

LEGISLATIVE COUNCIL
Question on notice

Wednesday, 2 December 2015

3775. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment

I refer to the Marine Parks and Reserves Authority (MPRA) and the proposed Yawuru Nagulagun/Roebuck Bay Marine Park, and I ask:

- (a) is the Minister aware that a MPRA member appeared on ABC Kimberley radio on the morning of Friday, 19 June 2015 at 10.00am to speak about the content of the *Proposed Yawuru Nagulagun/Roebuck Bay Marine Park indicative joint management plan 2015*;
 - (b) is the Minister aware the MPRA member conducted this interview representing the MPRA;
 - (c) is the Minister aware that this interview was conducted prior to the release of the *Proposed Yawuru Nagulagun/Roebuck Bay Marine Park indicative joint management plan 2015* and the Minister's media announcement of the marine park draft plan on the afternoon of the 19 June 2015;
 - (d) is it normal for MPRA members to speak in the media on behalf of the MPRA and the Government;
 - (e) if no to (d), was permission given for an MPRA member to speak on behalf of the MPRA;
 - (f) if yes to (e), why;
 - (g) is the Minister aware that this MPRA member is a former president of the Broome Fishing Club and was made a life member of the club in April 2015, and at the time they were described by the current President as 'a very strong ongoing advocate of the Broome Fishing Club';
 - (h) is the Minister also aware that the Broome Fishing Club has been vocally opposed to a marine sanctuary zone in Roebuck Bay, including comment from the current club President in the same ABC radio piece on the morning of the 19 June 2015 in which the MPRA member also spoke against the need for a marine sanctuary zone in Roebuck Bay, speaking on behalf of the MPRA; and
 - (i) can the Minister please advise how the MPRA manage potential conflicts of interest when its members have direct personal or business interests in the advice given by the MPRA?
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Answer

The Minister for Environment has provided the following response.

- (a)-(c) Yes.
- (d) No. The normal protocol is that the Chair speaks on behalf of the Marine Parks and Reserves Authority (MPRA).
- (e) Yes.

- (f) As the Chair of the MPRA was unavailable on this occasion, explicit delegation was given to a member of the MPRA to speak on behalf of the authority. Delegation was based on the MPRA member's availability and familiarity with the local context for the proposed Roebuck Bay Marine Park, as well as with the MPRA's deliberations and advice on its establishment.
- (g) Yes. MPRA members are appointed by the Governor on nomination of the Minister for Environment. Section 26D (2) of the *Conservation and Land Management Act 1984* states that '*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 Marine Authority*'. This member was appointed in recognition of his knowledge and experience in the recreational fishing sector.
- (h) Yes. The MPRA member was speaking on behalf of the authority which had already provided its advice to me on the proposal, as required under section 14 (1a) of the *Conservation and Land Management Act 1984*. Comments made by the MPRA member in regard to sanctuary zones reflect the authority's position on this issue for the proposed Roebuck Bay Marine Park.
- (i) The MPRA's *Code of Conduct for Members and Conflicts of Interest Guidelines and Procedures* clarify members' responsibilities with regard to conflict of interest. The MPRA maintains a declaration of conflicts of interest register which is updated quarterly. The member has declared membership of the Broome Fishing Club on this register.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a large, looped 'J' or 'G'.