

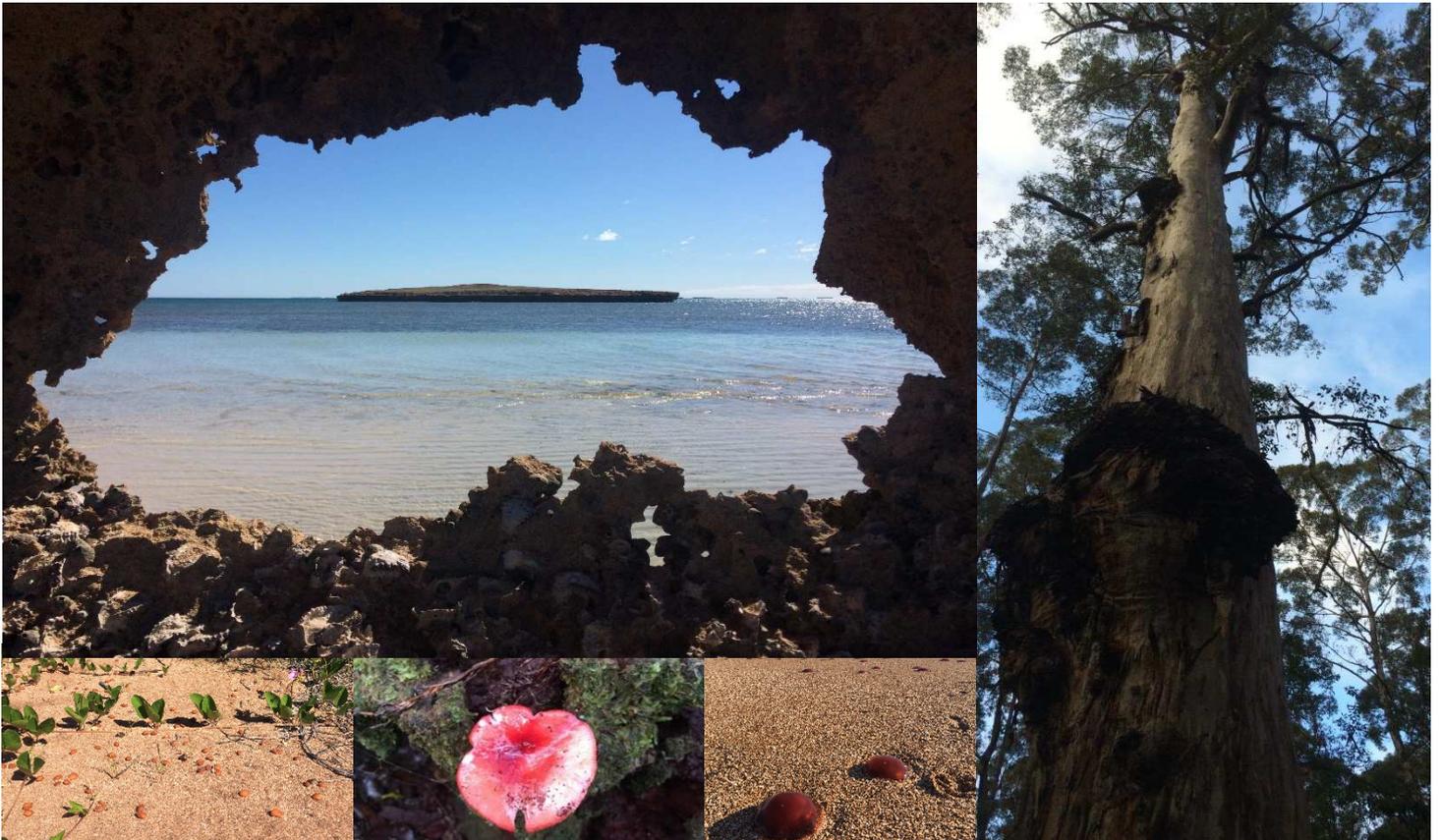


Conservation and Parks
Commission

Annual Report

2016

(for the period 7 May 2016 to 30 June 2016)



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Transmittal to the Minister

HON ALBERT JACOB MLA
MINISTER FOR ENVIRONMENT

I am pleased to submit the final Annual Report of the Conservation and Parks Commission for the period 7 May 2016 to 30 June 2016 in accordance with Section 31 of the *Conservation and Land Management Act 1984*.



Marion Fulker
Chair

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Overview

Chair's report

It is with pleasure that I present the inaugural report of the Conservation and Parks Commission. Amendments to the *Conservation and Land Management Act 1984* (the CALM Act), effective 7 May 2016, established the Conservation and Parks Commission, succeeding the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority. My report is for the period to 7 May 2016 to 30 June 2016. To the board I welcome Professor Chris Doepel (Deputy Chair of the Conservation and Parks Commission) and Kim Colero both from the former Marine Parks and Reserves Authority, and Professor Ross Dowling, Brian Middleton and Regina Flugge from the former Conservation Commission. I acknowledge all past serving members renewed commitment to the future work of the Commission. I also welcome Ingrid Cumming to the board, who brings with her experience, knowledge and leadership in reconciliation and cultural heritage.

The Conservation and Parks Commission has carried forward and built upon strong working relationships with the Department of Parks and Wildlife and has been busy establishing processes to maintain and enhance its functions. I wish to thank fellow Commission members and the support staff for their commitment during the period and I look forward to the Commission providing a valuable contribution to Conservation in Western Australia.

Marion Fulker
Chair

Operational Structure

The Conservation and Parks Commission is a body corporate under the CALM Act comprised of 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 Conservation and Parks Commission's functions are provided in section 19 of the CALM Act and 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 Department of Parks and Wildlife and, if the land is State forest or a timber reserve, the Forest Products Commission.

Commission membership

Subject to subsection (4) and section 22 of the CALM Act, the members are to be persons who, in the opinion of the Minister, have knowledge and experience or a particular function or vocational interest which is relevant to the functions of the Commission. One member is to be a person who, in the opinion of the Minister, has knowledge of and experience in Aboriginal cultural and Aboriginal heritage matters relevant to the functions of the Commission.

Ms Marion Fulker – Chair



Marion Fulker is the newly-appointed Chair of the Conservation and Parks Committee. Marion accepted the position in May, 2016, having notable experience current and previous 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 has been 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. Recently recognized as one of Australia's 100 Women of Influence, Marion's opinions on Perth's future are regularly sought by the Government and the media.

Prof Chris Doepel PSM – Deputy Chair



Chris is an Adjunct Professor in the School of Law at the University of Notre Dame Australia in Fremantle. Until March 2016, he was the Dean of Business and Chair of College Committees for Arts & Sciences, Business and Law at the University. Prior to undertaking this last role, he was also 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 Law, and a Master of Arts. He is an Associate Member of the Law Society of Western Australia, an Associate Member of the Chartered Institute of Arbitrators, and a fellow of the Australian Institute of Management. He is currently Chairman of the Western Australian judging panel for the Australian-American Fulbright Commission. In 2006, Chris was awarded a Public Service Medal (PSM) in the Australia Day Honours for his native title work.

Mrs Ingrid Cumming



Ingrid Cumming is a Whadjuk Noongar woman from Fremantle, Western Australia. A graduate of Murdoch University and Melbourne Business School, during her career she 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 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. Earlier this year she became a board member of the National Indigenous Women in Business Group. In 2010, Mrs Cumming founded and became CEO of Kart Koort Wiern (Head Heart and Spirit): A Perth-based indigenous consultancy that also offers additional training and workshops across Australia and while promoting reconciliation and increasing awareness of Aboriginal and Torres Strait Islander strengths and strategy. In 2016, Ingrid joined forces with Kia Dowell and Chantal Harris to create the new company: Codeswitch. The trilogy brings together of 20 years of experience and innovation.

Dr Regina Flugge



Dr Regina Flugge has over 25 years of experience in environment, climate change and sustainable development roles. Dr Flugge has worked in the education, government, not-for-profit and corporate sectors with responsibilities across environmental management; corporate environmental governance; education; research; policy development; the provision of high-level advice; strategy development; business planning; and advocacy. Dr Flugge's career includes substantial experience in the resources industry through roles with the Chamber of Minerals & Energy and Rio Tinto, especially in the Pilbara region. Dr Flugge is currently the General Manager of Environmental Sustainability at RAC. Dr Flugge also has over 16 years of experience as a board director across statutory and not-for-profit boards and committees. Dr Flugge is a non-executive Director of Rangelands NRM WA and a member of the Air Quality Coordinating Committee. Dr Flugge was a non-executive Director of the Sustainable Energy Association of Australia and her past associations include the Governing Council of the West Pilbara College of Technical and Further Education; Rangelands Regional Assessment Panel for the Natural Heritage Trust; and the Coastal Planning & Coordination Council. Dr Flugge has a Bachelor of Applied Science; Master of Science; Master of Business Administration; Master of Management; and is a Doctor of Business Administration. Dr Flugge is a member and graduate of the Australian Institute of Company Directors; associate fellow of the Australian Institute of Management; a member of the National Environmental Law Association; and a member of the Environment Institute of Australia & New Zealand. Dr Flugge maintains a keen interest in the biodiversity and ecosystems of the Pilbara region.

Mr Kim Colero



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

Mr Brian Middleton



Mr Middleton has an accounting practice in Margaret River. He has been President of Rotary; President of Margaret River High School P&C Association; Treasurer of Friends of the Cape to Cape Track; Chair of the Business Enterprise Centre; Chair of the Margaret River Education Campus Board; Chair of the Shire's Sustainability Advisory Committee; and has served six years as a shire councillor. Mr Middleton's special interests are business and community development, education and preserving significant natural heritage areas. He is a passionate bushwalker who believes preservation of wild spaces is vital in enabling and encouraging people to enjoy the wonders of nature.

Prof Ross Dowling OAM



Professor Ross Dowling is Foundation Professor of Tourism and the School of Business at Edith Cowan University. Professor Dowling 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. Professor Dowling is a geotourism advisor for UNESCO Global Geoparks and a founder of the Global Geotourism Conferences. Prior to moving to Australia, Professor Dowling 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. Professor Dowling brings to the Commission knowledge and experience in relation to conservation and tourism development.

The Conservation and Parks Commission have members serving two separate terms: Ms Marion Fulker, Prof Chris Doepel and Mrs Ingrid Cumming will serve a three-year period from 7 May 2016 until 6 May 2019, while Dr Regina Flugge, Mr Kim Colero, Mr Brian Middleton and Prof Ross Dowling will serve a two-year period from 7 May 2016 until 6 May 2018.

The Conservation and Parks Commission met once during the reporting period.

Executive Support

In 2016, the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority amalgamated to form the Conservation and Parks Committee.

The service unit of this committee had 4 staff at 30 June 2016.

Operational systems support is provided to the service unit by Parks and Wildlife under the operational relationship agreement.

Other key legislation impacting on the Conservation and Parks Commission's activities:

- *Aboriginal Heritage Act 1972*
- *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*
- *Public Sector Management Act 1984*
- *Mining Act 1978*
- *Wildlife Conservation Act 1950*

Agency Performance

The decisions of the Conservation and Parks Commission, the Commissioners and its service unit are guided by the following principles:

- compliance with relevant state government policies and national and international agreements, protocols and conventions relating to ecologically sustainable development and biological diversity conservation;
- the application of the precautionary principle;
- intergenerational equity;
- involvement of Aboriginal people as well as consideration of their perspectives and cultural needs; in particular, protecting and conserving the value of the land to their culture and heritage;
- community involvement, participation, appreciation and enjoyment in relation to the natural environment;
- maintaining a diverse range of values including cultural and heritage values.

Estate

The Conservation and Parks Commission's main objectives in relation to vested lands and waters strategies for delivering these are identified below:

Table 1. Objectives and strategies for vested lands

Objectives	Strategies
Identify what is required for a comprehensive, adequate and representative reserve system for Western Australia	Promote the maintenance and extension of comprehensive, adequate and representative reserves system through the strategic acquisition of key lands and waters and innovative funding.
Consider proposed changes of purpose, or boundary of, land and water vested in the Conservation and Parks Commission, and	Provide advice upon request to the Minister for Environment on applications for changes in purpose or boundaries, including advice on any contentious issue or activities and proposed excision of areas and are not of value in maintaining biological diversity.
Evaluate potentially incompatible activities on vested lands and waters with a view to maximise biological diversity.	Consult and provide advice on matters relating to leases, licences, permits, mining tenements and any other activities on land vested in the Conservation Commission.

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 Conservation and Parks Commission was provided to Parks and Wildlife during this reporting period. Table 2 summarizes the Conservation and Parks Commission's consideration of CALM Act leases, licences and permits.

Table 2. CALM Act leases, licences and authorities endorsed during the period 7 May 2016 to 30 June 2016*

CALM Act leases, licences, and authorities	Conservation and Parks Commission endorsement
Commercial operations licences	91
Apiary authorities	722
Other leases and licences	15

*Supplied by the Department of Parks and Wildlife, 2016

Vested Lands

As of 30 June 2016, the total area of lands vested in the Conservation and Parks Commission was 19,209,812 hectares. Table 3 provides a summary of land classifications for the full financial year. Within the reporting period there were no inclusions or excisions of vested lands.

Table 3. Land vested in the Conservation and Parks Commission*

Land classification	Area as at 30 June 2015 (ha)	Area as at 30 June 2016 (ha)	Difference (ha)
National parks	6,243,904	6,243,833	-71
Conservation parks	848,344	849,076	+732
Nature reserves	10,247,195	10,248,014	+819
State forests	1,304,251	1,304,154	-97
Timber reserves	123,154	123,135	-19
CALM Act section 5(1)(g) and 5(1)(h)	441,483	441,600	+117
Total	19,208,331	19,209,812	+1481

* Supplied by the Department of Parks and Wildlife, 2016

As of 30 June 2016, the total area of waters vested in the Conservation and Parks Commission was 2,514,997 hectares. Table 4 provides an approximate area for each park or reserve vested in the Conservation and Parks Commission.

Table 4. Marine parks and reserves vested in the Conservation and Parks Commission as at 30 June 2016*

Park/Reserve	Approximate area (ha)
Barrow Island Marine Park	4,169
Barrow Island Marine Management Area	116,616
Lalang-garram/Camden Sound Marine Park	673,00
Eighty Mile Beach Marine Park	181,000
Hamelin Pool Marine Nature Reserve	132,000
Jurien Bay Marine Park	82,376
Marmion Marine Park	9,500
Montebello Islands Marine Park	58,375
Muiron Islands Marine Management Area	26,769
Ngari Capes Marine Park	123,000
Ningaloo Marine Park	263,313
Rowley Shoals Marine Park	87,807
Shark Bay Marine Park	748,735
Shoalwater Islands Marine Park	6,545
Swan Estuary Marine Park	346
Walpole & Nornalup Inlets Marine Park	1446
Total	2,514,997

* Supplied by the Department of Parks and Wildlife, 2016

Disclosures and legal compliance

Financial statements

Funding for the operation of the Conservation and Parks Commission is provided through Parks and Wildlife. Expenditure is managed and administered by the Conservation and Parks Commission and the reporting and audit of expenditure is undertaken by the Department of Parks and Wildlife.

Total expenditure for the Conservation and Parks Commission for the financial year ended 30 June 2016 was \$0.186 million as identified by Parks and Wildlife, 2016.

Other financial disclosures

Employment and industrial relations

Table 5. Staff Profile at 30 June 2016

	Headcount	FTE	Headcount	FTE
Full-time permanent	2	2	1	1
Part-time permanent	1	1	2	1.8
Secondment	1	1	1	1
Total	4	4	4	3.8

Governance disclosures

At the date of reporting, no Commissioners or service unit 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 Conservation Commission, other than normal contracts of employment of service; or had any interests in issues before or likely to come before the Conservation and Parks Commission for consideration, endorsement or consultation.

Board and committee remuneration

Table 6. Board remuneration

Position	Name	Remuneration for part of the first quarter, 2016	Period of membership
Chair	Marion Fulker	\$7,116.67*	7/05/2016-30/06/2016
Deputy Chair	Chris Doepel	\$4,270.00*	7/05/2016-30/06/2016
Member	Ingrid Cumming	\$3,248.17*	7/05/2016-30/06/2016
Member	Regina Flugge	\$3,248.17*	7/05/2016-30/06/2016
Member	Kim Colero	\$3,248.17*	7/05/2016-30/06/2016
Member	Brian Middleton	\$3,248.17*	7/05/2016-30/06/2016
Member	Ross Dowling	\$3,248.17*	7/05/2016-30/06/2016

*plus superannuation

Other legal requirements

Disability access and inclusion plan outcomes

The Conservation and Parks Commission has adopted the Department of Parks and Wildlife Disability Access and Inclusion Plan, 2012-2017.

Compliance with public sector standards and ethical codes

In accordance with section 31(2) of the *Public Sector Management Act 1994*, the Conservation and Parks 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.

Conservation and Parks Commission staff are employees of Parks and Wildlife. Parks and Wildlife provides the framework for human resource management within the Conservation and Parks Commission through an operational relationship agreement. In the management and direction of the Conservation and Parks Commission service unit, the Director has complied with Public Sector Standards in Human Resource Management, the Western Australian Public Sector Code of Ethics and the Conservation and Parks 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 Conservation and Parks Commission.

No complaints have been lodged under the Code of Ethics during the reporting period and there have been no instances of misconduct.

Recordkeeping plans

Management of the Conservation and Parks Commission's documents and information is provided in accordance with the Department of Parks and Wildlife's *Recordkeeping Plan 2008*.

All files created during the term of the Conservation and Parks Commission will be closed and archived in accordance with the Conservation and Parks Commission's retention and disposal schedule.

Training in document management is included in each new staff member's induction to the Conservation and Parks Commission.

[Government policy requirements](#)

Substantive equality

Parks and Wildlife implements the state government's *Policy Framework for Substantive Equality* primarily through management planning processes associated with the CALM Act.

Information on Parks and Wildlife's progress towards achievement in implementing the policy framework can be found in Parks and Wildlife's annual report.

Occupational Safety, Health and Injury Management

Parks and Wildlife's 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 Conservation and Parks Commission works to the policy laid down by Parks and Wildlife. The Conservation and Parks Commission Director is a safety officer and fire warden.

Parks and Wildlife’s 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.

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

Measure	Actual result	Results against target	
	Reporting period, 2016	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