

# Murujuga National Park Joint Management plan 2013

Summary of public submissions to the draft amendment 2023



Nganjarli Art Viewing Trail in Murujuga National Park. Photo taken for DBCA by Fuzz Digital

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Murujuga Aboriginal Corporation

Department of Biodiversity, Conservation and Attractions

## 1. Overview

A draft amendment of the Murujuga National Park Management Plan 2013 was released for a two-month public submission period, which closed on 8 April 2022. A total of nine submissions were received.

This document is a summary of public submissions to the draft amendment; it discusses comments received and how the draft amendment has been changed in light of these. This summary will be made available with the finalised amendment to the management plan.

## 2. Plan distribution

Coinciding with the release of the draft amendment, a public notice about the proposal was published in the *Government Gazette* as well as *The West Australian* and *Pilbara News* newspapers, as required under section 57(2) of the *Conservation and Land Management Act 1984* (CALM Act).

The draft amendment was distributed to relevant Ministers, local government departments and authorities as per section 59 of the CALM Act. Notifications of the release of the draft amendment were also distributed through the Murujuga Aboriginal Corporation (MAC) and Department of Biodiversity, Conservation and Attractions (DBCA) websites and social media platforms.

DBCA's website was used to notify the public about the proposal's submission period along with a downloadable version of the draft amendment and an online submission form, where interested parties were invited to lodge submissions. Written submissions were also accepted.

## 3. Methodology

The draft amendment was reviewed in light of the submissions according to the criteria outlined at <https://www.dpaw.wa.gov.au/parks/management-plans/make-your-comments-count> and listed below.

The management plan *may* be amended if a submission:

- provides additional information of direct relevance to management
- indicates a change in (or clarifies) government legislation or management policy
- proposes strategies that would better achieve management objectives
- indicates omissions, inaccuracies, or a lack of clarity.

The management plan *may not* be amended if a submission:

- clearly supports proposals in the plan
- makes general or neutral statements or no change is sought
- refers to issues beyond the scope of the plan
- refers to issues that are already noted within the plan or already taken into consideration during its preparation
- is one among several widely divergent viewpoints received on the topic but the approach in the plan is still considered the best option
- contributes options that are not feasible (generally due to conflict with legislation or government policy)
- is based on unclear or factually incorrect information.

No subjective weighting was given to any submission for reasons of its origin or any other factor that would give cause to elevate the importance of any submission above another.

#### **4. About the submitters**

Nine submissions were received on the draft amendment. Submitters consisted of community members/park visitors (5), interest groups (2) and government (2). The submitters were mainly from the Pilbara region (4) with others from Perth (3), Kimberley (1) and Victoria (1).

#### **5. Summary of comments**

Comments were received on all sections of the draft amendment, with 56 different comments arising from the nine submissions received. Most comments related to visitor access (29%), visitor activities (20%) and general comments (18%), with the rest spread among the remaining sections of the draft amendment.

When analysing these comments against the methodology above, most comments (35%) related to issues considered in the draft amendment preparation, were supportive of the plan (27%) or made a general statement where no change was sought (23%). As such, few comments (7%) resulted in a change to the amendment.

##### **Planning area**

A comment received suggest that opportunities for adding land to the park should be pursued aggressively. Concern was raised about long-term management planning, if the planning area changes, and the transparency of any changes. The amendment relating to the planning area formalises the intent to add areas such as undeveloped industrial lands to the park, and provides a mechanism for amending the planning area to facilitate agreed management arrangements post-construction of the two-wheel drive access road, as it is intended that this will be a public road reserve managed by the City of Karratha.

##### **Geology, landforms and soils**

A submitter suggested that 'patina' be included in the amended strategy on page 36 of the management plan. Petroglyph (referred to in the plan as rock art) management is outlined in section 13 of the plan. It was considered more appropriate to address this more broadly than just the patina, by referring to rock art as a more inclusive term. In light of this submission, an additional amendment has been made to include a strategy in section 13 that states: 'Consider the impact on rock art and other archaeological features in any decisions relating to the siting and construction of facilities and infrastructure in the park and identify and implement strategies to avoid or minimise potential impacts'.

##### **Hydrology**

A comment on hydrology suggested the word 'consider' be changed as there should be strong dedication to eliminating or drastically reducing the impact on hydrological processes in any decision-making. Impacts on hydrology is one of many aspects that is taken into account for a proposed development. 'Consider' is an appropriate word to use in conjunction with the rest of the strategy which aims to identify and implement strategies to avoid or minimise potential impacts.

##### **Vegetation and flora**

Concerns were raised about the protection of mangrove communities from increased visitation and location of a proposed bridge that forms part of the two-wheel drive access road to Conzinc Bay. The amendment, in combination with strategies already listed in the plan, aim to avoid or minimise impacts on mangroves from facilities and infrastructure in the park and is just one part of visitor planning.

The current bridge alignment has been selected as site analysis indicates it has the least impact on all environmental and heritage elements. An alignment to the east, as suggested in one comment, would result in a further 1,250m<sup>2</sup> of disturbance to Mangal habitat and impact on 1000m<sup>2</sup> of Samphire/mudflat areas that can otherwise be entirely avoided. The current alignment also allows for a bridge to be elevated above the storm surge level. The benefit of this is that the road will be useable in all weather, aiding in emergency access into the park and will also allow for the mangroves to potentially recolonise under the bridge.

### **Fauna**

A comment received on the strategy in this section suggested improved access and associated increased visitation would lead to more impact on fauna. This strategy aims to avoid or minimise impacts on fauna from facilities and infrastructure in the park and is just one part of visitor planning and the protection of values in the park. The strategy in the amendment, in combination with strategies already listed in the plan, are considered appropriate.

### **Visitor opportunities, public access and recreation**

Two submitters support the proposed tourism precinct at Conzinc Bay. Another submitter had concerns and suggested providing accommodation offsite. As noted in the amendment, social, cultural, environmental and economic considerations of the Murujuga National Park as a whole will be taken into consideration before any such facility is developed.

A submitter asked who developed and was consulted for the visitor services plan. The visitor services plan was developed by MAC and DBCA as joint managers of the national park. The Murujuga Park Council and Circle of Elders were consulted on the development of the plan. There is no statutory requirement for a visitor services plan to be released for public comment. It is prepared to be compliant with the management plan which is released for a public comment period. MAC, as proponent to the proposed tourism precinct, will ensure that it is subject to the appropriate legislative assessment and approval processes, including those required under the *Environment Protection Act 1986*, *Aboriginal Cultural Heritage Act 2021* and the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*.

Another comment questioned the increase in tourism demand. There were an estimated 52,066 visits to Murujuga National Park and 30,500 visits to the Dampier Archipelago Nature Reserves in 2020–2021. Visitation to the area is increasing, with visit numbers in 2020–2021 being nearly double those in 2016–2017. Tourism growth, creating jobs and small business opportunities, is a focus of the Western Australian Government and supporting the growth and expansion of Aboriginal tourism is a priority. This is articulated in several relevant planning documents including the Two-Year Action Plan for Nature-Based Tourism in Western Australia, the Pilbara Tourism Product Development Plan, the Pilbara Tourism Activation Infrastructure Report, and Karratha Destination Management Plan.

### **Management for public use**

Most comments were supportive of the introduction of visitor fees, with one suggesting that only fees for camping would be appropriate for this small park. Section 22 of the management plan has been further amended in light of a comment suggesting that the statement on ‘protection of cultural heritage’ should specifically mention the rock art.

### **Visitor access**

There was support for the amendment with submitters providing full support the removal of damaging four-wheel drive tracks near culturally sensitive areas, track rationalisation or the development of an information brochure for visitors to the park.

Other comments on the plan would rather see the Jump Up staying either for four-wheel driving or as a barrier that limits access to the park. The visitor services plan prepared for the Murujuga National Park has determined that adventure trail activity such as the Jump Up, is incompatible with the management objectives of the national park. There is also visitor safety, environmental and cultural risks associated with continued use of the Jump Up. The request to remove the four-wheel drive track was also made by the Circle of Elders, to mitigate damage to the cultural features.

A comment suggested that alternate path could be made to Conzinc Bay by building a path through the mangroves for the two-wheel drive access roads, however mangroves communities are regionally (see section 18 Vegetation and flora).

Concerns were raised about the potential impact from more visitors resulting from the two-wheel drive access road; the unstable and rugged nature of much of the park; safety of the rock art and stone structures; the desire for visitors to see the rock art and that the motivation is of a commercial nature that does not truly hold the best intent for the preservation of this area.

Responsible visitation and tourism are a major focus for MAC and DBCA, as joint management partners of the Murujuga National Park. Increased visitation has been considered in planning of the access road to Conzinc Bay, with appropriately designed day-use infrastructure such as car parks to be developed concurrent to the construction of the road. The two-wheel drive access road will mean that the area is easier to access for management purposes, with increased ranger presence planned. The existing suite of visitor management plans and policies, and education programs are well placed to effectively manage future projected increases in visitation, in addition to increased management presence. The strategies in the management plan and amendment aim to protect the park's cultural and natural values while improving visitor access and infrastructure.

### **Visitor activities**

Supportive comments were raised in this section for overnight stay options in the park and the development of a living knowledge centre. Another submitter suggested the centre would be better located elsewhere, such as nearby Hearson Cove which already has two-wheel drive access. The location at Conzinc Bay has been identified as the most appropriate site following a series of feasibility studies and concept plans, and consultation with the traditional owners.

A submitter noted that they supported commercially guided multi-day hiking tours run by traditional owners, which the amendment enables.

An objective in Section 24 of the plan has been further amended following a comment suggesting that given their cultural significance, the rock art should be specifically mentioned.

A comment suggested that a limit on the number of visitors is a good idea, but it should be on a first come basis rather than through booking. The amendment includes a strategy to implement a monitoring system to determine visitor numbers in the park, with consideration to introducing a permit system, if required, to limit the number of vehicles accessing the park. If a permit system is deemed necessary, MAC and DBCA will explore all options to ensure the system is best fit for purpose.

In this section, a comment on strategy seven questioned what is considered unacceptable? Best practice cultural and environmental legislative approvals processes have and will continue to be applied in the construction of tourism infrastructure in the Murujuga National Park to ensure that the area's cultural and natural features, including National Heritage values and potential World

Heritage values, are adequately protected and managed. The recreation facilities are designed to comply with relevant design standards and specifications, with periodic safety audits undertaken to ensure these standards are maintained. The visitor services plan takes into consideration the protection of heritage, the effects on significant sites, existing visitor facilities, predicted patterns of use, existing and future recreation opportunities, visitor expectations and safety.

A submitter asked about the day-use sites, how locations were decided and public consultation on these. The visitor services plan has been developed by the joint management partners, MAC and DBCA. The Murujuga Park Council and Circle of Elders were consulted on the development of the plan. There is no statutory requirement for a visitor services plan to be released for public comment. It is prepared to be compliant to the management plan which is released for a public comment period.

A comment was also raised about how the proposed tourism precinct would be managed and where associated campsites be located. The final visitor services plan for the tourism precinct, including appropriate scope, extent and location of accommodation facilities, will be subject to the approval of the Murujuga Park Council, Circle of Elders and MAC Board. Development will also be subject to relevant legislative approvals, including the *Environmental Protection Act 1986*, *Aboriginal Cultural Heritage Act 2021* and the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*. Day-to-day management of the Murujuga National Park is undertaken by the Murujuga Rangers and DBCA. This includes management and monitoring of visitor impacts, maintenance and servicing of infrastructure and the delivery of conservation programs.

It was also suggested that objective two in this section should refer to developments both inside and immediately outside the national park. However, it is inappropriate to change the wording in the management plan, as any developments outside the boundary of the national park are outside the scope of the management plan and the application of the *Conservation and Land Management Act 1984*. All current and future industrial developments are managed under other legislation including the *Environmental Protection Act 1986*, *Aboriginal Cultural Heritage Act 2021* and the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*. Development proposals are subject to assessment and approval requirements and are regulated under stringent management systems and compliance conditions. Current and future industrial proposals are required to consider potential aesthetic, cultural, economic, and social factors as part of cultural and environmental management frameworks.

#### **Visitor services**

A submitter suggested that the proposed additional strategy six would have a huge impact on the ecosystem. If needed, the provision of these services would be subject to appropriate legislative assessment and approvals processes and completed in a way that achieves the outcome of strategies listed in the plan which aim to consider the impact on values and implement strategies to avoid or minimise any potential impacts.

#### **Commercial operations**

A comment on strategy 12 in this section enquired about who would be consulted. Commercial operators are required to be licenced under the *Conservation and Land Management Act 1984* and need to abide by this legislation and associated regulations, and the conditions outlined in the DBCA's Commercial Operator Handbook. As joint managers of national park, MAC through the Murujuga Park Council and Circle of Elders, has an important role in assessing these licence applications to ensure that the activities and locations proposed are culturally appropriate. There is no legislative requirement to consult publicly about opportunities for commercial operations, any public consultation would be at the discretion of the joint management parties.

## **General**

Several general comments were received that were supportive of the draft amendment. These included support for:

- the draft amendment in principle to better facilitate visitor opportunities, public access and reflect the recreation priorities for the park;
- the draft amendment as it aligns broadly with the vision to become Australia's most liveable regional city;
- the benefits for our community by protecting the natural environment and cultural significance of the area, providing high quality recreation opportunities and attracting diverse and sustainable business and employment opportunities;
- the draft amendments and the tourism potential of the park while maintaining its significant natural and cultural values;
- facilitating visitor opportunities, public access, and current recreation priorities for Murujuga National Park and support for MAC's aspirations for a tourism precinct at Conzinc Bay.

A submitter noted that the draft amendment mentioned MPC five times but did not explain what it is. The acronym MPC stands for Murujuga Park Council and is defined on page viii (Summary) of the existing management plan. It is intended that the amendment is read in conjunction with the existing plan therefore the amendment does not include an explanation of previously described acronyms or terms.

Concerns were raised about having a tourism precinct in a national park. National parks have outstanding natural values that are managed for public use and enjoyment. They also have national significance for cultural, scenic or biological values, and can accommodate recreation that maintains these values. A visitor services plan has been developed to guide the progressive development of culturally appropriate visitor infrastructure, facilities and experiences. The visitor services plan takes into consideration the protection of heritage, the effects on significant sites, existing visitor facilities, predicted patterns of use, existing and future recreation opportunities, visitor expectations and safety.

To highlight the formal nomination for World Heritage status, a submitter suggested including a statement in the introduction of the plan about it. As stated in the overview, this amendment is will better-facilitate visitor opportunities, public access, and current recreation priorities for the park, and reflect changes to the planning area. The World Heritage status is outside the scope of this amendment, noting that protection of the area's National Heritage values and potential World Heritage values are included within new management objectives and strategies in the amendment. Should the area be World Heritage listed, a new plan will be developed to ensure the obligations of the World Heritage Convention can be met.

## **6. Result of consultation**

The amendment was changed in response to comments to highlight the importance of the rock art and to revise a strategy about access. The changes are reflected in the final amendment.

The amendment will better-facilitate visitor opportunities, public access, and current recreation priorities for the park, and reflect changes to the planning area. It includes measures to manage and mitigate any potential environmental and cultural risks associated with the construction of the road and visitor infrastructure, including National and potential World Heritage values.