assessment process. As a result of this, and the uncertainty this generates, the MPRA has determined that Ningaloo Marine Park requires high priority management attention to ensure that the DEC and DoF management strategies provide for effective conservation of coastal biological communities, targeted and non-targeted fish species, and turtles within the park.

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). The Department'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 2009/2010.

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 2009/2010.

LEASES, LICENCES AND PERMITS

Commercial operations on MPRA vested land and waters are required to be licensed according to the *Conservation and Land Management Act Regulations 2002*. This enables access and use to be monitored and license 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 tour operator licence applications were considered by the MPRA during 2009/2010 for a variety of activities within marine parks and reserves in Western Australia. All applications were approved as recommended.

MANAGEMENT ISSUES CONSIDERED DURING 2009/2010

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

- Proposed speed limit change in the special purpose (wildlife conservation) zones in Shoalwater Islands Marine Park;
- Proposed predator fence for the adjacent nature reserves at Lagoon Point, Shark Bay;
- Proposed trial of ‘T Class’ commercial operators on a launch and retrieve basis from the Coral Bay marine facility and traverse through the Maud Sanctuary Zone in Ningaloo Marine Park; and
- Proposed finger jetty development to enable safe launch and retrieval of vessels at the Monkey Mia boat ramp within the Shark Bay Marine Park.

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 the Department, 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).

The Chair and the Deputy Chair of the MPRA hold meetings with the Minister (or her policy advisers) on a regular and *ad hoc* basis. During 2009/2010 four meetings were held with the Minister. At some of these meetings, the Minister made verbal requests for advice from the Authority and the Authority also provided unsolicited advice on a number of matters.

ACTION DURING 2009/2010

The MPRA provided advice to the Minister on a number of matters including:

- A suggested forward plan for marine conservation in Western Australia including recommendations that the Government adopt a three year work program with the objective of establishing a system of representative marine protected areas for the State as envisaged by the Marine Parks and Reserves Selection Working Group in 1994. In detail, the following program has been proposed to Government by the MPRA:
 1. Completion of the implementation of the parks that are currently in process, being Ngari Capes and Dampier/Regnard;
 2. Completion of the Pilbara/Eighty Mile Beach plan with an appropriately resourced and extended stakeholder and public consultation period in the second half of 2009;

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3. Initiate an MPA planning process for the South Coast region, building on the success of the process that developed the draft Regional Marine Strategic Plan with the objective of creating a system of marine reserves in this region by 2012.

Further advice was provided in relation to:

- The planning process for the proposed Camden Sound Marine Park Indicative Management Plan.
- In conjunction with the development of the Kimberley Science and Conservation Strategy, the need for the urgent protection of the Kimberley through full reservation of the iconic areas and development of a longer term strategy for the protection of regional biodiversity through the establishment of a regional scale marine protected area.

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 FRM Act. Pearling and hatchery activities using *P. maxima* are subject to the licensing and leasing requirements of the *Pearling Act 1990*.

Apart from possible conservation and environmental impacts, the occupation of sites for aquaculture and pearling purposes may also effectively or necessarily deny, prevent or restrict access to those sites by other users of the marine environment.

STATE GOVERNMENT POLICY

Subject to certain constraints, current Government policy allows aquaculture and pearling in marine conservation reserves in accordance with the Pearling Act, FRM Act and the CALM Act. 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.

ADVICE PROVIDED DURING 2009/2010

At the 129th meeting of the MPRA, on 19 November 2009, the Department of Fisheries provided the MPRA with an update of review of aquaculture guidelines and policies that the Department were undertaking.

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.

STATE GOVERNMENT POLICY

Current Government policy, subject to certain constraints, allows exploration, production and mining in terrestrial and marine conservation areas in accordance with the Mining Act, Petroleum Act, Petroleum Pipelines Act and Petroleum (Submerged Lands) Act.

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. A policy to facilitate this role has been developed.

With respect to MPRA involvement concerning petroleum exploration and production in marine nature reserves, marine parks and marine management areas, current legislation does not contain a formal requirement for comment by the MPRA. However, the Minister administering the CALM Act receives prior notification that a permit, lease or licence is about to be granted in respect of a marine conservation reserve under the Petroleum Act or the Petroleum (Submerged Lands) Act. The Minister can then seek the advice of the MPRA. Current involvement of the MPRA also relies on the *Environmental Protection Act 1986* processes and on administrative arrangements. The MPRA has instituted regular briefings by DMP staff in regard to general industrial development that is likely to affect existing or proposed marine parks.

ISSUES CONSIDERED DURING 2009/2010

The MPRA received briefings and/or provided comment when appropriate on the following:

- Gorgon project development requirements for cyclone moorings;
- Nearshore oil and gas developments and activities of the Ningaloo and Kimberley coastal areas.

LIAISON

BACKGROUND

In carrying out its functions the MPRA visited existing and proposed marine parks and reserves during the year, attended meetings with other organisations and was briefed by representatives from Government, private industry, and marine stakeholder groups.

ACTION DURING 2009/2010

- A representatives of the MPRA attended the Government's Kimberley Science and Conservation Strategy stakeholder forum held in Broome on 21 & 22 July 2009
- The MPRA Audit Subcommittee members attended a joint meeting of the Shark Bay World Heritage Scientific Advisory Committee and the Shark Bay World Heritage Community Consultation Committee in Denham on 24 & 25 August 2009 as part of

the MPRA's 10-year audit of the Shark Bay Marine Reserves Management Plan 1996-2006.

- The Department provided a brief overview of the coastal compartments process for coastal and marine conservation at the MPRA's 125th meeting on 16 July 2009.
- Representatives of the MPRA attended the Commonwealth Government's North-west Marine Bioregional Planning information session in Perth on 22 September 2009.
- A representative from the Department of Fisheries presented an update of the department's review of aquaculture policies and guidelines at the 129th MPRA meeting on 19 November 2009.
- A representative from the Department of Transport provided a detailed presentation on coastal erosion issues in developed coastal areas of Western Australia at the MPRA's 129th meeting on 19 November 2009.
- Dr. Lars Bejder attended the MPRA's 130th meeting on 17 December 2009 and presented an overview of the current research projects of Murdoch University's Cetacean Research Unit in Western Australia.
- At the 131st MPRA meeting on 21 January 2010, the Department provided a briefing of the whale shark tour operator sustainability audits that are being conducted in the Ningaloo Marine Park.
- Representatives of the Office of Native Title provided a briefing to the MPRA on 18 February 2010 regarding the Yawuru Native Title Agreement for the areas surrounding Broome, WA.
- The Department of Mines and Petroleum provided a detailed presentation on the existing and proposed oil and gas exploration and production activities in the Ningaloo and Kimberley coastal areas at 134th MPRA meeting on 15 April 2010.

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.

The MPRA maintains a website (www.dec.wa.gov.au/mpra) to promote marine conservation and the role of the MPRA.

RESOURCES

FUNDING AND ADMINISTRATIVE ARRANGEMENTS

The MPRA Executive Officer and staff of DEC's Marine Policy and Planning Branch provide assistance to support the MPRA, particularly in regard to background briefings, advice and assistance for MPRA meetings.

Funding for the operation of the MPRA is allocated by the Department annually according to an agreed financial schedule.

In the financial schedule for the 2009/2010 period the Department allocated \$201,283 to its Marine Policy and Planning Branch for administration and support of the MPRA.

Purpose	Allocation (\$)
Honoraria (sitting fees etc)	94,600
Executive Officer	86,183
Operations	7,000
Assessment of the implementation of management plans	11,000
Miscellaneous	2,500
TOTAL	201,283

In accordance with the requirements of section 175ZE of the *Western Australian Electoral Act 1907*, the MPRA incurred nil expenditure for the 2009/2010 financial year.

APPENDIX 1: ANNUAL AUDIT REPORT

Marine Parks and Reserves

Management Plan Implementation Assessment

1 July 2008 – 30 June 2009

Introduction

The process of audit review and reporting provides the context for the ongoing improvement of the management of Western Australia's marine parks and reserves. This Audit Report is a summary of the results of the Marine Parks and Reserves Authority's (MPRA) 2008/2009 annual audit of the implementation of management plans for marine parks and reserves in Western Australia. The audit process consists of an annual review and performance assessment of the implementation of management plans based on detailed annual status reports prepared by the Department of Environment and Conservation (DEC) and a supporting workshop. From this process, a detailed Annual Audit Review is normally prepared by the MPRA with assistance from the DEC Marine Policy and Planning Branch. However, the Annual Audit Review was not prepared in 2008/2009 and this Annual Audit Report has been prepared by the MPRA and is based on the status reports and the workshop process.

Background

The functions of the MPRA in relation to management plans for land and waters vested in the MPRA, as outlined in section 26B(1)(f) of the *Conservation and Land Management Act 1984* (CALM Act), are to:

- develop guidelines for monitoring the implementation of management plans by the Department;
- set performance criteria for evaluating the carrying out of the management plans; and
- conduct periodic assessments of the implementation of the management plans.

The Authority fulfils these functions through a detailed audit policy and process, which is being continually developed and improved. As with all audit processes, high quality information and the availability of historical data for comparison and establishment of trends are first order requirements to enable performance to be assessed. The fully functional audit of WA's marine parks and reserves requires determination of ecological and social baselines and establishment of statistically valid monitoring programs measuring the key indicators that represent the values and management objectives in each park or reserve. It also requires access to activity and cost data as well as an assessment of outcomes. Steady improvements are being made in the provision and reliability of this information.

The MPRA Audit Policy provides for three levels of review to inform assessment of marine park and reserve management and to assist in delivery of the MPRA independent audit function:

- an annual review of the status reports for each marine park or reserve;
- formal audit of management performance for each marine park or reserve on a periodic basis, partly based on the preceding three annual reviews; and
- a 10-year audit of the implementation of the management plan, partly based on the preceding annual reviews and formal periodic audits.

These annual, periodic and 10-yearly reports contribute to the preparation of the MPRA's annual audit of the system, and to the annual report for all marine parks and reserves.

Process

The MPRA's audit policy sets out the overall framework and objectives for the assessment process. In conjunction with DEC, a detailed performance assessment framework has been developed, based on:

- **input assessment** – management inputs of financial and other resources as identified in annual marine work plans;
- **output assessment** – key products (or services) or key achievements linked to implementation of key strategies in the management plan; and
- **outcome assessment** – condition-pressure-response 'report cards' for each ecological value and some social values, and assessments in relation to the strategic objectives and targets where applicable, for conservation, science and education, public participation, and recreational and commercial uses.

The performance assessment framework includes consideration of annual work plans and annual status reports for each reserve. Status reports include an assessment of the condition, pressures and management responses for key values and the progress in implementing the marine work plans and management plans.

In practice, the MPRA conducts, through the MPRA audit subcommittee, an annual workshop where DEC and Department of Fisheries (DoF) regional and Perth-based staff provide written status reports and briefings on the activities and outcomes of managing the marine parks and reserves. From the detailed report cards and through the workshops, the MPRA and DEC then normally compile the Annual Review, which forms the basis of this Audit Report.

An important component of the review process is collaboration with other agencies that have management responsibilities within and adjoining marine parks and reserves and that contribute to the implementation of the management plans. This is particularly true of DoF, which has the lead role in management of fisheries both within and adjacent to marine parks and reserves, but also the Department for Planning and Infrastructure, Department of Mines and Petroleum, and Tourism WA.

2008/2009 was the third year in which DoF provided significant data for the performance assessment process. DEC and DoF have achieved significant progress towards delivering collaborative operational management of marine parks and reserves to control fishing activities, consistent with the management plans.

Performance Assessment

Funding

DEC has reported a total expenditure of approximately \$5.9 million for the operational management of the State's thirteen marine parks and reserves in 2008/2009. In addition, DEC has invested approximately \$1.3 million in the development of the department's marine science program for the year. As in 2007/08, operational expenditure in the Ningaloo Marine Park accounted for the largest allocation of funds, approximately 46 percent of the total DEC expenditure on marine parks and reserves in 2008/2009.

The creation of the Walpole and Nornalup Inlets Marine Park in May 2009 has increased DEC's overall budget allocation for marine parks and reserves, to provide for management of this new marine park. Apart from this increase, DEC funding levels for the marine parks in 2008/2009 (~\$5.9 million) remained at about the same level as funding for the 2007/2008 year (~\$5.7 million) which was a significant increase over preceding years.

DoF receives direct funding for its involvement in management of fishing compliance in marine parks and reserves. However, financial information on DoF expenditure was not available for all parks and reserves, and the MPRA is therefore unable to include expenditure of DoF funds in this year's report.

As in previous years, the audit process in 2008/2009 has been unable to access all financial data related directly to marine management activities from both DEC and DoF. However, improvements continue to be made in the manner in which these financial data are collected and reported.

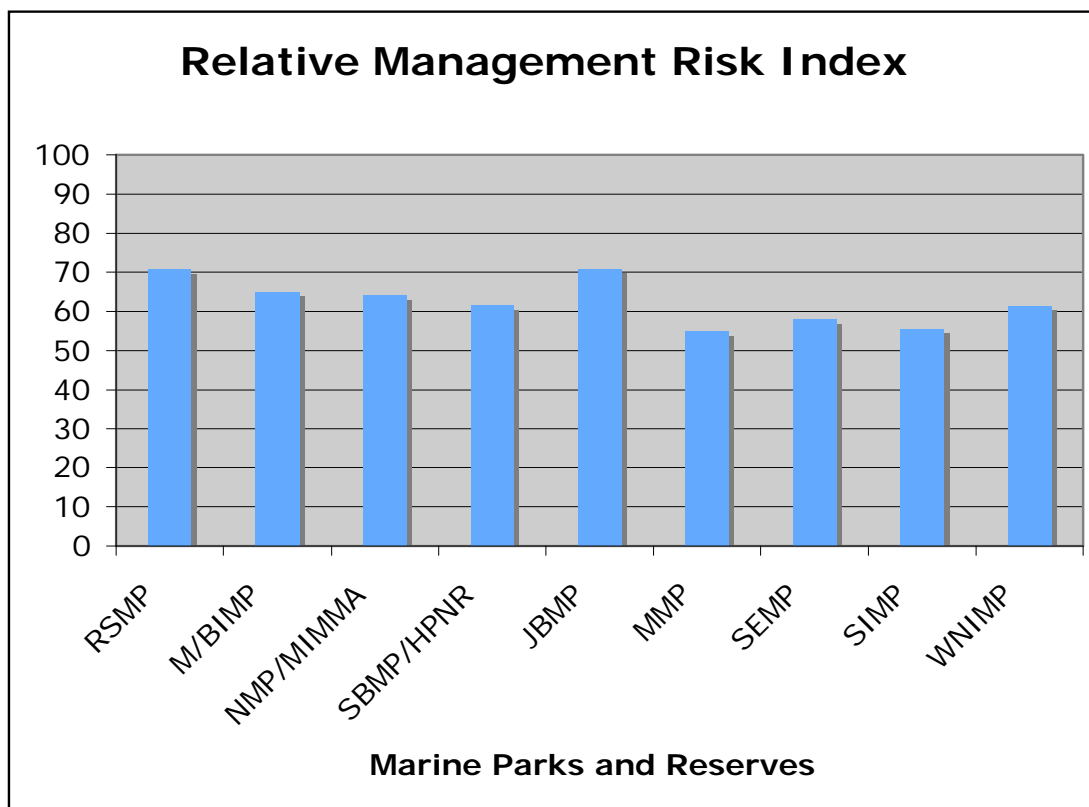
Reserve condition

The annual review identified that the majority of key ecological and social values in each marine park or reserve had been qualitatively assessed as being in a good or satisfactory condition. However, in specific parks, a number of values were assessed by DEC as having unsatisfactory condition ratings, high pressure and/or unsatisfactory management responses. In addition, the qualitative nature of many assessments resulted in a relatively low level of confidence in almost all the assessments. It is expected that continuing refinements to the performance assessment process will ensure that an increasing number of quantitative condition ratings will become increasingly applied across all marine parks and reserves. The need for quantitative data to support condition assessments of the key ecological values of most reserves continues to be a matter of the utmost importance, and is expected to be systematically addressed by DEC's Marine Science Program with supporting information and collaboration from DoF with respect to fish.

In 2008/2009, as in previous years, the assessment of relative management risks for each marine park or reserve across all of the key performance indicators (KPI) indicates a high level of management risk (i.e. an increased risk of failing to meet management objectives in relation to the KPI) in most of the parks (see graphic below). This result is partly due to a lack of quantitative data with which to assess the condition of ecological values, the human-induced pressures they are under, and the appropriateness of the management responses. However, there are two recurrent themes. First, targeted fish and invertebrate populations, where they could be estimated, consistently scored poorly across all marine parks and reserves indicating a very high risk of management failure for this KPI across the network of marine parks and reserves. Second, reliable quantitative information about a number of other iconic park values, including Shark Bay microbial communities and turtles is almost non-existent, and this lack of knowledge has persisted for a number of years.

Of further concern, and despite the major state and federal government funds allocated to understand the ecosystems and pressures, the condition of many of the key values of Ningaloo Marine Park have again in 2008/2009 been unable to be fully assessed in the annual audit because of a lack of information. On the available information, and despite its iconic status, some of the values of the Ningaloo Marine Park are therefore considered to be at high management risk, along with several other parks and reserves. The metropolitan marine parks (Marmion, Shoalwater, and Swan Estuary) rank very poorly on the risk index, all needing urgent management attention. It should be noted that the ten-year review of the Marmion Marine Park, is now well overdue. That process will be assisted when it occurs, through completion of the MPRA's ten year review of the implementation of the management plan for this park, which is scheduled to begin in the latter part of 2010.

Relative Risk Ranking of the Management of Marine Parks and Reserves*



*The relative risk index is constructed from (mostly) qualitative estimates of KPI condition, pressures, responses, and the confidence in each estimate. Relative risk scores higher than 85 indicate that management risks are satisfactory, and that the park/reserve needs ongoing routine management; scores between 60 and 85 indicate that the park/reserve requires high priority attention; and parks scoring below 60 are considered in need of urgent attention. The data for this risk ranking are supplied by DEC in the annual status reports for each park/reserve.

Research and monitoring

Research and monitoring provide critical baseline and historical quantitative information which can be applied to park assessment. In some marine parks, for example Jurien Bay and Ningaloo, research and monitoring projects conducted by external research providers have been underway for some years. In addition, in many marine parks and reserves, a number of small locally-based projects have been undertaken by DEC and/or community groups. However, there is currently limited capacity for DEC and hence the MPRA to access the relevant and available information. Improved interfaces between park managers and external research providers are required to access these data and to better focus scientific research on short and medium-term park management issues so that the MPRA audit procedures can be properly supported and informed. This is being partly addressed through the compilation of research bibliographies for reserves, and the implementation of data sharing arrangements with tertiary institutions and other State and Commonwealth agencies. However, a much stronger focus on quantitative condition reporting for all the KPIs in each park or reserve is required. This will focus attention to the development of appropriate conservation benchmarks at the park-level, including for exploited species.

DoF also undertake some research within individual marine parks or reserves. However, much of this work focuses on fish species at the stock scale for fishing production purposes rather than at the finer marine park or reserve scale for conservation purposes. The establishment of the DEC Marine Science Program has the potential to facilitate outcomes through the development of research

relationships with DoF and an increased focus on research outcomes for marine park and reserve management (as specified in management plans and the KPIs).

Shark Bay Marine Park 10 Year Audit

The first 10 year review of a park management plan under the MPRA's audit policy was undertaken in 2009. This review was finalised in April 2010, and resulted in 17 findings and management recommendations. The principal findings of the review were:

- a. The reserves are in good condition, with the likely exception of some targeted fish stocks and local areas where land-based sources of runoff may be having detrimental impacts
- b. Agency (DEC and DoF) management appears to be efficient and effective within the limits of the allocated financial resources, although it is clear that the management system, despite recent increases, remains substantially under-funded
- c. The management plan is outdated and a new plan will need to be developed and gazetted to replace the expiring plan as a matter of priority
- d. The existing high-level protection of representative habitats of the Shark Bay ecosystems is inadequate, and the SBMR and World Heritage Property (WHP) boundaries need to be brought into coherence to resolve this and several other pressing management issues
- e. Recreational fishing issues need to be actively addressed in a precautionary manner, because the fishing pressure is expected to increase with increased levels of visitation
- f. Public acceptance of the SBMR and many of the World Heritage values is high, and there are significant levels of support for extension of the park/reserve to include currently unrepresented habitats of Shark Bay provided that existing commercial fishing grounds are suitably maintained and recreational fishing issues are better managed
- g. Camping and foreshore issues and watershed management need to be more fully addressed in the new management plan, and particularly in relation to the improved management of pressures on shallow water near-shore ecosystems (including stromatolites)
- h. Short term issues need to be addressed through an interim set of transitional management arrangements, pending the development of the full statutory new management plan. Each of the 17 recommendations from this review should be addressed within the short-term transitional arrangements.

Management plans and future reviews

The first review of management conducted under the MPRA's Audit Policy, and the first periodic audit of marine park performance, was conducted on Jurien Bay Marine Park in 2008. That audit found a very high level of acceptance of the Park, and that it was meeting many of its key objectives. However, the audit also found that some objectives could not be met because of the very limited scale and representativeness of the sanctuary zones, and the recommendation of that review is reiterated here—there should be a rezoning of the park with a view to addressing this problem before the first statutory review of the Park becomes due (in 2015).

As at 30 June 2009, eight of the 13 Western Australian marine parks and reserves have outcome-based management plans. The Shark Bay Marine Reserves, Marmion Marine Park and Swan Estuary Marine Park have management plans that have exceeded their ten-year term and are not outcome-based. As noted above, the MPRA's ten year review of the Shark Bay Marine Reserves management plan was conducted in 2009, and reviews of the management plans for Marmion Marine Park and Swan Estuary Marine Park are proposed for the 2010/2011 reporting year. Periodic reviews are also proposed in 2010/2011 for the management plans of Ningaloo Marine Park and Muiron Islands Marine Management Area, and the Montebello Marine Park, Barrow Island Marine Park and Barrow Island Marine Management Area.

Audit of Management Responses

Previous audits

An important component of the audit program is to monitor and report on the results of any management actions taken in response to identified deficiencies or weaknesses that may have been identified through earlier audits of management performance. The 2007/2008 MPRA Annual Review identified a number of specific areas where improvement and action was required. Progress on these matters is set out below.

Reference	Recommendation	Progress
1-07/08	DEC and DoF to increase their allocation of resources to the management of all marine parks and reserves, and particularly for the implementation of key strategies.	Funding has remained constant
2-07/08	DEC and DoF to continue to refine financial reporting methods to ensure adequate expenditure reporting against management strategies at the park level.	Good progress has been made within DEC on this matter
3-07/08	DEC and DoF to continue to strengthen opportunities for a collaborative approach and partnerships in marine park management at the operational level.	This is at a high level, and is ongoing
4-07/08	DEC and DoF to work more effectively towards condition reporting for all marine parks and reserves through the establishment of measurable conservation targets at a park-level for all ecological values, particularly those constituting Key Performance Indicators, and the consistent application of condition assessment monitoring across all marine parks and reserves.	No progress
5-07/08	DEC to initiate rezoning of Jurien Bay Marine Park, as a precursor to the development of new management plan.	No progress
6-07/08	Parks and reserves without outcome-based management plans should be given priority by DEC in the development of new management plans, commencing with the Shark Bay Reserves Management Plan.	No progress
7-07/08	DoF to finalise outstanding FRM Act orders as quickly as possible to provide parks with effective fishing rules, and in future, target gazettal notices relating to zoning and fishing closures to be published within 3 months of the establishment of, or adjustment to, zonings in a marine park or reserve.	Improving but still outside targets
8-07/08	Management advisory committees to be formally established for all marine parks and reserves, consistent with the DEC framework for establishing reference/advisory groups.	No action
9-07/08	DEC to develop a targeted program of moorings development in all existing parks, and particularly in those parks likely to be affected by displacement of recreational fishing pressure from the Perth metropolitan area.	Ongoing
10-07/08	DoF to allocate necessary resources to enhance understanding of the effects of recreational and commercial fishing on targeted populations of fish and invertebrates at the scale of marine parks and	No progress

Reference	Recommendation	Progress
	reserves.	
11-07/08	DEC to allocate resources for statutory review of the management plans for Marmion and Swan Estuary Marine Parks in 2010.	Underway
12-07/08	DEC and DoF to work in cooperation with the Commonwealth to improve procedures for reducing the risk of the introduction of hull-fouling organisms to WA waters through the activities of the construction, dredging, mining, oil and gas industries.	Ongoing
13-07/08	Management of all marine parks and reserves by DEC and DoF in Western Australia should be supported through the provision of vessels of an adequate size to undertake operational management and research and monitoring on a regular basis.	No information available
14-07/08	DEC to centrally coordinate delivery of education and interpretation for marine parks and reserves in WA, including aspects of fishing relevant to conservation of targeted species.	No progress

2008/2009 audit findings

Key recommendations for marine park and reserve management that arise from the 2008/2009 performance review process are set out in the following table.

Reference	Key Recommendation
1-08/09	DEC should commence the process for updating the management plan for Shark Bay Marine Reserves, with attention to the specific deficiencies identified in the statutory audit.
2-08/09	DEC and DoF to work more effectively towards condition reporting for all marine parks and reserves through the establishment of measurable conservation targets at a park-level for all ecological values, particularly those constituting Key Performance Indicators, and the consistent application of condition assessment monitoring across all marine parks and reserves.
3-08/09	DEC and DoF to increase their allocation of resources to the management of all marine parks and reserves, and particularly for the implementation of strategies related to key management issues and KPIs.
4-08/09	DEC and DoF to strengthen opportunities for a collaborative approach and coordinate marine park research projects from both Government and external research providers, for the purposes of focusing research in marine parks on the highest priority marine park management issues.

Conclusion and Recommendations

The continued development of an independent, transparent and rigorous audit process is an essential part of the process of establishment and management of the marine parks and reserves system in Western Australia. The MPRA's audit process is being progressively developed to provide the feedback to Government and the community that is required to ensure the marine conservation estate is being wisely and effectively managed for future generations.

The implementation of an effective audit process is an increasingly complex task as the State expands its marine parks and reserves system, and with increasingly competing uses for coastal and marine areas. However, the audit process and effectiveness continues to improve due in large part to the efforts of the supporting agencies and the dedication of the MPRA audit sub-committee. The Authority looks forward to the continued development of the process and its support by Government, together with an appropriate level of management response to the identified issues.

The MPRA commends the Government on its support for the marine parks and reserves system of Western Australia, and looks forward to continued growth of the system, improving the quality of management, and ensuring the ongoing protection of this State's globally unique marine biodiversity.

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