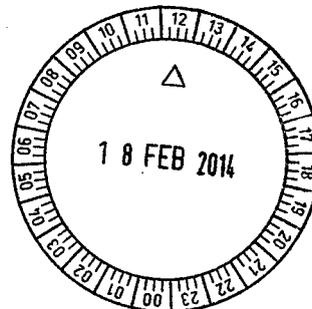




Hon Ken Baston MLC
Minister for Agriculture and Food; Fisheries

Our Ref: 47-03431



Hon Simon O'Brien
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Dear Mr O'Brien

RE: PETITION NO. 18 – AQUATIC RESOURCES MANAGEMENT BILL 2013

I refer to your letter of 10 December 2013 regarding a preliminary enquiry by your Committee into the above petition. The Department of Fisheries has provided comments on the matters raised in the terms and accompanying submissions.

As requested, comments are provided on:

- 1) Terms of the petition (**Attachment 1**)
- 2) The submission from the principal petitioner, Piers Verstegen, Director, Conservation Council of WA (**Attachment 2**).
- 3) The submission from the tabling member, Hon Robin Chapple, MLC (**Attachment 3**).

Attachment 4 provides some closing comments on the policy context in which the petition has been presented.

Attachments 5 and 6 are Copies of "*New Horizons – the way ahead in marine conservation and management (1997)*" and "*Western Australian Government Fisheries Policy Statement, March 2012*". These important references are central to the responses to the petition, and are included for the Committee's information.

The Department would be happy to brief the principal petitioner on the Aquatic Resources Management Bill in the interests of clarifying any points in the response or answering further questions as to the application of the Bill.

Yours sincerely

KEN BASTON MLC
MINISTER FOR FISHERIES

17 FEB 2014
Att

Attachment 1 - Terms of the Petition

Petition in relation to *“A Parliamentary enquiry into conflicts between the Aquatic Resources Management Act and other existing and proposed legislation”*.

Term 1 - Whether all aquatic biodiversity should be regulated through legislation primarily designed to manage commercial and recreational fisheries and aquaculture.

The first term in the petition is framed on the premise that under current law and Government policy the draft *Aquatic Resources Management Bill 2013* (ARMB) is *“legislation which is primarily designed to manage commercial and recreational fisheries and aquaculture”*. This premise is not correct, and illustrates a critical misunderstanding of Government policy in relation to management of the aquatic environment and the historic functions of legislation associated with the governance of fishing (specifically) and aquatic conservation and resource use (more generally).

In 1994, when the *Fish Resources Management Act 1994* (FRMA) replaced the *Fisheries Act 1905*, the legislation reflected a change of emphasis from the development of fisheries to *“sustainability of fish stocks and the conservation of the aquatic environment”*. Further clarity is provided by the second reading speech for the FRMA [P1952, Thursday 16 June 1994 – Hansard].

The ARMB, like the FRMA, has been framed around the principles of Ecologically Sustainable Development (ESD). The principles of ESD are the subject of international and national agreements in relation to managing aquatic (and terrestrial) resource use and conservation.

In Australia, the *National Strategy for Ecologically Sustainable Development (the National Strategy)* was agreed to by COAG in 1992, instigating a national approach to implementation of ESD. This approach has been progressively put into place in both law and policy in every Australian State over the past 22 years. As States have settled their policy approach to deal with the often opposing arguments advanced by advocates supporting one set of outcomes over another, legislation has been amended across portfolios to accommodate necessary interactions and shared responsibilities.

The *National Strategy* defines ESD as *“using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased”*.

The *National Strategy's* goal is: *“Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.”*

The *National Strategy's* core objectives are:

- *to enhance individual and community well-being and welfare by following a path of economic development that safeguards the welfare of future generations*
- *to provide for equity within and between generations*
- *to protect biological diversity and maintain essential ecological processes and life-support systems*

It is important to note that the Strategy, and international policy thinking on the subject, recognises the inseparable nexus between the conservation of aquatic biodiversity and the ecologically sustainable management of aquatic resources.

The manner in which the petition is framed fails to acknowledge the significant areas of common ground under ESD that biodiversity conservation and resource management have, the need for balancing potentially competing policy objectives, or the current policy framework that underpins aquatic resource management in Western Australia.

As previously mentioned, an established balance for governance between sustainable use and conservation objectives for living aquatic resources has been in place in WA since at least 1994, when the *FRMA* was enacted. Prior to this marine conservation outcomes were generally achieved through actions under the *Fisheries Act 1905*.

In 1998 the need for balance between sustainable use and conservation objectives was re-emphasised in the Government's "New Horizons for Marine Management" strategy (*New Horizons Strategy*), which was given effect through the *Acts Amendment (Marine Reserves) Act 1997* under six Acts of Parliament. At its core is a commitment to conservation and ecologically sustainable use of the whole of the State's marine environment by striking a balance which: reinforces WA's high environmental protection and management standards; provides clear policy direction in relation to marine reserves; reduces uncertainty for business and the community; and minimises the potential for conflict between conservation and resource use and development.

The Government administered functions of conservation in the aquatic environment and the management of living aquatic resources in WA are primarily provided for under three Acts of Parliament: the *FRMA*, the *Wildlife Conservation Act 1950 (WCA)*, and the *Conservation and Land Management Act 1984 (CALM Act)*. These three Acts are augmented on specific matters in this area by several other Acts including the *Pearling Act 1990*, the *Environmental Protection Act 1986 (EP Act)* and the *Fishing and Related Industries Compensation (Marine Reserves) Act 1997 (FRICMRA)*.

These Acts have had a necessary degree of overlap in their responsibilities for many decades. Clarity in terms of Ministerial responsibility in the marine environment is provided in the *FRMA* and the *CALM Act* through sections in both Acts that provide for Ministerial concurrence on specific matters such as the declaration of marine reserves, and restrictions on the issue of fishing, aquaculture and pearling licences where these activities are deemed incompatible with the purpose of conservation reserves.

In combination, these Acts provide the basis for a whole-of-government framework for conservation and aquatic resource use in all of the State's coastal waters, and more broadly in the aquatic environment within the boundaries of the State.

An important point to note is that beyond the three nautical mile limit of State Waters, legislative jurisdiction depends on the nature of arrangement with the Commonwealth under the *Offshore Constitutional Settlement 1995*. With some specific exceptions for migratory and deep water species that are managed under Commonwealth fisheries plans, the OCS assigns jurisdiction to the State for all bony fishes, sharks and rays, invertebrates, marine algae and seagrasses to the limits of the Australian Exclusive Economic Zone (EEZ). This effectively gives the State power to manage the use and conservation of these species under the FRMA 1994, and the proposed ARMB out to 200 nautical miles. Other State Acts do not have the same direct jurisdictional basis beyond three nautical miles.

In Western Australia, biodiversity conservation as an outcome in the aquatic environment is provided for in policy through a variety of measures implemented in each relevant portfolio under different Acts. These measures include:

- the management of fishing and aquaculture activities and the conservation of the aquatic environment under the principles of ESD and ecosystem-based management under the FRMA out to the limit of the EEZ.
- the establishment of a network of marine reserves within State waters under the CALM Act, which are given effect under the FRMA.
- the development of policies by the Marine Parks and Reserves Authority to “preserve the natural marine and estuarine environments of the State” under the CALM Act;
- the protection of fauna and flora under the WCA – in particular mammals, reptiles and birds, within State waters.
- third-party review of fisheries sustainability by the Commonwealth under the EPBC Act.
- third-party assessment of fisheries sustainability by the Marine Stewardship Council.
- a range of operational measures in fishery management practice to reduce or eliminate incidental capture of protected species and protect habitat features under the FRMA which have legal effect out to the EEZ.
- management of biosecurity risks and events under the FRMA, the EP Act and the Biosecurity and Agriculture Management Act.
- the protection of specific fish habitats outside the marine reserves established under the CALM Act through Fish Habitat Protection Areas established under the FRMA.
- General conservation of all fishes, invertebrates, algae, corals and other marine biota and their habitats under the FRMA, including the sustainable use of harvested species and the protection of vulnerable and threatened species within the waters of the EEZ.

The Government's *Fisheries Policy Statement 2012* sets out the key elements of this approach.

As illustrated above, the conservation of aquatic biodiversity is an outcome delivered through a matrix of legislation and policy under the principles of ESD. Both the FRMA and the draft ARMB have a broad and equivalent scope of responsibilities consistent with whole-of-government policy to ensure the conservation of the marine environment as well as the sustainable use of aquatic resources.

Term 2 - Whether there is an inbuilt conflict of interest in the proposed Aquatic Resources Management Bill 2013 between biodiversity protection and the exploitation of aquatic resources.

The petition refers to “an inbuilt conflict of interest”. The phrase appears to imply that practices and outcomes under the ARMB will be incompatible with biodiversity conservation outcomes. The implication is that that biodiversity protection and sustainable use are somehow mutually exclusive, and decision making is therefore compromised by integrating them. This is demonstrably fallacious.

The term “protection” also appears to be used in a rhetorical manner in its absolute sense to mean a prohibition in law that represents the extreme end of a spectrum of resource management. In reality “protection” in practice involves a range of measures that serve to modify the manner in, and degree to, which humans may lawfully interact with the environment and its biota. The principles of ESD encompass the concept of biodiversity protection, rather than setting it out as an objective that stands alone in opposition to other objectives.

As explained above, the ARMB (and the FRMA) is based upon the principles of ESD. These principles seek to provide a balance between conservation and sustainable use. Biodiversity conservation outcomes are integral to the concept of ecologically sustainable development.

In practice a range of biodiversity conservation outcomes are currently provided for under the *FRMA*, and are integrated into fishery management plans and other subsidiary legislation under this Act.

For example, these include:

- The management of fisheries under the principles of ESD and ecosystem based management, and the full spectrum of fishery controls including gear controls, area and time closures, quota controls, catch limits, size limits and limitations on the number of boats, quantity of gear, time fished or number of licences permitted to operate.
- the total protection of specific fish species such as: leafy and weedy sea dragons, blue groper, humphead maori wrasse, potato cod, sawfish, whale sharks, great white sharks, and all fish under minimum legal size;
- provision for the reduction or elimination of incidental catches of protected and vulnerable species of marine reptiles, mammals and birds;
- the closure of sensitive seagrass areas to fishing methods that would adversely affect them such as trawling;

- the establishment of Fish Habitat Protection Areas for conservation purposes;
- general prohibitions on destructive fishing methods such as dynamite and fish poisons;
- the conservation of genetic and species diversity through a range of legislative instruments and the practice of ecosystem-based management, including the assessment of the condition of exploited fish stocks and assemblages.

The ARMB will provide continuity for these policies and additional transparency and accountability around decision making processes.

The inference that the Minister for Fisheries, the CEO of Fisheries, and other decision makers under the ARMB would be somehow compromised in their ability to make proper decisions by the terms of the legislation and would be compelled to ignore biodiversity conservation outcomes in favour of the exploitative interests of the fishing sectors is also demonstrably incorrect.

The ARMB will require decision makers to give due regard to the objects of the Act, and, in the context of public accountability provides for a highly visible, transparent and accountable public process when objectives and performance standards are being set for resource use.

The ARMB sets out the resource management planning, use and assessment parameters and processes required for the development and implementation of Aquatic Resource Management Strategies (ARMS), as described in the framework paper.

Importantly the development and implementation of ARMS will shift the emphasis from “allowable catch” to “proportion of resource to be conserved” as a proportion of total estimated biomass. Once this parameter is established, harvest levels can be set at anywhere from zero to the estimated maximum sustainable harvest. The setting of harvest levels must be based on ESD principles (and consequently ecosystem-based management), which incorporate consideration of matters such as incidental catches, food-chain and genetic and species diversity impacts.

Further powers to implement measures at an operational level compatible with the objects of the Act (and hence biodiversity conservation outcomes) are also provided.

Perhaps most importantly, the ARMB preserves the priority given to marine reserves, as per the *New Horizons Strategy*. This includes provisions that accommodate the impact that the declaration of marine nature reserves and sanctuary areas may have on fishing access rights, obviating the need for fishermen to seek legal redress for loss of access through the Courts.

Term 3 - Whether protected species (turtles, seabirds, sealions, whales and dolphins) bycatch issues existing in WA fisheries will be appropriately managed through the proposed legislation, and

As previously described the ARMB provides clarity as to the scope for the management of these issues and a publicly accountable and transparent planning process for settling the policy associated with specific fishery interactions with these species. Primary responsibility for the conservation and management of these species remains with the Minister for the Environment under the *Wildlife Conservation Act 1950*.

Term 4 - Whether the legislation is compatible with the management of aquatic biodiversity within marine protected areas established under the Acts Amendment (Marine Reserves) Act 1997.

The *Acts Amendment (Marine Reserves) Act 1997* inserted amendments into six Acts of Parliament, including the CALM Act and the FRMA, in order to establish the tenets of the “New Horizons Strategy” in legislation. As previously mentioned, the ARMB will continue to operate in conjunction with other Acts including the CALM Act in the whole-of-government strategy for marine conservation set out in “New Horizons”. The ESD tenets of the ARMB are fully compatible with the management of aquatic biodiversity, and the powers in the ARMB provide significant scope for dealing with specific issues as required. In this context it is important to note the broad policy development role of the Marine Parks and Reserves Authority under the CALM Act.

Attachment 2 - The submission from the principal petitioner, Piers Verstegen, Director, Conservation Council of WA.

Point 1 - Consultation on the Bill

A framework paper (*A Sea Change for Aquatic Sustainability, 2010*) on a proposed Bill to replace the *FRMA* and the *Pearling Act 1999* was released in June 2010 for wide public consultation.

The submissions made during this consultation process, including that from the Conservation Council, helped inform the development of drafting instructions and the broad policy approach in the new Bill.

Drafting of the ARMB was approved by State Cabinet in November 2011. At this point the drafts of the ARMB became subject to the confidentiality associated with Cabinet matters.

The overarching policy approach approved as part of this process was the drafting of an Aquatic Resources Management Bill based on the principles of Ecologically Sustainable Development.

A draft of the ARMB and explanatory notes was released by the Minister for Fisheries for targeted consultation in June 2013 with peak bodies representing the interests of the commercial and recreational fishing sectors, following approaches by these bodies. This consultation had the purpose of clarifying the approach to be taken on very specific areas of the legislation which would directly affect these sectors, in particular such things as powers of compliance, evidentiary requirements, fishing access rights and licensing matters and other operational parts of the legislation.

Copies of the draft ARMB and explanatory notes were placed on the Department's website as downloadable PDF files, together with the *Regulatory Impact Decision Statement* and *Treasury Compliance Assessment Notice*. Stakeholder groups were informed on request that submissions on specific matters in the ARMB would be considered.

The draft ARMB is essentially an evolution from the *FRMA* and *Pearling Acts* which does not alter the fundamental direction of policy on the management of aquatic resources. Rather the ARMB clarifies the underpinning principles, and provides some additional transparency in terms of public accountability and a broader range of more flexible powers, within the same broad jurisdictional scope of the existing legislation.

Point 2 – “The Bill fails to adequately address conservation of aquatic biodiversity and the manner in which the Bill’s provisions will interact with the proposed Biodiversity Conservation Act....”

This comment appears to confound the setting of policy with the provision of legislative power. The comment also continues to illustrate the misunderstanding highlighted earlier in this response regarding current Government policy on management of the marine environment.

Four separate questions arise from the paragraph:

- What does adequate mean in this context?
- What is relationship between the conservation of aquatic biodiversity and ecological sustainability ?
- What is the likely relationship with proposed future legislation?
- What can be “improved” and to what end?

The first two questions are linked, and addressed below.

As previously outlined in the response to the terms of the petition, biodiversity conservation outcomes are an inherent part of the principles of Ecologically Sustainable Development. The ARMB is based on the broad principles of ESD, and provides a set of legislative “tools” which can be activated by the Minister to achieve these outcomes through mandated processes.

The statement *“to ensure aquatic biodiversity is conserved and ecological sustainability achieved.”* appears to imply that these two concepts are discrete. They are not, and both are encompassed in the philosophy of ESD.

The policies that will guide what these outcomes should be, the degree to, and manner in which resource use and conservation outcomes are balanced, and how the legislation will be used to achieve these outcomes is a matter which will arise and be subject to public scrutiny as the planning powers in the ARMB are exercised, and subsidiary legislation is developed and implemented. The ARMB provides powers to achieve these outcomes and makes public consultation mandatory, but does not seek to pre-empt any specific outcomes that may emerge from these processes.

The Government commitment to a proposed Biodiversity Conservation Act (BCA) is recognised, however it is difficult to accommodate the specifics of proposed future legislation until it is drafted. Interactions with the BCA will be considered as part of the drafting process associated with that Bill, and consequential amendments made if necessary.

The ARMB maintains the scope of the FRMA by providing a range of duties and powers which provide for ESD outcomes in the aquatic environment. The relationship with other existing legislation such as the CALM Act and the Wildlife Conservation Act is also preserved.

Given that the ARMB is based on the principles of ESD, provides extensive and flexible powers to achieve a range of policy outcomes including the conservation of biodiversity, and preserves the establishment of marine reserves under the CALM Act for conservation purposes, it is unclear what the author has in mind when he refers to “areas that can be improved to ensure a better outcome”.

Point 3 - “We support an integrated bioregional approach to conservation and protection of biodiversity that facilitates and ensures sustainable resource harvesting...”

The ARMB supports an integrated bioregional approach to the conservation and management of aquatic resources. It emphatically does not place resource harvesting “over all other considerations”. Quite the reverse. The ARMB seeks to ensure a proper balance between these often competing (but not generally mutually exclusive) policy objectives, under the broad umbrella of ESD.

Most of the specific comments from the principal petitioner that follow in this paragraph do not correctly interpret the ARMB, and seem to flow from a misunderstanding of the legal terminology and its application to policy, and the manner in which the legal instruments provided for in the ARMB will operate.

The ARMB provides a comprehensive legal framework to put in place the approach proposed in the framework paper. Some of the specific terminology has changed in the process of drafting legislatively competent clauses, but the effect and intent remain the same.

The issues raised by the author in the remainder of paragraph 3 appear to be based on a fundamental misunderstanding (or misinterpretation) of powers in the ARMB, the nature of Ministerial power, the duties imposed on the Minister by the ARMB, the scope of regulatory powers provided for in the ARMB, and the fundamental elements of the Westminster system of Government.

With reference to the issues listed at the end of the paragraph:

Dash point 1 - The ARMB has been designed to be highly compatible with the management of aquatic biodiversity both within marine conservation reserves established under the CALM Act, and in the wider marine environment managed for ecologically sustainable use. The ARMB gives unaltered continuity to the provisions enacted under the *Acts Amendment (Marine Reserves) Act 1997*.

Dash point 2 – The objects of the ARMB, in conjunction with the planning and governance provisions, establish a flexible legal framework that give full effect to ESD.

Dash point 3 – The ARMB explicitly provides a legal and governance framework that incorporates these matters.

Dash point 4 – As previously mentioned the ARMB will operate in the context of ESD – which encompasses the matters mentioned by the author. The issue of “Ministerial discretion” is raised. Like any Act of Parliament in Western Australia, the ARMB will operate within the context of the Westminster System of government. Ministers of the State have delegated responsibility from Parliament for the operation of their portfolio areas, and a range of delegated legal duties and responsibilities under relevant Acts. The “discretion” of Ministers is seldom open-ended, and is generally fettered by the provisions of the Acts for which they are responsible. It is unclear why the author thinks this is “unacceptable management practice”, given that it is a fundamental and necessary element of our system of Government which is given effect by our body of laws.

Point 4- “Environmental management issues have not been considered in the Bill....”

The author confounds policy with law in this statement. The ARMB contains the powers to create legal “instruments” for all of the purposes mentioned. Beyond this, the ARMB will operate in a context where other Acts may also come into play. The issue of “zoning” in the Abrolhos is a matter of operational policy. Some zones in the Abrolhos already exist under the FRMA. The ARMB provides capacity for the establishment of “zones” within Fish Habitat Protection Areas, as does the FRMA, should this be considered the appropriate approach.

Point 5 – “The Bill requires the agreement of the Minister who administers the “Land Administration Act”....

This requirement relates to the declaration of zones for aquatic farming (aquaculture) outside the marine reserves system. The Minister for Lands is responsible for the administration of Crown Land, which, under Section 3 of the *Land Administration Act 1997*, includes all waters within the limits of the State, coastal waters and the seabed and subsoil. Other provisions in the ARMB require the approval of the CALM Minister in relation to the issue or renewal of leases and licences for aquaculture in areas such as marine parks alienated and vested under the CALM Act.

The requirement for consultation with the CALM Minister acknowledges the interest of this Minister in broader issues associated with aquatic farming outside marine reserves. Agreement by the Minister of the Environment is not mandatory because Crown Land sits outside marine reserves that have been alienated and declared under the CALM Act and is therefore not within the direct control or responsibility of that Minister.

Point 6 - Regulation of “research”

The ARMB is not designed to constrain the freedom to research *per se*, except where research may involve the unlawful use of aquatic resources. In these cases “exemptions” (permits) may be issued under the ARMB for a range of purposes including research. These exemptions may contain conditions which regulate the nature of the permitted activity. A penalty applies for contravening the condition of an exemption.

Attachment 3 – The submission from the tabling member, the Hon. Robin Chapple MLC.

Point 1 – Opportunity to comment on the draft Bill

Extensive public consultation was conducted on the discussion paper ‘A sea change for Aquatic Management’ during the formative stages of the ARMB in 2010. Thirty-one written submissions were received which assisted in setting the direction for the strategic framework outlined in the drafting instructions.

The overarching policy approach approved as part of this process was the drafting of an Aquatic Resources Management Bill based on the principles of Ecologically Sustainable Development.

A draft of the ARMB and explanatory notes was released by the Minister for Fisheries for targeted consultation in June 2013 with peak bodies representing the interests of the commercial and recreational fishing sectors, following approaches by these bodies. This consultation had the purpose of clarifying the approach to be taken on very specific areas of the legislation which would directly affect these sectors, in particular such things as powers of compliance, evidentiary requirements, fishing access rights and licensing matters and other operational parts of the legislation.

Copies of the draft ARMB and explanatory notes were placed on the Department’s website as downloadable PDF files, together with the *Regulatory Impact Decision Statement* and *Treasury Compliance Assessment Notice*. Stakeholder groups were informed on request that submissions on specific matters in the ARMB would be considered.

The draft ARMB is essentially an evolution from the *FRMA* and *Pearling Acts* which does not alter the fundamental direction of policy on the management of aquatic resources. Rather the ARMB clarifies the underpinning principles, and provides some additional transparency in terms of public accountability and a broader range of more flexible powers, within the same broad jurisdictional scope of the existing legislation.

Point 2 – “The Bill needs to adequately address conservation of aquatic biodiversity and its interaction with the proposed Biodiversity Conservation Act....”

The ARMB addresses these issues through its objects, which are based upon the principles of Ecologically Sustainable Development (ESD) and its planning provisions in particular.

The Government commitment to a proposed Biodiversity Conservation Act (BCA) is recognised, however it is difficult to accommodate the specifics of proposed future legislation until it is drafted. Interactions with the BCA will be considered as part of the drafting process associated with that Bill, and consequential amendments made if necessary.

The ARMB maintains the scope of the *FRMA* by providing a range of duties and powers which provide for ESD outcomes in the aquatic environment. The relationship with other existing legislation such as the *CALM Act* and the *Wildlife Conservation Act* is also preserved.

The ARMB has been drafted to align with the State's approach to marine resource management and conservation. The Bill assumes that this policy continues in effect, and that any future legislation will also conform to the tenets of this policy. It also gives unaltered continuity to the provisions enacted by the *Acts Amendment (Marine Reserves) Act 1997*.

As described in the response to the points in the petition, the State Government provides for biodiversity conservation outcomes in the marine environment through a matrix of primary legislation administered in different portfolio areas. The ARMB maintains the scope of the FRMA by providing a range of duties and powers which provide for ESD outcomes in the aquatic environment.

Point 3 – “Should reflect an integrated bioregional approach to conservation and protection of biodiversity and ensure sustainable resource harvesting.....”

Flexible planning provisions within the ARMB provide for an integrated bioregional approach to the management of aquatic resources in the context of ESD. The ARMB emphatically does not “enable and promote the utilisation of resources over all other considerations”. Quite the reverse. The ARMB seeks to ensure a proper balance between these often competing (but not generally mutually exclusive) policy objectives, under the broad umbrella of ESD.

Point 4 – Biodiversity considerations integrated into decision making

The ARMB conforms with current Government policy on management of the marine environment as set out in the New Horizons Strategy, and provides for the integration of biodiversity conservation outcomes with ecologically sustainable use under the principles of ESD and the practice of eco-system based fisheries management.

Point 5 – “All environmental management issues must be considered in the Bill...”

Powers to create legal instruments in subsidiary legislation to address the issues mentioned are provided for in the ARMB. It is important to note that the ARMB will operate in context with other Acts of Parliament such as the *Environment Protection Act*.

Final paragraph

The Government's New Horizons Strategy clearly sets out an integrated approach to be taken to management of the marine environment. Under the principles of ESD, and through the six State Acts of Parliament that implement it, this approach ensures that biodiversity conservation and the management of sustainable use are properly integrated to maintain WA's high environmental standards in the long-term and deliver intergenerational equity.

