

Proposed marine parks in the Buccaneer Archipelago and surrounds



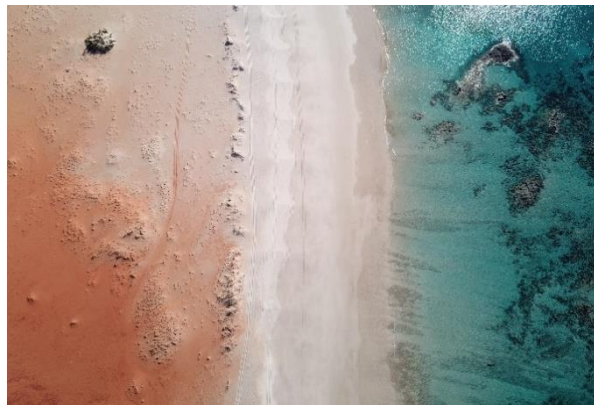
Three joint management plans for marine parks in Bardi, Jawi, Mayala and Dambeemangarddee (formerly spelt Dambimangari) Country have been released for public comment:

- an indicative joint management plan for the proposed Bardi Jawi Marine Park.
- an indicative joint management plan for the proposed Mayala Marine Park.
- an amended joint management plan for the Lalang-garram / Camden Sound, Lalang-garram / Horizontal Falls and North Lalang-garram marine parks and indicative joint management plan for the proposed Maiyalam Marine Park.

Following gazettal of the proposed Maiyalam Marine Park, it is intended that the four marine parks in Dambeemangarddee Country will be amalgamated to form the Lalang-gaddam Marine Park, managed under one plan. The zoning schemes for the existing marine parks in Dambeemangarddee Country remain unchanged and do not form part of the amendments. Public comment is not sought on the existing zoning arrangements.

You are invited to have your say on how the marine parks will be managed into the future.

This brochure provides a summary of key information. Please visit <https://www.dbcwa.gov.au/haveyoursay> to make a submission before **Friday 21 May 2021**.



Joint management

The proposed Bardi Jawi, Mayala and Maiyalam marine parks are situated in native title determination areas of Bardi, Jawi, Mayala and Dambeemangarddee Traditional Owners. The indicative joint management plans for the proposed marine parks provide for the protection and conservation of the values of the area to Aboriginal culture and heritage and include a commitment to jointly manage the proposed parks with Bardi, Jawi, Mayala and Dambeemangarddee Traditional Owners.

Plan for Our Parks

In 2019, the State Government announced a plan to create five million hectares of new national and marine parks and conservation reserves across Western Australia. Once established, these proposed marine parks will add 660,000 hectares to Western Australia's conservation estate.

Development of the plans

For the first time, the proposed marine parks are being co-designed between Traditional Owners and the Department of Biodiversity, Conservation and Attractions (DBCA). The co-design model places greater emphasis on consultation with Traditional Owners in the first instance. Over 200 Traditional Owners have contributed to these plans, through sharing cultural knowledge and traditional ecological knowledge. Traditional Owners and DBCA would now like to hear what you think of the marine park proposals.

Introducing the Traditional Owners of the proposed marine parks

Dambeemangarddee people

We want to tell you about who we are, so that you know when you travel through the marine park. Many people now refer to us as Dambeemangarddee people, historically you may have seen it spelt as 'Dambimangari'. We are choosing to spell the word how it is correctly pronounced. In our language, *dambeema* means home, Dambeemangarddee means all the people who are from that home.

Our culture goes back more than 56,000 years. The name of our tribe and language is *Worrdorrda*. We are saltwater people who have been living along the coast for many thousands of years. Dambeemangarddee people traditionally eat food from the bush and the sea—saltwater *jaiya* (fish), *julawaddaa* (turtles), *waliny* (dugongs), *ganbaneddee* (crabs) and *marlinja* (oysters) make up an important part of our diet. We follow the laws and beliefs of the *Ungudja* (the creator snake) and *Wandjina* (our creator ancestors). We live a different life to our ancestors, but we remember where we come from and how to look after our country. We now walk in two worlds, the modern world and the world of our traditional culture.

Mayala people

Mayala are saltwater people. We have a unique island culture and deep knowledge of the complex currents and tides to navigate between our islands and across our sea Country. This knowledge comes from our long association and living relationship with Country as it has changed over thousands of years. Our name comes from the spinifex grass that grows on the islands - we used this on top of our *ngirray* (shelters) to protect us from the rain and keep us warm.

Living on small islands with little game and few large mammals or freshwater sources, our people lived primarily off the sea, adapting tools and technology to harvest sea resources for survival, using the *loo* (currents) tides and stars to navigate through Country. Our Lore has kept our Country and our people alive since *milonjoon* (from long ago) and we are here because of our ancestors and their care for Mayala Country. We follow our own cultural governance structures and kinship systems.

Bardi and Jawi people

We have used, relied on, enjoyed and protected country over thousands of years and continue to do so today. Bardi and Jawi sea Country has always been, and continues to be, an essential part of Bardi and Jawi spiritual, social and physical existence. The Law created religiously significant features in the sea that the *madjamadjin* (law bosses) are required to protect. Traditional stories explain the creation of the salt water and certain sea creatures.

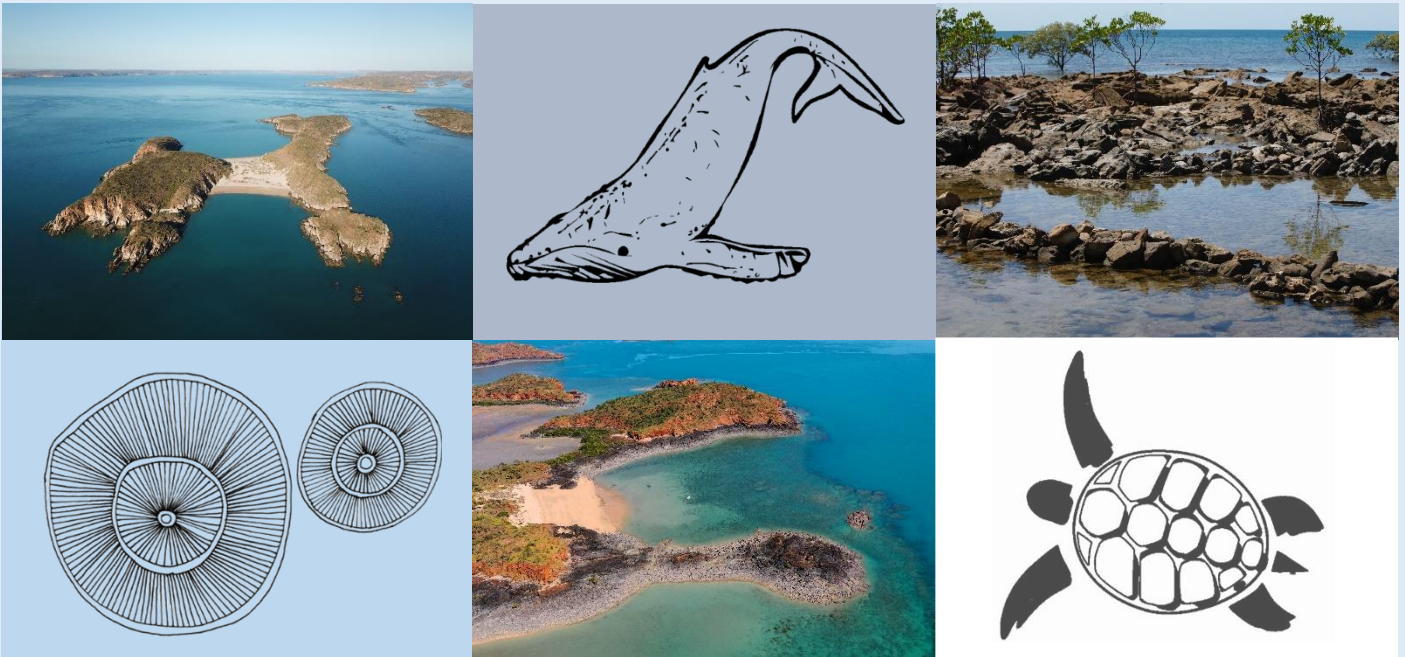
Supernatural sea creatures such as the shark *Loolooloo* have always existed to protect Bardi and Jawi people in their sea faring life. Bardi and Jawi people have always engaged in, and continue to engage, in shore fishing, collecting sea food from the intertidal zone, hunting *odorr* (dugong) and *goorlil* (turtle) in the shallows and from rafts with the *goorlil* (turtle) and *odorr* (dugong) being shared in accordance with traditional law. Pearl shell is also collected and used as a resource for ceremony and trade.



The proposed marine parks

The proposed marine parks will protect a diverse range of marine life. Fringing *marnany* (reefs) have formed around the coast and between the many islands of the Buccaneer Archipelago, withstanding a tidal range in excess of 11m, the highest in Australia. The wide intertidal areas are home to vast numbers of plants and animals, all adapted to the coastal environment of the Kimberley. Mangrove-lined creeks and *noomool / julum* (seagrass) meadows create important nursery areas for *aarlil / jaiya* (fish), and *goorlil / julawadda* (turtles) are regularly seen foraging and nesting in the area. Sea Country is forever changing with the seasons and tides. From June to November each year *miinimbi / ngunubange* (humpback whales) migrate from Antarctica to the Kimberley to give birth to their young, and dugongs visit the proposed marine parks in the cooler months from May to July.

The proposed marine parks will protect the significant cultural values of the area including seasonal camping areas, areas important for customary food and other resources, and culturally significant features such as cultural sites reefs, seagrass beds and mangrove communities. The parks will also help to protect intangible values such as those related to Law, ceremony and oral histories.



The outstanding natural values of the Dampier Peninsula and Buccaneer Archipelago coupled with the vibrant Aboriginal culture in the region is attracting an increasing number of local and international visitors. Popular activities include fishing, boating, cultural tours and wildlife watching. Commercial activities in the proposed marine parks include commercial fishing, pearling and aquaculture.

What is a marine park?

Marine parks are similar to national parks, although instead of protecting biologically important areas of land, marine parks protect biologically important areas of ocean and coastline. Marine parks are created to help conserve marine habitats and biodiversity, as well as cultural heritage values, while at the same time allowing for a range of activities including fishing, diving, boating and tourism. The State Government is progressively creating a representative system of marine parks and reserves in WA. The long-term goal is to provide protection for all types of marine habitats and biodiversity in WA using a system that is 'comprehensive, adequate and representative'. Marine parks in WA are created under the *Conservation and Land Management Act 1984* (CALM Act).

What is a management plan?

A management plan outlines the main objectives for conservation areas and provides a broad plan of action for how these objectives can be best achieved. Management of conservation areas is a dynamic process and management plans include provisions for ongoing monitoring and review to assess their effectiveness. This is called adaptive management and allows for management actions to be adjusted, if necessary, to correct any deterioration in the natural, cultural and social values, or to take account of new knowledge and information.

Management zones

Zoning is an important part of the management framework in multiple-use marine parks and is used to protect marine biodiversity and manage human use in an equitable and sustainable way. The proposed marine parks are divided into three different zone types, special purpose zones (cultural protection), sanctuary zones and general use zones. The designation of special purpose zones (cultural protection) is dependent on the enactment of amendments to the CALM Act. The amendments will update the purpose of marine parks to include allowing only that level of recreational and commercial activity which is consistent with the protection and conservation of the value of the marine park to the culture and heritage of Aboriginal persons.

Special purpose zones (cultural protection) cover approximately 19 percent of the proposed marine parks.

The proposed special purpose zones (cultural protection) will play an important role in protecting the value of Bardi, Jawi, Mayala and Dambeemangarddee Country to the culture and heritage of Bardi, Jawi, Mayala and Dambeemangarddee people. While cultural and heritage values apply across the whole of the proposed marine parks, the proposed special purpose zones (cultural protection) will protect the areas within their Country which are of the greatest cultural significance.

The special purpose zones (cultural protection) will protect and conserve culturally sensitive geographical areas and features that are significant to the Traditional Owners of the area. These areas may contain tangible values such as seasonal camping areas, areas important for customary food and other resources and culturally significant features such as cultural sites, reefs, seagrass beds and mangrove communities. They may also contain intangible values such as those related to, Law, ceremony and oral histories. Achieving protection of cultural and heritage values will require protection of environmental values as there is often a high level of interdependence between them. For the Traditional Owners of the area their Country is more than a simple geographic location, it includes all living things, incorporating people, plants, animals, seasons, stories, and spirits and they carry the responsibilities of their ancestors to manage and speak for Country, which has been recognised in Australian Law through a native title determination process. Inappropriate access and/or use of Country can have significant consequences under Aboriginal Law. While cultural and heritage values apply across the whole of the proposed marine park, customary activities are more likely to be carried out in the proposed special purpose zones (cultural protection) compared to other areas in the proposed marine parks

Sanctuary zones cover approximately 21 percent of the proposed marine parks.

Sanctuary zones are 'look but don't take areas'. The proposed sanctuary zones will play a central role in protecting areas of critical habitat to maintain the healthy functioning of the complex ecosystems in the proposed marine parks. Sanctuary zones provide important opportunities for education, research and monitoring and non-extractive forms of recreation and tourism. For the Traditional Owners of the area, many ecological values also have a particular cultural significance and the sanctuary zones will also contribute to the protection and conservation of cultural heritage values including culturally important reef and mangrove areas.

General use zones cover approximately 60 percent of the proposed marine parks.

General use zones are areas not included in special purposes zones or sanctuary zones. Conservation of the ecological and cultural values is the priority of general use zones but a range of other sustainable activities are permitted.

Extract from statement from Mayala, Bardi and Jawi Traditional Owners.

'We recognise that the creation of the marine parks in line with the proposed zoning schemes may reduce use by other stakeholders in some areas, but ask for your support to protect country in a manner consistent with our traditional and continuing uses. We have not aimed to restrict access – but ask instead that activities are carried out in partnership with Traditional Owners and we will continue to welcome visitors to these areas'.

How can I use and enjoy the area?

Customary activities

As the recognised native title holders in the area, Dambeemangarddee, Mayala, Bardi and Jawi people have the right to enjoy their Country and maintain their native title rights and customary practices in all areas of the proposed marine parks. Examples of this include using the natural resources of Country (including fishing and hunting), passing on knowledge, benefiting from Country and protecting Country. The indicative joint management plans provides a commitment to work with Traditional Owners to help manage the customary take of particular species for ecological and cultural sustainability.

Recreational fishing

Recreational fishing in the Dampier Peninsula and Buccaneer Archipelago is a very popular activity. However careful management is required to make sure the fish stocks remain healthy and so that high quality, culturally appropriate fishing experience can be enjoyed. In recognition of this important social value:

- recreational fishing can occur in 60 percent of the proposed marine parks; and
- recreational fishing from a charter boat licenced under the CALM Act and *Fish Resources Management Act 1994* can occur in 79 percent of the proposed marine park.

Recreational fishing not undertaken as part of a fishing tour is not considered to be compatible with the conservation purpose of the special purpose zones (cultural protection) due to the potential for it to impact cultural activities and lead to culturally inappropriate access, particularly to areas important for customary food and other resources.

Traditional Owners consider that recreational fishing from a charter vessel is compatible with the conservation purpose of special purpose zones (cultural protection), provided the activity is subject to a CALM Act licence where conditions can be applied to regulate the activity. Licensing will ensure that charter tour operations, including charter fishing, is carried out in a culturally appropriate manner and that operators and customers follow cultural protocols.

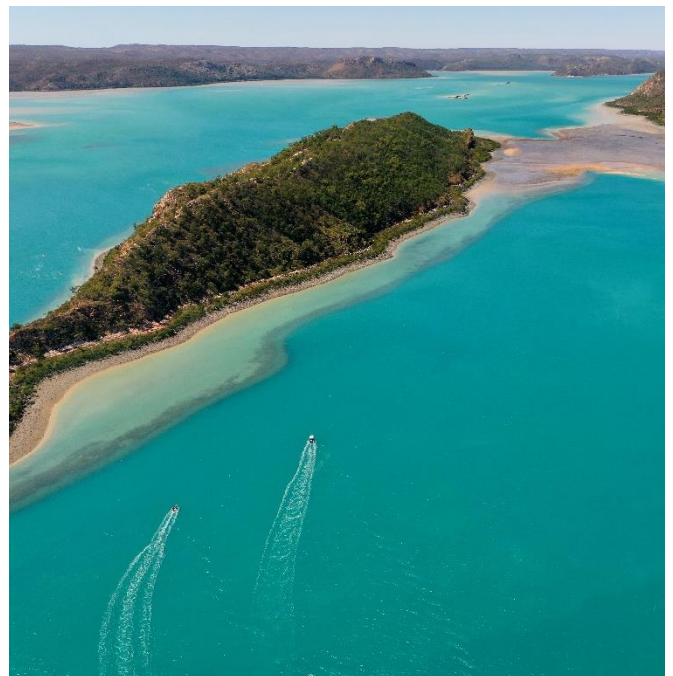


Commercial fishing


Sixty percent of the proposed marine parks is available for commercial fishing. A further 19 percent of the proposed marine parks is available for commercial trochus collection. The commercial trochus fishery is permitted in special purpose zones (cultural protection) as it is consistent with the protection of the value of the lands and waters to the culture and heritage of the Bardi, Jawi, Mayala and Dambeemangarddee people. Collecting trochus shell was a customary activity undertaken by the Traditional Owners and has become accepted as a commercial activity in the area. The commercial trochus fishery is different to other forms of commercial fishing, which will impact the cultural values of the area and associated customary practices by targeting culturally significant species, or risk catching / harming culturally significant species through by-catch. Commercial fishing remains subject to existing licensing and management arrangements administered by the Department of Primary Industries and Regional Development.

Tourism


Commercial tour operators can enrich visitor experiences and provide access to activities such as cruising, charter fishing, cultural tours and wildlife appreciation. The Traditional Owners of the area have identified the establishment of the marine parks as an opportunity to develop new cultural heritage and eco-tourism businesses and partnerships with existing and future operators. This will complement the vision for the Dampier Peninsula and broader Kimberley region to support Aboriginal lead business opportunities.





PLAN FOR OUR PARKS
Proposed marine parks in the Buccaneer Archipelago
- proposed management zoning
as at 11 December 2020


 Port area - Marine and Harbours Act ¹

Proposed marine parks in the Buccaneer Archipelago ^{1, 2, 3, 4, 5}

 Proposed marine park boundaries

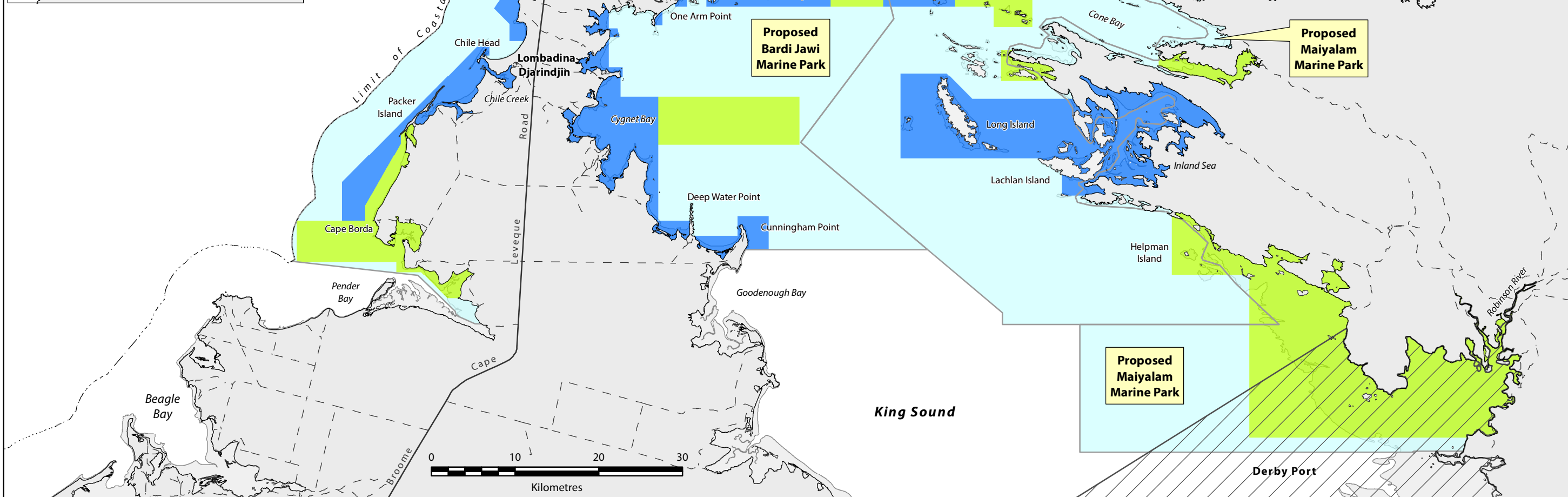
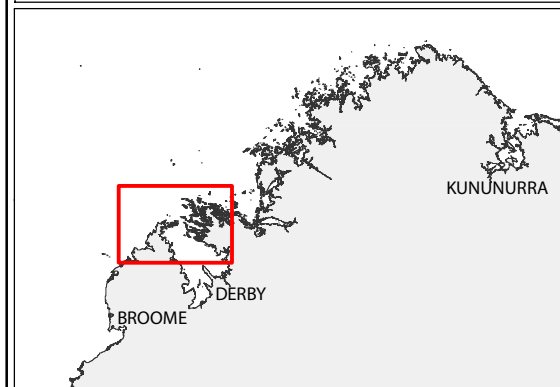
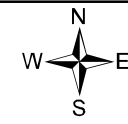
 Proposed sanctuary zone

 Proposed special purpose zone (cultural protection)

 Proposed general use zone

- 1 - Traditional Owners have aspirations to include some port areas in marine park waters. Areas of potential inclusion are subject to further discussion.
- 2 - Proposed marine park and zone boundaries are indicative only and extend generally to the high water mark.
- 3 - Waterlines shown on this map are indicative only and do not necessarily depict an exact cadastral boundary.
- 4 - Marine park names are yet to be finalised.
- 5 - Management zoning is at a draft stage, is indicative only and subject to change through a formal public consultation process.

Produced by Department of Biodiversity, Conservation and Attractions (AEPL Branch), 11 December 2020



Proposed Bardi Jawi, Mayala and Maiyalam marine parks permitted activities table

Activity	Proposed sanctuary zones	Proposed special purpose zones (cultural protection)	Proposed general use zones
Customary			
Customary activities (e.g. hunting and fishing)	Yes [a]	Yes [a]	Yes [a]
Commercial			
Commercial fishing (other than trochus collection)	No	No	Yes [b]
Commercial trochus collection	No	Yes	Yes
Pearling and associated activities	No	No	Yes
Aquaculture	No	No	Yes
Scenic flights (charter) [c]	Yes	Yes	Yes
Ground disturbing mining and petroleum exploration and development [d]	No	No	Assess
Non-ground-disturbing activities including geophysical surveys, geological mapping, sampling and geochemical surveys [e]	No	No	Assess
Ship loading and other mining related infrastructure (e.g. ship loading docks, cabling or pipelines)	No	No	Assess
General marine infrastructure (e.g. groynes)	No	Assess	Assess
Artificial structures (e.g. artificial reefs)	No	No	Assess
Dredging and dredge spoil dumping	No	Assess [f]	Assess
Charter tour operators – fishing [c]	No	Yes [g]	Yes
Charter tour operators – non-extractive (e.g. wildlife viewing) [c]	Yes [g]	Yes [g]	Yes
Wildlife/fish feeding [h]	No	No	No
Recreational			
Boating (motorised and non-motorised)	Yes [g]	Yes [g]	Yes
Nature appreciation and wildlife viewing	Yes [g]	Yes [g]	Yes
Recreational fishing	No	No [i]	Yes
Other use			
Access	Yes [g]	Yes [g]	Yes
Vessel transit	Yes [g]	Yes [g]	Yes
Navigation aids	Yes	Yes	Yes
Research and monitoring [c]	Yes [g]	Yes [g]	Yes
Anchoring (soft bottom only)	Yes [g]	Yes [g]	Yes
Mooring	Assess	Assess	Yes
Seaplane, helicopter and remotely piloted aircraft (drone) launching and landing [j]	Assess	Assess	Assess
Vessel sewage discharge and de-ballasting	No	No	Yes [k]

Permitted activities provisions

[a] Customary take is confined to native title holders as determined under the Native Title Act 1993 or where native title holders have provided consent to another Aboriginal person or group.

[b] Prawn trawling is restricted in the proposed marine park through a permanent inshore closure managed by DPIRD.

[c] Licence or permit required under the Conservation and Land Management Act 1984 and/ or Fish Resources Management Act 1994

[d] Ground-disturbing mining and petroleum exploration and development activities include any activity that disturbs the land, seabed and/or subsoil within the proposed marine park (e.g. drilling).

[e] Geophysical surveys will be assessed by the Department of Mines, Industry Regulation and Safety

[f] Activities permitted if activity is shown to be compatible with the specified purpose of the zone. Only small-scale dredging for the purpose of public access and safety will be considered.

[g] Access may be restricted, in specific areas within a sanctuary or special purpose zone (cultural protection) if deemed necessary to protect cultural or ecological values. Existing shipping channels will be maintained.

[h] Commercial operates seeking to conduct wildlife or fish feeding activities will require lawful authority under their commercial operator's licence provided by the department and will need to comply with regulations under the Fisheries Resources Management Act 1994)

[i] Recreational fishing is only permitted on a charter or guided tour.

[j] Lawful authority must be obtained to launch, land or touchdown in an aircraft on CALM Act lands and waters

[k] Only in gazetted sewage discharge areas

How to access further information and/or make a submission

- Website: <https://www.d BCA.wa.gov.au/haveyoursay>
- DBCA, 17 Dick Perry Avenue, Technology Park, Western Precinct, Kensington (08) 9219 9000
- DBCA, Broome Work Centre, 111 Herbert Street, Broome, WA (08) 9193 5027



What happens next?

All public submission for the indicative joint management plans will be reviewed and may result in modifications to the joint management plans.

The final joint management plans for the proposed marine parks, modified as appropriate in light of public comments, will be submitted to the Minister for Environment for approval.

A summary of the public submissions for each plan will be made available when the final joint management plans are released.

Photo credits

Page 1: Top: Lachlan Island. Photo – Michael Higgins/DBCA

Bottom left: Kooljaman beach. Photo – Michael Higgins/DBCA

Page 2: Top to bottom:

Photo 1: Dambeemangarddee Traditional Owners at Ngumbree (Raft Point). Photo – Alan Byrne

Photo 2: Dambeemangarddee Smoking ceremony at Yaloon. Photo – Roanna Goater/DBCA

Photo 3: Mayala Traditional Owners. Photo – Ash Mumford/KLC

Photo 4: Mayala Elders Loran Hudson and Alma Ejai. Photo – Roanna Goater/DBCA

Photo 5: Bardi Jawi Rangers. Photo – Bardi Jawi Rangers

Photo 6: Customary fishing. Photo – Ian Meechan.

Page 3: Left to right:

Photo 1: Barnicoat Island. Photo – Michael Higgins/DBCA.

Artwork: Digitised from sketch by Herbert Marshall

Photo 3: Fish Trap - Ian Meechan.

Artwork: *Ngarlankarnanya* (baler shell). Artwork – Leah Umbagai

Photo 5: *Waddaddam* (Coppermine Creek). Photo – Liz Vaughan/Francis Woolagoodja/DAC

Artwork: Turtle in the Bardi Jawi Niimidiman Aboriginal Corporation RNTBC logo.

Page 5: Left: Recreational fishing. Photo – Carolyn Thomson-Dans.

Right: Duddgu (Graveyard) – Liz Vaughan/Francis Woolagoodja/DAC

Page 8: Silica beach. Photo – Liz Vaughan/Francis Woolagoodja/DAC