

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

POLICY STATEMENT NO 62

IDENTIFICATION AND MANAGEMENT OF WILDERNESS AND SURROUNDING AREAS

INTERPRETATION

In this policy:

“Wilderness quality” means:

the extent to which a location is remote from and undisturbed by the influence of modern technological society. The national standard for measuring wilderness quality is the National Wilderness Inventory, also known as the Australian Land Disturbance Database. Wilderness quality is measured using four wilderness quality ‘indicators’ that represent the two essential attributes of a wilderness area; remoteness and naturalness.

“Wilderness area” means:

an area that has a wilderness quality rating of 12 or greater and meets a minimum size threshold of 8,000 hectares in temperate areas or 20,000 hectares in arid and tropical areas. A wilderness area is gazetted under section 62(1)(a) of the *Conservation and Land Management Act 1984* by the Minister on any land that is vested in the Conservation Commission of Western Australia.

“Surrounding area” means:

Crown lands vested in the Conservation Commission of Western Australia reserved for purposes including conservation that surround gazetted wilderness areas and managed to support the values of wilderness areas.

“Wilderness values” means:

attributes of a wilderness area that should be protected from the impacts of modern technological society.

1. OBJECTIVES

The objective of this policy is to guide the identification, designation and management of wilderness and surrounding areas on lands vested in the Conservation Commission of Western Australia and managed by the Department of Conservation and Land Management.

2. BACKGROUND

There is a growing awareness from within the community and the scientific world that wilderness areas support values that should be protected from the impacts of modern technological society. These values include:

- ❖ maintenance of the integrity of ecological processes necessary for life on Earth, with wilderness areas including the most natural land remaining;
- ❖ protection of biodiversity;
- ❖ maintaining opportunities for solitude, inspiration and self-reliant recreation;
- ❖ providing an insight into the past and a baseline for management in the future; and
- ❖ representing a vast store of knowledge, ideas and genetic resources yet to be discovered from which human society will continue to benefit. The protection of the biodiversity of wilderness areas helps maintain the widest range of options for the future.

It is important to recognise that wilderness has, to some extent, been shaped by human hands through millennia of land management practices by Indigenous Australians. For Indigenous Australians wilderness is, simply, home.

The Australian Heritage Commission (now the Australian Heritage Council) compiled the National Wilderness Inventory (NWI), also known as the Australian Land Disturbance Database. This database is now maintained by the Department of Environment and Heritage. The NWI is designed to identify wilderness quality across the Australian landscape. The Inventory makes no statements as to what should, or should not be considered a wilderness area. The NWI uses a quality index rating of 0 to 20, with 20 being the highest quality. Four criteria, or 'indicators', are equally applied to estimate wilderness quality across the landscape. These are:

- ❖ remoteness from settlement – how remote a site is from permanent human occupation;
- ❖ remoteness from access – how remote a site is from established access routes;
- ❖ apparent naturalness – the degree to which a site is free from permanent structures associated with modern technological society; and
- ❖ biophysical naturalness – the degree to which a site is free from biophysical disturbances caused by the influence of modern technological society.

A wilderness area refers to an area that has a wilderness quality rating of 12 or greater and meets a minimum size threshold. The Nationally Agreed Criteria for a Comprehensive, Adequate and Representative Reserve System for Forests In Australia (JANIS 1997) defines a wilderness area as being larger than 8,000 hectares in temperate areas and having a NWI wilderness quality of at least 12. Commonwealth wilderness delineation guidelines defines a wilderness area as being larger than 20,000 hectares in arid and tropical areas and having a NWI wilderness quality of at least 12. Temperate areas in Australia tend to be more highly disturbed than arid and tropical areas and hence, the lower threshold size for wilderness areas is more appropriate. Arid and tropical areas tend to have higher levels of ecological integrity and can be defined at larger spatial scales (Mackey *et al.*, 1998).

This policy includes guidelines for the management of both wilderness areas, which will be classified under section 62(1)(a) of the *Conservation and Land Management Act 1984*, and the conservation lands surrounding wilderness areas. Management activities within the areas that surround wilderness areas have the potential to impact wilderness values. Surrounding areas also provide a buffer and will be managed to support wilderness values. Wilderness areas will be identified through the preparation of area and regional management plans, which enables the opportunity for extensive community consultation in the form of advisory committees and public workshops with a broad range of stakeholders, and a two month statutory public comment period for draft management plans. The extent of conservation lands deemed to surround wilderness areas, and therefore having the potential to impact wilderness values, will also be identified through management planning processes. In the absence of a management planning process the identification of wilderness and surrounding areas will involve public consultation.

For the purposes of this policy, a wilderness area is generally defined as an area:

- ❖ that is substantially unmodified by modern technological society;
- ❖ that is sufficiently large and remote to make the long term protection of its biodiversity and natural systems practical;
- ❖ where ecological processes remain essentially intact; and
- ❖ where opportunities exist for solitude, inspiration and self-reliant recreation.

Although these areas have a lesser risk of degradation than more accessible areas of natural land, their protection should be assured by positive management action.

3. LEGISLATIVE BASE

Areas of reserves are classified under section 62 of the *Conservation and Land Management Act 1984* to establish management zones to which specific management prescriptions or regulations apply. Under section 62(1)(a) of the *Conservation and Land Management Act* a wilderness area can be established by the Minister on any land (reserve) that is vested in the Conservation Commission. A wilderness area can be established over a part or parts of a reserve, or the whole of a reserve.

It is intended to amend the Conservation and Land Management Act to require the Minister to table before both Houses of Parliament any proposal to amend or cancel a wilderness area established under section 62(1)(a) of the Act. This is comparable to the provisions within the Conservation and Land Management Act under section 62A regarding the amendment or cancellation of forest conservation areas.

Additional amendments to the Conservation and Land Management Act will also be pursued in relation to the definition and management of wilderness areas. It is proposed that the management planning provisions be amended to establish the management objectives and purpose of wilderness areas. That is: maintaining and restoring the integrity of ecological processes and natural landscapes, maintaining and restoring biodiversity, and maintaining opportunities for solitude by maintaining or restoring the highest degree of apparent and biophysical naturalness and remoteness from permanent modern structures.

4. POLICY

Identification and dedication

Wilderness areas

- 4.1 Areas of land will be considered to be candidate wilderness areas where they are of high wilderness quality (National Wilderness Inventory rating of 12 or greater) and are a minimum of approximately 8,000 hectares in temperate areas of the State and a minimum of approximately 20,000 hectares in arid, semi-arid and tropical areas of the State. However, thresholds smaller than this may apply to areas contiguous with the sea or which adjoin designated wilderness areas in adjacent States or Territories.
- 4.2 The minimum area threshold and other criteria may be achieved over time by rehabilitating past disturbances to establish a wilderness area. Any such areas identified will be protected and managed as a wilderness area while being rehabilitated.
- 4.3 Areas identified and to be managed as wilderness areas will be classified by way of a section 62 notice in the Government Gazette (see Section 62(1)(a) of the Conservation and Land Management Act).

Maintaining Biodiversity

Wilderness and surrounding areas

- 4.4 Action will be taken to maintain, and where possible restore, natural processes and communities by protecting them from unnatural disturbances and maintaining ecological processes.
- 4.5 Biodiversity will be protected from threatening processes, agents and activities such as feral animals, weeds, dieback disease and exotic diseases, salinity and inappropriate fire management.

Access and Transport

Wilderness areas

- 4.6 The use of any form of mechanised transport will not be permitted within wilderness areas, except for rescue, fire emergency or essential management operations, or reasons of cultural importance to rightful indigenous communities. With the exception of rescue and fire emergency operations, any use of mechanised transport within wilderness areas will require the approval of the Conservation Commission of Western Australia. The use of mechanised transport within wilderness areas for rescue and fire emergency operations will require the approval of the Department of Conservation and Land Management's Executive Director Guidelines for mechanised transport within wilderness areas are provided at Attachment 1.
- 4.7 The landing of motorised and non-motorised aircraft within wilderness areas will not be permitted, with the exception of non-fixed wing aircraft access for rescue, fire emergency and essential research and management operations. The landing of non-fixed wing aircraft within wilderness areas, except for rescue and fire emergency operations, will require the approval of the Conservation Commission of Western Australia. The landing of non-fixed wing aircraft within

wilderness areas for rescue and fire emergency operations will require the approval of the Department of Conservation and Land Management's Executive Director.

Surrounding areas

- 4.8 The use of mechanised transport within areas that surround wilderness areas will be permitted on designated access routes, and in other areas for emergency or essential management reasons.

Recreation and Other Activities

Wilderness areas

- 4.9 Opportunities for solitude, inspiration and self-reliant recreation will be maintained where compatible with sections 4.4 and 4.5 of this policy.
- 4.10 Educational and/or recreation expeditions will be permitted within wilderness areas providing they are consistent with the maintenance of the qualities of the area and operate according to the Department of Conservation and Land Management's code of ethics for the bush (Attachment 2). Such expeditions will be regulated where necessary to prevent adverse impacts on the qualities of the area and opportunities for solitude. Commercial recreation and tourism operations will not be permitted within wilderness areas (under the Conservation and Land Management Act leases and licenses cannot be issued for wilderness classified under section 62 of the Act – see section 4.3 of this policy). Should future revisions of the Act enable commercial recreation and tourism operations within wilderness, this policy will recognise these revisions.
- 4.11 Constructed walking tracks, signs, track markers and toilets will not be allowed in wilderness areas.
- 4.12 The taking of forest produce, as defined under Part I of the Conservation and Land Management Act, will not be permitted within wilderness areas.

Wilderness and surrounding areas

- 4.13 All recreation and tourism management operations carried out by the Department of Conservation and Land Management will be consistent with maintaining the qualities of wilderness.
- 4.14 Biophysical and social impacts in wilderness and surrounding areas will be identified and monitored using such planning and management concepts as spatial and temporal zoning, the establishment of quotas, the use of entry permits and the application of the Limits of Acceptable Change or similar management framework.

Indigenous Use and Management

Wilderness and surrounding areas

- 4.15 This policy and its implementation in no way impinges upon or restricts Native Title rights as defined under the Native Title Act 1993 or subsequent determinations of Native Title.
- 4.16 Places and artefacts of significance to Aboriginal people will be protected under relevant State and Commonwealth Aboriginal heritage legislation.
- 4.17 Management of wilderness and surrounding areas by the Department of Conservation and Land Management will be consistent with the principles espoused in the Malimup Communique (Attachment 3).

Protection of Non-Indigenous Cultural Values

Wilderness areas

- 4.18 As determined in area and regional management plans, structures and debris will be removed from wilderness areas unless the only method of removal significantly reduces the qualities of the area in the long-term, in which case they will be allowed to deteriorate naturally. Structures that are essential for reasons of visitor safety, resource protection and/or management operations will not be removed.

Wilderness and surrounding areas

- 4.19 Structures listed as being significant by either the National Trust of Australia or Government heritage bodies will be protected as far as practicable. Where structures may have historical significance but have not yet been assessed advice will be sought from relevant heritage bodies.

Fire Management

Wilderness areas

- 4.20 Wherever possible, ground-disturbing activities required for fire management will be conducted outside wilderness areas. This includes construction and maintenance of access roads, firebreaks, fuel-reduced buffers and water points. Prescribed burning within wilderness areas may be carried out for the protection and maintenance of ecological values and processes as determined through the preparation of area and regional management plans and interim management guidelines.

Wilderness and surrounding areas

- 4.21 The management of fire in wilderness and surrounding areas will be based on a consideration of available research knowledge into ecological values and processes, customary Aboriginal burning practices (where known) and the values of the particular area.

Surrounding areas

- 4.22 Where life, property and natural resource values are threatened, wildfire pre-suppression and suppression techniques will be employed.

Research

Wilderness and surrounding areas

- 4.23 Research that contributes to the achievement of management objectives and/or the understanding of recreation and tourism management in wilderness areas will be encouraged where compatible with section 4.10. Research methods must be compatible with the maintenance of the qualities of such areas.

External Influences

Surrounding areas

- 4.24 Activities, including services and infrastructure, adjacent to wilderness areas that may impact on landscape values and/or otherwise degrade the quality of such areas and should be avoided where possible. Such activities will not be permitted within wilderness areas.
- 4.25 Management activities considered beneficial to the maintenance of the qualities of wilderness areas will be carried out on adjoining lands where possible.

5. POLICY IMPLEMENTATION STRATEGIES

Identification and dedication

Wilderness and surrounding areas

- 5.1 Appropriate areas vested in the Conservation Commission of Western Australia will be identified as wilderness and surrounding areas through the preparation of area and regional management plans. This enables the opportunity for extensive community consultation with a broad range of stakeholders, and a two-month statutory public comment period for draft management plans.
- 5.2 Under certain circumstances, the identification of wilderness and surrounding areas may precede the establishment of a management planning process. This will still involve the level of public consultation similar to that of a management planning process.
- 5.3 As part of the development and review of all management plans, consideration must be given to the identification of candidate wilderness and surrounding areas.
- 5.4 The National Wilderness Inventory, the wilderness quality assessment carried out for the State's south-west forests as part of the 1998 Comprehensive Regional Assessment and other relevant

information will be used as tools for identifying areas of high wilderness quality, and will be supported by field assessments. Where possible, assessment of wilderness quality will be carried out in collaboration with the Australian Heritage Commission.

Access and Transport

Wilderness areas

- 5.5 All existing vehicle tracks and constructed walk tracks within wilderness areas, other than those required for emergency and essential management purposes will be closed. The vehicle tracks to remain open will require the approval of the Conservation Commission of Western Australia.
- 5.6 The Department of Conservation and Land Management will liaise with relevant authorities responsible for controlling aircraft movements to encourage flying over 2000 feet for fixed wing aircraft and 1500 feet for helicopters above wilderness areas except for rescue, fire emergency and essential management operations. Aircraft pilots and/or commercial operators will be requested to abide by flight guidelines that may be developed for specific wilderness areas.
- 5.7 Any existing constructed helipads, airstrips and related facilities within wilderness areas will be assessed for suitability for rescue purposes, and where not suitable will be rehabilitated and/or removed as soon as possible. Potential landing areas that do not require clearing and which are suitable for rescue purposes will be identified through the management planning process.

Recreation and Information

Wilderness and surrounding areas

- 5.8 The removal of existing incompatible recreation and tourism uses and/or structures and any subsequent rehabilitation will be prioritised and scheduled using the management planning process.
- 5.9 The concepts and principles of minimal impact camping, outback safety and survival will be promoted by the Department of Conservation and Land Management through publications, information posted at entry points, workshops and training courses and similar communication mechanisms.
- 5.10 An awareness of wilderness values and appropriate use of wilderness areas will be promoted by the Department of Conservation and Land Management.

External Influences

Surrounding areas

- 5.11 The Department of Conservation and Land Management will support and encourage complementary management practices on neighbouring lands that minimise adverse impacts on wilderness and surrounding areas.

6. ASSOCIATED POLICIES/STRATEGIES

Fire Management Policy
Management Plans and Indicative Management Plans
Recreation, Tourism and Visitor Services

7. CUSTODIAN

The Director of Parks and Visitor Services (statutory title – Director of National Parks)

8. EXECUTIVE DIRECTOR APPROVAL

Approved by Keiran McNamara, Executive Director.

Attachment 1

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

GUIDELINES FOR MECHANISED TRANSPORT AND NON-FIXED WING AIRCRAFT WITHIN WILDERNESS AREAS

The use of any form of mechanised transport and landing of non-fixed wing aircraft will not be permitted within wilderness areas, except for rescue, fire emergencies or essential management operations, or reasons of cultural importance for indigenous communities. With the exception of rescue operations and fire emergencies, any use of mechanised transport or landing of non-fixed wing aircraft within wilderness areas will require the approval of the Conservation Commission of Western Australia. The use of mechanised transport or landing of non-fixed wing aircraft within wilderness areas for rescue operations and fire emergencies will require the approval of the Department of Conservation and Land Management's Executive Director.

The following provides a guide as to the type of detail that should be considered and addressed when preparing an application to the Conservation Commission for mechanised access within wilderness areas for essential management operations. The list is not exhaustive and is intended as a guide only.

- Location of the proposed access.
- Relationship of the proposal to any existing relevant documents or plans (e.g. management plans, interim management guidelines, policies, recovery plans).
- Purpose and objectives of the proposed access.
- Timing of proposed access.
- Type and level of mechanised access proposed.
- Consideration of alternatives to mechanised access.
- Likely environmental impacts of access and how these impacts can be minimised and/or rehabilitated, such as:
 - soil erosion/damage
 - threatened flora and fauna species and ecological communities and critical habitats
 - spread and introduction of pests, weeds and diseases
- Likely impacts of access on cultural values and how these impacts can be minimised and/or rehabilitated.
- Likely impacts of access on recreation users quality of experience and how these impacts can be minimised and/or rehabilitated.
- Likely impacts of access on aesthetic and other wilderness values and how these impacts can be minimised and/or rehabilitated.

Attachment 2

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT CARING CODE FOR THE BUSH

Before setting out

- Plan a trip within the fitness and capabilities of all participants.
- Keep to small groups. However it is suggested a minimum group size of three people for isolated places.
- Study appropriate maps and guidebooks in planning your trip and take them with you, along with a reliable compass.
- If entering wilderness areas or isolated areas, it is suggested you take an EPIRB safety beacon (emergency positional beacon) with you.
- Be aware of the regulations and special concerns in the areas where you are going and obtain required permits or approvals.
- Tell at least two people of your trip plans and itinerary.
- Pack appropriate clothing and equipment for the variable local weather conditions.
- Pack adequate water for the duration of your trip. Do not rely on natural water supplies, mills or bores.
- Travel lightly, consider your body weight and fitness level when packing for your trip.
- Ensure you are up to date with current first aid practices and outback survival techniques. Maintain your knowledge and skills by completing a suitable training course.
- Pack a first aid kit and be aware of and prepared for the hazards you may encounter eg. snake bite.

During your trip

- Be prepared to take your rubbish with you.
- Keep to existing tracks and campsites where possible.
- Respect the privacy of others.
- Respect cultural and heritage sites and artefacts.
- Observe native animals from a distance; do not follow, approach, feed or disturb them.
- Do not pick wildflowers or remove flora, trees or parts of trees.
- Do not mark trees, damage vegetation or leave any permanent route markers.
- If you use flagging tape, remove it as you leave.
- Light fires in authorised fireplaces where wood is provided. Preferably use a portable gas or fuel stove for cooking.
- Where ground fires are permitted under certain conditions, observe fire regulations, be aware of the bushfire danger, keep the fire small, clear away flammable leaf litter, extinguish the fire thoroughly when finished and remove all traces of the fire site.
- Wash utensils at least 50 metres away from lakes or streams. Use sand as a scourer, and minimise the use of detergents and soaps.
- Bury toilet waste 15-20 centimetres deep and at least 100 metres from water, camp sites and tracks.

After your trip

- Inform your friends of your safe return.
- Dispose of your rubbish responsibly.

For further information to minimise your impact on the environment, refer to organisations such as Leave No Trace, Tread Lightly and Caring for Country.

Extract from Recreation, Tourism and Visitor Services Policy Guidelines.

Attachment 3

Malimup Communique

Malimup Spring – May 1998

This communique was developed at a meeting of indigenous community representatives, staff of government land management agencies and representatives of non-government environmental groups at Malimup Spring, Western Australia in May 1998.

The communique is concerned with indigenous people and the management of areas reserved or zoned as 'wilderness', primarily within national parks or other lands reserved for conservation or recreational purposes. However, the meeting participants believe the broad management principles developed apply equally to all protected areas managed by government agencies. It is proposed that land management agencies use these guidelines with this in mind.

This document is not intended to impinge upon common law or native title rights of indigenous people. It recognises the special relationship between indigenous people and country, it does not set a precedent for similar management arrangement for other groups or individuals.

Note: The term 'rightful indigenous communities' is used throughout this communique to mean the indigenous community or communities that land management agencies should negotiate with to implement the communique. In many cases this will be the traditional owners, in other cases it may be local or other indigenous groups. The rightful indigenous community will be decided on a case-by case basis through discussions with all relevant indigenous communities~

Overarching Principles

The following overarching principles should guide indigenous use of areas reserved or zoned as 'wilderness':

- rightful indigenous peoples have the continuing obligation, responsibility and right to use, protect, maintain and manage country in partnership with land management agencies;
- indigenous people should be supported in maintaining their cultures through ongoing association with, and management of, their country in partnership with land management agencies;
- access by rightful indigenous people to their cultural sites should be considered a basic right. This right should be written into management documents (such as management plans) and other management mechanisms. Such documents or mechanisms may, by agreement with the relevant land management agency, include the exclusion of access to certain sites by others; and
- indigenous use of 'wilderness' should be undertaken in ways that ensure that all natural and cultural values are protected in the long term. The protection of 'wilderness' values requires that, where possible, technology used should be low impact to minimise detrimental effects. The effects of the use of 'wilderness' by rightful indigenous communities should be monitored by all stakeholders.

Management Framework

Rightful indigenous communities should be involved in joint management partnerships with land management agencies and participate in the making of 'wilderness' planning and management decisions which affect their rights and the maintenance of their cultures, This involvement should occur within a framework which includes:

- the inclusion of rightful indigenous people at all administrative levels of planning and management, including representation on all relevant committees;
- the involvement of rightful indigenous communities in relevant, policy formulation, management plan preparation and day-to-day management;
- the direct management of areas, sites and matters of indigenous significance within 'wilderness' areas by rightful indigenous people;
- requiring the approval, control and participation of rightful indigenous communities before permitting:
 - the publication of sensitive indigenous knowledge;
 - access to indigenous cultural sites (including fragile, sacred and culturally important places); and
 - scientific research on indigenous sites and issues;
- the incorporation of indigenous resource knowledge and land use practices in 'wilderness' management regimes;
- the involvement/employment of members of rightful indigenous communities in undertaking land management practices and programs in 'wilderness' areas;
- the promotion of indigenous themes in 'wilderness' educational and interpretive material (as approved by the rightful indigenous communities);

Hunting and Gathering (Native Species)

- enabling sustainable hunting and gathering by rightful indigenous people in their ancestral lands, including the use of firearms;
- the resolution of nature conservation or park user conflicts associated with indigenous hunting and gathering activities through specific provisions in park management plans, wildlife management plans or other agreed mechanisms;

Feral Animals

- where appropriate, encouraging the taking of feral animals by rightful indigenous people within feral animal control plans or programs;

Vehicular Access

- permitting rightful indigenous communities to use vehicles on tracks which are closed to the public but retained for park management purposes to gain access to sites to fulfil cultural responsibilities;
- determining mechanised access restrictions/conditions between park managers and rightful indigenous communities;
- on an opportunistic basis, providing no-cost opportunities for rightful indigenous communities to gain access to remote sites to fulfil cultural responsibilities as part of general park management operations; and

Living Areas

- an acceptance that where rightful indigenous people wish to live on their ancestral lands in order to maintain their culture, accommodation may be required. Any such accommodation should be low impact, sited to minimise environmental disturbance and jointly agreed with the relevant land management agency.

Implementation

This communique sets broad guidelines for all land management agencies. Specific approaches or mechanisms to implement this communique should be developed by each State or Territory in partnership with rightful indigenous communities.

Meeting participants recommended that:

- this communique be presented to all Australian land management authorities for ratification;
- Environment Australia should check on progress within individual agencies towards ratifying the communique within two months and report back to all stakeholders;
- pilot programs aimed at translating the principles of this communique "on-ground" be developed with land management agencies and rightful indigenous communities as a matter of priority;
- ANZECC be presented with the communique principles for consideration and adoption;
- non-government environment groups should be encouraged to seek consensus between groups on this communique; and
- Environment Australia prepare report cards for individual States and Territories concerning ratification and implementation of the communique in 18 month's time.