
SA Marine Parks Network Compliance Strategy



Government of South Australia
Department of Environment,
Water and Natural Resources

1 Purpose

This document is a guide to the South Australian Government's approach to ensuring legislative compliance within the network of marine parks established under the *Marine Parks Act 2007* (the Act).

2 Aim

To ensure compliance throughout the South Australian marine parks network, delivered through strategic partnerships within and beyond Government.

3 Background

South Australia's Strategic Plan (SASP) Target 71 is to 'Maintain the health and diversity of South Australia's unique marine environments'. A key objective of the Act is 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**'. By maintaining the health and diversity of our marine habitats and species we also ensure the future of premium seafood from a clean marine environment.

An effective compliance program, respected and supported by the community, is an essential element in the management of South Australia's marine parks network.

The Act regulates activities in marine parks through the establishment of different zones and restrictions/prohibitions on certain activities within them. The Act also allows for the temporary prohibition or restriction of some activities; provides for permits to undertake particular activities; and, imposes a general duty of care to prevent or minimise harm to a marine park. There are also provisions for protection and reparation orders and the appointment of authorised officers to carry out the functions of the Act.

Individual marine park management plans will require the development of appropriate compliance activities based on their local priorities, and will seek to harmonise park management with existing legislation such as the *Environment Protection Act 1993*; the *Harbors and Navigation Act 1993*; the *Fisheries Management Act 2007* and the *Mining Act 1971*.

Experience world-wide has shown that community support is integral to the success of marine parks, resulting in heightened levels of voluntary compliance and improved conservation outcomes. The South Australian community has been extensively involved in the development of South Australia's marine parks network and ongoing involvement will be welcomed and encouraged in the future.

4 Compliance

The underlying ethos of South Australia's Marine Parks Network Compliance Strategy is to achieve the highest possible level of compliance with the Act through an optimal mix of compliance functions and effective deterrence. Voluntary compliance is encouraged and reinforced by raising awareness through communication and media; producing education materials; interpretive signage; and, the creation of an effective deterrent through enforcement activities.

Most South Australians support conservation of our marine environment and will voluntarily comply because they recognise the importance of ensuring its long-term viability. However, there will always be a small number who, for whatever reason, make a conscious choice to defy the law. Effective mechanisms must be in place to deter this minority and satisfy the majority that lawbreakers are being appropriately sanctioned.



The Compliance Strategy reflects this reality by the prioritisation of education and awareness, followed by effective deterrence and appropriate enforcement.

5 Collaborative approach

South Australia's marine parks network is a whole-of-Government initiative. The Department of Water, Environment and Natural Resources is the lead agency and is primarily, but not solely responsible for the management of marine parks. Existing resources, assets and expertise across Government will be coordinated and deployed in an appropriately resourced collaborative approach to deliver an effective and cost efficient compliance program. The management and enforcement of activities in marine parks that are subject to other legislation (such as aquaculture, fishing, boating) will remain under their respective Acts.

6 Resourcing

Marine parks, like terrestrial parks, are a community asset and all funding for their management will be met by the Government.

7 Guiding principles

Three guiding principles underpin the Compliance Strategy for marine parks:

1. **Maximise voluntary compliance through communication and education to improve awareness.**
2. **Create effective deterrents through the optimal use of enforcement action which is proportional to the severity of offending.**
3. **Monitor and review compliance activities to inform improvements.**

Please refer to Appendix 1 for further detail.

Appendix 1: Principles, Strategies and Implementing actions:

1. Maximise voluntary compliance through communication and education to improve awareness.

| Strategy | Implementation Action |
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| Provide clear, concise and readily accessible information regarding legal responsibilities | <ul style="list-style-type: none"> • Incorporate compliance considerations and community information into marine park design (simple, straight boundaries, known landmarks, etc). • Develop and distribute zoning products for all marine users. <ul style="list-style-type: none"> • Provide information for update of nautical charts, marine atlas and Global Positioning System data files. • Distribute information on the zones and applicable legislation state-wide, through Government offices and partner locations; and • Distribute information through electronic media (web, social media, Smartphone ‘apps’, SMS etc.). • Install and maintain signs at key locations to inform park users of zone locations and activities which are restricted or prohibited. • Implement a simple and accessible permit process for activities such as competitions, research and commercial filming. |
| Encourage understanding of the values of the marine environment and marine parks through education | <ul style="list-style-type: none"> • Provide an educational information package available for park users. • Providing interpretive signage at known marine park access or appreciation points to enhance visitor and tourism experiences. • Develop outreach opportunities through schools and curriculum components. |
| Encourage active community and stakeholder involvement and participation in management and operational activities (such as conservation projects) | <ul style="list-style-type: none"> • Integrate with existing participation opportunities (e.g. Reef Watch, Friends of Parks, Coastcare groups, etc). • Provide participation opportunities as part of the voluntary Monitoring, Evaluation and Reporting (MER) Program (such as in citizen science, research and conservation projects). |
| Maximise opportunities through next tier partnerships | <ul style="list-style-type: none"> • Seek and develop partnerships with Commonwealth agencies, local governments, stakeholders and community groups. |

2. Create effective deterrents through the optimal use of enforcement action which is proportional to the severity of offending.

| Strategy | Implementation Action |
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| Use appropriate enforcement options | <ul style="list-style-type: none"> • Employ a hierarchy of enforcement responses, increasing in severity commensurate with the level of non-compliance. • Evaluate and define compliance priorities for each park and develop regional compliance plans utilising a risk assessment process. • Focus effort on areas that are most vulnerable or where significant risks exist. |
| Implement a cost effective enforcement response with a range of strategic partners as provided for by the <i>Marine Parks Act 2007</i> | <ul style="list-style-type: none"> • Strategic direction and oversight to be provided by relevant Government agencies. • DEWNR will coordinate compliance responsibilities within marine parks. • Use agreed additional enforcement capacity from other prospective partners (including Primary Industries and Regions SA; SA Police, Department of Planning, Transport and Infrastructure; and the Environment Protection Authority) on a Service Level Agreement basis. • Utilise authorised officers as defined by the Act. Fisheries Officers, National Parks Wardens and Police Officers are authorised officers under the Act. • Use responsible agencies/officers for planning, surveillance and intelligence analysis. • Achieve economies of scale by engaging subject matter experts from partner agencies to provide activities such as aerial surveillance, production of information materials, prosecutions, intelligence database and analytical capacity. • Encourage the pooling of resources to respond to specialist compliance and enforcement needs (e.g. aircraft, vessels, skilled personnel and ICT capacity). • Promote the responsibility of <i>all</i> Government officers in ensuring compliance with the Act (e.g., at a minimum, relaying intelligence to the primary enforcement agencies). • Provide for facilities to report offences occurring such as Fishwatch. |

3. Monitor and review compliance and enforcement activities to inform improvements.

| Strategy | Implementation Action |
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| Collect data with respect to the compliance program | <ul style="list-style-type: none"> • Use suitable performance indicators (KPIs) to monitor and evaluate the compliance process. • Ensure consistent and centralised data collection across delivery partners. • Develop data exchange protocols between partners. |
| Review the program annually | <ul style="list-style-type: none"> • Employ an intelligence driven, risk based and outcome focussed process to review and adjust compliance efforts. |

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Copies of the strategy can be obtained from: T: +61 (8) 8463 4854 E: marineparks@sa.gov.au www.environment.sa.gov.au

