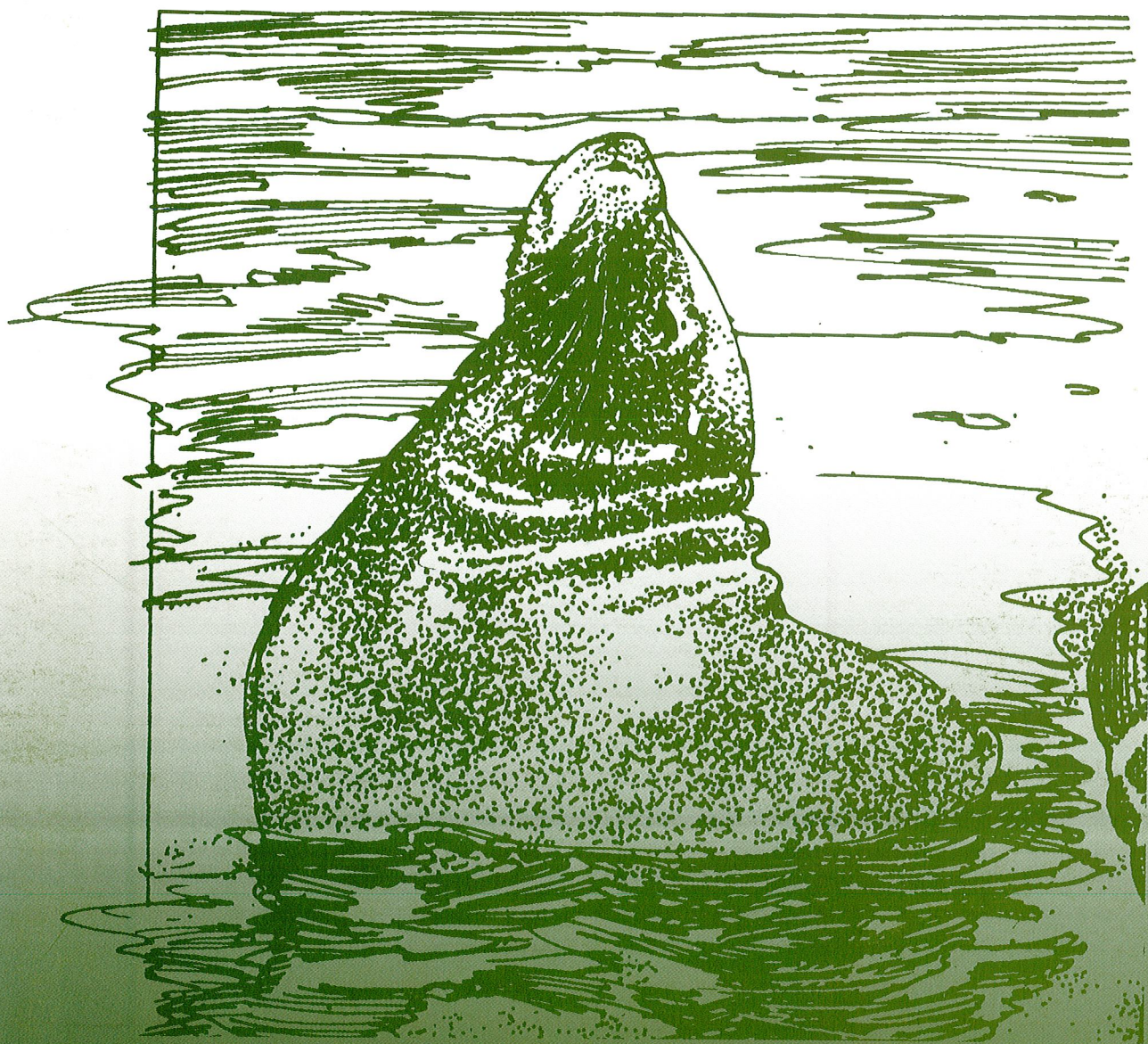


Annual Report

Marine Parks and Reserves
Scientific Advisory Committee



1 July 2002 – 30 June 2003



**Marine Parks and Reserves
Scientific Advisory Committee**

ANNUAL REPORT

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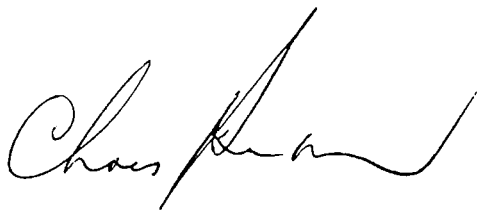
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47 Henry Street, Fremantle
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HON MINISTER FOR THE ENVIRONMENT

In accordance with section 31 of the *Conservation and Land Management Act 1984*, I submit for your information and presentation to Parliament, the sixth annual report of the Marine Parks and Reserves Scientific Advisory Committee.

A handwritten signature in black ink, appearing to read 'Chris Simpson', written in a cursive style.

Dr Chris Simpson
Chairman
Marine Parks and Reserves Scientific Advisory Committee

November 2003

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CHAIRMAN'S REVIEW

I welcome the opportunity of introducing this report of the Marine Parks and Reserves Scientific Advisory Committee (MPRSAC) for the period 1 July 2002 to 30 June 2003.

The membership of the MPRSAC has remained the same as last year. The process to replace Dr Jacqueline Alder who resigned in September 2001 has been deferred until the statutory review of the MPRSAC is completed.

The MPRSAC received a formal request from the Marine Parks and Reserves Authority (MPRA) to meet in April 2003 to discuss the development of a marine research and monitoring program to support the Government's marine conservation program.

The Chair of the MPRSAC, Dr Chris Simpson, attended eight of the twelve MPRA meetings throughout 2002/2003.

I would like to acknowledge my fellow Committee members for the contribution each of them has made to the Committee over the last year. I also thank those Department of Conservation and Land Management (the Department) staff who have assisted the Committee.

GENERAL INFORMATION

FUNCTIONS OF THE MARINE PARKS AND RESERVES SCIENTIFIC ADVISORY COMMITTEE

On proclamation of the Acts Amendment (Marine Reserves) Act on 29 August 1997, the MPRSAC was established under section 26F of the CALM Act.

The functions of the MPRSAC under section 26G of the CALM Act are “ ... *to provide scientific advice to the Minister, where the Minister has sought that advice, on issues relevant to the conservation of marine and estuarine fauna, flora and environments and marine reserves, both generally and as those issues relate to the functions of the Marine [Parks and Reserves] Authority; to provide scientific advice to the Marine Authority where the functions of the Marine Authority may be affected by a matter being considered by the Marine Committee; on matters referred to the Marine Committee by the Marine Authority; and on matters which, in the opinion of the Marine Committee should be brought to the attention of the Marine Authority*”.

The annual report of the MPRA should be referred to for details of its activities including involvement in policy development, management plans, leases, licences and permits, aquaculture and pearling, petroleum and mining.

MPRSAC MEMBERSHIP

The MPRSAC is made up of 7 members appointed by the Minister under the provisions of section 26H(1) of the CALM Act. The Marine Committee shall comprise not more than 7 members appointed by the Minister for whom –

- (a) one shall be a senior scientific officer of the Department;
- (b) one shall be a senior scientific officer of the Fisheries Department;
- (c) one shall be a senior scientific officer employed and nominated by the Trustees of the Western Australian Museum under the *Museum Act 1969*;
- (d) one shall be a person employed by or affiliated with a tertiary educational institution or research institution in the State who has special knowledge and experience in a discipline relevant to the functions of the Marine Committee;
- (e) one shall be a scientist, not employed by the State or Commonwealth Government or a State or Commonwealth Government

- instrumentality, who has special knowledge and experience in a discipline relevant to the functions of the Marine Committee; and
- (f) one or two shall be scientists who, in the opinion of the Minister have knowledge and experience which is relevant to the functions of the Marine Committee.

(Note: Except where otherwise indicated, the terms "the Minister", "the Department", "the CALM Act" and "the Amendment Act" used in this report refer to the Minister for the Environment, the Department of Conservation and Land Management, the *Conservation and Land Management Act 1984* and the *Acts Amendment (Marine Reserves) Act 1997* respectively).

The Chair and Deputy Chair of the MPRSAC are appointed by the Minister (section 26H(2)).

Membership for the period 1 July 2002 to 30 June 2003 is recorded below.

APPOINTED MEMBERS

- (1) Dr Chris Simpson (Chair)
(section 26H(1)(a))
- (2) Dr Iva Stejskal (Deputy Chair)
(section 26H(1)(e))
- (3) Dr Patrick Berry
(section 26H(1)(c))
- (4) Dr Louis Evans
(section 26H(1)(f))
- (5) Dr Andrew Heyward
(section 26H(1)(d))
- (6) Dr Jim Penn
(section 26H(1)(b))
- (7) Replacement for Dr Alder deferred until the statutory review of the MPRSAC is completed.

MPRSAC MEETINGS

There were no formal meetings of the MPRSAC during the period.

The MPRSAC and the MPRA held a joint meeting on the 4 April 2003 to discuss the development of a marine research and monitoring program to support the Government's marine conservation program.

RESOURCES

The Department provides the necessary secretarial staff to the MPRSAC, being part of one officer's

duties. Other Departmental staff also provide input to the MPRSAC on request.

The MPRSAC has no financial functions. Costs relating to honoraria, travel costs and day to day running costs are met from the Consolidated Fund appropriation of the Department. There was no expenditure for the 2002/2003 year (excluding Department officers' salaries).

In accordance with the requirements of Section 175ZE of the *Western Australian Electoral Act 1907*, the MPRSAC incurred nil expenditure for the 2002/2003 year.

REVIEW OF THE CALM ACT CONTROLLING BODIES

Controlling bodies established under the CALM Act include the Marine Parks and Reserves Scientific Advisory Committee (Section 26F – 26H), the Marine Parks and Reserves Authority (Section 26A – 26E) and the Conservation Commission of Western Australia (Section 18 – 26AC).

The requirement for a review of the MPRA, MPRSAC and the Commission arises from statutory and Government policy commitments including the Machinery of Government (MOG) review.

The Minister appointed former Deputy State Ombudsman Mr Alex Errington to conduct the review of the CALM Act statutory authorities and report to her.

As at 30 June 2003 the Minister had not yet released the report.

ADVICE TO THE MINISTER AND THE MARINE PARKS AND RESERVES AUTHORITY

LEGISLATIVE BACKGROUND

The MPRSAC provides scientific advice to the Minister, where the Minister has sought that advice on issues relevant to the conservation of –

- marine and estuarine fauna, flora and environments and marine reserves
- marine reserves

The MPRSAC also provides advice to the MPRA –

- where the functions of the MPRA may be affected by a matter being considered by the MPRSAC
- on matters referred to the MPRSAC by the MPRA
- on matters which, in the opinion of the MPRSAC, should be brought to the attention of the MPRA.

(Refer section 26G(1)(g) and (i) of the CALM Act.)

ACTION DURING 2002/2003

The Minister for the Environment did not seek any advice from the MPRSAC during 2002/2003.

The MPRA requested the MPRSAC meet with them in April 2003 to discuss the development of a marine research and monitoring program to support the Government's marine conservation program.

The Chair of the MPRSAC, Dr Chris Simpson, attended eight of the twelve MPRA meetings throughout 2002/2003.

MARINE PARKS AND RESERVES AUTHORITY

The *Acts Amendment (Marine Reserves) Act 1997* (Amendment Act) was proclaimed on 29 August 1997 and included amendments to the *Conservation and Land Management Act 1984* (CALM Act), which established the MPRA as the vested body for Western Australia's marine conservation reserves. Vesting was transferred from the National Parks and Nature Conservation Authority (NPNCA) to the MPRA. The MPRA was created as a Controlling Body under section 26A of the CALM Act. The MPRA is responsible to the Hon Minister for the Environment.

Western Australia's marine nature reserves, marine parks and marine management areas are vested in the MPRA. Day to day management of these vested waters and lands is carried out by the Department.

In addition to being the vested authority for these conservation reserves, section 26B(1)(b) of the CALM Act prescribes the functions of the MPRA. These are:

1. Development of policies
 - (a) to preserve the natural marine and estuarine environments of the State;
 - (b) to provide facilities for the enjoyment of those environments by the community;
 - (c) to promote appreciation of marine and estuarine flora and fauna and natural marine and estuarine environments; and
 - (d) to achieve and promote the management objectives of the various types of marine conservation reserves vested in it, as outlined at section 56 of the 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, causes 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) to develop guidelines for monitoring the implementation of the management plans by the Department;
 - (b) to set performance criteria for evaluating the carrying out of the management plans; and
 - (c) to 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 WA 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.