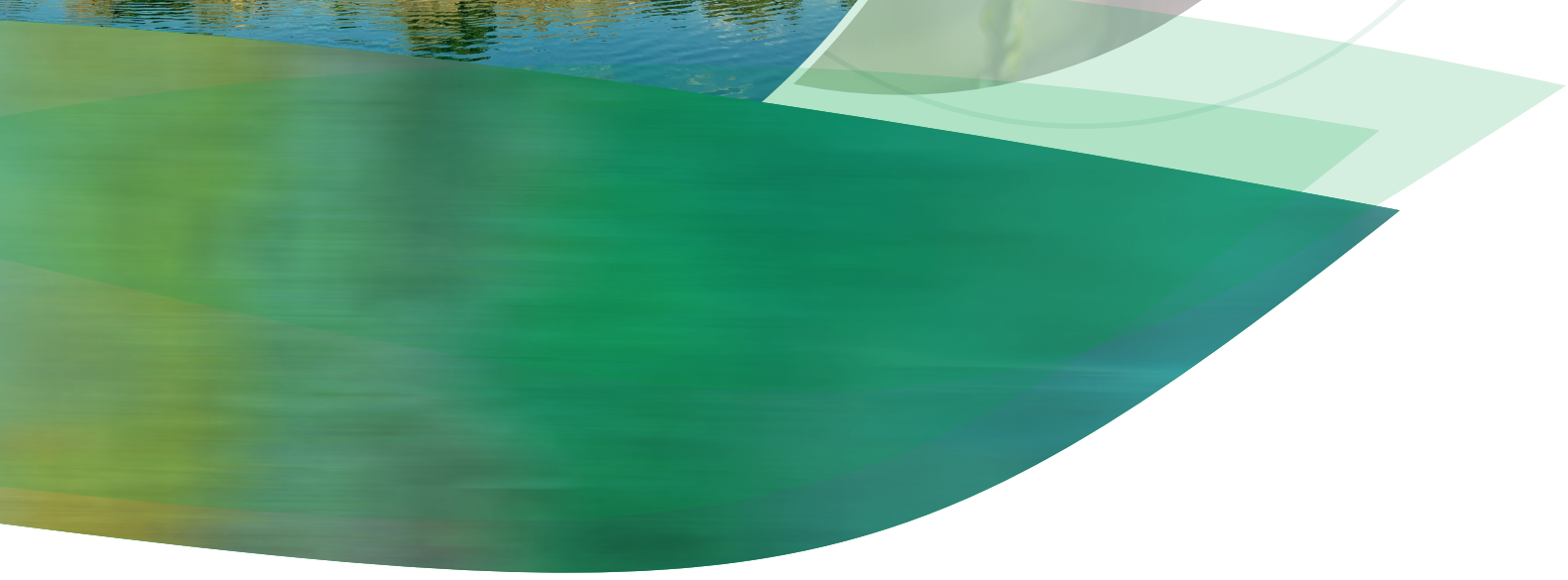




Government of **Western Australia**  
**Conservation and Parks Commission**

# Conservation and Parks Commission Annual Report 2018–19





**Cover photos**

**Top left** Mount Frankland National Park. *Photo – Peter Nicholas/DBCA*

**Top right** Pink rice flower (*Pimelea ferruginea*). *Photo – Peter Nicholas/DBCA*

**Bottom left** Danggu Geikie Gorge National Park. *Photo – Shem Bisluk/DBCA*

**Bottom right** Andersonia flower in Fitzgerald River National Park. *Photo – Peter Nicholas/DBCA*



Government of **Western Australia**  
**Conservation and Parks Commission**

**Conservation and Parks Commission**  
**Annual Report 2018–19**

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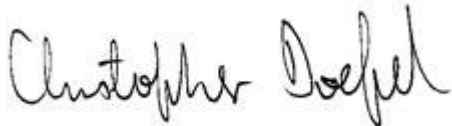
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# TRANSMITTAL TO THE MINISTER

**Hon Stephen Dawson MLC**

**Minister for Environment**

I am pleased to submit the Annual Report of the Conservation and Parks Commission for the period 1 July 2018 to 30 June 2019 in accordance with section 31 of the *Conservation and Land Management Act 1984*.



Professor Chris Doepel PSM

Chair

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# OVERVIEW

## Chair's report

On behalf of the Conservation and Parks Commission (the Commission), I am pleased to present the Annual Report for the period of 1 July 2018 to 30 June 2019.

The Commission acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to elders both past and present.

The Commission continues to deliver strongly on its statutory functions, guided by its strategic plan with support of the Department of Biodiversity, Conservation and Attractions (DBCA).

This financial period saw changes in the membership of the Commission.

The Commission extends its appreciation of service to the inaugural Chair Marion Fulker under whose guidance the Commission's effective governance framework was established. We also thank Ingrid Cumming for her guidance and input into discussions and decision-making, especially relating to engagement of traditional owners in planning for our vested lands and waters.

I welcome the new members, Tahn Donovan and Penny Bond, and congratulate the new Deputy Chair Jo Lanagan on her appointment.

A major focus for the Commission in this financial year was the preparation of the *Mid-term review of performance of the Forest Management Plan 2014–2023*. The report focussed on the 24 key performance indicators made up of 47 performance measures, resulting in a substantial compilation of information guiding sustainable ecological forest management.

The periodic assessment program of the Commission also delivered an end-of-term periodic assessment report of the management plans for Jurien Bay Marine Park and Turquoise Coast Island Nature Reserves. This report provided an opportunity for the Commission to consider the pragmatic alignment of the different assessment methodologies as practised by its predecessors across the marine and terrestrial conservation estates.

Further to the streamlining of periodic assessment methodologies by the Commission, three mid-term periodic assessments for terrestrial parks and reserves used the self-assessment approach developed from the marine park reporting framework. The results were presented through the Commission's Cloud-based dashboard reporting system.

The Commission was pleased with the progress of its joint management planning with traditional owners along the Kimberley and Ningaloo Coast and continues to embrace opportunities for Aboriginal people to take leadership in the management of their country now and into the future.

The State Government's *Plan for Our Parks* initiative, announced in early 2019, provides a unique opportunity to secure additional land and waters in the conservation estate through vesting in the Commission solely or jointly with Aboriginal bodies corporate.

This significant increase in protected areas will enable current and future generations to enjoy the unique and beautiful natural and cultural environment of this State.

The Commission is proud to play its part in protecting, conserving and enhancing the natural and cultural values of Western Australia to support a healthy economy and social environment.

Professor Chris Doepel PSM

Chair

## Operational structure

The Commission is a body corporate under the *Conservation and Land Management Act 1984* (CALM Act) comprising seven members appointed by the Governor on the nomination of the Minister for Environment. As part of its functions, the Commission has vested in it the following:

- (i) State forest, timber reserves and marine reserves
- (ii) unless section CALM Act 8B(2)(f) applies, national parks, conservation parks and nature reserves, either solely or jointly with an Aboriginal body corporate
- (iii) relevant land referred to in CALM Act section 5(1)(g).

The Commission also has the care, control and management of relevant land referred to in section 5(1)(h) placed with it, either solely or jointly with another person or body.

Section 19 of the CALM Act relates to the functions of the Commission. They include: advising the Minister on the development of policies; to prepare and deal with proposed management plans for land and waters vested in or under the care, control and management of the Commission, whether solely or jointly with an associated body; and periodic assessments of the implementation of management plans by those responsible for implementing them, including the DBCA and, if the land is State forest or a timber reserve, the Forest Products Commission (FPC).

## Commission membership

Subject to sections 21(4) and 22 of the CALM Act, members are to be persons who, in the opinion of the Minister, have knowledge and experience or a particular function or vocational interest that is relevant to the functions of the Commission.

The members of the Commission are:

*Professor Chris Doepel PSM – Chair (from 7 May 2019, former Deputy Chair)*



Chris Doepel is a part-time Professor at the University of Notre Dame Australia in Fremantle, where he chairs the University's Program and Course Accreditation Committee and undertakes policy work within the Division of Academic Affairs. Until March 2016, he was the Dean of Business and Chair of College Committees for Arts and Sciences, Business and Law at the University. Prior to undertaking this last role, he was Dean of the Faculty of Law and Business at Murdoch University in Perth. Before joining Murdoch University in 2008, Chris was the Registrar and Chief Executive Officer of the National Native Title Tribunal. He has extensive experience as a senior manager in public administration and in the formulation of policy advice to governments. Chris holds a Bachelor of Jurisprudence, a Bachelor of Laws and a Master of Arts. He is a Fellow of the Australian Institute of Management. In 2006, Chris was awarded a Public Service Medal (PSM) in the Australia Day Honours for his native title work.



*Mrs Jo Lanagan – Deputy Chair (from 7 May 2019)*



Jo Lanagan is the Deputy Chief Executive Officer at Central Desert Native Title Services. Jo has held senior roles in the State and Commonwealth Governments including Director of Heritage and Culture at the Department of Aboriginal Affairs and Director of Claims Management for the Office of Native Title. She has led negotiations on behalf of both the State and Commonwealth Governments in the Australian Square Kilometre Array Project, leading to the CSIRO build of the largest radio astronomy observatory in the world and Australia hosting international radio astronomy projects. Jo was one of two negotiators on behalf of the State Government to reach a comprehensive native title settlement with the Yawuru people over Broome, resulting in the creation of conservation estate and the creation of a marine park. Through her native title work Jo has had the good fortune to visit much of the more remote conservation estate in Western Australia.

*Mrs Marion Fulker – former Chair (membership ceased 6 May 2019)*



Marion Fulker was the former Chair of the Commission. Marion accepted the position in May 2016, having notable experience in senior executive and board roles. Currently, Marion is also the CEO of the Committee for Perth, and an Adjunct Senior Research Fellow at the University of Western Australia. Previously, Marion was the Executive Director of the Urban Development Institute of Australia (UDIA) WA Division, the Chair of the Heritage Council of Western Australia and the Director of Rugby WA. Marion's education includes an MBA from Curtin Graduate School of Business. In 2015 Marion was recognised as one of Australia's 100 Women of Influence, in 2016 was the winner of a WA Telstra Businesswoman of the Year Award and in 2017 was a finalist in the Western Australian of the Year Awards. Her opinions on Perth's future are regularly sought by government, industry and the media.

*Mrs Ingrid Cumming – Member (until 6 May 2019)*



Ingrid Cumming is a Whadjuk Noongar woman from Fremantle, Western Australia. A graduate of Murdoch University and Melbourne Business School, Ingrid has presented and published an article with the United Nations Women Leaders Collective in Israel; represented Indigenous Australian Business at the Supply Diversity forum in San Antonio, Texas; presented at TedXPerth, 2014; been a keynote speaker at various conferences and leadership forums about Indigenous knowledge, leadership and reconciliation; and won Indigenous Business of the Year at the Belmont Small Business Awards in 2014. In 2010, Mrs Cumming founded and became CEO of Kart Koort Wiern (Head Heart and Spirit), a Perth-based Indigenous consultancy that also offers training and workshops across Australia while promoting reconciliation and increasing awareness of Aboriginal and Torres Strait Islander strengths and strategy. She is currently the Community Engagement Specialist at the City of Canning, embedding engagement

frameworks and strategies. Ingrid also volunteers her time to many organisations, including Starlight Australia.

*Professor Ross Dowling AM – Member*



Ross Dowling is a Honorary Professor of Tourism and the School of Business at Edith Cowan University. Ross is an environmental scientist conducting international research, training and development of tourism in natural areas. His principal teaching, research and consultancy interests lie in ecotourism, geotourism and cruise ship tourism. He co-founded Ecotourism Australia and is a former Chair of the Forum Advocating Cultural and Eco Tourism (FACET) in Western Australia. Ross is a geotourism advisor for UNESCO Global Geoparks and a founder of the Global Geotourism Conferences. Prior to moving to Australia, Ross

worked in New Zealand where he was Foundation Advisory Officer with the Ministry for the Environment and was awarded a Nature Conservation Council Foundation Citation for his efforts in conservation education. In 2011, Ross received the Medal of the Order of Australia for his contribution to ecotourism and in 2019 he was made a Member of the Order of Australia for his significant service to higher education, tourism and conservation. Ross brings to the Commission knowledge and experience in relation to conservation and tourism development.

*Dr Fiona Valesini – Member*



Fiona Valesini is a coastal and estuarine ecologist with a particular interest in fish and invertebrate faunas, their relationships with environmental drivers and their future sustainability. She has 25 years of experience as a research scientist and, since 2012, has worked as a Senior Research Fellow in Estuarine Health at Murdoch University. Prior to this, Fiona was a Lecturer in Marine Ecology at Murdoch, where she also completed her PhD in 2004. Much of her research has focussed on coastal and estuarine systems throughout south-western Australia, and mainly those in urbanised areas where the balance between supporting healthy waterways and

the needs of fast-growing populations is particularly challenging. Fiona is currently the Lead Chief Investigator of an Australian Research Council Linkage Project, focussed on optimising trade-offs between estuarine and societal health in the Peel region, which draws together nine collaborating agencies across the research, government and community sectors in Australia and the UK. Her other research projects also have a strong applied focus, supported by partnerships with government and community-based organisations in the environmental and natural resource sectors across WA. Fiona is also a member of several advisory groups, including the Peel-Yalgorup Technical Advisory Group, Vasse-Wonnerup Science Advisory Group and the Western Australian Marine Sciences Institution Estuaries Working Group.

*Mr Alan Walker – Member*



Alan Walker worked for more than 45 years in the management of parks, reserves and State forests in Western Australia. Since retirement from the public sector he has also worked in the private sector in the field of bushfire management. For 10 years he was the Director of Regional Services in the former Department of Environment and Conservation. He was the leader of the State's involvement in the development of the first Regional Forest Agreement that prescribed outcomes in forest and biodiversity conservation, timber production and the protection of cultural and heritage values. He was the co-author of several forest and national park management plans. Alan was awarded an Honours Degree in Science (Forestry) from the Australian National University. He is a volunteer guide and committee member with the Rottnest Voluntary Guides Association. He was a former President in Rotary and the leader of a Rotary Group Study Exchange team to South Wales. He is a keen bushwalker and he has an interest in nature-based tourism.

*Mrs Tania (Tahn) Donovan – Member (from 7 May 2019)*



Tania (Tahn) Donovan is a Wardandi Yok woman from Busselton and has expertise in Aboriginal affairs in relation to employment, tourism, business development, policy and capacity building across State Government, Aboriginal interest groups and the community sector. Tahn is currently working as a Heritage Officer with the South West Aboriginal Land and Sea Council and is a board member of the Western Australian Indigenous Tourism Operators Council. She has a wide range of skills and experiences in the environmental, tourism and hospitality, disability employment, farming and transport industries. She is involved in leadership and governance training for the Noongar community.

*Ms Penny Bond – Member (from 7 May 2019)*



Penny Bond graduated with a Bachelor of Laws (with Distinction) and Bachelor of Arts from Murdoch University and has both public and private sector experience. She previously worked as a Senior Policy Adviser in State Government, with responsibility for ensuring the implementation of cross-portfolio policies and progressing a number of Bills through Cabinet and the State Parliament. Penny represented the Minister as a Panel Member on the Ministerial Advisory Panel for Occupational Health and Safety Reform, which saw her work collaboratively with stakeholders on important law reform. She is a law graduate at MinterEllison and is undertaking postgraduate studies in law at the University of Western Australia, where she was recently recognised as the highest achieving postgraduate student in Climate Change and Emissions Trading Law. Penny enjoys hiking and camping and is passionate about the appreciation of Western Australia's conservation estate.

## Committee

The Commission operated a Management Planning Review Committee (MPRC) during the reporting period. During the reporting period, the MPRC included the following members of the Commission: Prof Chris Doepel (Chair), Mrs Jo Lanagan and Dr Fiona Valesini and with support staff from the secretariat of the Commission and the DBCA.

The terms of reference for the MPRC includes consultation with the DBCA in relation to the preparation of management plans.

## Executive support

The Secretariat of the Commission had the following staff base at 30 June 2019:

Director	Roland Mau, BAppSc (Hons) GradCertBus AdvDipPM DipGov (Inv) DipQA
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Principal Environmental Officer	Tom Hughson, BForSc
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Operational systems support was provided to the Commission by the DBCA under the Operational Agreement reviewed in August 2016 that was superseded by a new Memorandum of Understanding between DBCA and the Commission for service delivery effective as of 28 March 2018.

## Key legislation impacting the Commission's activities

- *Aboriginal Heritage Act 1972*
- *Biodiversity Conservation Act 2016*
- *Conservation and Land Management Act 1984*
- *Contaminated Sites Act 2003*
- *Environmental Protection Act 1986*
- *Forest Products Act 2000*
- *Heritage of Western Australia Act 1990*
- *Land Act 1933*
- *Land Administration Act 1997*
- *Mining Act 1978*
- *Public Sector Management Act 1984*
- *Wildlife Conservation Act 1950*
- *Native Title Act 1993 (Commonwealth)*

# Performance management framework

The Commission supports government goals with more specific desired outcomes achieved through the DBCA government-funded services.

During the year, the Commission contributed to whole-of-government reform initiatives including Machinery of Government changes and efficiency and other targeted savings measures.

The performance management framework was reviewed and updated to incorporate new government goals and desired outcomes.

Table 1 below shows the relationship between the Commission’s desired outcomes and services delivered to meet the appropriate government goal.

*Table 1. Support of government goals*

Government goal	Desired outcomes	Services
<p><b>A liveable environment:</b></p> <p><b>Ensuring a sustainable future by linking homes to transport, conserving land and reducing waste.</b></p>	<p>Community enjoyment, appreciation and understanding of attractions on vested lands and waters.</p> <hr/> <p>Plants and animals are conserved and habitat, ecosystem and landscape-scale conservation utilises evidenced-based science.</p> <hr/> <p>Sustainable use of forest resources.</p>	<ul style="list-style-type: none"> <li>• Vesting of land and waters for conservation either solely or jointly with an Aboriginal body corporate.</li> <li>• Provide policy advice to the Minister of Environment on biodiversity conservation and sustainable use.</li> <li>• Ensure the preparation and implementation of effective management plans for lands and waters vested.</li> </ul>

# AGENCY PERFORMANCE

## Strategic directions and governance

The Commission operates through a Memorandum of Understanding that established terms for the service provisions and indicative resource requirements from the Director General of the Department of Biodiversity, Conservation and Attractions (DBCA). The progress of the MOU was reviewed in late 2018 with a satisfactory performance.

Regular evaluation of a board's performance is considered an integral part of effective corporate governance in order to ensure it has the necessary skills, experience and abilities to fulfil its responsibilities and determine the extent to which it is delivering on its purpose.

Key good governance processes continued to be implemented and maintained including annual reviews of the Commission's Charter, Code of Conduct, Conflict of Interest policy and risk register. The Commission undertook a self-review in terms of its governance to ensure continuous improvement in governance arrangements were maintained.

## Policy development and advice

The Commission develops position statements, to inform the Commission's functions under section 19 of the CALM Act. These functions include advising the Minister for Environment and preparing management plans.

In 2013, the Commission published *Position Statement No 8*, which outlined criteria for a delegate of the Commission to determine whether a proposed change to the conservation estate was sufficiently significant to warrant being considered by the full Conservation Commission or whether it was a minor change that could be approved under delegation in accordance with section 26AA of the CALM Act.

However, in its sixth Commission meeting on 18 November 2016, an Instrument of Delegation was endorsed. Since then, the Director of the Commission has provided monthly reports to the Commission on items considered under delegation. No issues or concerns regarding delegation of the existing functions have arisen

Therefore, in October 2018, the Commission agreed that *Position Statement No 8* had been effectively superseded and is therefore no longer required.

## Periodic assessment

The Commission engaged with DBCA and the Forest Products Commission (FPC) to deliver the Commission's periodic performance assessment program.

### ***Mid-term review of performance of the Forest Management Plan 2014–2023***

Management activity 130 of the *Forest Management Plan 2014–2023* (FMP) required the Commission to prepare a mid-term performance review by 31 December 2018.

The performance review of the FMP provided the State Government, the Western Australian public, and other interested parties with an assessment of the implementation of management activities contained in the FMP, which were developed to achieve ecologically sustainable forest management (ESFM) outcomes for forests of the South-West.

The Environmental Protection Authority (EPA) advised the Commission that there was no formal requirement for the Commission to submit the mid-term performance review to the EPA for assessment.

The Commission consulted with Aboriginal representatives through the South West Aboriginal Land and Sea Council and considered public submissions on the draft mid-term performance review. The draft mid-term review was modified following the public submission process and the Commission considered that this resulted in a clearer and more accurate mid-term review of performance.

The mid-term performance review presented an analysis of the best available information to provide an indication on what was going well and where management effort needed to be focussed in the future by the management agencies, DBCA and the Forest Products Commission as well as the plan's vesting authority, the Commission.

The key performance indicator (KPI) information used in the report was provided by DBCA and the FPC. The level of achievement attributed to each KPI was determined by DBCA or the FPC, where relevant, and provided to the Commission to enable the review.

The review analysed results for the 24 KPIs defined in the FMP. This involved determining their status in relation to established targets, identifying underlying likely causes of the achievement ratings, establishing trends over time, and providing recommendations to improve performance for the remaining period of the FMP.

A number of key themes were evident in the implementation of the FMP to date, based on the reports on KPIs and status of management activities. These themes were: climate change and its impact; the forest products industry; monitoring and reporting of KPIs; and resources for implementation of the FMP.

The Commission supported DBCA's 79 proposed management responses to the commentary and 17 recommendations to help achieve the management targets.

The Commission is seeking to ensure continuous improvement in management to achieve the objectives of the FMP. To that end, the recommendations provided in relation to specific KPI ratings should ensure the effective implementation of the current FMP, while continuing to build a rigorous knowledge base for the development of the next FMP in 2023.

### **Marine park key performance indicator status reporting**

The Commission received DBCA's annual status reports for marine parks and reserves and attended the annual marine park management seminar. Marine park management outcomes and key issues of four marine parks (i.e. Walpole Nornalup Inlets, Rowley Shoals, Eighty Mile Beach and North Kimberley marine parks) were presented at the seminar.

The annual status reports for each marine reserve have provided the Commission with quantitative and qualitative information on the key ecological assets and key

social values. The Commission notes that the annual reporting process continues to be well supported by internal DBCA reporting and compliance monitoring and fish stock status information provided by the Department of Primary Industries and Regional Development.

DBCA's assessment of the key performance indicators across all parks indicates that the condition of the majority of values is satisfactory or greater. Some aspects of key performance indicator application and measurement have been highlighted for further discussion with DBCA moving forward, as well as exploring ways of ensuring the status information is readily available for decision-makers.

### **End-of-term periodic assessment – Jurien Bay Marine Park and Turquoise Coast Island Nature Reserves**

The periodic assessment for the Jurien Bay Marine Park and Turquoise Coast Island Nature Reserves focused on lands and waters identified within each of the planning areas. The periodic assessment considered DBCA reporting of the key performance indicators as identified in the two management plans.

The assessment process highlighted the past different approaches taken between marine and terrestrial planning. Although both types of plans have formal performance measures, the differences in reporting frequency have dictated the use of different types of analyses for the available marine and terrestrial data.

A comparison of the two approaches to planning and planning review highlighted the benefits from a monitoring perspective of marine planning's consistent values-based approach, which has yielded formal indicators in a consistent format for many years. The terrestrial key performance indicators were allocated into groups and followed the Condition-Pressure-Response method of evaluating management effectiveness where possible.

The key performance indicators for the Jurien Bay Marine Park Management Plan and for the Turquoise Coast Island Nature Reserves Management Plan do not indicate specific areas for concern. However, a number of findings with accompanying recommendations were included to consider in the future management of these parks and reserves.

### **Mid-term periodic assessments**

The following three management plans were identified for 2018–19 for a mid-term assessment:

1. *Lane Pool Reserve and Proposed Additions Management Plan 2011*
2. *Dryandra Woodland Management Plan 2011*
3. *Millstream Chichester and Mungaroona Range Nature Reserve Management Plan 2011.*

For these management plans, the identified key values within the planning area have an associated key performance indicator with a performance measure, target and reporting requirement, which guides monitoring within the planning area.

It should be noted that no evidence-based reporting was undertaken in this assessment, but rather the information contained in the report was a self-assessment



rating provided by DBCA. The information gathered indicated areas that need attention before the final evidence-based evaluation.

Overall, the self-assessments indicated that DBCA had responded appropriately when emerging or existing concerns had been identified during the first half of the term of the management plans.

### **Key performance indicator review**

In 2015–16, the former Conservation Commission of Western Australia undertook a periodic assessment of the status of key performance indicators in management plans. The report published in March 2016 contained six recommendations that were mostly internal recommendations. A review was conducted to evaluate the extent to which these recommendations have been implemented, with a view to continuous improvement of primarily the Commission's own internal processes.

The review has provided an opportunity to reflect on the achievements and shortfalls that have been made in the three years since the publication of the initial report. DBCA has indicated ongoing support for the recommendations which are intended to improve performance criteria when evaluating the implementation of management plans.

## Estate planning

The Commission's main objectives in relation to estate planning are to provide quality and timely advice to the Minister for Environment and ensure the preparation and implementation of effective management plans for lands and waters vested either solely or jointly in the Commission.

During this reporting period, the Commission released the following CALM Act management plans for formal public comment:

- *Wheatbelt Region parks and reserves draft management plan*
- *Nyinggulu (Ningaloo) coastal reserves draft joint management plan*
- *Jalangurru Manyjarra Bunuba Muwayi Yarrangu draft joint management plan*
- *Proposed Niiwalarra Islands (Sir Graham Moore Islands) National Park and Lesueur Island Nature Reserve draft joint management plan*
- *Guniyan Binba Conservation Park draft joint management plan*

Management zoning was gazetted for the North Lalang-garram Marine Park.

## Joint management

The following outlines some of the joint management planning processes undertaken.

### ***Jalangurru Manyjarra Bunuba Muwayi Yarrangu draft joint management plan 2019***

This draft joint management plan pertains to several conservation reserves in the West Kimberley that are to be jointly vested and jointly managed with Bunuba Dawangarri Aboriginal Corporation (BDAC), in accordance with the *Body Corporate Indigenous Land Use Agreement for the Creation, Joint Vesting and Joint Management of Conservation Reserves in Bunuba Country*.

### ***Proposed Niiwalarra Islands (Sir Graham Moore Islands) National Park and Lesueur Island Nature Reserve draft joint management plan 2019***

A Balangarra Indigenous Land Use Agreement (ILUA) was executed by the State and Balangarra Aboriginal Corporation (BAC) on 16 December 2016, and the agreement came into force on 19 May 2017. The ILUA commits the State to the creation and joint vesting of the Niiwalarra Islands National Park with the Conservation and Parks Commission and BAC. The existing Lesueur Island Nature Reserve will also be jointly vested with the Commission and BAC.

There are many significant cultural values within the Niiwalarra islands, including documented cultural sites such as stone arrangements, burial sites and shell middens; and plants and animals of cultural significance. It is important to Kwini people to be involved in management, so they can continue their connection to country, through visits to the islands (in particular Niiwalarra) and camping on-country for cultural purposes.

## **Guniyan Binba Conservation Park draft joint management plan 2019**

The Guniyan Binba Conservation Park is a tripartite vested section 5(1)(h) intertidal reserve north of the Broome townsite to Willie Creek. The reserve is jointly managed by the Yawuru Registered Native Title Body Corporate, the Shire of Broome and the Conservation and Parks Commission, under the CALM Act, in accordance with the *Yawuru Prescribed Body Corporate Indigenous Land Use Agreement – Broome* and the *Yawuru Area Agreement Indigenous Land Use Agreement – Broome*.

The Broome area holds immense cultural significance to Yawuru people and recognition of Yawuru cultural values and context of the area is a dominant feature of this joint management plan.

In accordance with the CALM Act, the draft joint management plan was released for a two-month public comment period.

## **Ocean Reef Marina development**

The proposed Ocean Reef Marina development was subject to a formal environmental impact assessment process and environmental approval under Part IV of the *Environmental Protection Act 1986* (EP Act).

The Commission has been provided with periodic updates at meetings during the environmental impact assessment process for this project, with the first briefing by the proponent following the release of the Public Environmental Review (PER) document in December 2016.

Advice on the deliberations of the Commission on the proposed Ocean Reef Marina was provided to the Minister for Environment and EPA.

## **Estate management**

Advice on matters relating to leases, licences, permits, mining tenements and other activities such as utility infrastructure proposed on land and waters vested in the Commission was provided to the DBCA during this reporting period. Table 2 summarises the Commission's consideration of CALM Act leases, licences and permits during this reporting period.

**Table 2. CALM Act leases, licences and authorities endorsed during this reporting period**

Commercial operations licences	17
Apiary authorities	167
Other leases and licences	28

*\*Supplied by the DBCA, 2019*

## **Updated Commercial Operator Handbook**

The Director General of DBCA is required to consult with the Commission before gaining approval from the Minister for Environment to grant a commercial operations licence in accordance with section 84(1)(b) of the Conservation and Land Management Regulations 2002.

Since 2002, DBCA has implemented a pre-approval process using the *Commercial Operator Handbook* to expedite the time taken to process straight-forward and non-contentious commercial operations licence applications and renewals.

All activities listed in the commercial operator handbook are consistent with the relevant park management plans. The Commission supported amendments to the *Commercial Operator Handbook*.

## **Aquaculture licence and lease at Shark Bay Marine Park**

The Commission was briefed by the proponent, Harvest Road Export Pty Ltd (Harvest Road), and DBCA on an aquaculture and lease application to conduct a trial project involving investigations and research on cultivation of native rock oyster species within the Wooramal Special Purpose Zone of the Shark Bay Marine Park which is vested in the Commission.

The Harvest Road application was assessed under the *Fish Resources Management Act 1994* (FMRA). Section 92(5)(a) and section 98(2)(a) of the FRMA provide that an aquaculture licence or lease must not be granted in a marine park unless the Minister for Environment approves the granting of the licence or lease.

Under the *Shark Bay Marine Park Management Plan*, aquaculture is identified as a permitted use within the Wooramal Special Purpose Zone, provided that it can be demonstrated that the proposed activities will not adversely impact on the identified values of the bank and there is appropriate assessment and approval conditions to manage potential impacts.

There were two stages to the proponent's application. The first stage is research, investigation and viability in which marine impacts as well as yield on trial stock will be assessed and the second is development.

The proposed trial was referred to the EPA for consideration of possible assessment of a proposal under Part IV of the EP Act.

It is clear that if the outcome of the first stage proves feasible, an application for the development of a large-scale aquaculture facility including increased vessel activities, onshore facilities, and related jetty infrastructure will follow, with additional impacts on the cultural and recreational values of Shark Bay Marine Park needing to be considered at that time.

The Commission made its deliberations taking both stages into consideration so that the first is informative and meaningful for the second.

The Commission advised that as part of the stated research and investigation purpose of the aquaculture trial in informing development of a large-scale aquaculture proposal, it is important that the proponent undertakes suitably scoped and designed baseline biological, physical and chemical surveys of areas affected and potentially influenced by aquaculture operations and investigates key ecological values, functions and linkages associated with the Wooramel bank.

### **Maintenance dredging for Jurien Bay Boat Harbour in Jurien Bay Marine Park**

Substantial wrack build-up occurs within the entrance channel of the Jurien Bay Boat Harbour, and decomposition has resulted in deoxygenation of the water column and fish kills in the harbour.

The Department of Transport proposed a maintenance program in two phases, first the removal of wrack from the entrance channel into Jurien Deep within the marine park; and secondly the dredging of sand with disposal to the existing onshore disposal area north of the harbour.

This two-phase approach will allow organic material to remain in the marine park, consistent with the Commission's position statement on sea wrack management in marine parks and reserves.

The Department of Transport also advised the Commission that it was investigating options to reduce wrack accumulation. Regardless of these options, small-scale maintenance dredging and wrack relocation was likely to be an ongoing requirement.

The Commission endorsed the granting of a licence to enable the Jurien Bay boat harbour maintenance dredging program to proceed over the next five years.

### **Maintenance dredging for Bent Street Navigational Channel in Shoalwater Islands Marine Park**

The Bent Street Boat Ramp in Rockingham is located within the Shoalwater Islands Marine Park and in the vicinity of Tern Island Nature Reserve. The ongoing accretion of sand at the south-eastern end of Tern Island poses a threat to the safe navigation of vessels using the Bent Street Boat Ramp. The sand accreting on Tern Island is a natural and ongoing process. The area surrounding Tern Island supports perennial seagrass, which is a key ecological value of the marine park.

The Commission has supported the removal of 40,000m<sup>3</sup> along the south-western side of Tern Island using land-based machinery as well as the once-off deepening of the navigation channel, subject to management of public amenity and minimising bird life disturbance. Long-term boat access options in the area will be investigated.

### **SMART Drumline Trial in Ngari Capes Marine Park**

The Western Australian Government has committed to conduct a scientific trial of non-lethal SMART drumlines and to deploy additional satellite-linked acoustic receivers in Ngari Capes Marine Park.

The scientific trial of non-lethal SMART drumlines is expected to run for at least 12 months. The intent of the trial is to catch, tag, relocate and release white sharks one kilometre from shore.

The trial was considered consistent with the Science and Education Strategic Objective of the *Ngari Capes Marine Park Management Plan 2013–2023* to promote scientific research.

### **Geotechnical assessment for Stage 1 of the Myalup-Wellington Water for Food Project**

The Myalup–Wellington project aims to reduce salinity in Wellington Dam – the major water resource in WA’s south-west and the State’s second largest reservoir, to improve agricultural outcomes in the Collie River Irrigation District and the Myalup Irrigated Agricultural Precinct and to underpin the availability of drinking water for towns in the south-west.

Collie Water was seeking access approvals for the project and is working to award contracts for the construction and operation of the water treatment plant and associated water supply pipelines. Stage 1 of the project has been referred for consideration under the EP Act.

Collie Water required approval to conduct geotechnical assessments as part of investigation works for Stage 1 of the project relating to the pipeline alignment through State forest. The Commission supported the granting of a licence to Collie Water for the geotechnical assessments in State Forest No. 15 and 4.

### **Sewerage pipeline in Neerabup National Park**

The Commission approved for the Water Corporation to install the final portion of the Quinns sewerage main within Neerabup National Park. The existing sewer main was installed within the road reserve prior to the amalgamation of the road reserve into the park in 2010.

The majority of the disturbance associated with the construction of the pipeline will be restricted to an existing cleared track, however 1.01 hectares of vegetation will be required to be cleared on either side of the track to accommodate construction activities and vehicle movements.

A flora and vegetation survey identified that the vegetation proposed to be cleared, while regionally significant, did not contain flora species or ecological communities of conservation significance. The Water Corporation will be undertaking this clearing utilising their statewide native vegetation clearing permit and operate under a Construction Environment Management Framework.

### **Mineral exploration consents**

Section 24 of the *Mining Act 1978* requires that the recommendations of the Minister for Environment and the Commission are provided to the Minister for Mines and Petroleum, prior to the Minister for Mines and Petroleum’s consideration of consent to mining activities within ‘other than class A’ nature reserves.

In general, proponents were required to develop exploration plans or conservation management plans in consultation with DBCA that detailed the proposed activities,

risks to reserve values and risk management measures before the Commission would consider the applications.

In 2018–19, the Commission supported licence applications for low-risk exploration activities in:

- Jilbadji Nature Reserve (24049) – Goldfields Region
- Unnamed Nature Reserve 16000 near Westonia – Wheatbelt Region
- Brockway Timber Reserve (197/25) – South Coast Region

In providing support for consent for these extensive exploration activities, it was noted that any future support for exploration activities by the Commission was not guaranteed.

### **Extraction of road base material in State Forest No. 41**

A licence was granted to Main Roads WA for purpose of gravel extraction from State Forest No. 41 to be used for progressive upgrades to the South Western Highway.

DBCA has worked with Main Roads WA for about 11 years to identify a suitable gravel resource to meet departmental, local government, FPC and Main Roads WA needs in the areas of Manjimup and Walpole. Main Roads WA identified a substantial resource in Wye Forest Block within Shannon State Forest No. 41. Areas of old-growth forest are excluded from the site.

The gravel resource will be used for progressive upgrades of the South Western Highway between Vasse Highway and Walpole and is expected to have a lifespan of about 10 years.

## Vested lands and waters

Table 3 provides a summary of lands and waters vested in Commission during the financial year.

**Table 3. Lands and waters vested in the Commission\***

Land classification	Area as at 30 June 2019 (ha)	Area as at 30 June 2018 (ha)
National parks	6,259,228	6,259,241
Conservation parks	1,086,283	1,085,561
Nature reserves	10,276,644	10,271,781
State forests	1,307,551	1,307,589
Timber reserves	123,174	123,174
CALM Act section 5(1)(g) and 5(1)(h)	1,096,898	1,097,606
Marine park	4,424,612	4,424,612
Marine nature reserve	132,000	132,000
Marine management area	143,385	143,385
<b>Total</b>	<b>24,849,775</b>	<b>24,844,949</b>

\* Supplied by DBCA, 2019

### Addition of the majority of Reserve 20529 into the adjacent class 'A' Nature Reserve 39703

Reserve 20529 is currently vested in the former Water and Rivers Commission for 'Conservation; Fauna; Protection of Flora and Waterway'.

Reserve 20529 is 546.67 hectares in area, contains a known population of threatened flora, *Boronia adamsiana*, and four distinct vegetation types as categorised under the Beard and Hopkins Vegetation Associations. Three of the vegetation types found within Reserve 20529 are under-represented in the Wheatbelt Region's existing conservation reserve system. The reserve is located adjacent to unnamed class 'A' Nature Reserve 39703, which is 8.117 hectares in area and located approximately 20 kilometres east of Beacon in the Shire of Mount Marshall.

The Shire of Mount Marshall has requested that a 77.9576 hectare section surrounding the Datjoin Well site be excised from Reserve 20529 and transferred into their management as a new Crown reserve. The new reserve will allow the Shire to



manage the historic site and support their aspirations for further recreational opportunities at the well site.

The Water Corporation has requested the excision of a 0.4048 hectare section of the reserve located near the northern boundary for a proposed water reserve. This area contains water infrastructure constructed and maintained by the Water Corporation.

The Commission supported the remaining areas of Reserve 20529, being 468.3098 hectares to be added to the adjacent Unnamed Nature Reserve 39703.

### **Excision from State Forest No. 26 to facilitate upgrades to Collie-Preston Road**

The Commission endorsed the excision of approximately 26.07 hectares from State Forest No. 26 to widen Collie-Preston Road and facilitate upgrades to a 15 kilometre section of the road south of Collie, including improvement to the curve geometry of limited sections of the road. As part of the upgrades approximately 2.11 hectares of unused road reserve is proposed to be closed and added to State Forest No. 26.

### **Excision from State Forest No. 14 to facilitate upgrades to Pinjarra-Williams Road**

The Commission endorsed the excision of 61.59 hectares from State Forest No. 14 to widen the road casement of Pinjarra-Williams Road and facilitate upgrades to a 43 kilometre section of the road east of Dwellingup, including the realignment of a section of Pinjarra-Williams Road. As part of the upgrades, 10.99 hectares of unused road reserve is proposed to be closed and added to State Forest No. 14.

## Communication

To assist the Commissioners in gaining a better understanding of the range of issues confronting estate managers in different parts of the State, the Conservation and Park Commission received presentations from all nine regional managers of DBCA's Parks and Wildlife Service.

Furthermore, briefings were provided to the Commission on a broad range of topics to ensure a good understanding of current and priority biodiversity conservation and estate management issues by its members. Presentation themes included:

- Westport – Port and Environs Strategy
- Karri Forest Management Plan
- Prescribed burning program achievements for 2017–18 and indicative burn plan for 2018–19
- Proposed expansion of Wellington National Park
- Proposed Preston River to Ocean and Leschenault regional parks
- Extension of WA's Regional Forest Agreement
- New Biodiversity Conservation Regulations 2018
- Ecological considerations for fire management in south-west forests
- Update on joint management arrangements in the Kimberley
- Submission to the consultative review of salinity management in WA
- Djarlma Plan for the Western Australian Forestry Industry
- Climate change implications for Shark Bay and Ningaloo marine parks and reserves
- Summary of annual Dieback Working Group Conference presentations
- The threat of fire to biodiversity in the Walpole Wilderness
- Summary of additions and amendments to CALM Act Crown reserves, State forest and timber reserves
- Summary of excisions and proposed additions to State forests caused by road proposals
- Mountain biking on vested lands
- Aboriginal Heritage Act Review
- Annual Visitor Risk Management Report 2019.

## DISCLOSURES AND LEGAL COMPLIANCE

### Financial statements

In accordance with section 31(2) of the *Public Sector Management Act 1994*, the Commission is not a statutory authority within the meaning of the *Financial Management Act 2006*, but is a statutory body established by section 18 of the CALM Act.

Funding for the operation of the Commission is provided through the DBCA. Expenditure is managed and administered by the Commission and the reporting and audit of expenditure is undertaken by the DBCA.

Total expenditure for the Commission for the financial year ended 30 June 2019 was **\$682,688**.

### Ministerial directives

No Ministerial directives were received during the financial year.

### Other financial disclosures

#### Employment and industrial relations

Further to CALM Act amendments in 2015, staffing resources are provided to the Commission through the Director General of DBCA as the employing authority.

Table 4 indicates specific staff allocated to service delivery in the secretariat of the Commission and does not include staff numbers and effort allocated to the delivery of Commission functions through DBCA.

**Table 4. Secretariat staff profile at 30 June 2019**

	Head count	FTE
Full-time permanent	2	1.84
Part-time permanent	0	0
Secondment	0	0
<b>Total</b>	<b>2</b>	<b>1.84</b>

### Governance disclosures

At the date of reporting, no Commissioners or officers, or firms of which Commissioners or officers are members, or entities in which Commissioners or officers have substantial interests, had any interests in existing or proposed contracts with the Commission, other than normal contracts of employment of service; or had

any interests in issues before or likely to come before the Commission for consideration, endorsement or consultation.

### Board and committee remuneration

The Commission operates in accordance with Part III of the *Conservation and Land Management Act 1984*, the *Public Sector Management Act 1994*, and its Charter, Code of Conduct and other policies. The Commissioners remuneration is shown in Table 5.

**Table 5. Commissioners remuneration**

Position	Name	Gross/actual remuneration	Period of membership
Chair (former)	Marion Fulker	\$ 38,886	1/7/2018 to 6/5/2019
Chair/Deputy Chair	Chris Doepel	\$ 31,030	1/7/2018 to 30/6/2019
Deputy Chair	Jo Lanagan	\$ 22,790	1/7/2018 to 30/6/2019
Member	Ingrid Cumming	\$ 18,621	1/7/2018 to 6/5/2019
Member	Ross Dowling	\$ 21,855	1/7/2018 to 30/6/2019
Member	Fiona Valesini	\$ 21,855	1/7/2018 to 30/6/2019
Member	Alan Walker	\$ 21,855	1/7/2018 to 30/6/2019
Member	Tahn Donovan	\$ 3,235	7/5/2019 to 30/6/2019
Member	Penny Bond	\$ 3,235	7/5/2019 to 30/6/2019

The Commission met 12 times during the reporting period (including one extraordinary meeting). Attendance for the total number of eligible meetings for each member are shown in Table 6.

**Table 6. Commissioner meeting attendance**

Position	Name	Attendance	Eligibility
Chair/Deputy Chair	Chris Doepel	7	12
Chair (former)	Marion Fulker	8	10
Deputy Chair	Jo Lanagan	12	12
Member	Ingrid Cumming	6	10
Member	Ross Dowling	11	12
Member	Fiona Valesini	10	12
Member	Alan Walker	12	12
Member	Tahn Donovan	1	2
Member	Penny Bond	1	2

## Other legal requirements

### Disability access and inclusion plan outcomes

The Commission has adopted the DBCA *Disability Access and Inclusion Plan 2015–20*.

### Compliance with public sector standards and ethical codes

Commission staff are employees of DBCA. DBCA provided the framework for human resource management within the Commission through an Operational Relationship Agreement and a Memorandum of Understanding.

In the management and direction of the office of the Commission, the Director has complied with Public Sector Standards in Human Resource Management, the *Western Australian Public Sector Code of Ethics* and the Commission's *Code of Conduct*.

Information on both the *Code of Ethics* and the *Code of Conduct* is provided to new employees and members of the Commission on commencement with the Commission.

There was one grievance lodged under the *Code of Conduct* during the reporting period which was resolved.

### Recordkeeping plans

The Commission prepared and finalised its *Record Keeping Plan 2016* in accordance with Section 19 of the *State Records Act 2000*. The purpose of this plan is to set out the matters about which records are to be created by the Commission and how it is to keep its records.

The State Records Commission has endorsed the Commission's *Record Keeping Plan 2016*.

## Government policy requirements

### Substantive equality

DBCA implements the State Government's *Policy Framework for Substantive Equality* primarily through management planning processes associated with the CALM Act.

Information on the department's progress towards achievement in implementing the policy framework can be found in the *DBCA Annual Report 2018–19*.

### Occupational safety, health and injury management

DBCA Occupational Safety and Health (OSH) policy requires managers to demonstrate, maintain, monitor and review OSH in the workplace and places a responsibility on employees to implement a cycle of continuous improvement.

No workers' compensation claims were recorded during the reporting period.

The Commission works to the policy identified by DBCA.

No workers' compensation claims were recorded during the reporting period. The performance of the Commission OSH and injury management is shown in Table 7.

**Table 7. Performance reporting: Occupational safety, health and injury management**

Measure	Actual result	Results against target	
	Reporting period 2018	Target	Comment on result
Number of fatalities	0	0	Achieved
Lost time injury and/or disease incidence rate	0	0	Achieved
Lost time injury and/or disease severity rate	0	0	Achieved
Percentage of injured workers returned to work:			
(i) within 6 weeks	0	0	Achieved
Percentage of managers trained in occupational safety, health and injury management responsibilities	100%	100%	Achieved



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