

**HOUSE OF ASSEMBLY
LAID ON THE TABLE**

13 November 2012

**MARINE PARKS COUNCIL
OF
SOUTH AUSTRALIA**

ANNUAL REPORT

1 July 2011 to 30 June 2012



**Government
of South Australia**

Marine Parks Council of South Australia
Annual Report 2011-12

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Government of South Australia

Department of Environment,
Water and Natural Resources

LETTER OF TRANSMITTAL

The Hon Paul Caica
Minister for Sustainability, Environment and Conservation
Parliament House
North Terrace
ADELAIDE SA 5000

Dear Minister

In accordance with the requirements of the *Public Sector Act 2009*, I have pleasure in presenting the Annual Report of the Marine Parks Council of South Australia for the financial year ended 30 June 2012.

Yours sincerely

A handwritten signature in black ink that reads 'R Lewis'. The signature is written in a cursive style and is underlined with a dashed line.

Professor Robert Lewis PSM FTSE
Presiding Member
Marine Parks Council of South Australia

Date:

PLANS AND OBJECTIVES

MARINE PARKS COUNCIL OF SOUTH AUSTRALIA STRATEGIC PLAN

The Marine Parks Council of South Australia (Council) determined that its strategy for 2011-2012 should focus on formulation of advice in four key areas:

- Strategy 1: Marine park zonation and draft management plans
- Strategy 2: Community engagement during public consultation
- Strategy 3: Implementing management plans
- Strategy 4: Monitoring, evaluation and reporting

The Council, working in association with the Department of Environment and Natural Resources (DENR) Marine Parks Project team, contributed to the achievements of the following objectives and targets of South Australia's Strategic Plan (2011):

- **Target 71: Marine Biodiversity.** Maintain the health and diversity of South Australia's unique marine environments
- **Target 72: Nature Conservation.** Increase participation in nature conservation activities
- **Target 69: Lose No Species.** Lose no species as a result of human impacts
- **Target 30: Board and Committees:** Increase the number of women on all State Government Boards and Committees to 50% on average by 2014, and maintain thereafter by ensuring that 50% of women are appointed, on average, each quarter

OPERATIONS AND INITIATIVES

SUMMARY OF ACTIVITIES UNDERTAKEN BY THE COUNCIL

The Council met seven times during the 2011-12 reporting period and considered advice from a number of sources.

During the reporting period the Council provided advice to the Minister on matters directly relevant to its functions under sections 29(1)(d), (e) and (f) of the *Marine Parks Act 2007* (the Act), as well as a range of matters associated with the marine parks project.

The Minister for Sustainability, Environment and Conservation (Minister) attended the board induction on September 1 and also attended the December 2011 meeting and clarified the "reset" process involving further discussions with key interest groups prior to the release of the draft marine park management plans.

During the year Council received advice from a number of sources including the DENR Marine Parks Project team, the Department of Primary Industries and Regions SA (PIRSA), the South Australian Research Development Institute (SARDI), the Minister's Scientific Working Group (SWG) and private consulting firm, EconSearch Pty Ltd.

Professor Rob Lewis, Presiding Member of the Council, appeared before the Parliamentary Select Committee examining Marine Parks on 10 May 2012, advising the Committee of the Council's role and objectives, processes and timing to develop its advice to the Minister.

The year concluded with a two day workshop held in June 2012 to formulate Council's advice to the Minister about the Government's proposed zoning and draft marine park management plans.

The activities during the year are summarised against the strategic priorities below.

STRATEGY 1: MARINE PARK ZONATION AND DRAFT MANAGEMENT PLANS

Key activities supporting this strategy included:

- review of management planning tools
- consideration of draft management plans and the network explanatory documents
- provision of advice to the Minister on proposed zoning and draft management plans

Management Tools

Council received information on marine park management planning, noting the three types of management documents being used (statutory marine park management plans, and non-statutory network explanatory document and operational marine park plans).

Council formulated the approach for detailed discussion and consideration following release of the draft marine park management plans. The key issues identified were:

- The purpose of marine parks - habitat/ecosystem conservation vs. fisheries management vs. habitat/ecosystem conservation
- The veracity of the science supporting the development of the marine parks program
- The benefits, including conservation outcomes, that may result from marine parks
- The likely regional impacts that may result from marine parks
- The on-going management, including compliance, monitoring and funding
- The importance of 'managing change' with stakeholders and regional communities.

Draft management plans

Council received advice from a number of sources including SARDI, PIRSA, the SWG and EconSearch. Council also considered Commonwealth Marine Reserves Network design principles, and Commonwealth activities in relation to Commonwealth marine protected areas.

Council member Mr Greg James provided information on the regional tourism impacts (economic) in South Australia.

Provision of advice

Council provided a summary of its deliberations and agreed outcomes of its meetings to the Minister. Council also provided advice to DENR Marine Parks Project staff on draft marine park management plans and related supplementary material during the reporting period.

The Council held a two day workshop in June 2012 considering information gathered during the year and presentations from DENR, SARDI, PIRSA, the SWG and EconSearch.

Council then formulated its advice by evaluating a range of criteria including key features/benefits, identified impacts (environmental, social, economic), and potential risks and treatments. This advice was submitted to the Minister.

STRATEGY 2: COMMUNITY ENGAGEMENT DURING PUBLIC CONSULTATION

Key activities supporting the strategy included:

- review of key stakeholder engagement on draft marine park management plans
- review aboriginal engagement strategy
- review of informational material
- provide feedback to DENR/Minister on community engagement (strategy and materials)

Stakeholder Engagement on Draft Plans

Council highlighted the importance of having in place a strong communication strategy as part of the community consultation phase and the ongoing engagement with the community and interest groups and the maintaining of those relationships.

Council considered a proposed communications strategy for community consultation and noted the principles informing the consultation process. Council suggested a range of communication/engagement strategies to improve the consultation process, including ensuring that an appropriate engagement strategy is delivered to the Indigenous community.

Aboriginal Engagement Strategy

Council member Ms Lorelee Wright, advised Council on strategies to effectively engage Aboriginal stakeholders in the draft marine park management plan consultation process. Council recognised the need for a specific Aboriginal community engagement process which complements the general consultation process, and that there are particular needs and structural factors which ideally should be accommodated during this engagement.

Review of informational material

Council formed a working group of Council members and DENR staff to review communication strategies and material.

Council had detailed discussion on communication needs and consultation processes for the draft management plans. Council recognised that the communication strategy must flow into the post implementation phase with key elements of education, awareness, appreciation, nature, tenor and the language used.

Council considered the principles of the strategic and critical issues of change management, public re-engagement, awareness and consultation, including the challenges faced with implementation and acceptance of the marine parks network; the need for a marine park engagement/awareness/education plan to have clear goals, defined target audiences, clear and

unambiguous messages, proper structure and delivery methodologies and evaluation techniques; and the need for a series of regional engagement and communication strategies and tools.

STRATEGY 3: IMPLEMENTING MANAGEMENT PLANS

Key activities focussed on compliance management including:

- Linkages with other stakeholders
- Resource consideration

The Council explored linkages to the Commonwealth Marine Reserves Network under the National Representative System of Marine Protected Areas, and noted the benefits that would result from improved synergies between the Commonwealth and South Australian systems, including optimum alignment between the zoning schemes. Council received a presentation from the Manager, Great Australian Bight Marine Park, which further explored possible synergies and possible areas for improvement.

Council noted that availability of resourcing will be a significant issue, especially the level of funding available post-implementation of marine park management plans for compliance and monitoring, evaluation and reporting purposes.

STRATEGY 4: MONITORING, EVALUATION AND REPORTING (MER)

Key activities focussed on the progress of the proposed monitoring, evaluation and reporting (MER) strategy in relation to ongoing park management.

The Council received a report on the MER process for marine parks post implementation of marine park management plans. This was supplemented by a SWG presentation on the topic. The Council reinforced the need for, and importance of, ongoing monitoring, reporting and compliance post-implementation, including the socio-economic and cultural aspects of marine parks.

Council noted the need to develop and resource MER, education and compliance programs, particularly in response to the realisation that the proposed zonation will not deliver a fully comprehensive, adequate and representative (CAR) system in the first instance. In addition to traditional communication Council recommended the use of contemporary ‘app’¹ based communication platforms to provide information and awareness to the marine park visitor.

¹ An ‘app’ typically refers to software used on a smartphone or mobile device such as the Android, iPhone, BlackBerry or iPad, as in “mobile app” or “iphone app.”

ROLE, LEGISLATION AND STRUCTURE

The Marine Parks Council is established under section 24 of the *Marine Parks Act 2007*.

OBJECT OF THE MARINE PARKS ACT 2007

The objects of the Act are to provide for a system of marine parks for the State; and for other purposes as contained in section 8(1) as follows:

- (a) to protect and conserve marine biological diversity and marine habitats by declaring and providing for the management of a comprehensive, adequate and representative system of marine parks; and
- (b) to assist in—
 - (i) the maintenance of ecological processes in the marine environment; and
 - (ii) the adaptation to the impacts of climate change in the marine environment; and
 - (iii) protecting and conserving features of natural or cultural heritage significance; and
 - (iv) allowing ecologically sustainable development and use of marine environments; and
 - (v) providing opportunities for public appreciation, education, understanding and enjoyment of marine environments.

ROLE AND FUNCTIONS OF THE MARINE PARKS COUNCIL

The Council's functions, as defined in section 29 of the Act, are as follows:

- (a) To provide advice to the Minister on the establishment of marine parks, including:
 - (i) advice on any community nominations for marine parks; and
 - (ii) advice on the areas to be specified as marine parks;
- (b) To provide advice to the Minister in relation to the introduction, variation or revocation of interim protection orders;
- (c) To provide advice to the Minister in relation to a proposal to alter the boundaries of a marine park;
- (d) To provide advice to the Minister in relation to a proposal to establish or alter a zone within a marine park;
- (e) To provide advice to the Minister in relation to the management of marine parks, the formulation and operation of management plans under this Act, and the extent to which the objects of the Act are being achieved through the implementation of management plans under this Act;
- (f) To provide advice to the Minister on ways to promote community participation in the management of marine parks and the conservation of relevant marine environments;
- (g) To carry out such other functions as may be assigned to the Council by or under this Act or by the Minister.

MEMBERSHIP

The Council consists of eleven members. Ten members are appointed by the Governor on the nomination of the Minister, and one member (*ex officio*) is the Chief Executive of the DENR, or a person nominated by the Chief Executive. The requirements of members appointed by the Governor are in accordance with clause 24 (3) of the Act and shown in the following table:

The following were members of Council during the 2011-12 reporting period:

Member	Appointed Pursuant to the following section of the Act
Ms Samara Miller	24 (3) (a): a person who has knowledge of, or experience in, the field of commercial fishing
Mr David Ellis	24 (3) (b): a person who has knowledge of, or experience in, the field of aquaculture;
Mr Greg James	24 (3) (c): a person who has knowledge of, or experience in, the field of recreational fishing
Prof. Rob Lewis	24(3) (e): persons who have qualifications or experience in a field of science that is relevant to the marine environment
Ms Michelle Grady	24 (3) (d): persons who have knowledge of, or experience in, the field of marine conservation
Prof. Sabine Dittmann	24 (3) (e): persons who have qualifications or experience in a field of science that is relevant to the marine environment
Mr Timothy Kelly	24(3) (d): knowledge of, or experience in, the field of marine conservation
Mr Peter Riseley	24 (3) (f): extensive involvement in community affairs
Ms Kathryn Warhurst	24 (3) (d): knowledge of, or experience in, the field marine conservation
Ms Lorelee Wright	24 (3) (g): extensive knowledge of indigenous culture, especially in connection with the marine environment
Ms Leanne Burch (DENR)	24 (2) (b): nominated by the Chief Executive, DENR (<i>ex officio</i>)

ADVISORY COMMITTEE MEMBERSHIP

There were no advisory committees during the reporting period.

MEETINGS: GENERAL AND SPECIAL

A total of seven general Council meetings were held during the 2011-12 financial year. One of these meetings included a two day workshop to formulate advice to the Minister on proposed marine park zonation and draft management plans.

Attendance by appointed members at meetings:

Member	Meeting attendance
R Lewis	7
D Ellis	7
M Grady	6
S Dittmann	7
G James	7
T Kelly	6
S Miller	7
P Riseley	7
K Warhurst	7
L Wright	7
L Burch	5

GOVERNANCE ARRANGEMENTS

The Policy Directorate, DENR provided Executive Officer and Secretary support to the Council. Reporting on this matter is contained in the DENR Annual Report 2011-12.

MANAGEMENT OF HUMAN RESOURCES

An appointed member of the Marine Parks Council is entitled to remuneration, allowances and expenses as determined by the Minister. Appointed members were paid in accordance with recommendations of the Chief Executive of the Department of the Premier and Cabinet. Remuneration was paid at the rate of \$221.12 for the Presiding Member and \$176.90 for members, per four-hour session.

EMPLOYEE NUMBERS, GENDER AND STATUS

The Council has no staff of its own. Executive and administrative support was provided by DENR. Reporting on all human resource related matters is contained in the DENR Annual Report 2011-12.

The Executive Officer for the Council during the reporting period was Beverley Voigt (July – January), Mr Neil Taylor (February - June) and administrative support was provided by Ms Leonie Shearing.

During the reporting period the Council consisted of five male and five female members appointed by the Governor.

The following matters are also contained in the DENR annual report 2011-2012:

- Superannuation contribution by the Council
- Executives
- Leave Management
- Workforce Diversity
- Voluntary Flexible Working Arrangements
- Performance Development
- Leadership and Management Development
- Accredited Training Packages
- Employment Opportunity Programs
- Occupational Health and Safety and Injury Management
- Account Payment Performance
- Disability Action Plan
- Reporting Against The Carers Recognition Act
- Energy Efficiency Action Plan Report
- Greening of Government Operations Framework

FINANCIAL PERFORMANCE

The Council is not a corporate entity and has no funds of its own. The costs associated with the administration of the Council are met from within the existing resources of DENR and are included in the DENR Annual Report 2011-12.

An appointed member of the Marine Parks Council is entitled to remuneration, allowances and expenses as determined by the Minister. Appointed members were paid in accordance with recommendations of the Chief Executive of the Department of the Premier and Cabinet. Remuneration was paid at the rate of \$221.12 for the Presiding Member and \$176.90 for members, per four-hour session, except for Government employees.

CONTRACTUAL ARRANGEMENTS

The Council did not enter into any contractual arrangements during the reporting period.

FRAUD

It is declared that there were no instances of fraud detected in the activities undertaken by the Council during the reporting period.

CONSULTANTS

The Council did not engage any consultants during the reporting period.

OVERSEAS TRAVEL

It is declared that no member of the Council travelled overseas on the business of the Council during the reporting period.

ASBESTOS MANAGEMENT IN GOVERNMENT BUILDINGS

The Council does not own any non-residential buildings and is, therefore, not required to develop an asbestos risk reduction program.

URBAN DESIGN CHARTER

No events occurred in 2011-12 that required the Council to consider the principles of urban design contained in the South Australian Urban Design Charter.

FREEDOM OF INFORMATION – INFORMATION STATEMENTS

As a DENR administered entity, the Council participates and abides by the arrangements outlined in the DENR Freedom of Information regime. Reporting on this matter is available on the DENR internet site. Please visit www.environment.sa.gov.au to view the FOI Statement.

WHISTLEBLOWERS PROTECTION ACT 1993

Reporting requirements against the *Whistleblowers Protection Act 1993* require the Council to report on the number of occasions on which public interest information has been disclosed to a Responsible Officer of the agency. There were no disclosures made during 2011-12.

REGIONAL IMPACT ASSESSMENT STATEMENTS

The Council did not undertake any Regional Impact Assessment Statements in 2011-12.

RECONCILIATION STATEMENT

The Council acknowledges and respects the traditional custodians on whose ancestral lands we meet and the land that it considers and protects. The Council acknowledges the Aboriginal people's deep feelings of attachment and relationship to country. In fulfilling its functions, the Council is aware of the cultural heritage of the traditional owners and strives to achieve mutually satisfying outcomes wherever these matters are concerned.

In fulfilling its functions, the Council is aware of the cultural heritage of traditional owners and strives to achieve mutually satisfying outcomes wherever these matters are concerned.

Council recommendations on community engagement have incorporated specific advice in response to the aboriginal communities' cultural and societal values and structures.

ACKNOWLEDGEMENTS

The Council would like to thank the Minister for Sustainability, Environment and Conservation, Ministerial staff and the staff of DENR for the support and encouragement offered to the Council during the year.

The Marine Parks Council would like to acknowledge the significant contribution during the year from Mr Chris Thomas and his staff from the DENR Marine Parks Project team. The Council would also like to thank Professor Mehdi Doroudi, PIRSA, Fisheries and Aquaculture for his attendance and contribution to the Marine Parks Council, and also the respective former and current chair of the Marine Parks Scientific Working Group, Professor Anthony Cheshire and Professor Peter Fairweather.