

Esperance and Recherche parks and reserves

analysis of public submissions
to the draft management plan 2012

2016

Department of Parks and Wildlife
(formerly Department of Environment and Conservation)

for the

Conservation Commission of Western Australia

1. OVERVIEW

On 31 October 2012, the Minister for Environment released the *Esperance and Recherche parks and reserves draft management plan* (the draft plan) (DEC 2012) for public comment.

The draft plan was prepared by the Department of Parks and Wildlife (the department; formerly Department of Environment and Conservation) on behalf of the Conservation Commission of Western Australia (Conservation Commission), in accordance with the *Conservation and Land Management Act 1984* (CALM Act).

The community had early opportunity to provide input in the draft plan preparation during public meetings, being part of a community advisory committee or by responding to 'Have Your Say' brochures or the Issues Paper (DEC 2007). However the public comment period of the draft plan represents the main opportunity for public input into the management plan for the reserves.

A notice of the draft plan's release was published in the *Government Gazette* on 2 November 2012. The draft plan was advertised in two editions of the local newspapers *Esperance Express* and *Kalgoorlie Miner* as well as the state-wide newspaper *The West Australian* (Appendix 1). The release of the draft plan was also advertised on the department's webpage, Twitter, Facebook and via electronic newsletters to apiarists and tour operators.

The department sent out approximately 300 notification letters/e-mails of the draft plan to key stakeholders such as relevant state and local government agencies, Aboriginal people/organisations, conservation organisations, community groups, recreational peak bodies, commercial/business groups and individuals who had expressed interest or were involved during the planning process.

Hard copies or high-resolution CD versions of the draft plan were available on request and could be downloaded from www.dec.wa.gov.au/haveyoursay (the draft plan was downloaded 1,235 times as of 4 February 2013). Additional copies of the draft plan were made available at departmental offices (Kensington, Albany and Esperance) and for viewing at local government libraries (Ravensthorpe, Munglinup, Norseman and Esperance). A submission form was distributed with the draft plan (Appendix 2).

The public submission period closed on 31 January 2013 (three months instead of the statutory two months, to take into account the busy Christmas/New Year period and harvest time for the region) and late submissions were accepted where arrangements had been made prior to the closing date.

A total of 47 submissions were received (24 letters/e-mails and 23 submission forms), summarised and presented to the Conservation Commission and departmental planning team and considered when finalising the management plan.

This document is an analysis of public submissions (APS) to the draft plan, it discusses the key comments received and how the draft plan has been amended (as per the set criteria below).

This APS will be made available with the final management plan.

2. METHODOLOGY

The public submissions were collated into a spreadsheet according to the section of the plan they addressed and each comment was assessed using criteria stated in the draft management plan (see below).

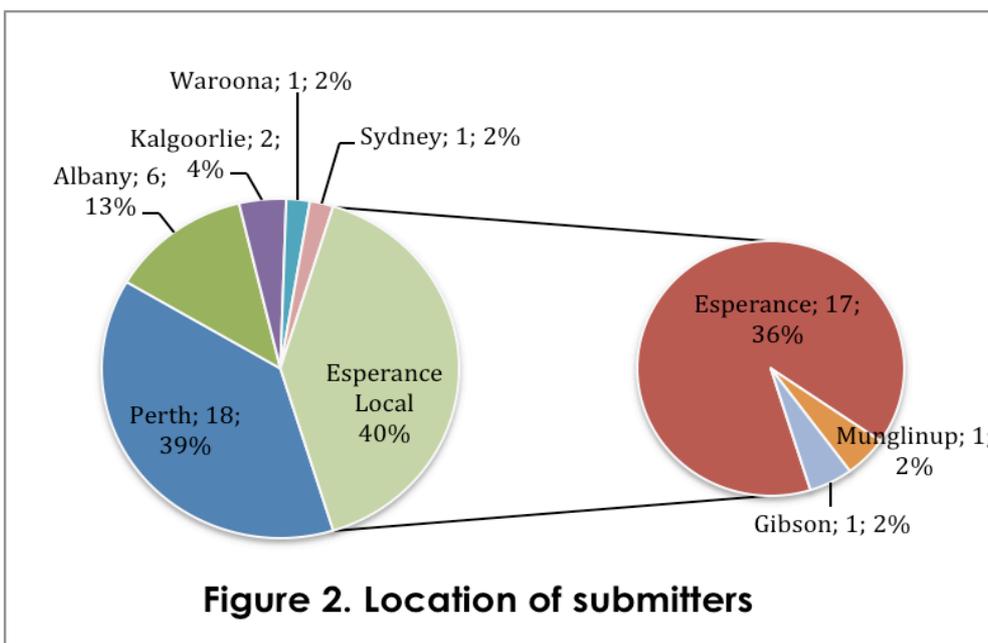
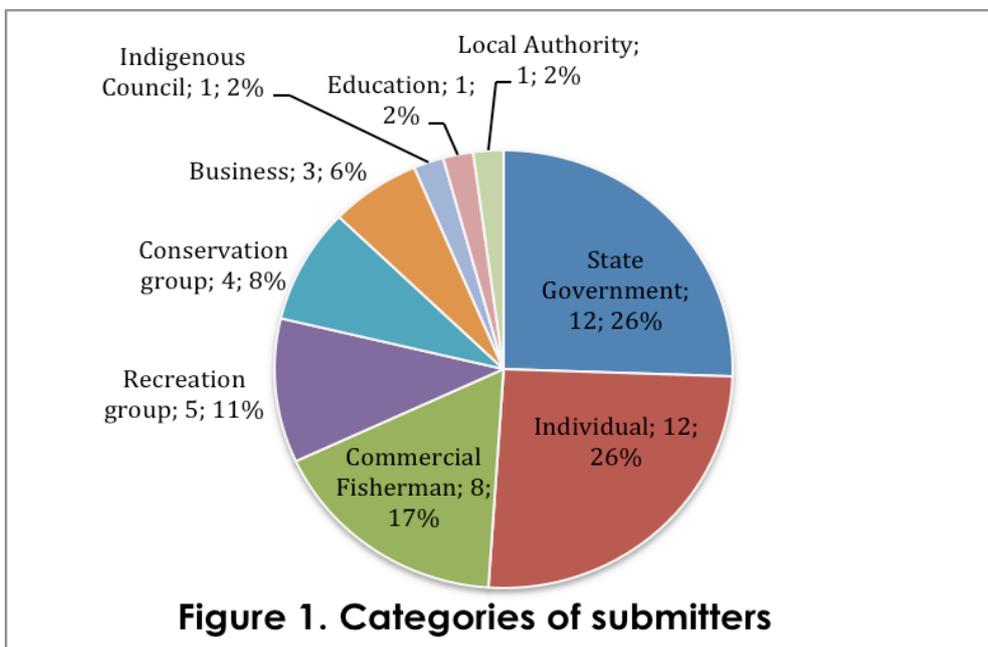
1. The management plan *will be amended* if the comment:
 - (a) provides additional information of direct relevance to management
 - (b) provides additional information on affected user groups of direct relevance to management
 - (c) indicates a change in (or clarifies) government legislation, management commitment or management policy
 - (d) proposes strategies that would better achieve management objectives
 - (e) indicates omissions, inaccuracies or a lack of clarity.
2. The management plan *will not be amended* if the comment:
 - (a) clearly supports the proposals in the plan
 - (b) makes general statements and no change is sought
 - (c) makes statements already in the plan or were considered during the plan preparation
 - (d) addresses issues beyond the scope of the plan

- (e) is one among several widely divergent viewpoints received on the topic but the text/strategies in the plan are still considered the preferred option
- (f) contributes options that are not feasible (generally due to conflict with existing legislation, government policy, lack of resource capacity or lack of research knowledge to make decisions)
- (g) is based on unclear/factually incorrect information
- (h) provides details that are not appropriate or necessary for inclusion in a document aimed at providing management direction over the long term.

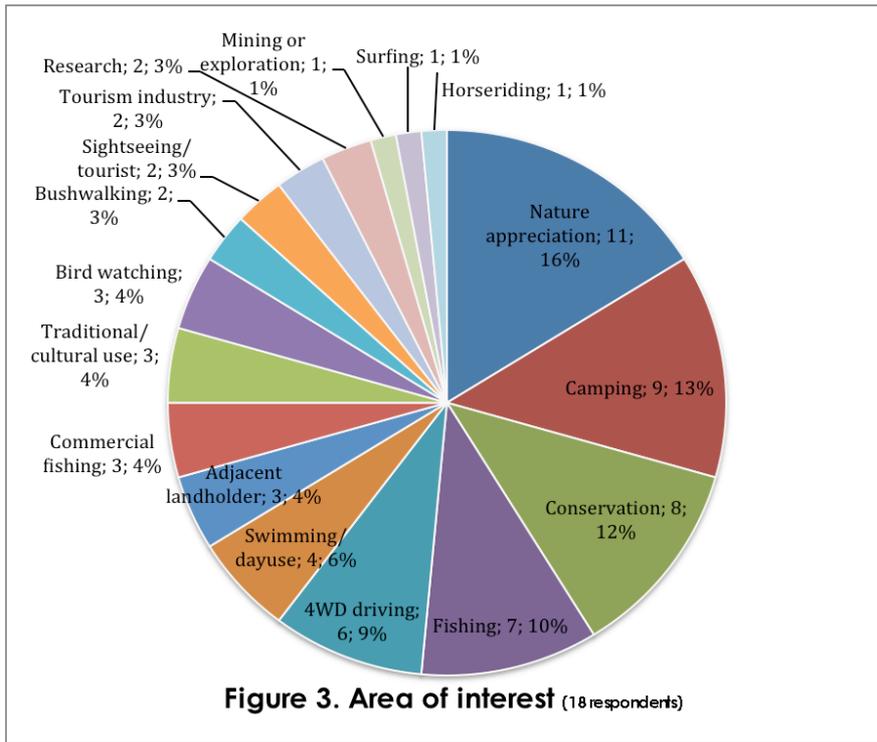
Note: no subjective weighting has been given to any submission for reasons of its origin or any other factor that would give cause to elevate the importance of any submission above another.

3. ABOUT THE SUBMITTERS

There were 47 submitters, the majority of which were State government organisations (26%), individuals (26%) and commercial fishermen (17%) and located in Esperance (40%), Perth (39%) or Albany (13%) (figures 1 and 2).



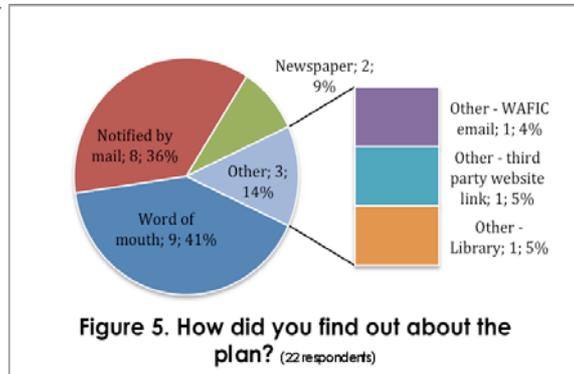
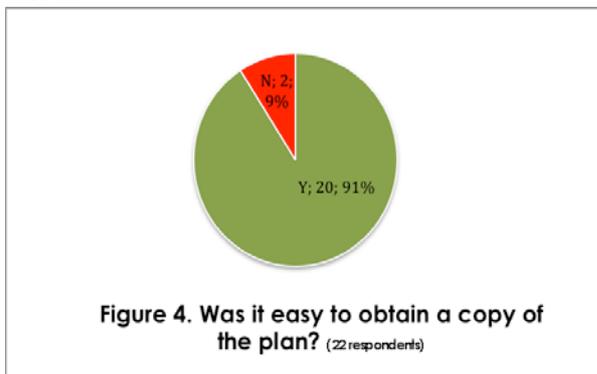
The respondents' area of interest is shown in Figure 3.



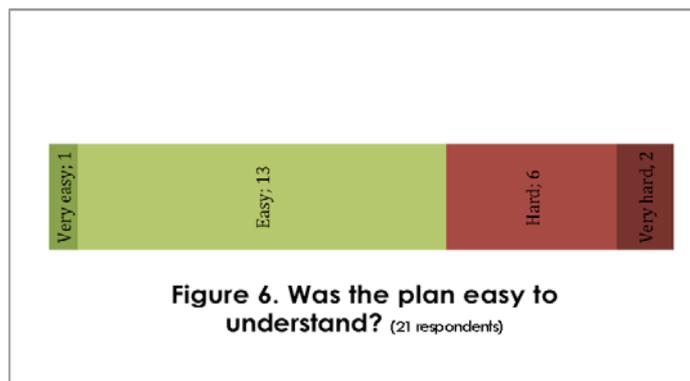
4. THE COMMENTS RECEIVED

4.1 General feedback

Submitters using the submission form were asked to give general feedback. The results are shown in the figures below.



The respondents suggested that the draft plan should have been mailed out to every landholder who is adjacent to the planning area, and that a public meeting should have been held as they believed the draft plan was not well publicised in the local media.



General comments on the draft plan were mostly positive and included:

- comprehensive plan
- I will keep the plan handy as it is a handy source of information to help appreciate the diversity within our national parks and reserves
- overall readability is very good, the document is well laid out, sufficient balance of descriptions, maps and photographic illustrations
- The Esperance Chamber of Commerce and Industry commends DEC on producing a readable management plan
- The draft plan is well structured in an easy to read format
- Main Roads WA gives it support in principle to the plan
- Tourism WA is supportive of the content
- Esperance Ports Sea and Land welcomes plans to ensure the natural beauty and values of the national parks and reserves are protected and managed into the future
- Overall, Australian Marine Sciences Association of WA supports the proactive approach of the plan in conserving marine biodiversity and ecosystems in this southern part of the state's waters
- Birdlife WA supports the draft plan
- Esperance Bird Observers Group support the draft plan
- Esperance Wildflower Society is pleased to note the plans set out in the draft management plan, and generally supports all of the initiatives it contains
- I would like to commend all those involved in the effort which has gone into the preparation of this document, I have learnt much about our region and look forward to the desired outcomes having the necessary resources offered to make sure they become reality

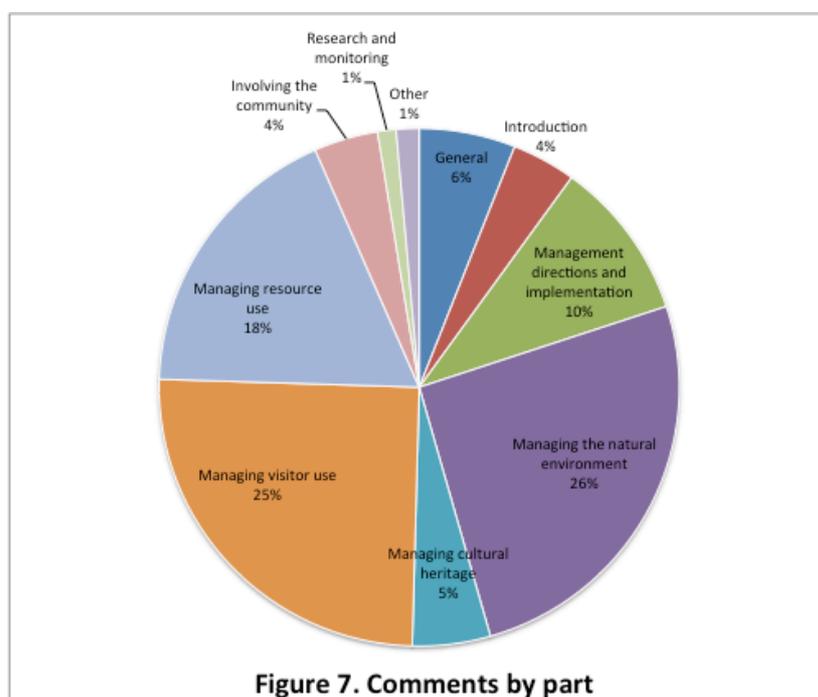
However, not all general comments were positive, for example:

- This document is vague and many important terms are not defined. The end product of this draft plan could cover a wide range depending on the intent of those involved in the final legislation. To the average citizen this is a long-winded ill-defined and confusing document - if they even know it exists.

In response to several suggestions on how the plan could be made easier to understand an executive summary has been included and the plan has been amended where necessary to state clearly where the plan impacts on visitor use.

4.2 Most referenced issues and themes

From the 47 submissions received on the draft plan, 351 comments were made. Figure 7 shows the breakdown of comments by parts in the draft plan. As might be expected, managing the natural environment and managing visitor use received equal comment (90 and 88 comments respectively) by the same number of respondents (21 respondents).



The most referenced issues and themes raised by submitters are described below, as well as how the submissions were considered when amending the plan.

Vehicle access along beaches and to fishing spots

Seventeen respondents made comment (30 comments) on vehicle access along beaches in the planning area, many referring to their access to favourite fishing spots or recreational driving along the beach. About a third of comments were against vehicles on beaches but the majority were for maintaining current level of access or opening more access. A sample of comments include:

- *There should be plans to limit vehicle access on beaches. Educate the community as to reasons for these beach closures. It must be a priority of the department for future planning to protect some beaches from the menace of four-wheel drive vehicles, quad bikes, trail bikes. Beaches need to be kept safe - roads are for tyres. Beaches should be flippers, feet and fins*
- *While it may be popular for Cape Le Grand Beach to be accessed from Wylie Bay, it is not in the best interests of the park. Families are no longer safe when walking and children running from the water have to be watched as it is a highway. A tragedy waiting to happen. The best alternative is to rest beaches. Close the CLG-Wylie Bay access for periods e.g May to August*
- *AMSA (WA) supports the proposal to seasonally close beaches during shorebird breeding seasons. Vehicle use and boat launching at beaches during the breeding seasons can greatly impact upon shorebird through close human interactions and degradation to breeding habitats.*
- *Although seasonal beach closure sounds good in theory we are concerned that it would be impossible to enforce*
- *While we agree that vehicles using the beaches are harmful to breeding birds and are a general annoyance, we do not believe that 'seasonal beach closure' are enforceable. We therefore believe that public education is a better option, such as the program carried out in the schools by South Coast NRM and the Esperance Bird Observers' Group. This program demonstrates the harm caused by vehicle driving on the upper part of the beach and also recommends that dogs are kept on leads (note: dogs are not allowed in the planning area). This message is being delivered by school children to their parents and is, anecdotally, having an impact on public behaviour*
- *Access to beaches of the Esperance area has a long history and is engrained in the lifestyle of many local residents and visitors. To remove this right of access will be met with the disapproval of hundreds of users.*

The department recognises the value of driving along the beaches in the planning area and it is the intent of the plan to maintain all current permitted beach access. However, this access is 'seasonal' due to the weather conditions of the area and already subject to 'temporary' closures as required for breeding birds or public safety.

The plan shows all current permitted access (with no new closures other than re-routing inland traffic in Cape Arid National Park away from a high disease risk area) and the text clarifies that all beach access in the planning area is 'seasonal' due to the weather and that for the purposes of protecting breeding birds or in the interests of public safety, some areas may be 'temporarily' or 'partially' closed.

Proposed additions

Thirteen respondents made comment (22 comments) on the proposed additions to the conservation estate. This included general comments of support and measured opposition (typically asking for more consultation) as well as specific support for reservation of the four unnamed islands south of Lake Shaster Nature Reserve, Stokes Inlet, Butty Harbour Reserve, unvested Crown reserve 28170 (western part which includes Stevens and Doombup lakes) and unallocated Crown land including Lake Bannitup.

One respondent opposed the addition of the unallocated Crown land west of Cape Arid National Park. However, this proposed addition is a significant addition to the conservation estate as it will increase the reservation level of six significant vegetation associations and protect a highly cleared vulnerable vegetation association, populations of 18 priority flora species including six species not recorded anywhere else in the planning area and threatened malleefowl and western ground parrot habitats. There has been an unconfirmed sighting of the latter.

Three respondents requested more information on the shire road reserves proposed to be cancelled. So the planning team has prepared an initial map showing these reserves and it has been included in the plan. However, this does not preclude other road reserves being cancelled during the life of the plan if they are deemed not required.

One respondent gave compelling information on an area north of Cape Arid National Park known as 'Kangawarrie' and proposed that it be added to the conservation estate. It is agreed by the department that this

area is of high conservation value and an increasing number of people are visiting the area to recreate. Therefore the plan has been amended to include the area as a proposed addition to Cape Arid National Park to protect vegetation communities highly cleared and poorly reserved, karst systems, natural grasslands and scenic landscapes. The boundary is subject to further examination of values and field inspections.

Commercial fishing in Stokes Inlet

Nine respondents made comment (41 comments) on commercial fishing in Stokes Inlet. The following statement in the draft plan seemed to provoke the majority of comment: “*Should the inlet be added to the conservation reserve system, the issue of commercial fishing will be examined further*”. As one respondent put it “*The plan reads as though the intent is to exclude commercial fishing in Stokes Inlet*”.

It was not the intent of the draft plan to suggest one way or the other about whether commercial fishing would be continued. This was because commercial fishing is a matter for the Department of Fisheries and Stokes Inlet is yet to be added to Stokes National Park.

Therefore, the final plan has clarified that should Stokes Inlet be added to the conservation reserve system (Stokes National Park), commercial fishing in Stokes Inlet will continue to be managed by the Department of Fisheries. All camping by commercial fishers will continue to be managed by Parks and Wildlife, as currently is the case.

Cultural heritage

Seven respondents made comment (17 comments) on the cultural heritage of the planning area, both Aboriginal and other Australian cultural heritage. Respondents commended the department for the “*...strong consideration of heritage within the draft plan, such as the outcomes and actions proposed for Australian cultural heritage*” and “*the strategies as they relate to Aboriginal heritage values*”.

A key criticism of the draft plan was that instead of using words like ‘encourage’ and ‘support’ for management actions 9 and 10, the management actions should state: “*engage Aboriginal people in training and employment; develop economic opportunities for Aboriginal people; enter into joint management arrangements in all parks and reserves identified as priorities by the relevant Aboriginal group(s); undertake cultural heritage surveys in areas as advised by the relevant Aboriginal groups through a process of ongoing consultation*”. The respondent noted that for most other areas of the draft plan “*there is a commitment to undertake or conduct surveys; yet in the realm of Aboriginal involvement or research into culture within the planning area, all the terms are extremely loose and non-committal*”. However, these actions are subject to processes outside of the scope of the management plan in terms of resourcing and Government priorities for joint management. Section 5 *Management arrangements with Aboriginal people* of the final plan has been amended to reflect current joint management options but the current wording for the management actions does not limit any of these options so will not be amended.

One respondent asked for consideration of Aboriginal cultural practices such as those that involve fire. These cultural practices have been allowed by the CALM Act amendments and the final plan has been amended to include the updated status of the legislative changes.

One respondent commented on the lack of active management on heritage sites other than to ‘maintain and monitor’ heritage sites. A different respondent also asked for greater emphasis on preserving buildings. This is reflective of the department’s resource capability and intent to not actively manage these sites but to take more of a passive approach such as when doing other operations such as fire management and site development. The final plan has been amended to include a reference to the Department of Indigenous Affairs’ Cultural Heritage Due Diligence Guidelines for the management of heritage values.

WA Museum and indigenous land councils have been included in the final plan among the stakeholders to be consulted with respect to cultural heritage as requested.

Diseases

Seven respondents made comment (12 comments) on the issue of *Phytophthora* disease in the planning area and the proposed management actions. Respondents were aware of the real problem of the disease and supported further research, signage and education programs.

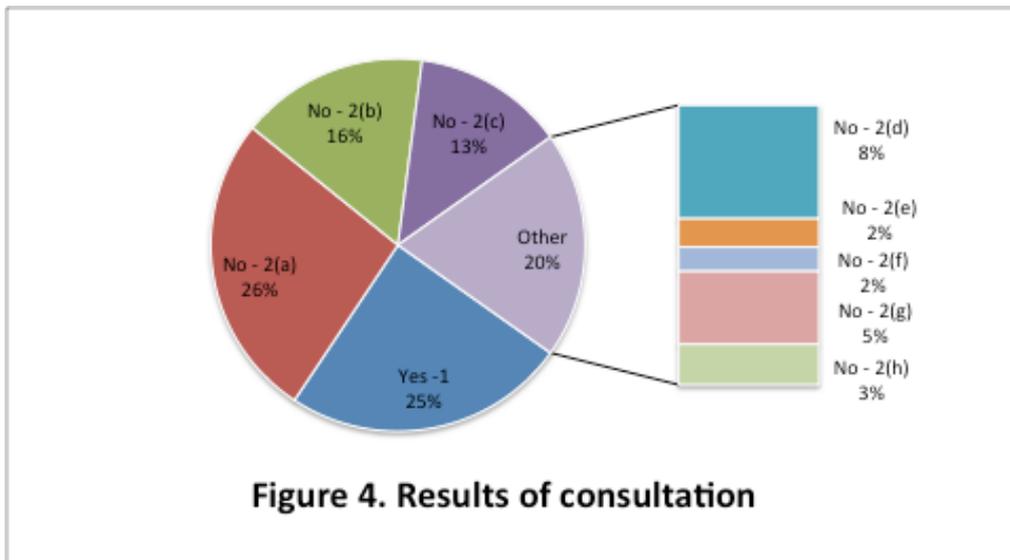
Attention was drawn to western ground parrot habitat adjoining Telegraph Track in Cape Arid National Park. As a precautionary measure it was suggested that a section of Telegraph Track be closed to prevent *Phytophthora* infection spreading from Poison Creek Road. This was supported and the plan has been amended to reroute visitor access along a re-opened Pasley Track. The re-opened Pasley Track will still need to be seasonal in wet conditions.

One respondent stated they did not support the controlling of public access into known infested and high risk of *Phytophthora* infestations areas citing Dunster Castle Bay as an example. Access to Dunster Castle Bay in Stokes National Park, via the Stokes National Park northern firebreak, was officially closed off in 1989 (25 years ago) for *Phytophthora* dieback reasons. There have been two attempts to open since, but rain keeps washing the causeways away. As it is impassable every winter, there are *Phytophthora* dieback issues, the cost of track maintenance is prohibitive, there are significant visitor risk issues at the endpoint and other similar recreational opportunities are available, the department will not be reopening this track. Visitors can still access Dunster Castle Bay by foot or by vehicle along the beach from Stokes Inlet.

The same respondent complained about the coastal tracks being closed preventing access to “the many beautiful beaches” west of Point Malcolm through to Bellinger. Access to the coast near Bellinger Island and approximately midway to Point Malcolm is seasonal dependent on the weather conditions. Any seasonal closures are to prevent the introduction/spread of disease along the tracks. Importantly the management plan is not proposing anything different than is already the case except the rerouting of visitor access along a re-opened Pasley Track from Telegraph Track (see above).

4.3 Result of consultation

The Conservation Commission and the departmental planning team reviewed the management plan in light of the submissions to the draft plan. Of the comments made on the draft plan, 25 per cent resulted in a change to the plan, 26 per cent supported the plan, 16 per cent did not seek change and 13 per cent made statements already in the plan or were considered during the plan preparation.



In terms of the other 20 per cent of comments that did not result in a change to the plan, eight per cent were on topics outside the scope of the plan, two per cent were on topics with widely divergent viewpoints, two per cent contributed options that are not feasible, five per cent were based on unclear or factually incorrect information and three per cent provided comments that related to the more detailed operational plans rather than a management plan.

Comments outside of the scope of the draft plan related to:

- entry fees for commercial fisherman
- a public awareness campaign on climate change
- renaming Russell Range with the Aboriginal name
- including the area north of Russell Range into the proposed wilderness
- revegetating the upper catchments
- resourcing for protecting native fauna and habitats
- including information on the Esperance Extension of the State Barrier Fence
- re-introducing a keystone predator such as the Tasmanian devil
- working out-of-hours with regards to fire management
- alternative models of land tenure for future additions to the conservation estate that allow native title holders far greater participation in the planning and management of country

- employment of an 'other cultural heritage' employee to help access funding for preservation and rebuilding
- the location for a Naturebank site not being in Cape Le Grand National Park
- reinstating a car park at Whartons Beach (Shire Reserve) and closing beach off to all vehicles
- online booking for selected sites in Cape Le Grand National Park
- allowing campfires on the beach during the cooler months of the year, in an enclosed container
- ships entering the Recherche Archipelago having to pay bond or have insurance to cover any pollution incidents, in case there are any
- consulting the Goldfield Land and Sea Council regarding mineral and petroleum exploration and development
- fishing or anchorage around the Recherche islands (below low water mark)
- the overflow pipes at Cullam Inlet and fishing (Fitzgerald National Park)
- adding text stating future opportunities for sustainable aquaculture development in the planning area should be recognised
- poor public perception of the department with regards to fire management, prosecutions, inconsistencies with leases and agreements and land purchases in the pastoral zone being detrimental to attracting and keeping assistance from the public

4.4 Final management plan

The plan for Esperance and Recherche parks and reserves has been amended accordingly and presented to the Conservation Commission and the Minister for the Environment along with this APS. The final management plan (DEC 2016) was subsequently approved by the Minister.

If the final management plan is amended during its life, under section 61 of the CALM Act, the proposed amendment will be subject to further public comment.

5. REFERENCES

DEC (2012). *Esperance and Recherche Parks and Reserves Draft Management Plan*. Department of Environment and Conservation, Perth, Western Australia.

DPaW (2016). *Esperance and Recherche Parks and Reserves Management Plan*. Department of Parks and Wildlife, Perth, Western Australia.

APPENDIX 1. NEWSPAPER ADVERTISEMENTS

Esperance Express



Government of
Western Australia
Department of Environment
and Conservation

Release of the Esperance and Recherche parks and reserves draft management plan 2012

The Conservation Commission of Western Australia advises that the draft management plan for Esperance and Recherche parks and reserves is available for public comment.

The draft management plan and a submission form can be downloaded from the Department of Environment and Conservation's (DEC) website at www.dec.wa.gov.au/haveyoursay.

Copies are also available at DEC offices in Kensington, Albany and Esperance.

Submissions can be emailed to planning@dec.wa.gov.au or sent to:
Planning Officer
Esperance and Recherche draft management plan
Department of Environment and Conservation
Locked Bag 104
Bentley Delivery Centre WA 6983

For more information, contact Aberline Attwood by email: aberline.attwood@dec.wa.gov.au or phone Technical Officer Burke Stephens on 9219 9797.

The closing date for public submissions is Thursday 31 January 2013.



Conservation
Commission
WESTERN AUSTRALIA

adcorp F79827

West Australian Saturday 3 November 2012

Kalgoorlie Miner Wednesday 7 and Saturday 10 November 2012

Department of Environment and Conservation

Release of the Esperance and Recherche parks and reserves draft management plan 2012

The Conservation Commission of Western Australia advises that the draft management plan for Esperance and Recherche parks and reserves is available for public comment.

The draft management plan and a submission form can be downloaded from the Department of Environment and Conservation's (DEC) website at www.dec.wa.gov.au/haveyoursay.

Copies are also available at DEC offices in Kensington, Albany and Esperance.

Submissions can be emailed to planning@dec.wa.gov.au or sent to:
Planning Officer
Esperance and Recherche draft management plan
Department of Environment and Conservation
Locked Bag 104
Bentley Delivery Centre WA 6983

For more information, contact Aberline Attwood by email: aberline.attwood@dec.wa.gov.au or phone Technical Officer Burke Stephens on 9219 9797.

The closing date for public submissions is Thursday 31 January 2013.



Conservation
Commission
WESTERN AUSTRALIA

