

**Summary of issues from public submissions to the
*Parks and reserves of the south-west Kimberley and north-west Pilbara draft
joint management plan 2016***



Eighty Mile Beach coastal reserves. Photo – Department of Biodiversity, Conservation and Attractions

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**Planning Branch
Department of Biodiversity, Conservation and Attractions**

1. INTRODUCTION

On 23 December 2016, the *Parks and reserves of the south-west Kimberley and north-west Pilbara draft joint management plan 2016* was released by the then Minister for Environment for a three-month public submission period, which closed on 31 March 2017. A total of 13 submissions were received.

This document summarises the key issues raised in the public submissions and will aid the Conservation and Parks Commission in considering their approval of the plan under s59A(1) of the *Conservation and Land Management Act 1984* (CALM Act).

2. PLAN DISTRIBUTION

Coinciding with the release of the draft management plan, a public notice about the proposal was published in the *Government Gazette* and *The West Australian* and *Broome Advertiser* newspapers, as required under s57(2) of the CALM Act. The plan was distributed to relevant Ministers, State Government departments and local government authorities as per s59 of the CALM Act. Notifications of the release of the plan were also distributed to stakeholder groups and individuals who expressed an interest during the planning process. Copies of the plan were made available at the Broome and Kensington offices of the Department of Parks and Wildlife (now Department of Biodiversity, Conservation and Attractions; the department). Social media was used by the department to further notify the public about the proposal and submission period. Digital copies of the plan and a Survey Monkey online submission form were made available on the departmental website, where interested parties were encouraged to lodge submissions.

3. SUBMISSION PROCESSING AND ANALYSIS METHODOLOGY

A total of 13 submissions were received consisting of 10 written submissions (received via email or post) and three online Survey Monkey forms.

Information was recorded relating to the submitter's contact details and location, submitter type/interests (e.g. conservation) and key issues identified. Once the data entry was complete, statistics were generated on several aspects of the public submissions including an overview of submitter demographics, an explanation of the key issues raised in submissions, and a summary of key issues by chapter/sector. This report describes these results.

4. WHO PROVIDED FEEDBACK

Of the 13 submissions received, most were from government organisations (see Appendix 1). The location of submitters ranged from local residents to Perth-based and inter-state agencies.

The 13 submissions received translated to 92 comments, most of which addressed either tenure (proposed additions), cross boundary access and management, hydrology and water abstraction or pastoralism. The remaining comments were spread among the other components of the plan.

Thirty-nine per cent of the comments resulted in a change to the plan. Most other comments (61%) were either supportive, of a general nature, already addressed in the draft plan or were outside the scope of the plan.

5. KEY ISSUES

5.1 Management plan name

It was suggested that the 'north-west Pilbara' should be replaced by 'north-east Pilbara' in the title of the plan. While the planning area falls within the Shire of East Pilbara, there is concern that

changing the title to north-east Pilbara will cause confusion in the wider community creating the expectation that the planning area occurs further inland when in fact, within the Pilbara region, the reserves only occur along the coastline and would generally be considered the western (terrestrial) boundary of the Pilbara region.

5.2 Joint management partners

Comments received on joint management arrangements with traditional owners varied in submitter type and all were of a general, supportive nature.

5.3 Tenure and proposed land arrangements

Two submitters made similar comments about the potential for existing reserve boundaries to be expanded to align better with the key values that are being protected there. For example, aligning reserve boundaries with the extent of a wetland complex or drainage system. The draft plan was prepared as a result of the former State government's commitment to establish a representative system of jointly managed protected areas under the *Kimberley Science and Conservation Strategy* and in accordance with the Indigenous Land Use Agreements (ILUAs) of each of the four applicable native title determination areas. The final plan has been amended to provide for the process of reviewing any tenure proposals where land of conservation significance becomes available for reservation and will be subject to consultation with key stakeholders such as native title claimants and relevant government agencies.

5.4 Adjacent lands and off-reserve management

One submitter was disappointed with the acknowledgement of pastoralists and their involvement both historically and as part of the proposed management for the planning area. The submitter also specifically mentioned the section 16A joint management agreement under the *Conservation and Land Management Act 1984* (CALM Act) of the coastal strip of Anna Plains Station prior to its excision from the pastoral lease to manage the conservation values. They noted that the agreement was ongoing and did not conclude with the 2015 excision process. With respect to the first comment, the draft plan has a key objective to undertake collaborative cross boundary management and open communication with all neighbouring land owners and managers to ensure key values of the planning area are effectively managed across the landscape. The final plan has been amended to place more emphasis on the important role that pastoralists in particular, have had and will continue to have, in assisting with the protection of key values in the planning area. With respect to the second comment, when the coastal strip was excised from the Anna Plains pastoral lease, it became unallocated Crown land (UCL) and the section 16A agreement (now deleted from the CALM Act) was replaced by a s8A agreement (CALM Act) between the Department of Lands and the Department of Parks and Wildlife to manage the coastal strip as though it were a conservation reserve prior to the land becoming land to which the CALM Act applies. Once the land was formally reserved, the s8A agreement ceased.

Another comment was received specifically stating support for broader landscape management as a key objective in the plan.

One submitter was again disappointed that the plan did not acknowledge that cattle station activities could be integrated with conservation outcomes and that pastoralists have been involved in conservation efforts for the area for many years. Specific conservation values on pastoral stations are not discussed as it is outside the scope (planning area) of this plan. However, the plan has been amended to acknowledge the past contributions that pastoralists have made towards conservation of the key values within the planning area and again will place more emphasis on the importance of pastoralist's involvement in future management arrangements.

5.5 Connection to country

There were a number of general supportive comments with respect to acknowledgment and coverage of Aboriginal cultural values as well as its integrated management with other key values of the planning area. It was recommended that the plan consider undertaking wetland and cultural mapping at the same time as the values are completely linked. The plan has been amended to note this.

The historic and future requirement of traditional owners to traverse pastoral land to access some of the reserves to undertake customary activities on country was noted. Implementation of the strategies in this section was also queried though the context was unclear and therefore has been considered with respect to access requirements. Historic and future access arrangements between pastoralists and traditional owners is acknowledged and supported though it is an issue external to the plan. However, the department does agree that having arrangements in place for joint managers to traverse pastoral land to access some of the reserves of the planning area would ensure operations were more efficient and the plan has been amended to consider this.

5.6 Hydrology and wetlands of significance

The hydrogeology (combined with the closely-linked topic of water abstraction – see 5.14) of the planning area received the largest number of comments from submitters. Even though the plan already addresses this issue, it was noted a number of times by various submitters that research to improve the understanding of the hydrological regime of each wetland would be one of the most important outcomes of the plan. A recent study published after this draft plan was released provides an updated understanding of groundwater contributions to the mound springs of Mandora Marsh and the plan has been amended accordingly. It was also advised that the reference to the Wallal Palaeoriver be reviewed. The final plan has been amended and replaces this reference with the Mandora Palaeovalley.

It was acknowledged that management of the Ramsar value was well covered for the Walyarta component however the Eighty Mile Beach component still required management considerations. Management of the Eighty Mile Beach component of the Ramsar site is addressed in more detail in the *Eighty Mile Beach Marine Park Management Plan 80 2014 – 2024* and is noted in this draft plan on pages 8, 14 and 50.

5.7 Feral animals

One submitter felt that historic feral animal control efforts of pastoralists had not been acknowledged and the plan has been amended accordingly. In general, the control of camels as a key management strategy was supported.

5.8 Fire management

One submitter specifically noted their support for fire management in the planning area, including close involvement with traditional owners.

5.9 Climate change

More recent references were provided with respect to climate change predictions for the area. These were reviewed and the final plan has been amended accordingly.

5.10 Access

Uncontrolled access to Kurriji Pa Yajula Nature Reserve has been raised as a concern both from the perspective of protecting key values and ensuring visitor safety. The area of uncontrolled access is outside the planning area on exclusive possession native title land. The department does not have capacity to make management decisions for this area. Visitation to Kurriji Pa Yajula Nature Reserve is also not considered to be high. The plan has been amended to consider cross boundary access management, if required.

5.11 Visitor information

The importance of hydrological regimes was recommended as a topic for visitor interpretation and the plan has been amended accordingly.

5.12 Commercial operations (Aboriginal tourism opportunities)

The potential for Aboriginal tourism to be undertaken within the planning area was strongly supported.

5.13 Pastoralism

One submitter disagreed with the plan's reference to grazing impacts in some parts of the planning area (i.e. the coastal reserves and Salt Creek). It was pointed out that some of the coastal reserves have been fenced for many years and are no longer grazed by cattle. It was also noted that the conditions around Salt Creek were too salty and not conducive to cattle grazing and in other areas, grazing impacts will continue until all boundaries are fenced and appropriately maintained. The submitter commented that boundary fencing is still unresolved in some parts of the planning area. The plan has been amended to note that unfenced areas in particular, are at greater risk to cattle grazing impacts, however others have observed, and maintain their concern of, cattle grazing impacts including at Salt Creek. The requirement to install or realign and maintain fencing is already noted in the plan.

5.14 Water abstraction

A very technical submission was received on the hydrogeology and water abstraction associated with the planning area. A significant number of comments had an operational focus and were therefore beyond the scope of the plan, which was acknowledged by the submitter. Overall, the strategies proposed in this section were supported.

One key comment which was raised by two submitters was that they did not agree that 'abstraction of groundwater for horticulture...poses a significant potential threat', one pointing out that only unmanaged abstraction was a threat and the other pointing out that abstraction was only a threat where it impacted the supply of groundwater to the wetlands. As the hydrological regime is still uncertain, the department maintains that any groundwater abstraction has the potential to impact on wetlands and springs of the planning area. However, the plan has been amended to clarify that monitoring and management at sites where groundwater is being developed in conjunction with establishing a robust conceptualization of the hydrological function of springs and wetlands in the planning area is needed.

It was advised that groundwater abstraction in the western portion of the planning area was managed under the *Pilbara Groundwater Allocation Plan* and this has been noted in the plan.

It was suggested that the last paragraph be changed to 'Current abstraction is below the annual allocation limit, however increased interest in irrigated agriculture in the region is seeing an increase in applications for water allocations', to better reflect the demand for water use in the surrounding area. The plan was amended accordingly.

5.15 Mineral and petroleum exploration and development

This section was supported with minor changes. The plan was amended accordingly.

6. SUMMARY

In summary, there were relatively few submissions to the draft management plan, and while most submissions were from State government agencies, there was also good representation from other stakeholders.

Comments covered most parts of the plan, however a few specific areas such as tenure (proposed additions), cross boundary access and management, hydrology, water abstraction and pastoralism, received more comments. There was generally good support for the plan and many concerns or suggestions received were able to be addressed through changes to the plan.

Appendix 1. Submitters to the *Parks and reserves south-west Kimberley and north-west Pilbara draft joint management plan 2016*

Federal Government

Department of Environment and Energy

State Government

Department of Aboriginal Affairs

Department of Agriculture and Food

Department of Mines and Petroleum

Department of Water

Kimberley Ports Authority (via Department of Transport)

Tourism Western Australia

Neighbour

D. Stoates - Anna Plains Cattle Co Pty Ltd

Private company

Groundwater Consulting Services

Non-government organisations/community groups

Pew Charitable Trusts

Track Care WA (inc)

Individuals/other

J. Andrews

S. Reynolds