



Department of Conservation
and Land Management



Conserving the
nature of WA

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URGENT

MINISTER FOR THE ENVIRONMENT AND HERITAGE

**PASTORAL RANGELANDS – CABINET STANDING COMMITTEE ON
ENVIRONMENTAL POLICY (5 NOVEMBER 2002)**

Following our discussions:

- please find attached a briefing paper – this is the one we propose to hand out at the Cabinet Standing Committee. It essentially outlines the facts and history, rather than argues for a position or outcome;
- the simplified 'dot-point' presentation to be given by Jim Sharp / Gordon Wyre is being finalised and will be forwarded;
- a short note providing 'speaking points' and 'bottom lines' will be forwarded, in 'dot-point' format.

Departmental representatives will bring additional maps and statistics for reference if required.

Keiran McNamara
ACTING EXECUTIVE DIRECTOR

1 November 2002

cc Ross Belton
Angas Hopkins

**EXCLUSIONS FROM PASTORAL LEASES IN 2015 FOR
CONSERVATION AND DEPARTMENT OF CONSERVATION
AND LAND MANAGEMENT (DCLM) MANAGEMENT OF PASTORAL LEASES
ACQUIRED FOR CONSERVATION**

Legislation

- The expiry of the term of all pastoral leases in 2015 was contained in the *Land Act 1933* and recognised in the *Land Administration Act 1997* which replaced it.
- The Land Act required that during 1995 a pastoral lessee may apply for renewal of their lease beyond 2015 and the Minister was required to reply by 31 December 1997.
- Amendments to the Land Administration Act which came into effect on 7 December 2000 require the Minister to advise pastoral lessees of any areas which will be excluded from their lease for a public purpose upon renewal in 2015 by 7 December 2002.
- The *Land Administration Regulations 1998* allow for a two year negotiating period from 7 December 2002 whereby an amended exclusion may be agreed. If no amendment is agreed by the Minister the original proposal is fixed.
- The excluded land remains a pastoral lease until 2015 and the lessee is to be compensated for lawful improvements on the land that is to be excluded.

Action by Government

- November 1990 - the Minister for Lands, Kay Hallahan, wrote to pastoral lessees identifying whole and part leases that would be required for conservation purposes (as identified in for example EPA Red Books and other formal planning documents such as the Shark Bay Regional Strategy) and the 'Use and Benefit of Aboriginal People' (**Attachment 1**).
- May 1994 - the Minister for Lands, George Cash, wrote to pastoral lessees including advice of areas required for surrender for conservation purposes (**Attachment 2**).
- June 1995 – Minister Cash wrote again to all pastoral lessees inviting them to apply for renewal of their lease beyond 2015 (**Attachment 3**).
- December 1997 – the Minister for Lands, Doug Shave, advised lessees on the outcome of their renewal application. The letter stated that renewal would be subject to *exclusion of areas from the existing lease that may be required for public works, conservation, national park, nature reserve or other Government purposes* (**Attachment 4**). This created broad uncertainty amongst pastoralists whose leases had not been identified for conservation in the 1990 and 1994 letters.
- September 2001 - the Department of Land Administration sought advice from agencies on areas required for exclusion for a public purpose when leases are renewed in 2015 (**Attachment 5**).

Policy setting for the establishment of a comprehensive, adequate and representative terrestrial conservation reserve system

- The acquisition of pastoral lands supporting high conservation values for the establishment of a comprehensive, adequate and representative (CAR) conservation reserve system is consistent with a number of State and national policies and strategies, including the:
 - National Strategy for the Conservation of Australia's Biological Diversity (1996) (signed off by all jurisdictions);
 - Gascoyne Murchison Rangeland Strategy (1997);
 - the State Government's policy *Managing the Rangelands* (1999)
 - National Objectives and Targets for Biodiversity Conservation 2001-2005 (signed off by WA);
 - the State Government's *Environment* policy (2001); and
 - the State Government's *Ecotourism Strategy for WA* (2001).

Existing conservation reserve system and proposed conservation reserve system in the rangelands

- Current scientific advice is that some 15% of the State will be needed in the reserve system to meet CAR criteria. Current reservation level (statewide) in WA is 6.6% of land area.
- Prior to the Gascoyne-Murchison Strategy (GMS) only 3% of the region was in conservation reserves. The Strategy included a specific target of 10-15% in reserves.
- Between April 1998 and July 2002 the State (through DCLM) has purchased 16 whole leases and 17 part leases covering over 3.4 million hectares for addition to the conservation reserve system (**Attachment 6**). This will increase the GMS area in conservation reserves to 8.7%.
- With the addition of these purchased lands to the conservation reserve system most sub-regions in the GMS area and throughout the pastoral rangelands are still a long way short of meeting CAR criteria (maps at **Attachments 7 and 8**).

Management of former pastoral lands acquired for conservation

- *Financial resources:* The Government has allocated additional consolidated funding for management of the acquired properties:

2001/01	\$400,000
2001/02	\$750,000
2002/03 (ongoing)	\$1,050,000

In 2001/02 DCLM internally reallocated an additional \$250,000.

Funding has been expended on:

Feral animal control – goat, fox, cat, dingo and wild dog, donkey and camel control.

Infrastructure – including mill closure and removal; rubbish removal; homestead maintenance including power supply replacement and maintenance, white ant treatment, replacement hot water system, kitchen upgrade, electrical work, bore replacement.

Fencing – over 150 kilometres replaced or upgraded.

Roads/Tracks/Firebreaks – upgrading and maintenance of internal tracks and firebreaks carried out on 13 of the leases purchased.

Fire control – attendance at wildfires on acquired lands and attendance to subsequent repair work such as repairs to boundary fences destroyed by fire.

Biological survey – being carried out and baselines being established for long term planning and monitoring

Indigenous consultation and involvement – Involvement of Aboriginal people in the management of conservation lands is a key policy of the Government. Resources have been committed to discussing with Aboriginal communities and native title claimants how this might be achieved. This has involved seeking input into Interim Management Guidelines, discussion on the protection of sites of significance, access, hunting etc.

Management actions for each lease are summarised in **Attachment 9**.

Even in the absence of active management measures as outlined above, the acquisition of tenure (and its associated regulatory controls over matters such as access and exploration/mining), the removal of introduced livestock, and the closing of artificial waters (which substantially reduces feral herbivores such as goats) represents a marked benefit for conservation.

- *Local employment:* Many works (eg road and track works, fence construction, infrastructure improvements) have utilised local contractors (including caretakers and neighbouring lessees), supporting small businesses in the region.
- *Staff resources:* Two new DCLM positions have been established – in Carnarvon and Kalgoorlie. Two more are to be established, in Geraldton in 2002 and Carnarvon in 2003. In addition there has been a significant reorientation of existing staff in the Department's Midwest, Pilbara and Goldfields regions.

In addition a Rangelands Co-ordinator has been appointed to oversee the acquisition program and provide advice on on going management. A number of administrative and research staff also support the acquisition program.

- *Recreation and Tourism* – The recreation and tourism potential of the acquired lands is being assessed, eg a Recreation Masterplan for the Kennedy Range National Park which includes the newly acquired areas of parts of Mardathuna, Middalya, Lyons River, Bidgemia, Williambury, Jimba Jimba, Minnie Creek leases and all of the Mooka lease has been prepared. This links in with tourism and accommodation enterprises run by Mardathuna and Bidgemia.

Other DCLM involvement in Gascoyne-Murchison Strategy

- DCLM's Midwest Regional Manager sits on the GMS Board.
- *Regional Environment Management Program (REMP)* – DCLM contributes to this committee of the Board looking at ecologically sustainable outcomes for the pastoral industry.
- *Environmental Management Unit (EMU)* – part of the REMP. This unit is developing a hands-on planning process for pastoralists that builds on their knowledge and understanding of the various landscape elements and functions of their lease. It helps prioritise management actions. DCLM has supported the development of the program as an effective way of informing pastoralists about key natural processes in the rangelands and how management objectives might be set to achieve more sustainable management, a critical outcome for pastoralists and biodiversity conservation.

Areas proposed for exclusion from pastoral leases in 2015 for conservation

- DCLM, as part of the Land Administration Act process, has been invited to nominate areas for exclusion from pastoral leases for conservation purposes. This along with the pastoral acquisition program in the Gascoyne-Murchison Strategy area will help towards the establishment of a CAR reserve system in the rangelands.
- The proposals for exclusion have been submitted in three batches:
 - Batch 1: All the proposals which have been the subject of previous advice from Ministers to pastoral lessees and also advised to Parliament during debate on the proposed (2000) amendments to the *Land Administration Act* (information provided to Parliament at **Attachment 10**; Batch 1 list at **Attachment 11**);
 - Batch 2: proposals taken from formal management plans (both DCLM and WA Planning Commission) and other Government documents (Batch 2 list at **Attachment 12**);
 - Batch 3: other proposals developed within DCLM from further research, consideration of regional conservation needs, boundary rationalisation of existing reserves and protection of threatened ecological communities.

Batches 1 and 2 would add 1,316,402 hectares to the reserve system, raising the area of the State under reservation by 0.5%.

- Batch 3 proposals are new and not in the public domain. These would add a further 553,518 hectares or 0.2% of the State to the reserve system.

Further attachments

- **Attachment 13** – *Filling the gaps – building a reserve system in the Gascoyne-Murchison region* (Landscape, Winter 2000).



WESTERN AUSTRALIA
MINISTER FOR LANDS

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Type B
part of lease required
both EPA & ALT interests

15 NOV 1990

Dear Pastoralist

The State Government has decided to proceed with a new proposal to grant pastoralists secure land tenure. In December 1988 the former Minister for Lands reluctantly agreed to withdraw the Land Amendment Bill 1988 from the Parliament, at the request of the Pastoralists and Graziers Association.

Since that time the issues of concern to the industry have been thoroughly examined by the Government and I have had consultations with industry representatives and other interested organisations as well as individual pastoralists.

Cabinet has now approved the introduction of a revised Bill to grant extended lease tenure and to change a number of the existing statutory provisions relating to lease conditions. It is my intention to present this amending Bill to the Parliament during the current Session.

The main features of the new Bill, which will contain many of the 1988 proposals, are as follows:-

1. Subject to the approval of the Minister for Lands, the tenure of existing leases (expiring 2015), may be converted to a 50 year rolling term. The Minister will, in the last year of each 15 year period of that term, extend the lease by a further period of 15 years subject to an assessment of the condition of the land and compliance with the lease conditions. The 90 day provision of the 1988 Bill will not apply.
2. Removal of the existing statutory area limitation of 500,00 hectares that may be held by a pastoral lessee either directly or beneficially subject to the Minister for Lands retaining discretion, in consultation with the Pastoral Board, to limit land holdings where it is deemed against the public interest.

3. The Minister the Lands to approve transfer of leases as currently applies, however this will be varied to provide that the Minister's approval would not be unreasonably withheld.
4. Requirement to maintain minimum stocking levels to be removed.
5. Requirement to establish improvements on a lease (unless required by other statutes) to be removed. As a consequence of this, the submission of 5 year development plans will no longer be necessary.
6. Replacement of the existing forfeiture of pastoral leases for breach of conditions with a system of resumption and compensation for pastoral value of the resumed lease.
7. The Soil Conservation Commissioner to consult with the Pastoral Board in the exercise of his powers under the Soil and Land Conservation Act in relation to the service of soil conservation notices, but without limiting the Commissioner's independent powers under the Act.
8. Provisions permitting pastoralists to develop areas of the lease for crop, fodder or horticultural production to enhance the carrying capability of the land.
9. Provisions permitting pastoralists to develop limited facilities and amenities for tourism and the grazing and production of animals other than sheep and cattle, subject to approval.
10. Where either agriculture or tourism developments of this nature are contemplated as a commercial venture, an excision from the pastoral lease will be required and a special lease issued.
11. Increase in the Pastoral Board membership from 5 to 7 members with one additional member being drawn from the pastoral industry and one to be a Government official with appropriate conservation qualifications.
12. Power to make regulations to ensure that land held under pastoral lease is well managed and utilised prudently so that the renewable resource is sustained.

13. Provide for a clear definition of the rights of access by Aboriginal people with traditional or residential affiliation to an area comprising all or portion of a pastoral lease. Pastoral lessees will have the right to object to any such access application with the final determination being made by the Minister for Lands. The arrangement to be adopted has been in operation in the Northern Territory for over 20 years.
14. Monetary penalties proposed in the 1988 Bill will be retained in the new legislation.
15. The rental reappraisal provisions will not be varied in this new legislation and the rental review of all pastoral leases scheduled for 1 July, 1991 will proceed under current statutory provisions. However, proposals for a new Land Administration Act (a rewrite of the present Land Act) are well advanced and the system of assessing all Crown lease rentals is to be reviewed in this overall examination of Crown land administration. These proposals will be circulated for public information and comment in due course.

Although both the 1987 and 1988 amending Bills (neither of which proceeded), proposed a change to infinite tenure or perpetual lease tenure for pastoral leases, the provisions now approved by Cabinet for early legislative consideration involve extension to a 50 year "roll-over" term on the basis of review every 15 years. This grants, subject to land condition assessment and compliance with lease conditions, no lesser term than was approved under the last lease extension in 1963 a tenure arrangement which proved satisfactory and acceptable to both pastoral lessees and lending institutions. In effect pastoralists are currently mid way through a 50 year fixed term lease and this will be converted to a continuous rolling 50 year lease.

Advice has been received from the Environmental Protection Authority and the Aboriginal Lands Trust that there is an area within your pastoral lease which is required for conservation purposes or for the "Use and Benefit of Aboriginal Inhabitants". The area required for conservation purposes is described in the attached statement and illustrative plan. The Aboriginal living area is expected to encompass approximately 500 hectares or such area which may have already been the subject of negotiation by Government agencies.

It is proposed to negotiate further with you with a view to obtaining exclusion of these areas from your lease so that they may be reserved for the required purposes. Further detailed advice on these proposals will be forwarded as soon as possible.

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When negotiations on these matters have been completed, and subject to Parliamentary approval to the tenure legislation, you may be assured of approval to convert your lease to the new tenure.

Yours sincerely

Kay Hallahan

KAY HALLAHAN MLC
MINISTER FOR LANDS

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CONSERVATION AREAS (ORANGE)

PROPOSED RESERVE	STATION
1. Roebuck Bay Marine Park	Roebuck Plains
2-5. Bungle Bungle National Park	Texas Downs Osmond Valley Mabel Downs Sophie Downs
6. Ord River Nature Reserve	Carlton Hill
7. Devonian Reef National Park	Kimberley Downs Fairfield Brooking Springs
8. Brooking Gorge National Park Additions to Geiku Gorge National Park	Brooking Springs (x2) Fossil Downs Go Go
9. King Lepold Ranges National Park	Mt Hart
10. Walcott Inlet National Park	Charnley River
11. Dampierland National Park	Waterbank
12. Mandora Nature Reserve	Anna Plains
13. Addition to Hamersley Range National Park	Juna Downs
14. Addition to Cooloomia Nature Reserve	Nanga
15. Edel National Park	Carrarang
16. Dirk Hartog Island National Park	Dirk Hartog Island
17. Wooramel Marine Park	Wooramel Edaggee Brick House
18. Hamlin Pool Nature Reserve	Hamlin Carbla Yaringa Nanga
19. Addition to Cape Range National	Exmouth Gulf
20. Addition to Zuytdorp National Park	Tamala
21-26. Kennedy Range National Park	Mardathuna Williambury Minnie Creek Lyons River Bidgemia Jimba Jimba

SOUTH WEST PASTORAL LEASES

<u>STATION</u>	<u>LOCATION</u>
✓ 1. BANKSIA FLATS 3379/64	SOUTH COAST NEAR WALPOLE
✓ 2. BARRAGOON LAKE 1767/64	NEAR GUILDERTON (MOORE RIVER)
✓ 3. COCKLESHELL GULLY 1577/65	NORTH-EAST OF JURIE 661/955 ^v /4
✓ 4. CORDERING FARM 1537/64	SOUTH OF DARKIN
5. DILLON BAY 2402/64	SOUTH COAST WEST OF BREMER BAY
✓ 6. FOSTERGLLEN 1609/65	NORTH-WEST OF BOYUP BROOK
✓ 7. JIBBERING 3007/64	NORTH-EAST OF WUBIN
✓ 8. LESCHENAULT 3285/64	NEAR SEABIRD
✓ 9. LIME PEAKS 2376/64	NEAR GUILDERTON
✓ 10. LYNTON 2027/64	BETWEEN GERALDTON-KALBARRI
11. MALLEE 1243/65	EAST OF AJANA
✓ 12. MCPHERSON SPRINGS 1156/65	NEAR DUMBLEYUNG LAKE
13. MT VIEW 3260/64	NEAR AJANA -KALBARRI NATIONAL PARK
14. MINARUP 2401/64	SOUTH COAST WEST OF BREMER BAY
✓ 15. NABAROO 2420/63	NEAR MOORE RIVER EAST OF LANCELIN
✓ 16. OAKWOOD 3743/64	SOUTH OF COLLIE NEAR NOGGERUP
✓ 17. PERANGERY 2400/64	NORTH-EAST OF PERENJORI
✓ 18. QUANNUP 3001/64	SOUTH WEST COAST EAST OF AUGUSTA
19. SCOTT RIVER 1435/65	SOUTH WEST COAST EAST OF AUGUSTA
✓ 20. STRATHAIRLIE 2067/64	BETWEEN COLLIE AND BOYUP BROOK
✓ 21. THE ANGLE 1395/64	SOUTH-WEST OF DARKAN
✓ 22. WOOLKA WOOLKA 2226/64	ADJOINING NAMBUING (PINNACLES) NATIONAL PARK

PASTORAL LEASES SUBJECT TO THE ENVIRONMENTAL PROTECTION AUTHORITY RED BOOK RESERVE RECOMMENDATIONS INCLUDING UPDATED RECOMMENDATIONS PREPARED BY THE DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT FOR THE KIMBERLEY REGION, AND THE SHARK BAY REGION PLAN.

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
<u>KIMBERLEY REGION</u>			
Roebuck Bay Marine Park	Roebuck Plains Thangoo	5422 ha -	Excision agreed to Surrender documents being prepared by DOLA. The area is below high water mark and as such is not pastoral lease, but is grazed.
Additions to Bungle Bungle National Park	Texas Downs	32,000 ha	Very rugged land of very low carrying capacity.
	Osmond Valley	15,584 ha (Whole Lease)	Not a viable lease.
	Mabel Downs Sophie Downs	27,000 ha 15,000 ha	Very rugged country of low carrying capacity. Very rugged country of low carrying capacity.
Ord River Nature Reserve and False Mouths of the Ord	Carlton Hill	40,000 ha	Mostly low pastoral value but includes some moderate pastoral land. Smaller area will be sought if a suitable management boundary can be found.
Devonian Reef National Park	Kimberley Downs Fairfield	4,400 ha Option A 9,000 ha Option B 17,000 ha	Small area of moderate to good land Two potential options. To be considered following field inspection and negotiation.
	Brooking Springs	35,000 ha	Mainly very poor to poor pastoral land but includes some moderate to high quality land.
Brooking Gorge Conservation Park	Brooking Springs	1,400 ha	Rugged gorge not used for grazing

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
Additions to Geikie Gorge National Park	Brooking Springs	8,500 ha	Mainly rugged land of low carrying capacity.
	Fossil Downs	10,000 - 13,000 ha	Mainly very rugged land but includes some areas of moderate pastoral value.
	Gogo	3,500 ha	Small area of quality river frontage land.
King Leopold Ranges National Park	Mt Hart	Whole lease likely	Management boundaries yet to be defined but would take the central portion of a long narrow lease, making the lease unviable. Unwanted areas could be re-sold to adjoining leases.
Walcott Inlet National Park	Charnley River	Whole lease	Small non-viable lease - Govt negotiating purchase price.
Lake Gregory	Lake Gregory	85,000 ha	Includes about 20,000 ha of salt lake. A management agreement to protect this area from grazing is the likely option, rather than reservation.
Dampier land National Park	Waterbank *	145,000 ha	This northern part of the station is of limited pastoral value, not fenced, few improvements
*NOTE: Separate Government action seeks to secure <u>the whole of this lease</u> of about 320,000 ha. TC to check on which lease commitment			
Mandora Nature Reserve	Anna Plains	102,000 ha	Includes good grazing land and poor. About 25% of one of the better leases in the region. Boundaries subject to negotiation.

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
<u>PILBARA REGION</u>			
Additions to Hamersley Range National Park	Juna Downs	10,000 ha	Boundary rationalisation and land exchange the additions to the park largely results from the inclusion of an unused isolated O'Brien block of the lease in the park.
<u>CARNARVON BASIN</u> <u>SHARK BAY REGION</u>			
Peron National Park	Peron	Whole lease	Purchased by Government - settlement expected shortly. Expected Friday
Addition to Cooloomia Nature Reserve and Nature Reserve at Point Petit. Proposed World Heritage area.	Nanga	Land exchange possible	Sand plain vegetation largely unsuitable for pastoral use.
Edel Land National Park. Proposed World Heritage area	Carrarang	15,500 ha	Extremely fragile coastal dunes not used for grazing
Dirk Hartog Island National Park. Proposed World Heritage area	Dirk Hartog Island	Whole lease	Important island not well suited to pastoral use. Only limited pastoral use at present. Government commitment to acquire as part of implementation of Shark Bay Region Plan.
Shark Bay Marine Park. Proposed World Heritage area	Wooramel Edagee Brick House	Not quantified	Narrow coastal fringe following boundary between Pleistocene and Holocene deposits close to existing fenceline. Lessees have agreed to excisions.

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
Hamelin Pool Marine Nature Reserve. Proposed World Heritage area	Hamelin Carbla Yaringa Nanga	About 20,000 ha	Narrow coastal strip facing Hamelin Pool following boundary between Pleistocene and Holocene deposits. Lessees have agreed to excisions.
Zuytdorp National Park Extension. Proposed World Heritage area	Tamala	Not quantified	Small area, very limited pastoral value. Lessee has agreed to excision.
Kennedy Range National Park	Mardathuna Williambury Minnie Creek Lyons River Bidgemia Jimba Jimba	33,487 ha 7,648 ha 2,131 ha 4,825 ha 3,708 ha 414 ha	Rugged scarp country forming the edge of the Kennedy Range Plateau, vital inclusion in the proposed national park. Agreements regarding the provision of water for stock will be required with some lessees. Negotiations have been continuing with the lessees for some time.
Ningaloo Marine Park Check with CALM re their intention S16 Propose a new lease until S16 Agreement finalised.	Ningaloo Cardabia Warroora	Possibly whole lease 12,000 ha 15,000 ha	Reservation by application of Section 16 Management Agreement to Ningaloo and approximately 2 km wide coastal strip of Cardabia & Warroora rather than purchase is the agreed approach. Limited pastoral values but high and increasing tourist traffic. Options are being negotiated with the lessees.
Additions to Cape Range National Park	Exmouth Gulf	About 50,000 ha	High rough range not used for grazing, no pastoral improvements.
<u>GOLDFIELDS REGION</u>			
Windich Spring National Park	Cunyu	- Stock route only	The area recommended is confined to the Canning Stock Route which passes through Cunyu Station. Stock use the area as water source. Agreement re fencing and water supply required.

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
<u>SOUTH COAST REGION</u>			
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Additions to the D'Entrecasteaux National Park	Banksia Flats	1,186 ha (Whole Lease)	Property used for summer grazing only. Not a viable pastoral lease. Negotiations between CALM and the lessee well advanced.
	Quannup	4,362 ha (Whole lease)	Property not used for grazing, unfenced. Not a viable grazing proposition. CALM is continuing encouraging negotiations with the lessee.

- The Department of Conservation and Land Management has purchased four of the six enclaves of pastoral lease within the D'Entrecasteaux National Park during the last few years. It is anticipated that a likely purchase price for the Banksia Flats and Quannup leases is \$50,000 each.

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Appendix i.

WESTERN AUSTRALIA

MINISTER FOR LANDS

Dear Pastoralist

PASTORAL LAND TENURE

State Cabinet recently endorsed a package of reforms to the current system of pastoral leases that operate under Part 6 of the Land Act. As you are aware all leases currently expire on June 30, 2015. The Land Act provides that lessees may apply to the Minister for Lands in 1995 to enquire whether individual leases will be extended or a new lease issued over the whole or part of the current lease. The Minister has until December 31, 1997 to make a decision.

The Government feels this arrangement places an unnecessary level of uncertainty on the industry and individual pastoralists.

It is for these reasons that the Government has determined to proceed with the pastoral land tenure reforms in an integrated manner as part of a complete rewrite of the Land Act. This new legislation to be called the Land Administration Act is in the early stages of the drafting process and it is anticipated that it will be introduced into the Parliament in the Spring Session later this year.

The reforms to pastoral land tenure have been developed with three primary objectives, security of tenure, a viable and vibrant pastoral industry in the 21st century and a sustainable use of the rangelands allied with the regeneration of existing degraded areas.

I am in no doubt that whilst the proposals detailed in the attached guide will benefit a majority of pastoralists, some will be dissatisfied, however if certain matters are not addressed the industry will continue to decline. Accordingly the Government will work closely with the Pastoralists and Graziers Association and Western Australian Farmers Federation to achieve both Government and industry objectives.

The attached guide gives a brief outline of the reforms and I suggest that should you have any queries they be directed either in writing or by telephone to Mr Tim Hillyard, Special Project Officer, Pastoral Land Tenure, at the Department of Land Administration on (09) 273 7220 or PO Box 2222, Midland WA 6056 (Fax (09) 273 7249).

Yours sincerely

GEORGE CASH, JP, MLC
MINISTER FOR LANDS

May 16, 1994

A GUIDE TO PROPOSED REFORMS TO PASTORAL LAND TENURE FOR THE INFORMATION OF PASTORAL LEASE HOLDERS



MAY 1994

PASTORAL LAND TENURE REFORM - A BRIEF OVERVIEW

Subject to the approval of a Land Administration Bill which will replace the Land Act and portions of the Public Works and Local Government Acts, all pastoral leases will be converted by application or deeming provisions to either a Perpetual Pastoral Lease or a Special Pastoral Lease.

A perpetual pastoral lease will be as the name implies, "a lease in perpetuity", provided the lessee complies with lease conditions.

A special pastoral lease will be a lease expiring on June 30, 2015. These leases will not be renewed for pastoral purposes after that date. The intent will be to convert these leases to more appropriate tenures over time. In a number of cases leases will be purchased subject to the availability of funds to enable industry restructuring or to complete the State's conservation strategy as recommended by the Environmental Protection Authority in the 1970's.

1. Lease Purpose

Perpetual Pastoral Leases and Special Pastoral Leases will be granted for "Pastoral Purposes" which is defined as meaning:

"the depasturing of stock for sustainable commercial use of the land on which they are pastured or agricultural, horticultural or other non-dominant uses essential to, carried out in conjunction with, or inseparable from, the pastoral enterprise, including the production of agricultural products for use in stock feeding, and approved pastoral based tourist activities and such other uses as the Minister for Lands may from time to time approve."

This purpose is designed to accommodate diversification and/or multiple land use. In addition, provision will be made for a more flexible use of pastoral lands and to enable new ventures to be trialed. It is proposed, with the relevant approvals to permit a lessee to:

(a) sow and cultivate non-indigenous pasture species for the purpose of enhancing the stock carrying capacity of the land the subject of the lease or for such other purposes as are approved by the Board;

(b) develop areas of the land the subject of the lease for crop, fodder or horticultural production for the purpose of enhancing the stock carrying capacity of that land, or with the approval of the Minister and subject to any conditions he may impose for the purpose of selling any crop, fodder or horticultural produce resulting from that development; and

(c) undertake diversified or multiple animal or bird husbandry, in addition to or instead of the depasturing of cattle, horses or sheep, on the land the subject of the lease.

Lessees will also be permitted to sub-lease a portion(s) of their leases for pastoral or non-pastoral uses (subject to appropriate approvals) so that ventures may be trialed with pre-arranged terms for conversion of trialed areas to a suitable tenure if successful.

2. Lease Format

Perpetual pastoral leases and special pastoral leases will be prepared with a set of fixed conditions together with land management covenants. Whilst the conditions will remain fixed, the management covenants may be varied on a station by station basis (should problems occur) or on an industry basis by way of policy statements developed by the Pastoral Board. The management covenants are primarily intended to underpin the sustainable use of the rangelands. The issue of leases with basic fixed conditions will ensure continuity and security of tenure for both pastoralists and lending authorities.

3. Conversion to Perpetual Pastoral Lease

Conversion to perpetual pastoral lease will occur over a period of 12-18 months by way of application to the Minister for Lands. Conversion costs have yet to be determined, although they should be minimal. Stamp Duty will not be payable nor will the present capital gains tax position of each lease be affected. Securities such as mortgages will not need to be discharged. Essentially leases will be "rolled over" to the new tenures.

Not all leases will be eligible for conversion to perpetual pastoral lease. Those excluded will be:

- (a) leases generally located in the South West Land Division, long regarded as no longer suitable for pastoral leasing. These leases will automatically become Special Pastoral Leases. The following 18 leases are affected:

Lease Number and name of pastoral lease

3114/821	Barragoon Lake
3114/825	Cockleshell Gully
3114/414	Cordering Farm
3114/910	Foster Glen
3114/869	Jibberding
3114/950	Leschenault
3114/822	Lime Peaks
3114/1219	Lynton
3114/938	Mallee
3114/836	McPherson Springs
3114/852	Mt View
3114/943	Nabarco
3114/838	Oakwood
3114/806	Perangery
3114/824	Quannup
3114/459	Strathairlie
3114/415	The Angle
3114/646	Woolka Woolka

- (b) Waterbank, Dirk Hartog Island and Osmond Valley, all required in total for conservation or other purposes and will be priority acquisition by the Government; and
- (c) all leases that are determined to be not economically sustainable would be refused conversion and therefore continue as special pastoral leases.

A joint task force is to be formed, responsible to the Ministers for Lands and Primary Industry to develop criteria for assessing leases eligible for conversion. State Cabinet will consider the criteria before making a final judgement on the matter. The issue relates to the sustainable use of the rangelands and revitalisation of the pastoral industry. Leases that are not sustainable are to be gradually removed from the system and the lands used for other purposes or for "build up" of existing leases.

Refusal to convert to perpetual lease may be appealed to an Adjudication Board. However, the final decision will be that of the Minister for Lands after taking into account the advice of the Adjudication Board.

Some lessees will be required to surrender land for conservation purposes as summarised in the attachment to this guide. A further working group will be formed shortly to determine the areas not already finalised. This will occur in consultation with the owner(s). The lands required for the State's conservation strategy are generally regarded as having low pastoral value.

Where the required lands include improvements, compensation will be considered or alternative arrangements assessed in consultation with station owner(s), so that where possible a practical solution is achieved that meets conservation objectives in conjunction with the management of the pastoral enterprise.

4. Rent

In the future, lease rentals will be determined by the Valuer General rather than the Pastoral Board. The rental will be set at fair market values taking into account such matters as pastoral capabilities of the land, distance from a port or railway and any other circumstances affecting one lease over another.

Lessees unhappy with a rental determination will be able to appeal the assessment in a similar manner to Local Government rate and other such assessments undertaken by the Valuer General.

Current pastoral lease rents will be reassessed on July 1 next following approval of the legislation and then every 5 years from that date.

5. Public Access to Perpetual Pastoral Leases and Special Pastoral Leases

- (a) General Public - subject to 5(d) below, no access rights to the general public are to be provided. The holder of a lease will be entitled to the quiet enjoyment of their lease and the normal trespass laws will prevail.

- (b) Aboriginal Access - as a policy position the State Government intends that Section 106(2) of the Land Act which reads:-

"the aboriginal natives may at all times enter upon any unenclosed and unimproved parts of the land the subject of a pastoral lease to seek their sustenance in their accustomed manner,"

shall be carried forward to the Land Administration Act. However, due to the recent native title and traditional usage legislation enacted by the Commonwealth and State Governments, this issue will be subject to ongoing legal advice and interpretation as appropriate.

- (c) Camping Rights - consistent with item (a) above, no camping rights are to be granted to the general public and the normal trespass laws will prevail where a person or persons have not been invited onto the lease by the lessee.

- (d) Access across stations along tracks to areas of recreation or tourist importance. The general public will in certain circumstances be able to access areas such as the coast, along designated station tracks. These tracks once nominated will remain part of the lease but not be subject to maintenance nor place any legal liability on the lessee. In effect, in a limited number of circumstances where access is appropriate, in the public interest, but a public road is not feasible, the public will have a right to use a "track" at their own risk.

This matter will be subject to further refinement in consultation with pastoral industry organisations and Local Government.

6. Area Limitations

The current Land Act limit of 500,000 ha direct or beneficial ownership is to be removed subject to the Minister for Lands being able to establish a limit in respect of a particular lessee if such a limit is in the public interest.

However, appeal rights to the Adjudication Board will be available where a limit is imposed.

7. Improvements and Stocking

There will no longer be a requirement to maintain improvements on leases (the property of the lessee) or to stock leases. These decisions which previously rendered leases subject to forfeiture are to be left to market forces to determine, provided of course this does not lead to a breach of other lease conditions or land management covenants. For example, if fencing is required for special purposes such as excluding degraded/eroded land from grazing use then maintenance of that fencing would be required.

8. Resumption

The State Government will have the ability to resume land from perpetual pastoral leases and special pastoral leases for any purpose of public utility or for otherwise facilitating the improvement and settlement of the State.

Compensation will be paid, based on the leases' pastoral or grazing value, plus any lawful improvements such as the depreciated value of tourist facilities (including approved clearing on the land resumed) etc. However, compensation will not be paid on matters such as the "tourist value" of the station.

In respect of special pastoral leases expiring in 2015 (and not purchased by the Government or converted to an alternative tenure before expiry), compensation will be paid for the value of any lawful improvements remaining on the land as currently provided in the Land Act.

Forfeiture

Perpetual pastoral leases and special pastoral leases will be subject to forfeiture in a limited number of instances for breaches of lease conditions.

Whilst most breaches of lease conditions and land management covenants will be subject to monetary penalties, fundamental breaches such as non payment of rent or failure to comply with an order by the Minister for Lands or the Commissioner for Soil Conservation will render the lease liable for forfeiture.

Rights of appeal to the Adjudication Board are to be available.

Abandonment

The Government will be able to cancel abandoned leases, however, rights of appeal to the Adjudication Board are to be available.

11. Penalties

Penalties for breaches of the Act are proposed to be set in accordance with similar Legislation. Penalties of \$1000 - \$2000 are to be generally applied, however, in cases of unauthorised clearing, it is proposed to adopt a penalty consistent with the Environmental Protection Act and/or rehabilitation requirements.

12. Freehold

Perpetual pastoral leases and special pastoral leases granted under Part 6 of the proposed Land Administration Act will be prohibited from being converted to Freehold.

13. Approval to Transfer

The transfer of leases will continue to be subject to the approval of the Minister for Lands (as landlord). The Minister under the Land Administration Act will, however, be required to not unreasonably withhold consent to a transfer.

There will, however, no longer be a requirement to seek the prior approval of the Minister to offer to sell, assign or mortgage a lease.

Where management of a lease has been inadequate however, the Minister, on advice from the Pastoral Board will have the ability to vary the land management covenants applicable to a particular lease.

14. Pastoral Board

The Pastoral Board is to be increased from 5 to 7 members comprising an independent Chairperson, 3 pastoral industry representatives, the Director General of Agriculture or nominee, a representative of the Department of Land Administration and a government representative with expertise in the field of flora, fauna or land conservation management.

The Board is to have a defined role to:

- (a) advise the Minister on policy matters relating to the pastoral industry and the administration of perpetual and special pastoral leases, having particular regard for the economic viability of that industry, the maintenance of indigenous pastures and other indigenous vegetation and the sustainable use of the land for pastoral purposes and the elimination of non-sustainable land uses;
- (b) provide existing lessees and prospective purchasers of leases with full information on the productive capabilities of leases and associated matters likely to influence their managerial and financial decisions;
- (c) develop policies to ensure the rehabilitation of degraded rangelands and to restore their pastoral potential;
- (d) administer perpetual and special pastoral leases granted under Part 6 of the Land Administration Act;

report regularly to, and as directed by, the Minister on the condition of the pastoral rangelands. This would occur in consultation with the Department of Agriculture;

- (f) consider applications for the subdivision of pastoral land and make recommendations to the Minister in relation to them;
- (g) oversee the establishment and results of the system of pastoral land monitoring stations;
- (h) monitor the numbers and effect of stock and feral animals on pastoral land; and,
- (i) such other functions as are imposed on it by the Land Administration Act or any other Act or as directed by the Minister for Lands.

15. Appeals

An Adjudication Board is to be established to provide an appeals mechanism in a limited number of instances.

The board is to meet on an ad hoc basis and is to comprise 3 members:

- (a) One being a person who has been admitted as a practitioner as defined by the Legal Practitioners Act 1893 and has not less than 7 years legal experience shall be chairperson;
- (b) One of whom has expertise in fauna or flora conservation; and
- (c) One of whom has expertise in pastoral operations.

The Adjudication Board is to have the power to hear appeals in respect of a refusal to convert a lease to perpetual lease (though the final decision will be made by the Minister), notices of forfeiture, notices of abandonment and a limitation on the area of land a lessee may hold.

In any proceeding before it, the Adjudication Board to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms and to not be bound by the rules of evidence but may inform itself on any matter in such manner as it thought fit.

An appeal fee will be charged to prevent frivolous appeals and to offset operating costs.

16. Soil Conservation Commissioner

The Commissioner for Soil Conservation is not to be limited in discharging his duties under the Soil and Land Conservation Act, however, where the Commissioner proposes to take action under that Act in respect of a perpetual pastoral lease or special pastoral lease the Commissioner will be required to consult with the Pastoral Board.

The Commissioner will also be required to provide the Minister for Lands with a report on the condition of pastoral lease land in each region of the State in conjunction with the Pastoral Board.

17. Stock Routes & Redundant Reserves within Leases

It is proposed that the Land Administration Act will cancel all existing stock routes with the exception of the Canning Stock Route which is to be retained for its heritage and tourist values.

Stock routes are considered to be outdated and are a hangover from earlier times which in most cases are already managed as part of pastoral leases.

The Bill will not however automatically include the former stock routes which are often more than 2km wide into leases. This will occur on a station by station basis along with an assessment of various reserves to determine whether they are still required or not. The Government does not wish to delay the conversion of leases to the new tenures.

18. Foreign Ownership

Pastoral leases are currently subject to a Cabinet policy of nearly 15 years standing which prevents foreign equity either directly or beneficially in excess of 50%, without the approval of Cabinet.

It is proposed in the public interest to limit foreign ownership by law to a maximum 50% equity limit particularly as pastoral leases cover such a vast area of the State.

However, it is proposed that discretion will be available to the Minister for Lands to allow foreign equity in excess of 50% subject to a notice being tabled in the Parliament (not subject to disallowance).

Please address any queries to:

Special Project Officer
Pastoral Land Tenure
Department of Land Administration
PO Box 2222
MIDLAND WA 6056

(Fax: 09 - 273 7249)

(Tel: 09 - 273 7220)

PASTORAL LEASES SUBJECT TO THE ENVIRONMENTAL PROTECTION AUTHORITY RED BOOK RESERVE RECOMMENDATIONS INCLUDING UPDATED RECOMMENDATIONS PREPARED BY THE DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT FOR THE KIMBERLEY REGION, AND THE SHARK BAY REGION PLAN.

PASTORAL REGION/PROPOSED RESERVE	PASTORAL LEASE	AREA INVOLVED	COMMENTS ON PASTORAL IMPACT
Kimberley Region			
Proposed Roebuck Marine Park	Roebuck Plains	5,422ha	Excision agreed as condition of sale to surrender documents prepared by DOLA - sale did not proceed. The area is below high water mark and as such, is not part of the pastoral lease - but is grazed.
Additions to Purnululu (Dungle Dungle) National Park	Texas Downs Osmond Valley * Mabel Downs Sophie Downs	32,000ha 15,584ha (whole lease) 27,000ha 15,000ha	Very rugged land of very low carrying capacity. Not a viable lease. Very rugged country of low carrying capacity. Very rugged country of low carrying capacity.
Ord River Nature Reserve (False Mouths of the Ord)	Carlton Hill	False Mouths of the Ord Reserve has now been established on boundary to 40m above high water mark without intruding into the pastoral lease.	Conditions of sale specify management co-operation to control access of cattle to False Mouths of the Ord Reserve, and voluntary surrender of Ningbing Range (when boundaries defined) and long swamp (200ha).
Additions to Geikie Gorge National Park	Fossil Downs	10,000-13,000ha maximum	Mainly very rugged land but includes some areas of moderate pastoral value.
Proposed Lake Gregory conservation reserve and management area	Lake Gregory	85,000ha	Includes about 20,000ha of salt lake. A management agreement to protect this area from grazing is the likely option, rather than reservation.
Proposed Dampier Land National Park	Waterbank*	145,000ha	This northern part of the station is of limited pastoral value, not fenced, few improvements.
Proposed Mandora Nature Reserve	Anna Plains	Area sought has been reduced to about 88,000ha	Includes good grazing land and poor. About 20% of one of the better leases in the region. About 56,000ha of the area sought is currently destocked, carries no improvements and is fenced out of the developed portion of the lease.
Carnarvon Basin Shark Bay Region			
Proposed Nature Reserve at Point Petit, World Heritage Area	Nanga	Land exchange possible	Small area, very limited pastoral value. Negotiations occurring with Lessee.

Proposed Edel Land National Park. World Heritage Area	Carrarang	15,500ha	Extremely fragile coastal dunes not used for grazing. Negotiations occurring between Lessee, CALM and DOLA.
Proposed Dirk Hartog Island National Park. World Heritage Area	Dirk Hartog Island*	Whole lease	Important island not well suited to pastoral use. Only limited pastoral use at present. Commitment to acquire as part of implementation of Shark Bay Region Plan.
Hamelin Pool Marine Nature Reserve. World Heritage Area	Hamelin Carabin Yuringa Nanga	To a maximum of about 20,000ha (total area)	Narrow coastal strip facing Hamelin Pool following boundary between Pleistocene and Holocene deposits. Negotiations with lessees occurring.
Zuytdorp Nature Reserve Extension. World Heritage Area	Tamala Nanga	Area not quantified	Sand plain vegetation largely unsuitable for pastoral use. Negotiations with lessee occurring.
Additions to Kennedy Range National Park	Mardathuna Williambury Minnle Creek Lyons River Bidgemia Jimba Jimba	33,487ha 7,648ha 2,131ha 4,825ha 3,708ha 414ha	Rugged scarp country forming the edge of the Kennedy Range Plateau, vital inclusion in the proposed national park. Agreements regarding the provision of water for stock will be required with some lessees. Negotiations have been continuing with the lessees for some time.
Ningaloo Marine Park - CALM Act Section 16 management agreement	Ningaloo * Carabin Warroorn	Possibly whole lease (Ningaloo), others unquantified	Conservation management by application of CALM Act Section 16 Management Agreement to Ningaloo and approximately 2km wide coastal strip of Carabin and Warroorn rather than purchase is the agreed approach. Limited pastoral values but high and increasing tourist traffic. Options are being negotiated with the lessees.
Additions to Cape Range National Park	Exmouth Gulf	About 50,000ha	High, rough range not used for grazing, no pastoral improvements.

* Whole lease required

217.



WESTERN AUSTRALIA

MINISTER FOR LANDS

Dear Pastoralist

PASTORAL LAND TENURE

I have a twofold purpose in writing to you in relation to important issues currently affecting pastoral leaseholders.

First, I am fully aware of the concern, and indeed anxiety, expressed by pastoralists about security of lease tenure which has arisen following the decision of the High Court confirming the effectiveness of the Native Title Act enacted by the Federal Parliament and wish to keep you fully informed of the present situation, and implications of that legislation, from the perspective of the State Government.

The State holds the view, based on the 1992 High Court Mabo judgment, that the grant of pastoral leases extinguishes native title. This opinion is supported by the Commonwealth in its submission to the Federal Court in regard to the Mirriuwung Gajerrong claim which argues strongly in favour of native title extinguishment regardless of the duration of the lease, pastoral activities carried out and content of native title.

However, if the Court decided that native title can co-exist with pastoral tenure, this would most likely be only to the extent of the current reservation of rights of Aboriginal people under Section 106 of the Land Act.

Pastoral Leases approved for conversion to longer terms during the period 30 December, 1932 and 21 January, 1935 contained no such reservation. The State therefore considers these leases extinguished any native title that may have existed. The National Native Title Tribunal has now adopted guidelines under which it will not accept claims over areas the subject of past pastoral leases that did not contain the reservation.

Administratively, until the status of pastoral leases has been authoritatively determined, the State will:

1. Continue to deal in land where previous pastoral leases contained no reservation without reference to the Commonwealth Native Title Act (NTA).
2. Where the reservation has always existed, proposals will be subjected to the future act regime of the NTA, unless some other valid past act has extinguished any possible native title rights.
3. Process transfers, amalgamations, etc without reference to the NTA as such action does not affect Section 106 rights.

-2-

The second issue relates to the provisions in the current Land Act whereby lessees may apply to the Minister for Lands during the year 1995 to enquire whether individual leases will be extended or a new lease issued over the whole or part of the current lease, which is due to expire on 30 June, 2015. The Minister must convey his decision not later than 31 December, 1997.

While the State is fully committed to new legislation to afford more secure pastoral land tenure, it may not be possible to introduce the amending reform before the end of 1995 because of the need to clarify a number of aspects arising from the provisions of the Native Title Act. These include the form of tenure that may be granted.

Resulting from these doubts, and on the basis of the possibility that legislation will not be enacted during 1995, it is appropriate that you submit your request as to the future extension, or otherwise, of your lease so that you comply with existing Land Act requirements in this respect.

To facilitate this procedure, a form of application is enclosed. This should be completed and returned to the Executive Officer, Pastoral Board, Department of Land Administration, PO Box 2222, Midland 6056, before 31 December, 1995.

A reply paid envelope is also enclosed.

Yours sincerely



GEORGE CASH JP MLC
MINISTER FOR LANDS

13 JUN 1995

05WAM110

Hon George Cash JP MLC
Minister for Lands

Dear Minister

PASTORAL LEASE CONVERSION
(BURNER BURNHAM STATION)

I am aware of the content of Section 98(11) (a) and (b) of the "Land Act, 1933" which provides as follows:-

Section 98

(11) (a) At any time during the year 1995 a lessee of a pastoral lease may apply in writing to the Minister requesting to be informed as to whether the Minister will upon the expiration of the pastoral lease extend that lease or grant to the lessee a new lease of the whole or part of the land the subject of that lease and if so, at what rent and upon what other terms and conditions not inconsistent with this Act.

(b) On receipt of an application pursuant to paragraph (a) the Minister shall consider and determine the matters referred to in that paragraph and shall give to the lessee notice in writing of his decision not later than 31 December, 1997.

In accordance with these provisions, I hereby apply to be informed of your decision on the matters referred to in Section 98 (11) (a) of the "Land Act, 1933", in respect of the pastoral lease(s) comprising the above station property.

Yours faithfully

Date



MINISTER FOR LANDS; FAIR TRADING;
PARLIAMENTARY AND ELECTORAL AFFAIRS

11TH FLOOR, 2 HAVELOCK STREET, WEST PERTH, WESTERN AUSTRALIA 6005
TELEPHONE: (08) 9366 0300 FACSIMILE: (08) 9481 7456

BURNERBINMAH
CALM
50 HAYMAN ROAD

COMO WA 0

JG 2/8.

036875F2708
P95 215-218

Dear Pastoralist

RE: PASTORAL LAND TENURE

You will recall in 1995 the then Minister for Lands, the Hon George Cash wrote to you advising that under the Land Act, lessees may apply to the Minister for Lands during 1995 as to the future of their lease beyond the current expiry date of 30 June 2015.

As you applied during 1995, I am now in a position to advise that your lease will be renewed in 2015 subject to:

1. compliance with lease conditions, including stocking requirements and maintenance of infrastructure, at the time of expiry on 30 June, 2015;
2. there being no Soil Conservation Notices or other orders by the Soil and Land Conservation Commissioner in force;
3. there being no unfulfilled requirements of the Soil and Land Conservation Commissioner and/or the Pastoral Lands Board in relation to observance of lease conditions under the Soil and Land Conservation Act and the Land Administration Act; and
4. exclusion of areas from the existing lease that may be required for public works, conservation, national park, nature reserve or other Government purposes.
5. the annual lease rental for the lease up to 30 June 2015 will apply to the renewed lease. The rental review period for the renewed lease will continue to apply every five years in accordance with section 123(4) of the LAA.

The next rent review for the renewed lease will be on 1 July 2019.

This offer is made in accordance with sections 98(11)(b) and (c) of the Land Act and you may accept the offer at any time within one year from the date of this letter. If you do not accept this offer within this period, the offer will lapse and be void.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Doug Shave', with a stylized, cursive script.

Doug Shave MLA
Minister for Lands; Fair Trading;
Parliamentary and Electoral Affairs

113WAM101

24 DEC 1997



Our ref: 2501-1996-01

Mr K McNamara
A/Director General
Department of Conservation and Land Management
PO Box 104
BENTLEY DELIVERY CENTRE WA 6893

KMN
Dear Mr McNamara

**EXCLUSIONS OF LAND FROM PASTORAL LEASES IN 2015 FOR A
PUBLIC PURPOSE UNDER THE *LAND ADMINISTRATION ACT 1997***

A number of amendments have been made to pastoral provisions of the Land Administration Act 1997 (LAA) which took effect on the 7 December 2000.

Under the amendments, land may be excluded for a "public purpose" from a pastoral lease renewed on the 1 July 2015 by giving notice to the lessee. The notice must be given by 7 December 2002, which is 2 years from when the amendments came into effect. Lessees have been notified of these changes to the LAA by the Pastoral Lands Board of WA.

Although the exclusion amendments were primarily introduced to accommodate land required by the Department of Conservation and Land Management for conservation purposes, there is an opportunity for other agencies to exclude land for "public purposes" as defined under Section 143(10) of the LAA. As a result, you are offered the opportunity to consider any requirements your agency may have in excluding land from a pastoral lease for a public purpose in 2015. Under the new provisions the Hon Minister for Planning and Infrastructure, with responsibility for Lands, is required to send notices to the lessee by 7 December 2002, of proposed exclusions on the behalf of any other agency.

In preparing a submission, agencies will need to document the required purpose and identify the land to be excluded by a plan detailing the location, boundaries and area. Should you require assistance, the Department of Land Administration can assist you in preparing plans on a cost recovery basis.

The Pastoral Lands Board will be requested to review submissions to consider the likely impact on pastoral activities. If a lessee is given a notice to exclude land, the lessee may enter into negotiations on the area to be excluded.

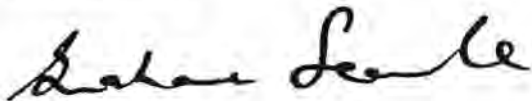
Section 114 of the LAA covers the issue of compensation for land excluded from leases in 2015. Under this section compensation is limited to the market value of any

lawful improvements existing on the land at the time of expiry of the lease. This would include fencing and watering points such as bores and wells. It is expected that any agency that has land excluded for its purposes will be required to fund any resulting compensation.

A copy of an extract of section 143 of the LAA is enclosed. Subsection (6d) provides the ability for the Minister to exclude land. A copy of the definition of "public work" as contained in the "Public Works Act 1902" is also provided.

Should you require further assistance please contact either Peter McNally, Manager Land Administration Services on 9273 7295 or Russell Baulch, Acting Manager, Pastoral Lands Board on 9273 7403.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Grahame Searle', written in a cursive style.

Grahame Searle
A/CHIEF EXECUTIVE

26 September 2001

enc

EXTRACT OF SECTION 143 LAND ADMINISTRATION ACT 1997

143. Existing pastoral leases — transitional

- (1) A pastoral lease subsisting under the repealed Act immediately before the appointed day (**“existing pastoral lease”**) continues in existence subject to this Act, as if it had been granted under this Part.
- (2) Until the annual rent for an existing pastoral lease is assessed under section 123, the rent payable in respect of the lease is the rent that applied immediately before the appointed day.
- (3) The regulations may provide for the phasing in of rents for existing pastoral leases, and in particular may provide that, when the rent for such a pastoral lease has been assessed under section 123, the rent payable in respect of the lease will be a specified proportion of that assessed rent.
- (4) Subsection (3) does not apply to rent assessed under section 124 (1) (a) in relation to land under a pastoral lease to which a permit applies.
- (5) An application made under section 98 (11) of the repealed Act but not disposed of under that section before the appointed day may be disposed of under that section as if the repealed Act had not been repealed.
- (5a) If an application is disposed of under section 98(11) of the repealed Act either before or after the appointed day by the lessee accepting the offer of a lease or an extension of a lease, as the case may be, the grant or extension commences immediately upon the expiration of the lease concerned in relation to any land subsisting in the lease at the expiration of the lease.
- (6) If a lessee of a pastoral lease —
 - (a) was entitled under section 98(11)(a) of the repealed Act to make an application at any time during 1995 but did not do so; or^a
 - (b) was granted the lease between 1 January 1996 and 29 March 1998 (both inclusive),the Minister may —
 - (c) treat that lessee or the successor in title as if he or she had made an application under that section (the **“deemed application”**); and
 - (d) consider and determine the matters referred to in section 98(11)(a) of the repealed Act in relation to the deemed application and give the lessee or the successor in title notice in writing of his or her decision not later than the day that is one year after the day on which section 38 of the *Land Administration Amendment Act 2000* comes into operation or such other day as is prescribed.
- (6a) A notice given to a lessee or a successor in title under subsection (6)(d) is deemed to be an offer of a lease or an extension of a lease, as the case may be, at the rent and on the other terms and conditions specified in the notice.
- (6b) The lessee or the successor in title may accept the offer referred to in subsection (6a) on or before the day specified in the notice, which day is not to be less than one year after the day on which the notice is given.
- (6c) Subject to subsection (6g), if the lessee or the successor in title accepts the offer of a lease or an extension of a lease, as the case may be, under subsection (6a), the grant or extension

commences immediately upon the expiration of the lease concerned in relation to any land subsisting in the lease at the expiration of the lease.

- (6d) The Minister may for a public purpose exclude land from a lease granted or extended under subsection (6c) by giving a notice in writing under subsection (6e) to the lessee or successor in title to the lease not later than 2 years after the day on which section 38 of the *Land Administration Amendment Act 2000* comes into operation.
- (6e) The notice under subsection (6d) is to contain the following information —
- (a) a description of the area of land to be excluded from the lease;
 - (b) the reason for the land being excluded from the lease;
 - (c) any reduction in the rent payable under the lease as a result of the exclusion of the land from the lease;
 - (d) any proposed variation in the conditions of the lease as a result of the exclusion of the land from the lease; and
 - (e) that the land is to be excluded from the lease or extension concerned upon the commencement of the lease or extension, as the case may be.
- (6f) If a lessee is given a notice under subsection (6d) the lessee may —
- (a) accept the conditions contained in the notice;
 - (b) withdraw from the lease; or
 - (c) enter into negotiations with the Minister on the area to be excluded from the lease or the rent to be paid as a result of the exclusion of the land from the lease.
- (6g) If agreement is not reached on the matters referred to in subsection (6f)(c) by the day that is 2 years, or such longer period as may be prescribed, after the day on which the notice was given to the lessee (the “final day”), the lessee is to be regarded as having withdrawn from the agreement to lease or to extend the lease on the final day.
- (6h) If land is not to be excluded from a lease granted or extended under subsection (6c) for a public purpose, the Minister may give notice in writing to that effect to the lessee not later than 2 years after the day on which section 38 of the *Land Administration Amendment Act 2000* comes into operation.
- (6i) If a notice is not given by the day specified in subsection (6d) no land may be excluded from the lease under that subsection.

[(7) and (8) repealed]

- (9) Section 140 does not operate in relation to an existing pastoral lease.
- (10) In this section —

“public purpose” means for the purpose of a public work within the definition of the expression “public work” in the *Public Works Act 1902*, conservation, a national park, a nature reserve or a purpose which serves or is intended to serve the interests of the public or a section of the public.

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Public Works Act 1902

1/Jan/2001 - Current
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Part I - Preliminary

2 Interpretation

[Purchase this Title](#)

Lists of Registered Persons

2. Interpretation

In this Act, if not inconsistent with the context —

“Crown land” means and includes all land of the Crown, whether designated for any public purpose or not, except land granted or agreed to be granted in fee simple, or held or occupied under the Crown by lease or licence, or for any other estate or interest, or land reserved and classified as a class A reserve under the *Land Administration Act 1997*, or any national park referred to in section 6(3)(b) of the *Conservation and Land Management Act 1984* or land in relation to which native title exists.

“Government work” means any work constructed or intended to be constructed by or under the control of the Crown, or the Governor, or the Government of Western Australia, or any Minister of the Crown.

“Judge” means a Judge of the Supreme Court.

“Local authority” means any local government or any other persons or body, however designated, having authority under any statute to undertake the construction of any public work.

“Local work” means a work constructed or intended to be constructed by or under the control of a local authority.

“Minister” as regards all public works other than railways, means the Minister of the Crown for the time being administering this Act but as regards railways, **“Minister”** means the Minister of the Crown for the time being administering the *Government Railways Act 1904*.

“Public reserve” means a reserve under the *Land Administration Act 1997*.

“Public work” and **“work”** mean and include —

(1) Every work which the Crown, or the Governor, or the Government of Western Australia, or any Minister of the Crown, or any local authority is authorised to undertake under this or any other Act.

(2) Any railway authorised by special Act or any work whatsoever authorised by any Act.

(3) Tramways.

(4) Any works for or in connection with the supply of water to, or for or in connection with the sewerage of, any city, town, or district, including all reticulations.

(5) Buildings for the occupation of either or both of the Houses of Parliament or for public offices.

(6) Hospitals within the meaning given to that term by section 2 of the *Hospitals and Health Services Act 1927*, medical clinics, hostels and institutions including residences for staff, court-houses, gaols, watch-houses, lock-ups, police barracks, or quarters.

(7) Observatory.

(8) Public schools or any other schools authorised to be established wholly or in part at the public cost by any Act in force for the time being, universities, colleges, technical and other educational institutions, including residences or hostels for teachers or students, and play-grounds.

(9) Public libraries, mechanics' or miners' institutes, agricultural halls, or schools of art.

(10) Wharves, ferries, piers, jetties and bridges.

(11) Parks or gardens or grounds for public recreation or places for bathing, and for the reclamation of land for or in connection therewith.

(12) Public cemeteries.

(13) Public wells or works for the conservation of water.

(14) The protection and preservation of any cave or place of scientific or historical interest.

(14A) The protection and preservation of indigenous flora and fauna.

(15) The establishment of public abattoirs.

(16) Harbours and ports, including the provision of storage, handling and wharfage areas and other facilities normally ancillary to the conduct of shipping operations, break-waters, leading marks, navigational aids, docks, slips, the alteration or improvement of channels, waterways and rivers, the protection of foreshores and banks, the provision of new channels and related works, including the landing and disposal of silt.

(17) Quarries or works for procuring stone, gravel, earth, or any other material required for the construction of, or any purpose connected with any public work as aforesaid.

(17A) The procuring from land (other than Crown Lands and public reserves) of timber, stone, gravel, earth and any other material required by or for the State for or in connection with the carrying on of any industrial or other undertaking or activity which is being carried on by or for the State under any law authorising the same.

(17B) Buildings and structures required for fire brigade purposes.

(17C) The establishment and the extension by the Governor of sites for towns.

(17D) The establishment and the extension by the Governor of agricultural research stations.

(18) Drainage works in connection with any city, town, or district, and the improvement of rivers, watercourses, lakes, or inlets, including deepening, widening, straightening or otherwise altering, and disposal of silt.

(19) Any building or structure of whatsoever kind which, in the opinion of the Governor, is necessary for any public purpose.

(20) Any road, stock route, viaduct, or canal.

(21) Any work incidental to any of the aforesaid works.

(22) Any land required for or in connection with any work as aforesaid.

(23) Any survey in connection with any proposed public work.

“Railway”: See section 95.

“Registrar” means the Registrar of Titles under the *Transfer of Land Act 1893*.

“River” means a river, stream, creek, or water-course, in which water flows permanently or intermittently.

“Road”: See section 84.

“Special Act” means any Act of the Parliament of Western Australia with which this Act is incorporated, authorising the construction of a public work.

“Surveyor” means a surveyor licensed under the *Licensed Surveyors Act 1909*.

[Section 2 amended by No. 35 of 1933 s. 3; No. 41 of 1945 s. 2; No. 48 of 1953 s. 3; No. 19 of 1972 s. 2; No. 27 of 1974 s. 19; No. 67 of 1979 s. 35; No. 112 of 1984 s. 27; No. 7 of 1991 s. 3; No. 103 of 1994 s. 18; No. 52 of 1995 s. 6; No. 14 of 1996 s. 4; No. 79 of 1996 s. 28; No. 31 of 1997 s. 40.]

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Land Administration Act 1997

22 Jun 2001 - Current

Part 7-Pastoral leases

[Copyright](#)

Division 4-Conditions of a pastoral lease

114 Compensation for improvements on the expiry of certain pastoral leases

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Special reports of Government

114. Compensation for improvements on the expiry of certain pastoral leases

(1) In this section —

“continuing lease” means a pastoral lease that —

(a) was granted before the appointed day; or

(b) is a continuation, by means of a renewal or grant effected under —

(i) section 140 of this Act; or

(ii) section 98(11) of the repealed Act as read with section 143 of this Act,

of a pastoral lease that was granted before the appointed day.

(2) If a continuing lease expires and is not further continued, the lessee is entitled to receive from the Minister as compensation an amount determined by the Valuer-General to be the market value on the date of expiry of any lawful improvements existing on the land under the lease.

(3) If a continuing lease expires and is continued by the grant of a lease, offered under section 140 of this Act or under section 98(11) of the repealed Act as read with section 143 of this Act, over part only of the land, subsection (2) applies in relation to improvements existing on the land not under the newly granted lease.

(4) If a pastoral lease other than a continuing lease expires, the lessee is not entitled to any compensation for improvements.

(4a) Despite subsection (4) and section 143(5a) or (6c) —

(a) if the Minister is not satisfied that the land subsisting in a lease is capable, when fully developed, of carrying sufficient authorised stock to enable it to be worked as an economically viable and ecologically sustainable pastoral business unit;

(b) the land subsisting in the lease is a part only of the land that was in the lease when it was granted;

(c) the lease is not to be amalgamated with an adjoining pastoral lease; and

(d) the lease is not to become, together with an adjoining pastoral lease or part of an adjoining pastoral lease, a pastoral business unit,

the Minister may by order cancel a grant or extension of a lease in relation to that land that is to commence immediately upon the expiration of the lease concerned, and the lessee is entitled to receive from the Minister as compensation an amount determined by the Valuer-General to be the market value on the date of cancellation of any lawful improvements existing on the land subsisting under the lease.

(5) If a pastoral lease is forfeited under this Act, the lessee is entitled to remove such improvements made —

(a) during the term of the lease; or

(b) in the case of a continuing lease, since the commencement of the original lease, as are of a kind easily capable of being removed.

(6) Compensation under this section is to be paid out of moneys appropriated by Parliament for the purpose.

[Section 114 amended by No. 59 of 2000 s. 30.]

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GASCOYNE-MURCHISON STRATEGY: WHOLE AND PART PASTORAL LEASES PURCHASED FOR CONSERVATION

Lease	Purchased	Area (ha)	Cost (\$)	\$ per ha	Viability	Pastoral value	Stock remaining	Homestead	Caretaker
<i>Whole leases</i>									
Pimbee	Dec 98	98 612	586 000	5.94	Yes	M	Nil	Yes	Yes
Muggon	Feb 99	182 743	496 521	2.71	Yes	M/H	Nil	Yes	Yes
Earaheedy	March 99	321 818	260 000	0.81	No	L/M	Stragglers	No	Yes/temp
Moologool	June 99	402 467	425 000	1.05	No	L/M	Nil	Yes (2)	Yes?
Waldburg	Dec 99	246 830	370 000	1.50	Marginal	VL/M	~ 300	Yes	Yes
Lochada	May 2000	114 581	300 000	2.61	No	VL/L	Nil	No	No
Lake Mason	July 2000	149 317	250 000	1.67	No	L/M/H	Nil	Yes	Yes
Lorna Glen	Aug 2000	244 000	307 000	1.26	No	VL/L/M/MH	Nil	Yes	Yes/temp
Cobra	Aug 2000	136 724	290 000	2.12	No	VL/L/M	Nil	Yes	Yes
Mooka	Aug 2000	80 931	290 000	3.58	No	M	1 600	Yes	Yes
Black Range	Oct 2000	79 329	140 000	1.76	No	VL/M	Stragglers		
Nanga	Dec 2000	174 597	550 000	3.15	No	VL		No	No
Doolgunna	Aug 2001	189 342	325 000	1.71	No	L/M	~ 500 sheep/some cattle	Yes	Yes
Narloo	Nov 2001	14 998	75 000	5.00	No	L/M	Nil	Yes	No
Karara	Jan 2002	109 291	460 000	4.21	Yes	VL/MH	~ 5 000	Yes	Yes
Giralia	Jul 2002	230 899	1,560,000	6.75	Yes	L/M/H	~ 4 000	Yes	Yes
<i>Part leases</i>									
Pt Mardathuna	June 99	31 818	95 454	3.00	no	VL/M	Nil	N/A	-
Pt Middalya	June 99	13 582	40 746	3.00	no	VL/M	Nil	N/A	-
Pt Lyons River	June 99	11 013	33 039	3.00	no	VL/M	Nil	N/A	-
Pt Bidgemia	June 99	6 623	19868	3.00	no	VL/M	Nil	N/A	-
Pt Williambury	July 99	21 061	63 183	3.00	no	VL/M	Nil	N/A	-

Lease	Purchased	Area (ha)	Cost (\$)	\$ per ha	Viability	Pastoral value	Stock remaining	Homestead	Caretaker
Pt Jimba Jimba	July 99	5 636	16 908	3.00	No	VL/M	Nil	N/A	-
Pt Minnie Creek	Aug 2001	6 713	20 139	3.00	No	VL/MH	Nil	N/A	-
Pt Mt Phillip	Jan 2000	114 273	297 109	2.60	No	VL/L	Nil/stragglers	N/A	-
Pt Dalgety Downs	Nov 99	100 608	226 368	2.25	No	VL	Nil	N/A	-
Pt Barnong	Oct 99	22 482	38 100	1.69	No	VL	Nil	N/A	-
Pt Yaringa	May 2001	19 396	210 000	10.82	No	H	Stragglers	N/A	-
Pt Boollogoroo	Oct 2001	14 899	95 000	6.37	No	H	Nil	N/A	-
Pt Twin Peaks	Jan 2002	27 300	109 250	4.00	No	L/MH	Stragglers	N/A	-
Pt Yuin	Jan 2002	59 977	245 000	4.08	No	L/MH	Stragglers	N/A	-
Pt Cashmere Downs	April 2002	51 637	82 619	1.60	No-undeveloped		Nil	N/A	-
Pt Bulga Downs	April 2002	112 290	179 664	1.60	No-undeveloped		Nil	N/A	-
Pt Wooleen	April 2002	8 785	26 356	3.00	No		~ 300	N/A	-
		3 404 572	8 483 324	2.49				N/A	-

Footnote: Viability – the viability of ex leases refers to the number of stock carried on the lease as determined by the Dept. of Agriculture recommended carrying capacity. Where the is less than 10,000 sheep units, a lease is considered unviable. See 1979 Jennings report; Report of the Pastoral Wool Industry Task Force; Regional relativities of sustainable pastoral sheep production in WA, 1995 for discussion of the viability of the pastoral sheep industry.

VL = very low

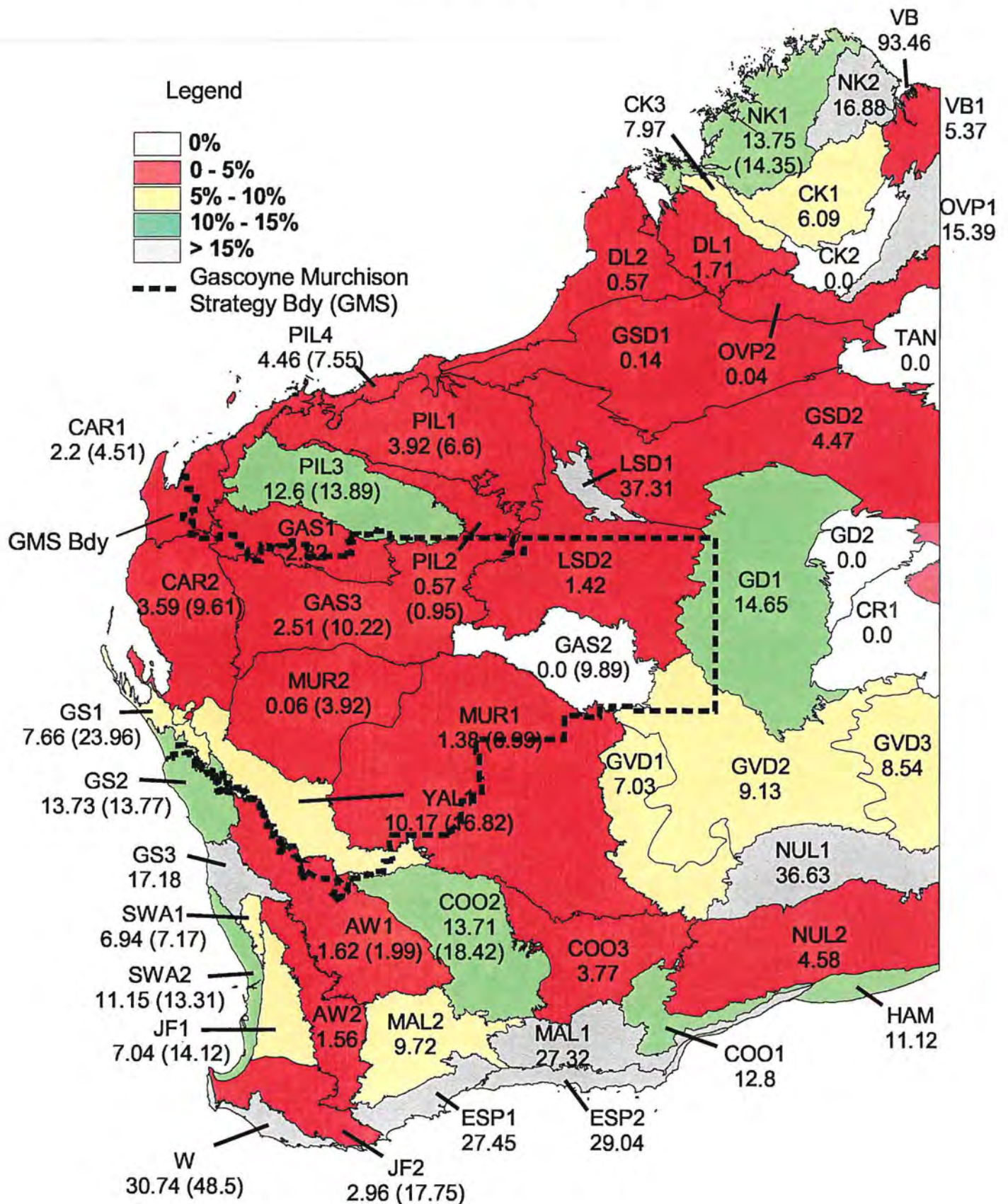
L = low

M = moderate

MH = moderate to high

H = high

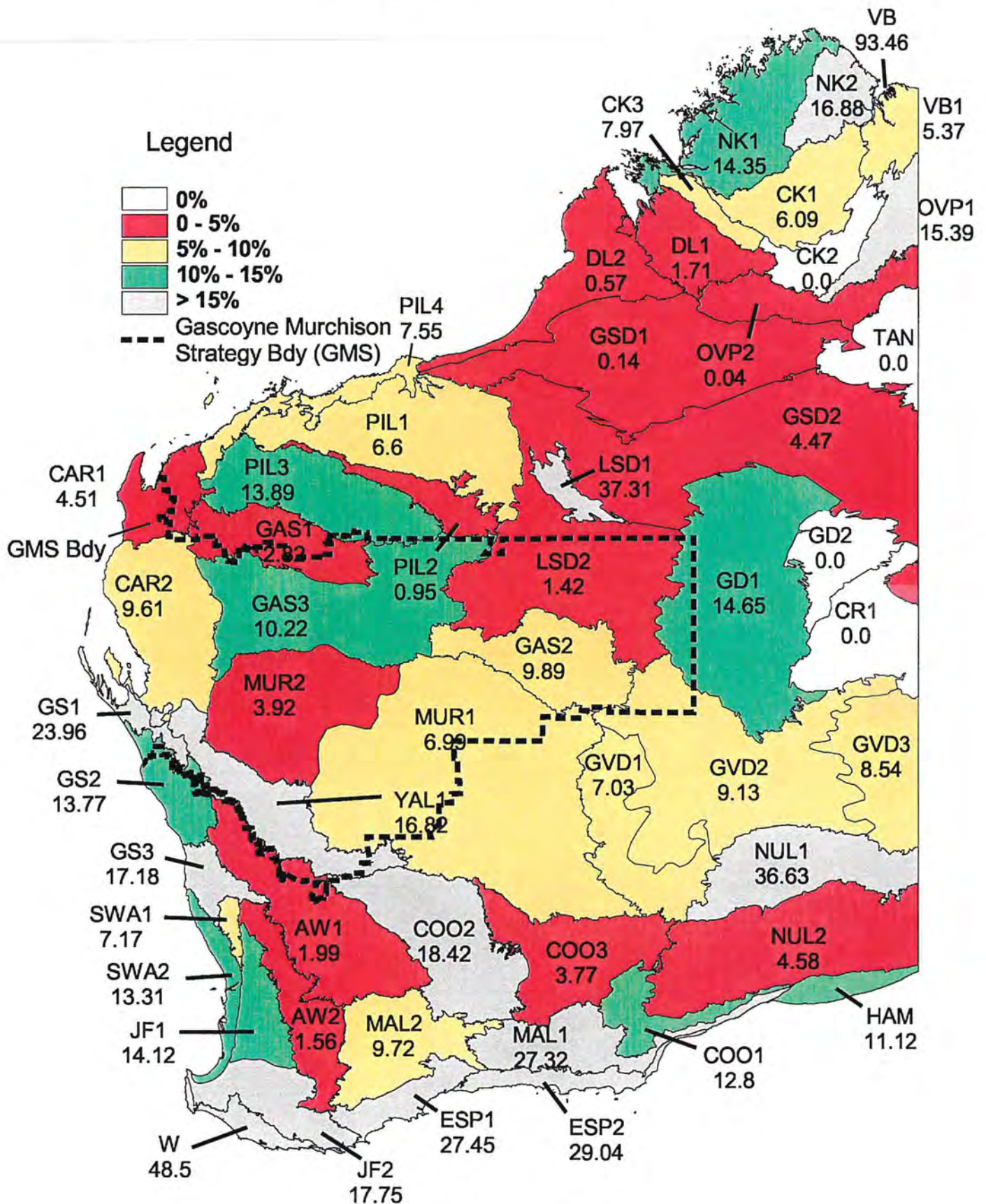
**AREA PRESENTLY IN FORMAL CONSERVATION RESERVES
BY BIOREGIONAL PROVINCE**



Note:

1. Province names are shown in Attachment 3.
2. Figures in brackets show the area that will be reserved when old-growth forests policy areas and pastoral acquisitions are added.

**AREA IN FORMAL CONSERVATION RESERVES BY
BIOREGIONAL PROVINCE WHEN OLD-GROWTH FORESTS POLICY AREAS AND
PASTORAL ACQUISITIONS ARE ADDED.**



Note:
Province names are shown in Attachment 3.

WORK TO DATE ON PASTORAL LANDS ACQUIRED FOR CONSERVATION IN THE GASCOYNE-MURCHISON STRATEGY AREA

LEASE	FERAL ANIMAL CONTROL	INFRASTRUCTURE	FENCING	ROADS / TRACKS / FIREBREAKS	MINING	OTHER
PIMBEE	*1000 goats removed *Participation in neighbourhood fox control program *Feral cat baiting trial	*\$6000 power supply-generator replacement *Rubbish clean-up & disposal *Storm damage repair	*12km new boundary *30km old boundary removal & maintenance	firebreak - *10km new boundary firebreak – *40km maintenance		*Contract for Caretaker \$15,000
MUGGON	*13,500 goats removed *Donkeys controlled	*Dam closure \$40,000 *Mills removed	*Boundary fence and maintenance	*100km road / track maintenance firebreak – *\$4,000	*Active exploration	*Contract for Caretaker \$70,000
MOOLOOGUOL	*1,300 goats removed *Camels controlled *Participation in dog baiting program	*Mills closed	*Maintenance	*50km road / track maintenance \$42,000	*Active mining & exploration	*Caretaker costs
KENNEDY RANGES pt LEASES	*Arrangements with previous lessees. *Participation in dog baiting	*Waters closed				*Recreation master plan \$12,000 *Temple Gorge recreation site and campsite upgrade
WALDBURG	*Participation in dog baiting	*Mill closure & removal	*Maintenance		*Active exploration	*Survey of Aboriginal sites *Substantial field survey
pt MOUNT PHILLIP	*Participation in dog baiting	*Mill closure & removal				*Survey of Aboriginal sites *Substantial field survey
pt DALGETY	*Participation in dog baiting					*Survey of Aboriginal sites *Substantial field survey
pt BARNONG			*Boundary fence			

LEASE	FERAL ANIMAL CONTROL	INFRASTRUCTURE	FENCING	ROADS / TRACKS / FIREBREAKS	MINING	OTHER
LOCHADA	*800 goats removed	*Waters closed *Rubbish tip cleanup and disposal	*20km new boundary \$220,000	*New internal access *20km erosion control Firebreaks - *Complete boundary and internal	*Active mining and exploration	*Old wells covered by mesh screens *Aboriginal survey of sites on boundary *Heritage assessment of old buildings
NANGA	*500 goats removed	*Capping of artesian waters arranged through CABAG program of GMS	*Boundary 7km			
COBRA	*Participation in dog baiting program	*Hot water system replaced *White ant treatment *Upgrade kitchen of Bangamall Inn	*20km boundary \$22,000	*Surveyed	*Active mining and exploration	*Caretaker contract \$24,000
MOOKA	*More than 5,000 goats removed	*Bore replacement \$15,000 *Lighting plant replacement \$8,000 *Electrical work \$4,000 *Total Grazing Management yards (\$6,000)		*Maintenance \$10,000	*Active	*Considerable field survey
DOOLGUNNA					*Active mining and exploration	*Field survey
pt YARINGA						*Commitment to this year's CABAG program for capping artesian waters

LEASE	FERAL ANIMAL CONTROL	INFRASTRUCTURE	FENCING	ROADS / TRACKS / FIREBREAKS	MINING	OTHER
KARARA						*Field survey Still operating as pastoral lease
pt BOOLOGOROO						*Field survey Still operating as pastoral lease
NARLOO		*Electrical work on residence	*New Boundary fence from Tardie to Gabyon			*Stock mustered and removed *Field survey
pt YUIN & pt TWIN PEAKS						Still operating as pastoral lease
EARAHEEDY	*Participate in feral animal control - \$545 *Closure of artificial water sources (windmills)	*Repairs to shearing shed and homestead \$6752 *Signposted all boundaries *Visitor Risk assessment and works	*Fenced off 2km natural water - \$3767	*Upgrade internal and boundary tracks. Rehab eroded tracks - \$7960	*Inspection of old exploration sites	*IMG's completed *Liaise with Ngaanyatjarra Council *Purchase fire scar history for fire planning purposes

LEASE	FERAL ANIMAL CONTROL	INFRASTRUCTURE	FENCING	ROADS / TRACKS / FIREBREAKS	MINING	OTHER
LORNA GLEN	*Pest & weed control. \$5784	*Repairs to homestead and construct new ablution block - \$26817 *Visitor Risk assessment and works *Signposted all boundaries *Upgrade electrical system at homestead following audit by Office of Energy - Cost Inc in Infrastructure Mte Costs		*Upgrade of selected internal access and upgrade all boundary tracks/firebreaks - \$31530 *Access and roading plan developed		*IMG's completed *Meetings with Native Title Claimants * Purchase scientific equipment - \$31792 *Purchase fire scar history for fire planning purposes *Biological survey carried out Autumn 01/02, Spring 02/03
LAKE MASON	*Pest control - \$2466 *Supply traps yards to neighboring Black Hill Station to control feral goats *Closure of artificial water sources (windmills) *500 Goats removed	*Repairs to homestead and refurbished water supply. Total Mtce Costs \$4939 *Repairs to shearers quarters complex *New ablution block at Shearers Quarters *Signposted all boundaries *Upgrade electrical system at homestead following audit by Office of Energy	*4km New boundary fence with Yeelerrie *9km New boundary fence with Black Hill Total fencing \$4527	*Upgrade internal tracks and establish boundary tracks - approx 280km = \$63,886 *Access and roading plan	*Inspection of exploration sites	*IMG's completed *Meetings with Native Title Claimants *Purchase fire scar history for fire planning purposes *Purchase of equipment for homestead to accommodate caretakers. Appointed under tenancy agreement - \$3100

LEASE	FERAL ANIMAL CONTROL	INFRASTRUCTURE	FENCING	ROADS / TRACKS / FIREBREAKS	MINING	OTHER
BLACK RANGE	*Participate in dog control *Closure of most artificial water sources *Supply trap yard to neighboring Black Hill Station - 100 goats removed. Established trap yards at homestead mill	*Signposted all boundaries		*Upgrade internal tracks and establish boundary tracks - Approx 140km	Inspection of exploration sites	*IMG's completed
GIRALIA						Still operating as a pastoral lease (destocking)

IMG's = Interim Management Guidelines

**SUPPLEMENTARY INFORMATION AS A RESULT OF TABLING OF THE LAND
ADMINISTRATION AMENDMENT BILL 2000 IN THE LEGISLATIVE ASSEMBLY**

Land Administration Amendment Bill 2000

1. To provide a list of the classes of cases in relation to Ministerial approvals to Crown land dealings under section 18 of the *Land Administration Act 1997* that support the urgent passage of the Bill.

The types of cases of dealings in Crown land requiring Ministerial approval are as follows:

- 1.1 Leases, subleases and mortgages of leases of Crown land, which do not have prior Ministerial approval as is required under the new procedure in the *Land Administration Act 1997* (LAA). Formerly under the *Land Act 1933*, Ministerial approval could be obtained after the relevant parties entered into the document. The effect of not obtaining prior Ministerial approval is that the document is void. There were many dealings outstanding at the time the LAA came into force that had not yet been approved under the *Land Act 1933*, and there were many dealings entered into shortly after the LAA came into force to which prior Ministerial approval was not obtained because the property industry was slow to adapt to the new requirement.
- 1.2 Leases of Crown land by other Government Ministers or departments, and statutory authorities of reserves vested in each of them, or of which each of them is the management body. The requirement for these Ministers, Departments and statutory authorities to obtain Ministerial approval is an additional administrative burden for little or no benefit to the State. Examples of these types of dealings include:
 - numerous subleases at Hillarys Boat Harbour, which is reserved land subject to the *Marine and Harbours Act 1981*;
 - leases by the Executive Director of Conservation and Land Management of various categories of conservation estate land, under the *Conservation and Land Management Act 1984*;
 - leases by the Commission of Western Australian Government Railways of Crown land subject to the provisions of the *Government Railways Act 1904*.
- 1.3 Leases and other dealings in Crown land that are authorised under various State Agreement Acts. Formerly these dealings did not require approval by the Minister for Lands due to a specific provision in the relevant State Agreement Act excluding the operation of section 143 of the *Land Act 1933* (the equivalent provision to section 18 of the LAA). These dealings now require the Minister for Lands' approval under section 18 of the LAA.

2. To confirm the numbering of new section 6B in the *Land Administration Act 1997*.

Schedule 2 Division 4 of the Native Title (State Provisions) Act 1999 inserted a new section 6A in the *Land Administration Act 1997*.

3. To advise if there are any other provisions in any other Act that operate in a similar way as section 43 of the *Land Administration Act 1997*.

There is no provision in any other Act that is in identical terms to section 43 of the *Land Administration Act 1997*. To some extent there are similar provisions in the *Metropolitan Region Town Planning Scheme Act 1959*, *Electoral Act 1907* and *Interpretation Act 1984*. Section 32(2) of the *Metropolitan Region Town Planning Scheme Act 1959* contains a provision to the effect that if a resolution disallowing a Metropolitan Region Scheme is not passed within the relevant period, the Scheme has effect. By comparison, section 43(1) of the *Land Administration Act 1997* provides that if the disallowance resolution is not lost within the relevant period then the proposal lapses.

Section 213(7) of the *Electoral Act 1907* and section 42(3) of the *Interpretation Act 1984* make provision for the laying of regulations before a House of Parliament in circumstances where the relevant period runs across different sessions of Parliament or different Parliaments. This is similar to the provision in section 43(2) of the *Land Administration Act 1997*.

4. To advise which pastoral leases have not been renewed and what areas have already been identified for excision from the renewed pastoral leases in 2015, as being land that is required for conservation purposes.

A list of the affected pastoral leases, that have been identified to date, is attached. The list has been prepared on information currently available, and is tentative only at this stage. Areas of pastoral leases may be taken off or added to Table 3.

Table 1 identifies 4 pastoral leases in the north-west of the State that will not be renewed.

Table 2 identifies 19 pastoral leases in the south-west of the State that will not be renewed.

To date, CALM has tentatively identified 35 pastoral stations that may have land excised from them for conservation purposes, as set out in Table 3.

TABLE 1

Pastoral Lease
Charnley River
Dirk Hartog
Osmond Valley
Waterbank

TABLE 2

Pastoral Lease
Barragoon Lake
Cordering Farm
Dillon Bay
Foster Glen
Jibberding
Leschenault
Lime Peaks
Lynton
Mallee
McPherson Springs
Minarup
Mt View
Nabaroo
Oakwood
Perangery
Quannup
Strathairlie
The Angle
Woolka Woolka

TABLE 3

Pastoral Lease
Kimberley Region
Texas Downs
Mabel Downs
Sophie Downs
Carlton Hill
Fossil Downs
Gogo
Lake Gregory
Anna Plains
Doon Doon
Theda
Beverley Springs
El Questro
Mt Pierre

Pastoral Lease
Pilbara Region
Juna Downs
Ningaloo
Cardabia
Warroora
Roy Hill
Exmouth Gulf
Midwest Region
Carrarang
Tamala
Nanga
Murchison House
Mt Narryer
Boolardy
Innovendy
Minnie Creek
Goldfields Region
Adelong
Jeedamya
Cowarna Downs
Credo
Thundelara
Millibillie
South Coast
Madura
Mundrabilla

Summary Table 2015 Batch 1 Areas

CALM REGION AND FORMER PROPOSAL	PASTORAL LEASE(S)	MAP REF.	AREA OF INTEREST	PREVIOUS ADVICE	LA ACT AMEND ADVICE*	CURRENT PROPOSAL FOR CONSIDERATION
KIMBERLEY						
Additions to Purnululu National Park	Texas Downs	PK1	25586	1994, 1998, 1999.	Table 3.	<ul style="list-style-type: none"> List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required. List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required. List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required. List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required.
	Osmond Valley	PK2	15573		Table 1	
	Mabel Downs	PK3	22014		Table 3	
	Sophie Downs	PK4	1751		Table 3	
Additions to Geikie Gorge National Park	Fossil Downs	PK5		1994, 1998, 1999.	Table 3	Remove from the list (move to Batch 3). Further investigation would be required to define the specific conservation values and appropriate boundaries. A high priority action item addressing the need to define a suitable boundary should be included in the <i>Draft Kimberley Region Regional Management Plan..</i>
	Gogo	PK6		1999.	Table 3	
Proposed Lake Gregory conservation reserve & management area	Lake Gregory	PK7		1994, 1998, 1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . A suitable management agreement would be preferred over exclusion. Negotiation will be required to establish appropriate boundaries.
Proposed Mandora Nature Reserve	Anna Plains	PK8	90268	1994, 1998, 1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome. In the interim a suitable management agreement is a priority
Proposed new conservation reserves, additions to Kimberley Rainforest estate.	"Kim Bolton" Doon Doon	PK9,10 PK11	728	1999.	N/A Table 3	<ul style="list-style-type: none"> Remove from the list (not a pastoral lease). Investigate options. List as an <i>area of conservation interest on pastoral leases</i>. A suitable management agreement could be negotiated instead of excision. List rainforest patch 13/2 as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome. Remove rainforest patch 4/3 from the list (not on a pastoral lease). List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome.
	Theda	PK12, 13	625		Table 3	
	Beverley Springs	PK14	791		Table 3	

Summary Table 2015 Batch 1 Areas

CALM REGION AND FORMER PROPOSAL	PASTORAL LEASE(S)	MAP REF.	AREA OF INTEREST	PREVIOUS ADVICE	LA ACT AMEND ADVICE*	CURRENT PROPOSAL FOR CONSIDERATION
Cockburn Range	El Questro	PK15	115241	1998, 1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Mimbi Caves Conservation Park	Mt Pierre	PK16	2724	1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . A management agreement may be an alternative to excision.
Ord River Nature Reserve (False Mouths of the Ord)	Carlton Hill	NK4	62515	1994, 1998, 1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
PILBARA						
Additions to Karijini National Park	Juna Downs	PP1	82983	1999	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Ningaloo Marine Park	Ningaloo	PP5	50627	1994, 1998, 1999.	Table 3	<ul style="list-style-type: none"> List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required. In interim, further management agreements/lease boundary adjustments to be pursued. As above. As above.
	Cardabia Warroora	PP6 PP7	3794 9230		Table 3 Table 3	
Additions to Cape Range National Park.	Exmouth Gulf	PP10	37176	1994, 1998, 1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Fortescue Marsh	Roy Hill	PP11	71181	1999.	Table 3.	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome.
MIDWEST						
Proposed Edel Land National Park. World Heritage Area.	Carrarang	PM1	17813	1994, 1998, 1999	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Zuytdorp Nature Reserve extension. World Heritage Area.	Tamala	PM2	57044	1994, 1998, 1999.	Table 3	<ul style="list-style-type: none"> List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required.
	Murchison House Station	PM3	31989	1999.	Table 3	<ul style="list-style-type: none"> List as an <i>area of conservation interest on pastoral leases</i>. Excision from the lease is required.
Breakaway country, Innouendy	Innouendy	PM4	47331	1998, 1999.	Table 3.	List as an <i>area of conservation interest on pastoral leases</i> . A suitable formal management agreement would be preferred over excision.

Summary Table 2015 Batch 1 Areas

CALM REGION AND FORMER PROPOSAL	PASTORAL LEASE(S)	MAP REF.	AREA OF INTEREST	PREVIOUS ADVICE	LA ACT AMEND ADVICE*	CURRENT PROPOSAL FOR CONSIDERATION
Proposed Dirk Hartog Island National Park. World Heritage Area	Dirk Hartog Island	PM5	61536	1994, 1998, 1999.	Table 1	List as an <i>area of conservation interest on pastoral leases</i> . Non renewal of lease is required. Possible negotiated outcome prior to 2015 involving purchase of all/part lease.
Lignum Wetland	Thundellara	PM10		1999	Table 3	Remove from the list. Further investigation of biodiversity conservation values is required. Encourage other options through the GMS.
Mt Narryer	Mt Narryer	PM11		1998, 1999	Table 3	Remove from the list. Further investigation of biodiversity conservation values is required. Encourage other options through the GMS.
GOLDFIELDS						
Windich Spring National Park	Cunyu/Can'g Stock Route	PG1		1999.	Not listed	Remove from the list (not on a pastoral lease). Investigate other options.
Adelong Dunes	Adelong	PG2	2262	1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . A suitable management agreement would be preferred over exclusion.
Jeedamyra	Jeedamyra	PG3	3012	1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Erayinia Hill	Cowarna Downs	PG4	9326	1999.	Table 3	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome.
Gum Creek, River Red Gum site	Millibillie	PG5	7670	1999.	Table 3.	Remove from the list. Further investigation of biodiversity conservation values is required.
SOUTH COAST						
Nullarbor Caves: Mullamullang Kestrel Cavern No. 1 Spider Sink (doline) Kestrel Cavern No. 2 Madura Cave	Madura	PC1, PC2	27727	1999.	Table 3	(Both) List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome.
WARREN						
Addition to D'Entrecasteaux National Park	Quannup	PS1	4686	1998, 1999.	Table 2	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.

TOTAL AREA

863203

Summary Table 2015 Batch 1 Areas

Notes

* Information included in the document "Supplementary information as a result of the tabling of the Land Administration Amendment Bill 2000 in the Legislative Assembly, 2000". Table 1 listed leases in the North-west that were not planned to be renewed. Table 2 listed pastoral leases in the southwest that were not planned to be renewed. Table 3 listed leases that may require some excisions for conservation purposes, as identified at that date.

Summary Table 2015 Batch 2 Areas

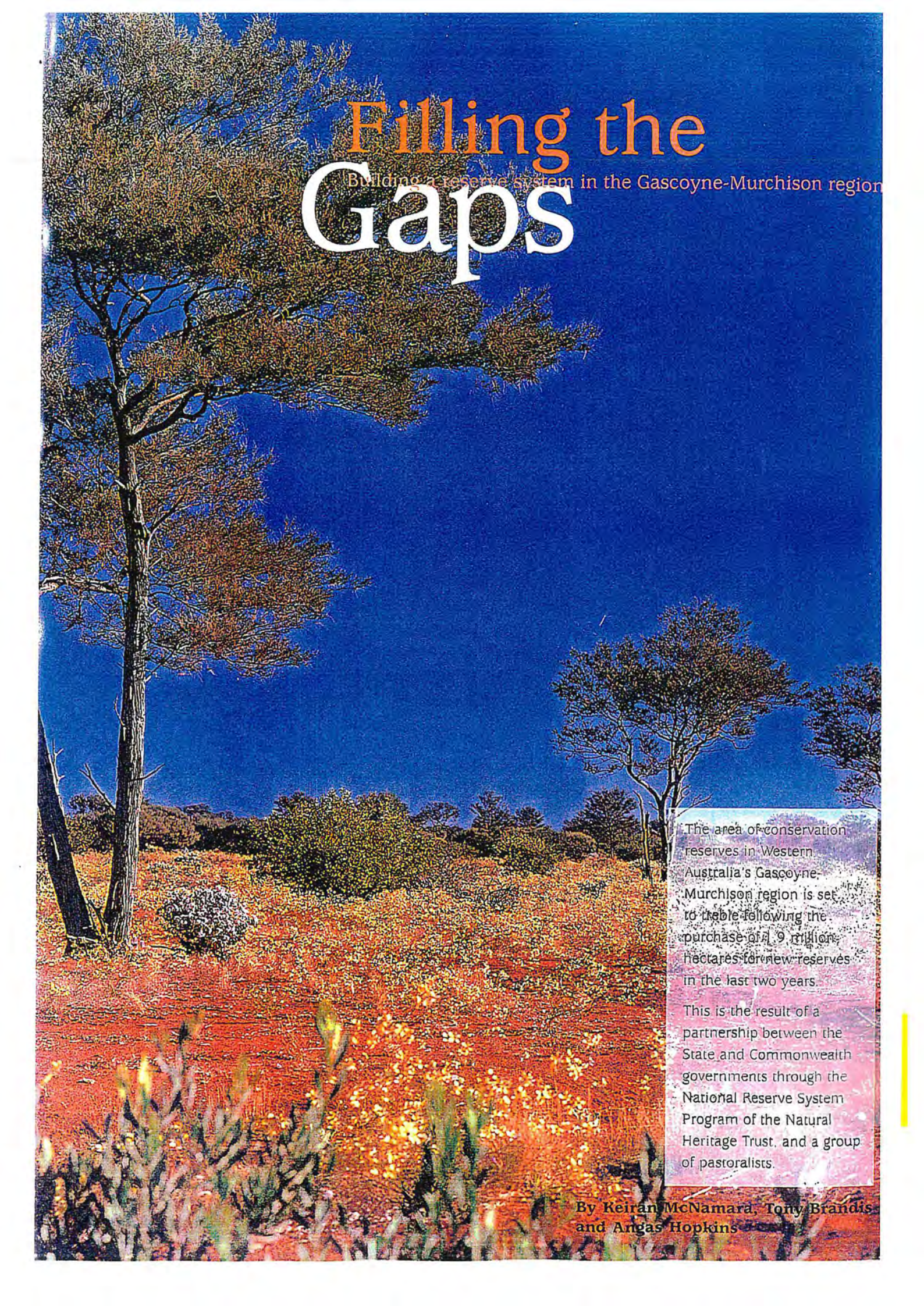
CALM REGION AND FORMER PROPOSAL	PASTORAL LEASE(S)	MAP REF.	AREA OF INTEREST	CURRENT PROPOSAL FOR CONSIDERATION
KIMBERLEY				
Burt Range-Mt Zimmerman	Ivanhoe	NK1	26705	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
PILBARA				
Additions to Karijini National Park	Hamersley Rocklea	NP3 NP4	32087 28948	(Both) List as <i>areas of conservation interest on pastoral leases</i> . Excision from the lease is required.
Fortescue Marsh	Marillana Hillside Mulga Downs	NP12 NP13 NP14	142059 40250 111198	List as a <i>areas of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated over the entire marsh area, this may be an acceptable outcome.
GOLDFIELDS				
Mt Manning Range Nature Reserve Extensions	Diemals, Mt Jackson	NG6 NG7	51280 37431	(Both) List as <i>areas of conservation interest on pastoral leases</i> . Excision from the lease is required.
Clear and Muddy Lakes Nature Reserve	Credo	NG8	1554	List as an <i>area of conservation interest on pastoral leases</i> . A suitable management agreement is an alternative to excision.
Kangaroo Hills Timber Reserve Proposed State Forest	Calooli	NG9	2487	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Majestic Timber Reserve Proposed State Forest	Mt Monger	NG10	2205	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
Randell Timber Reserve Proposed State forest	Cowarna Downs Mt Monger	NG11 NG12	3545 13255	(Both) List as <i>areas of conservation interest on pastoral leases</i> . Excision from the lease is required.
Wanjarri Nature Reserve	Yakabindie	NG20	656	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
MIDWEST				
Ningaloo Marine Park	Gnaraloo	NP8	5296	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required. Interim management agreement to also be pursued.
Moore River National Park	Nabaroo	NM1	3367	List as an <i>area of conservation interest on pastoral leases</i> . Support for the non-renewal of the lease.
Heirisson Prong	Carrarang	NM3	1927	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease would be preferred. If a secure, long-term management agreement could be negotiated, this may be an acceptable outcome.

Summary Table 2015 Batch 2 Areas

CALM REGION AND FORMER PROPOSAL	PASTORAL LEASE(S)	MAP REF.	AREA OF INTEREST	CURRENT PROPOSAL FOR CONSIDERATION
SOUTH COAST				
Buningonia Springs	Fraser Range	NC6	16568	List as an <i>area of conservation interest on pastoral leases</i> . Excision from the lease is required.
SOUTH WEST				
<i>Camballan Forest Block*</i>	3114/459 (Strathairlie)	NF2	1087	(All) List as <i>areas of conservation interest on pastoral leases</i> . Support for the non-renewal of the leases.
	3114/838 (Oakwood)	NF1	1940	
	3114/910 (Foster Glen)	NF3	4838	

TOTAL AREA

528683



Filling the Gaps

Building a reserve system in the Gascoyne-Murchison region

The area of conservation reserves in Western Australia's Gascoyne-Murchison region is set to triple following the purchase of 1.9 million hectares for new reserves in the last two years.

This is the result of a partnership between the State and Commonwealth governments through the National Reserve System Program of the Natural Heritage Trust, and a group of pastoralists.

By Keiran McNamara, Tony Brandis and Angus Hopkins

A multi-million dollar program is under way to fill the gaps in the conservation reserve system in the Gascoyne-Murchison region of Western Australia. This program will not only help protect the region's unique ecosystems and their associated biota, but will also bring economic benefits. These include cash injections for pastoralists who sell leases but remain on the land as contract managers or pursuing other interests, and earnings from a rapidly growing nature-based tourism industry.

Muggon Station, 216 kilometres north of Mullewa, is an example of the results already achieved. Isolated sections of Muggon were selected as leases in the 1870s and 1880s, and although development was slow because of poor water supplies, the station was running around 9,500 sheep by 1973. However, the 183,000-hectare station also supports 10 land systems, a chain of wetlands and 15 vegetation types. In 1999, the Department of Conservation and Land

Management (CALM) purchased the lease and engaged the former lessee to stay on to manage the property. Later this year, the Department will run the first *LANDSCOPE* Expedition to Muggon. A team of expeditioners will pay to visit Muggon and help CALM scientists to gather botanical information. The Western Australian group of Birds Australia is also planning a bird survey of Muggon in September.

Ecotourism is already being promoted on other leases where accommodation and other services are provided, particularly on properties adjoining Kennedy Range National Park. The park is being extended through the land acquisition program.

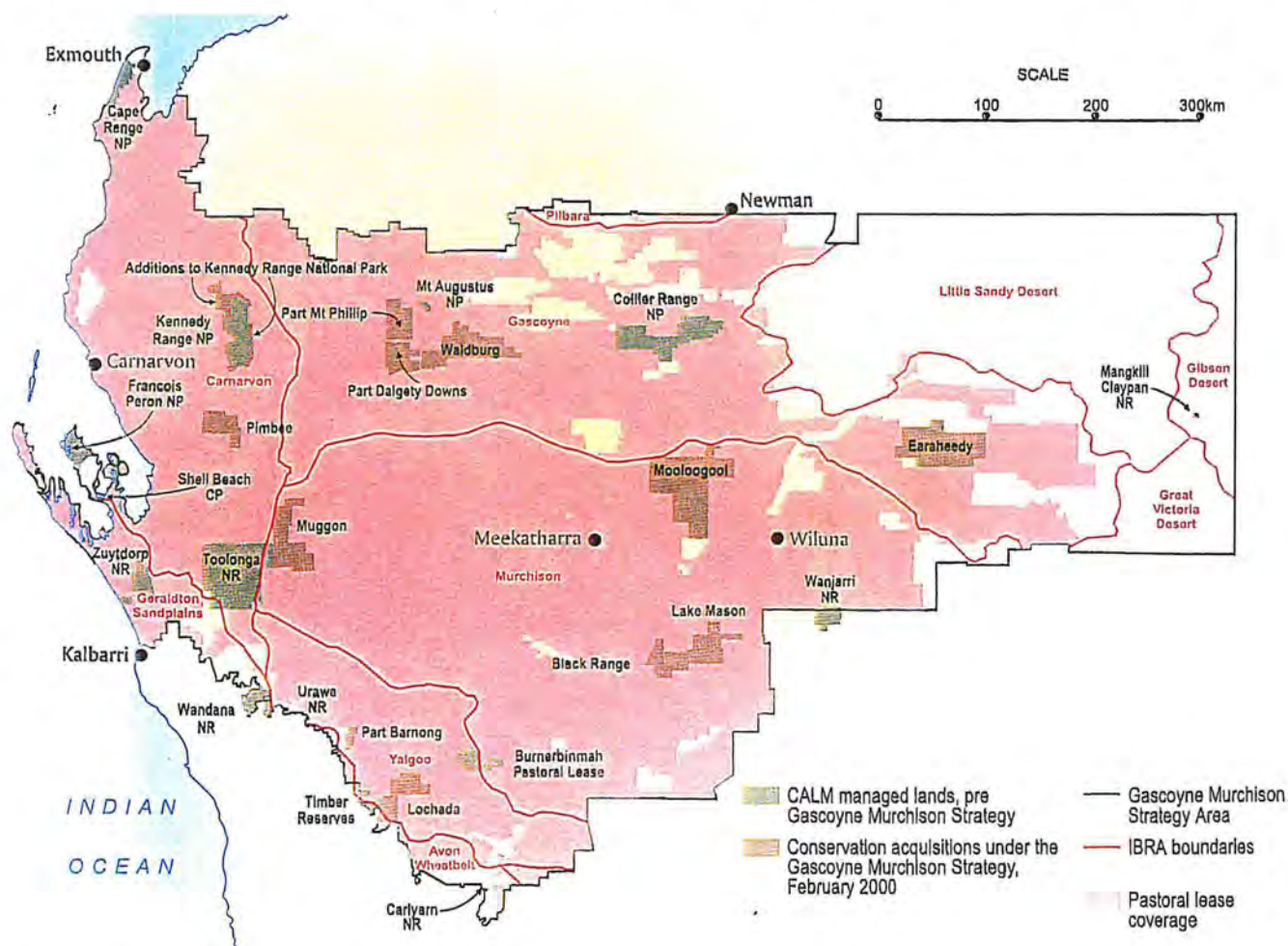


Previous page:
Typical colours of the Gascoyne-Murchison region in mulga scrub near Mt Augustus.
Photo – Bill Bachman

Below: The Gascoyne Murchison Strategy area stretches inland from the coast for a thousand kilometres. The map highlights the recent conservation acquisitions as well as land managed by CALM before 1998.

THE REGION

The Gascoyne-Murchison region covers an area of about 34 million hectares, which includes 253 pastoral leases and unallocated Crown land in the arid interior. The region covers some of the most arid land in Western Australia, but is known to have high biological diversity. A survey of the Southern Carnarvon Basin, for example, has recorded 144 species of indigenous reptiles, 500 species of aquatic invertebrates and more than 2,000 vascular plant species in an area covering only 15 per cent of the Gascoyne-



Right: Siltstone breakaway on Muggon station, one of the pastoral leases recently acquired.

Photo – Sue Patrick/CALM

Centre right: Billabong Mulga Well on Muggon is one of several wells established when the area was a working station. The billabong was flooded as a result of heavy rain earlier in the year.

Photo – Sue Patrick/CALM

Below right: The eastern cliffs of Kennedy Range—the national park in which the range is located is to be extended as a result of further acquisitions.

Photo – Marie Lochman

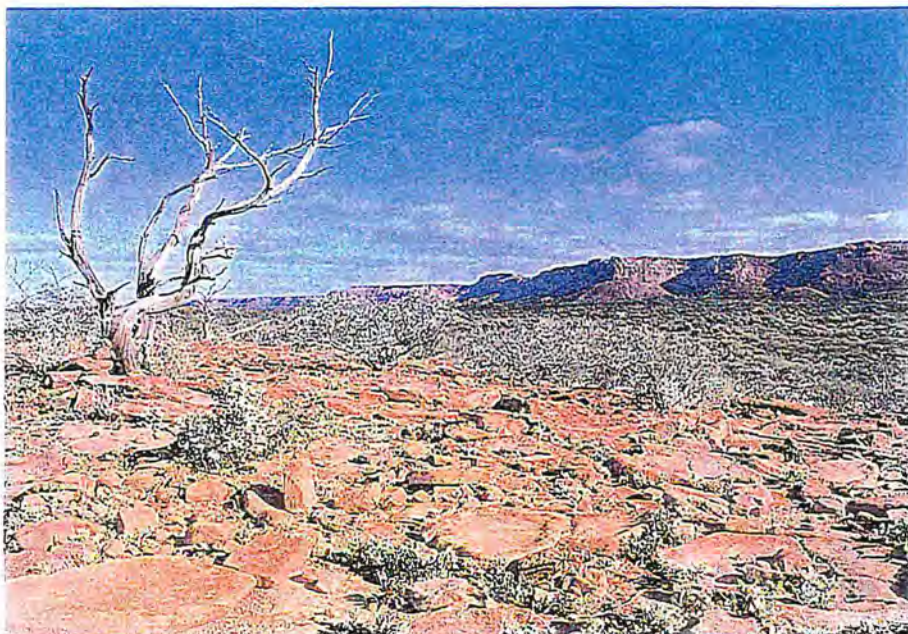
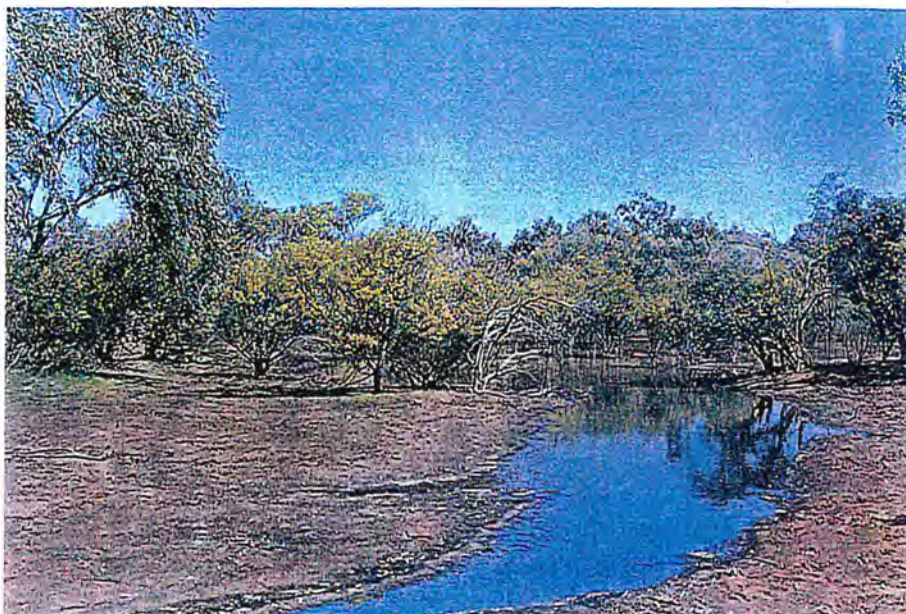
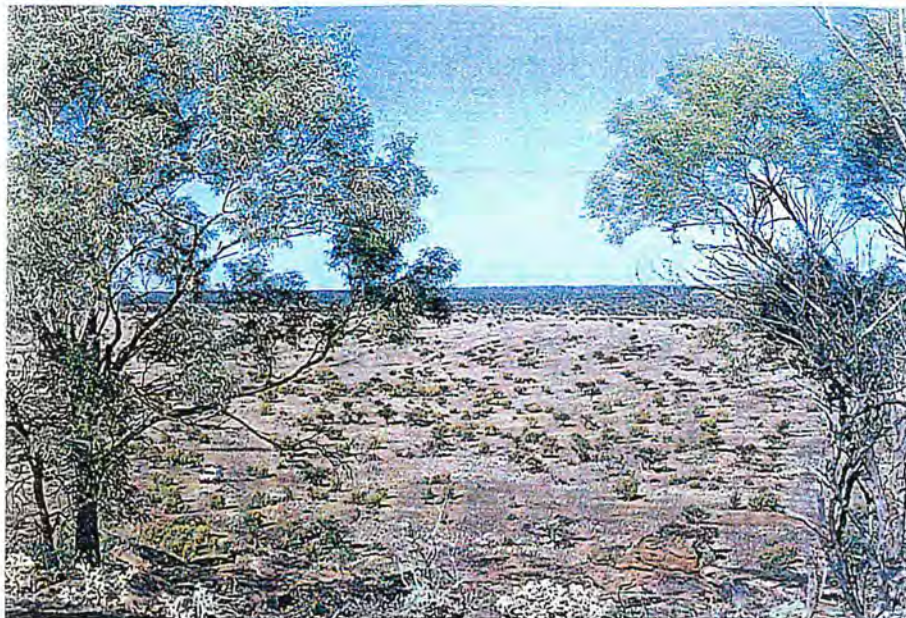
Murchison region. Research into the original mammal fauna of the survey area revealed that 59 species were present at the time of European settlement.

Despite the diversity of species and ecosystems known to occur there, only three per cent of the region was in conservation reserves when the Gascoyne-Murchison Rangeland Strategy was endorsed by the State Government in 1998. CALM also managed one pastoral lease in the region which it had purchased for reservation.

The Strategy was developed by the regional community and government agencies in response to the declining economic and environmental conditions facing the region's pastoral industry. It set out new approaches to land management to address both issues and ensure the long-term viability of the industry.

The Strategy recognised that some lessees might want to leave the industry, and the need to improve the reserve system through land acquisition. It was envisaged that some 10 to 15 per cent of the Gascoyne-Murchison region would be needed in the reserve system to meet national criteria.

Since December 1998, CALM has purchased eight leases and parts of nine other properties, a total of 1.9 million hectares. Further negotiations with pastoralists over land acquisition are continuing. As leases are acquired, information about each lease is added to a database so that further purchases do not unnecessarily duplicate vegetation units or land systems—each new acquisition will add different





ecosystems to the reserve system. The land acquired to date contains 37 vegetation types that were not previously within the reserve system, and many more vegetation types now have an improved level of representation.

At the same time as the conservation estate is growing, CALM is working with leaseholders to introduce voluntary arrangements to conserve and manage valuable areas on leases, to complement the reserve system. This can be done through formal arrangements under the Conservation and Land Management Act and memoranda of understanding, or through a variety of less formal voluntary arrangements (see 'Rescuing the Rangelands', *LANDSCOPE*, Spring 1997).

Western Australia's rangelands have undergone extensive changes as a result



of more than 150 years of pastoral management combined with the introduction of feral animals and plants and altered fire regimes. There are now significant land conservation and range deterioration problems—in the Murchison region, for example, about 42 per cent of the vegetation is considered to be in poor or very poor condition.

CHOOSING NEW RESERVES

Western Australia has been a leader in establishing its conservation reserve system based on the results of detailed biological surveys (see 'Patterns in Nature', *LANDSCOPE*, Summer 1995–96). At the same time, however, there are regions of the State that have not yet been adequately surveyed, and most of these are seriously under-conserved. Most of the Gascoyne-Murchison region is in this category.

In 1996, a vegetation map database of Western Australia was developed and used to assess the State's conservation reserve system, under a joint project between CALM and Agriculture Western Australia, with financial assistance from the Commonwealth under the National Reserve System Program. The analysis showed the existing reserve system to be inadequate, and highlighted ecosystems and vegetation types that should have priority for acquisition for inclusion in the reserve system. For example, about 90 per cent of the vegetation types had less than 10 per cent of their original area in the reserve system, and about half were not represented at all. Vegetation mapping units are a valuable biodiversity planning tool as they most readily define ecosystems.

This database is being used to design the reserve system for the Gascoyne-Murchison region. The region contains 221 vegetation associations, or 25 per cent of all the associations recorded for the whole State.

Above left: When allowed to reach high population numbers, feral goats can remove virtually all palatable shrub foliage within their reach and suppress the regeneration of these plants.
Photo – Jiri Lochman

Above right: Botanists surveying a population of a poorly known plant on Muggon.
Photo – Daphne Edinger/CALM

Left: An undescribed wattle found recently on Muggon.
Photo – Sue Patrick/CALM



Right: Wreath lechenaultia (*Leschenaultia macrantha*) bears its flowers at the end of ground-hugging branches that radiate from the central rootstock.
Photo – Neville Passmore

Below right: Drummond's everlasting or pompom head (*Cephalopterum drummondii*).
Photo – Greg Harold

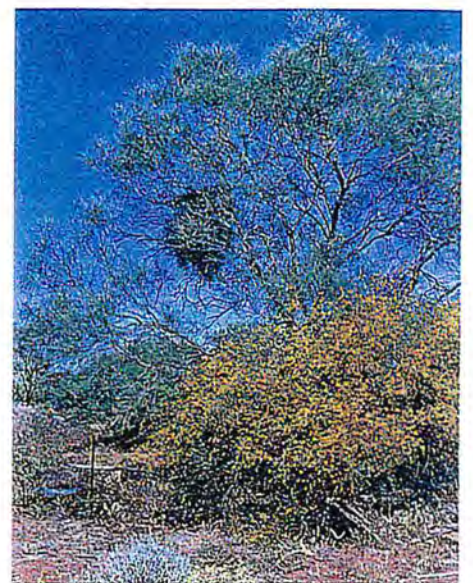
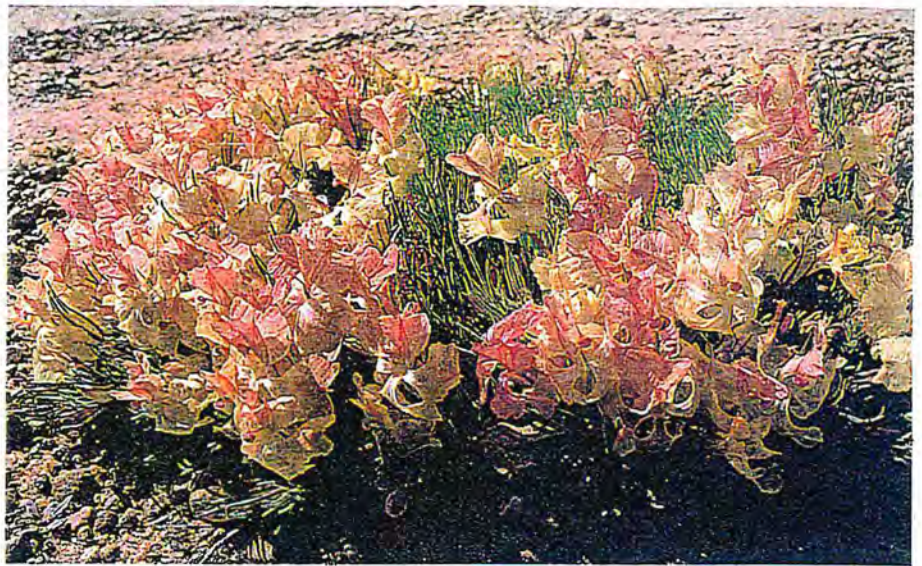
Below far right: Hunchbacked mistletoe (*Amyema gibberula* var. *gibberula*) growing at Muggon on the stems of a *Grevillea* species.
Photo – Sue Patrick/CALM

At the beginning of the acquisition program, fewer than half of these associations were in the region's reserve system and only 19 of those could be considered to be adequately reserved, having 15 per cent or more of their original area in conservation reserves.

Under the 1996 National Strategy for the Conservation of Australia's Biological Diversity and the National Reserve System Program of the Natural Heritage Trust, the Western Australian and Commonwealth Governments have committed themselves to working together to establish a comprehensive, adequate and representative (CAR) conservation reserve system.

The Interim Biogeographic Regionalisation of Australia (IBRA) study was completed to give a framework for establishing a national reserve system. The study identified and described 80 bioregions throughout Australia that help to plan the national reserve system and identify gaps in the existing reserve system. Twenty-six bioregions occur in Western Australia and 11 occur wholly or partially within the Gascoyne-Murchison region. The four main bioregions that make up the Gascoyne-Murchison region (namely Carnarvon, Gascoyne, Murchison and Yalgoo—see map) are all considered to be a high priority for increasing the reserve system.

The vegetation map database can be used to evaluate the comprehensiveness of the reserve system and elements of representativeness. For example, an additional 36 vegetation types have already been acquired for addition to the reserve system, and the number that will be reserved at the level of 15 per cent or more has grown to 29.



CRITERIA FOR A RESERVE SYSTEM

Conservation reserve systems are assessed in terms of meeting the attributes of comprehensiveness, adequacy and representativeness. These terms are defined in the Australian and New Zealand Environment and Conservation Council (ANZECC) 1999 Guidelines for Establishing the National Reserve System as:

- comprehensiveness—inclusion of the full range of ecosystems recognised at an appropriate scale within and across each bioregion;
- adequacy—the maintenance of the ecological viability and integrity of populations, species and communities; and
- representativeness—the principle that those areas that are selected for inclusion in reserves reasonably reflect the biotic diversity of the ecosystems from which they derive.

The terms comprehensive, adequate and representative together capture the desired concept of the ideal conservation reserve system.

In other words, the reserve system is well on the way towards meeting comprehensiveness criteria.

Work to identify high priority ecosystems and environments for acquisition or other types of

conservation management continues. A biological survey of the southern Carnarvon bioregion and into the northern Geraldton Sandplains bioregion has just been completed. In addition, a conservation assessment

of the whole of the Gascoyne-Murchison region, drawing together information on geology, soils, topography, vegetation health, and existing biological data is under way. Biodiversity hotspots identified through the survey, and through the conservation assessment, will be targeted for acquisition or other conservation measures, and wetlands listed in *A Directory of Important Wetlands in Australia* will be acquired or managed to protect those special values.

The acquisition program will continue to be implemented progressively over a number of years, with funds from the Commonwealth Government's National Reserve System Program under the Natural Heritage Trust, and from the State Government as part of the Gascoyne-Murchison Strategy.

FUTURE MANAGEMENT

Leases or parts of leases purchased for the reserve system will be managed for conservation, allowing the land to



Left: The wopilkara (or greater stick-nest rat *Leporillus conditor*) is one of the rare native animals that may be reintroduced to the Gascoyne-Murchison once habitats recover and feral animals are controlled.

Photo – Jiri Lochman

Below left: Wildflowers along the Gascoyne River.

Photo – Bill Bachman

return to its natural state. Depending on previous impacts, some areas may take considerable time to recover. All domestic stock will be removed from acquired areas and stock from neighbouring properties kept from straying onto reserves. Feral animals, such as goats, camels, donkeys, foxes and cats, will be controlled through trapping, shooting or poisoning programs, which CALM will run in collaboration with lessees of

neighbouring properties. Once habitats recover and feral animals are controlled, it should be possible to reintroduce locally extinct or rare native animals such as malleefowl, boodies, bilbies, stick-nest rats and hare wallabies.

Artificial water sources, such as bores and dams, have led to increased numbers of feral animals and kangaroos, which in turn have affected plant communities. Watering points will be closed down once all domestic stock has been removed, in a way that is sensitive to the animal populations that now rely on them for survival. During this adjustment period, it will be important to monitor numbers to ensure that unreasonable grazing pressure does not occur on adjoining leases.

CALM wants to retain people with an interest in conservation and nature-based tourism on the leases

purchased. It is generally in the best interests of the community and CALM to have people stay on to maintain homesteads and surrounds, and to help manage the land and control feral animals. By keeping people in the rangelands it is anticipated that services such as telecommunications, roads and mail services will be maintained.

A key feature of CALM's approach will be to continue to consult with the wide range of stakeholders as areas are acquired, reserved and managed. These include pastoralists and their representative organisations, the Gascoyne-Murchison Strategy Board, the Pastoral Lands Board, Aboriginal groups, local government, conservation groups, the mining and tourism industries, and other government agencies.

The restoration of the natural ecosystems and reintroduction of native animals to their former habitats would mean the restoration of nature's balance. It may take a little time to achieve this, but we are already making a difference.

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