

**Summary of issues raised in public submissions to the *Yawuru Birragun Conservation Park*
*draft management plan 2015***

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1. Introduction

On 19 June 2015, the *Yawuru Birragun Conservation Park draft management plan 2015* (the draft plan) was released by the Minister for Environment and Yawuru traditional owners for a three-month statutory public submission period. The submission period closed on 25 September 2015. A total of 26 submissions were received during this time.

This document provides a summary of the main issues raised in submissions and how the final management plan has been amended in response to the submissions. A summary of submissions report is also being developed for the *Proposed Yawuru Nagulagun / Roebuck Bay Marine Park Indicative Joint Management Plan 2015*. This plan was released concurrently with the draft and a large portion of the proposed marine park abuts the conservation park.

2. Plan notifications, distribution and submissions review method

The public was notified that the draft plan was open for comment as required under section 57 of the *Conservation and Land Management Act 1984* (CALM Act). Specifically, a notice was placed in the *Government Gazette* on 23 June 2015, in *The West Australian* on 22 June 2015 and 23 July 2015, and in the *Broome Advertiser* on 25 June 2015 and again on 23 July 2015. Further, the plan was distributed to the relevant Government Ministers and Local Government as per s59 of the CALM Act.

Notification of the release of the draft plan was also sent to tertiary institutions, libraries, peak bodies, stakeholder groups and numerous individuals who expressed their interest during the draft planning process. 'Have Your Say' brochures and submission forms were made available with the draft plan at the Broome and Kensington offices of the Department of Parks and Wildlife, the Yawuru Nyamba Buru office and various other locations in Broome. Social media was used by Parks and Wildlife and Yawuru Nyamba Buru to further notify the Yawuru community and the public about the draft plan and submission period. Digital copies of the draft plan and 'Have Your Say' brochure were made available on the Parks and Wildlife website, where interested parties were encouraged to lodge submissions online.

On 19 June 2015, the *Yawuru Birragun Conservation Park draft management plan 2015* was launched at a formal event in Broome, along with the *Yawuru Nagulagun / Roebuck Bay Marine Park Indicative Joint Management Plan 2015*. The event to release these plans for public comment was covered locally and more broadly in various media news articles.

All submissions received were recorded into a database, summarised by topic, and then analysed according to the criteria specified in the draft plan (see box below). No subjective weighting was given to any submission for reasons of its origin or any other factor, which would give cause to elevate the importance of any submission above another.

The management plan may be amended if a submission:

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

The management plan may not be amended if a submission:

- clearly supports proposals in the plan or makes general or neutral statements
- refers to issues beyond the scope of the plan
- refers to issues that are already noted within the plan or already taken into consideration during its preparation
- is one among several widely divergent viewpoints received on the topic but the approach in the plan is still considered the best option
- contributes options that are not feasible (generally due to conflict with legislation or government policy)
- is based on unclear or factually incorrect information.

3. Who provided feedback

There were twenty-six submissions to the Yawuru Birragun Conservation Park draft plan. The method used to make submissions is shown in Figure 1.

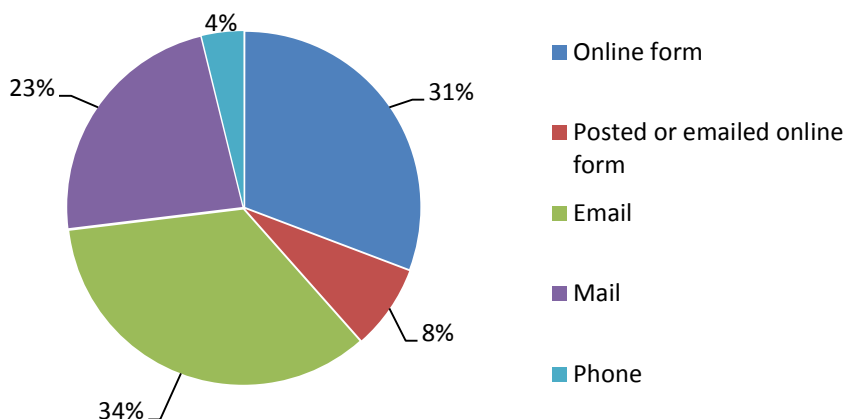


Figure 1: Method used to make submission

Most submitters were from Broome or Perth (77%). Four submissions were received from interstate submitters and the remaining two were from Kununurra and Esperance. Figure 2 shows the location of submitters.

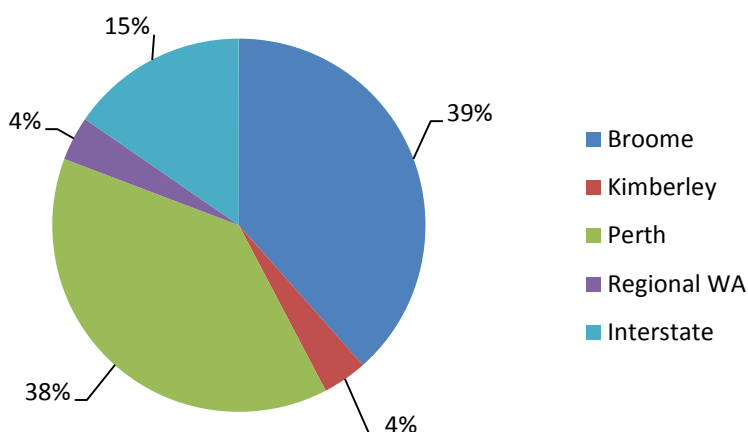


Figure 2: Location of submitter

Eight submissions were received from the general public. The remainder were received from people representing organisations or groups. These were made up of:

- Government departments (including Local, State and Federal)
 - Department of Lands
 - Landgate – Geographic Names
 - Main Roads Western Australia
 - Department of Mines and Petroleum
 - Department of Water
 - Indigenous Land Corporation
 - Department of Agriculture and Food
 - Western Australian Museum
 - Department of Planning
 - Shire of Broome

- Aboriginal Lands Trust
- Tourism Western Australia
- Conservation/research groups
 - Global Flyways Network
 - Wildflower Society
 - Broome Bird Observatory
- Tour operator
- Member of Parliament

4. Key topics/issues attracting comment from submitters

4.1 General support for the draft plan and for joint management

The majority of submitters indicated general support for the draft plan, support for various specific proposals/strategies, and for the joint management arrangements applicable to the Yawuru Birragun Conservation Park.

4.2 Tenure

Two submissions from government agencies raised a range of detailed matters on tenure and land assembly process. For example, the status of establishing relevant parcels of the conservation estate in accordance with the Yawuru Agreements, and that the final land assembly is not yet completed. One of these submissions highlighted State nomenclature processes that should be followed to formalise the proposed name for this jointly managed conservation area.

A couple of submitters commented on various discrepancies and errors on tenure and other maps in the draft plan.

4.3 Potential impacts of external planning and development proposals on Yawuru Birragun Conservation Park

The draft plan included strategies about providing advice (as necessary) regarding land use planning and development proposals for nearby areas where they had the potential to affect various values of the Yawuru Birragun Conservation Park. One submission, in particular, was focused on such strategies, with their comments suggesting that the draft plan's intent and scope for these strategies may have been misunderstood. The comments indicated a lack of clarity regarding the role and jurisdiction the joint management partners had with regards to planning and development proposals near (but outside of) the Yawuru Birragun Conservation Park. From the comments, it appeared that the role and jurisdiction of the joint management partners may have been confused with formal environmental impact assessment functions of the Environmental Protection Authority, for example.

4.4 Shorebirds and disturbance of shorebirds

A considerable proportion of submissions were focussed on the protection of migratory shorebirds and key shorebird habitat. Some submitters stressed that the availability of adequate sites for roosting is critical for the protection of migratory shorebirds in the Yawuru Birragun Conservation Park. They mentioned that the disturbance of shorebirds at roosts, is a significant issue. In particular, during the dry season when visitation was higher, and on very high tides when the area available for roosting was more constrained. Submitters also commented that disturbance of roost sites along the northern shores of Roebuck Bay was especially problematic because shorebirds were known to only use alternative roosting sites further away from feeding areas under certain conditions.

Four submitters considered that an increase in the area of mangroves on the beaches of Roebuck Bay was an issue that had not been taken into account in the draft plan. These submitters suggested that mangroves have increased markedly between One Tree and the Broome Bird Observatory, causing a reduction in available roost sites for migratory birds.

The draft plan's proposal for a medium day-use site at Fall Point in particular, attracted a good proportion of comments from submitters. More specifically, Fall Point was said to be an important beach for roosting shorebirds, and there was concern that increased numbers of visitors to this area would disturb and potentially displace shorebirds from this well-used roost. Disturbance or displacement of shorebirds at Fall Point was of concern, given suitable roost sites are very limited along the northern shores of Roebuck Bay (especially on high tides).

Several submitters supported the proposal to reduce the number of spur roads and day-use areas along the northern shores of Roebuck Bay, mainly to protect migratory shorebird roosting sites, but also to limit the extent of

erosion. One submitter supported prohibiting vehicles driving on beaches as vehicles disturb roosting shorebirds and bring pindan sand onto the beach which washes over the mud and can impact upon mud-dwelling plants and animals. Three submitters raised the issue of helicopters flying over shorebird roosting sites causing disturbance and recommended this be considered.

4.5 Threatened fauna

Some submitters provided additional/updated information of relevance to the management of two threatened fauna species occurring within the Yawuru Birragun Conservation Park, and suggested that the information should be updated in the final plan.

4.6 Wetland and Ramsar site matters

One submitter recommended various minor edits to wording on hydrology, wetland and Ramsar related matters. The key theme of these recommendations was to better support monitoring and reporting of Ramsar site attributes and *bilarra* (wetlands) relevant to the Yawuru Birragun Conservation Park.

4.7 Recreation and tourism related issues

Three submitters highlighted that Broome is an important destination for both Australian and international tourists, and supported the draft plan's proposals to maintain and improve recreation and tourism opportunities within the Yawuru conservation estate.

Many comments about recreation and tourism aspects of the draft plan were on the potential impacts on migratory shorebirds, the draft plan's recreation proposal for Fall Point for example (see Section 4.4 of this report).

One submitter also conveyed some concerns and additional information of relevance to the two major recreation sites that are proposed for the northern parts of the Yawuru Birragun Conservation Park. It was recommended that further assessment of cultural and other matters should be undertaken to confirm if or what recreation site developments would be appropriate in these locations.

A couple of submitters appeared to have misunderstood the draft plan's intention regarding camping in the park, suggesting that the final plan should provide greater clarity on this matter.

4.8 Access/access management

Around 3 submissions referred to wanting clarification and/or more specific and detailed information about access management proposals described in the draft plan. This included, for example, specifics regarding restricted access areas to recognise special Yawuru cultural purposes, and access for scientific research purposes. Some of these submitters also indicated that they were concerned that the public would unnecessarily be restricted from recreational access to the special cultural purposes areas. One submitter explicitly stated that they did not support the draft plan's proposals to establish restricted access areas to recognise special Yawuru cultural sites and values. Several submitters supported the proposals to rationalise and provide improved and sustainable pedestrian and vehicle access for recreational purposes. Some also indicated support and encouragement for measures to address inappropriate and unauthorised off-road vehicle access adversely affecting ecological, cultural and other values.

The '*Have Your Say*' submission form for asked for feedback about the level of use of the informal boat ramp at Sabu Rock. Six submitters indicated support for the plan's proposal to improve facilities at Sabu Rock for boat launching and another was keen for boat access to Roebuck Bay to be retained.

4.9 Introduced species

Some submitters mentioned that foxes had been seen or recorded within the conservation estate and that the plan should make mention of this, particularly given the threat that these present to native fauna including migratory birds and bilbies, which had recently been recorded in the conservation estate.

Other submitters provided further/updated information regarding management of other introduced species such as cats and cattle within the conservation estate.

4.10. Fire

One submitter made several comments on the fire section of the draft plan, suggesting that there was insufficient emphasis placed on bushfire mitigation focused on protection of life and property. They recommended a number of amendments to add more detailed and specific management requirements to the fire section.

4.11 Ongoing public and stakeholder consultation

Around 4 submissions from key stakeholders requested that the plan provide for further information and ongoing consultation with key stakeholders regarding management and planning for the area.

5. Key changes to the final management plan

Nomenclature

The plan was changed to refer to the need to formalise the name of the Yawuru Birragun Conservation Park and other Yawuru names for places, as necessary under State legislation and policy (e.g. Land Administration Act).

Joint management partner's role in planning and development proposals outside of the Yawuru conservation estate

Minor changes to the text to try and clarify and make the joint management partners' role and responsibilities re this more explicit.

Shorebirds and disturbance of shorebirds

Some changes were made to the plan to:

- clarify that disturbance at roosts on the northern shores is a year round issue
- refer to occurrence and impacts of increasing mangroves on shorebird roosting as being something that would be investigated through the management of the adjoining marine park
- specifically mention disturbance from helicopters.

Recreation and tourism related matters

Some changes were made to the plan to:

- Note concerns that submitters have raised regarding Fall Point by reducing the scale and changing the focus of this proposed site. More detailed site assessment, planning and design will consider options that better recognise the use and importance of the site for shorebird roosting. This may include, for example, exploring the option of providing a bird hide to promote non-intrusive bird watching, and using signs and other information to raise visitor awareness about shorebirds and the importance of avoiding disturbance.
- Convey that certain specific proposed recreation sites shown in the draft plan require further investigation of cultural and other issues to confirm if these are appropriate locations for recreation site development.
- Try and more clearly communicate the intent regarding circumstances in which camping in the Yawuru Birragun would be permitted.

Access-related matters including Yawuru only areas

Some minor changes made to the text and maps to clarify that:

- public roads and other roads providing access to recreation areas will not be included in the restricted access areas
- persons that have lawful authority to enter, licenced researchers for example, can enter subject to any conditions associated with the licence issued.