

# Dampier Peninsula Planning Strategy

## FINAL REPORT

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Planning



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# Dampier Peninsula Planning Strategy

## FINAL REPORT



## FOREWORD



**Eric Lumsden, PSM**

Chairperson

Western Australian  
Planning Commission

As the first of its kind for the area, the Dampier Peninsula Planning Strategy has been developed to provide a sub-regional planning perspective directed at achieving an agreed vision for the Peninsula over the next 25 years.

The Strategy has been developed to provide a comprehensive land use strategy that is mindful of the need for cultural, economic and environmental sustainability.

The Strategy outlines the high-level principles against which future plans for, and development of, the Peninsula will be assessed by the Western Australian Planning Commission, providing certainty for long-term planning and encouraging investment in the area.

It is one of a number of sub-regional strategies prepared by the Department of Planning on behalf of the Western Australian Planning Commission to complement the wider State Planning Strategy and the Kimberley Regional Planning and Infrastructure Framework.

The strategic direction outlined in the Strategy will guide land use change and investment in key infrastructure, in a manner consistent with a growing population and economic development, whilst ensuring the protection of cultural and natural assets vital to this area.

To manage growth in the region, the Strategy promotes compact settlements by consolidating growth in areas where key services and infrastructure are already established, both for residents of the Dampier Peninsula and visitors alike.

Additional measures include; the establishment of a settlement and tourism hierarchy ; setting aside areas for conservation of sensitive coastal, heritage and environmental areas; and areas for the continuation of traditional resource use.

Delivering the Dampier Peninsula Planning Strategy is important in planning for an increasing population and economic diversification.

As such, I welcome the Dampier Peninsula Planning Strategy as a means to help guide future land use planning and key infrastructure establishment for the region and extend my appreciation to all those who have contributed to the preparation of the Strategy.

### Photo acknowledgements.

Front cover	Willie Creek looking East	Cate Gustavsson
Back cover	Cape Leveque rocks	Jim Allen
Page 2	Middle Lagoon	Cygnnet Bay Pearls*
Page 5	Pindan cliffs and beach	Jim Allen
Page 7	Holding a pearl seed	Tiffany Labuc Garstone
Page 19	Pastoralism in the Kimberley	Brian Lloyd
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Page 77	Green turtle (middle)	Pam Baskind
Page 77	Pearl oyster (bottom)	Cygnnet Bay Pearls*
Page 78	Sunset	Tiffany Labuc Garstone

\*All photos from Cygnnet Bay Pearls were provided courtesy of James Brown, General Manager.



# Dampier Peninsula Planning Strategy

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# 1. Executive summary

## Background

Until recently, the State Government via the Western Australian Planning Commission (WAPC) had been aware of the difficulties being experienced on the Dampier Peninsula due to the lack of a coordinated planning framework. This was hampering the ability to effectively deliver additional housing and services to towns and settlements and other users for the Dampier Peninsula. In response, the WAPC acknowledged the pressures being experienced on the Dampier Peninsula and indicated that the WAPC would progress strategic planning for the area with input from the Department of Aboriginal Affairs (DAA) and the Aboriginal Lands Trust (ALT) as well as other key stakeholders.

The WAPC aims to redress non-integration of the Peninsula into the State's Planning Framework through a sub-regional plan to facilitate better social and economic development.

Residents of the Peninsula, native title parties and other land users have a strategic interest in securing land tenure for economic development and management and protection of environmental and cultural heritage assets.

The DAA (formerly DIA) commissioned the *Dampier Peninsula Access Management Plan* in 2005-2007, which recommended that a comprehensive land use plan be prepared for the Peninsula. This Dampier Peninsula Planning Strategy (DPPS) has been produced in this context.

Strategic and Statutory planning must progress on the understanding that the Peninsula is unique as a region because it is comprised primarily of Aboriginal residents whose socioeconomic and land-management requirements and aspirations are not the same as Broome or Derby's urbanised population, where current planning is focused.

## Aboriginal engagement

Following the identification of the Browse Liquefied Natural Gas Precinct (LNGP) site, the re-establishment of the project to complete the Dampier Peninsula Planning Strategy (DPPS) was commenced by the Department of Planning (DoP). A significant step in preparing this strategy was the establishment of a comprehensive framework for the involvement of the Traditional Owners to build upon the earlier consultation undertaken with the Aboriginal people and residents of the Dampier Peninsula in 2007-08 and recorded in the Record of Consultation Report (July 2008).

The project involving the native title holders and claimants (through the Traditional Owners Steering Committee (TOSC)) was facilitated by the Kimberley Land Council (KLC) and the resulting Report containing their vision is called the Dampier Peninsula Plan Project (DPP). The DPP is a consultation project allowing the Traditional Owners to workshop and provide recommendations on planning for country on the Dampier Peninsula.

Following State Planning Policy 3.2, 'Traditional Owner' in this Strategy refers to the representative group of either registered native title claimants or determined native title holders pursuant to the *Native Title Act 1993* (Cth). Reference to 'Traditional Owners' in this Strategy is not intended to prejudice or pre-empt the outcome of current or future native title claims.

## Planning and development control

The State Government seeks to ensure that future land use and management of the Dampier Peninsula facilitates social and economic opportunities, and enhances the way of life of residents, provides a range of tourism and recreational opportunities for visitors, allows for sustainable agriculture and aquaculture and provides for the preservation of the land's cultural, heritage and natural resources values.



The DPPS establishes a settlement and tourism hierarchy, sets aside areas for the conservation of sensitive coastal, heritage sites and environmental areas as well as for the continuation of traditional resource use. In addition, the plan provides for the location of strategic industry to accommodate the proposed Browse LNG Precinct and associated access corridor and infrastructure.

Given the significance (environmental, social and economic) of the Dampier Peninsula, nature of land tenure (unallocated Crown Land, ALT Reserves, DoL and ALT leases, Community Council sub-leases, informal occupancy and limited freehold) complexity of native title claims, dual shire jurisdiction and service delivery predominantly through State and Commonwealth agencies and non-government organisations, it is important to establish effective high level planning and development guidance and control.

## Native title

Planning and development of the Dampier Peninsula is both informed and constrained by native title considerations. Native title claims continue to progress on the Peninsula.

Native title is the set of rights and interests in land or waters based on traditional law and custom, which have been formally recognised at Australian law. The rights typically include the right to use and occupy certain areas, to undertake traditional ceremonies, to protect sites and areas of significance, and to take traditional flora and fauna (including by hunting, foraging and fishing). Unless native title has been determined to be extinguished, procedural rights under the *Native Title Act 1993* (NTA) – such as the right to be negotiated, consulted or notified (as the case may be) – are typically required to be adhered to by developers before substantive development can validly occur.

The Bardi Jawi people received a determination in 2005, and the Nykina Mangala people in 2014, recognising traditional rights and interests over parts of the determination area in the northern and eastern portions of the Dampier Peninsula.

Other native title claims over parts of the Dampier Peninsula have been registered. It should also be noted that there are a number of other factors that will need to be addressed including land tenure especially lands pertaining to Part III of the *Aboriginal Affairs Planning Authority Act 1972*.





## Overview

The Dampier Peninsula Planning Strategy is a 25-year strategic planning framework for the study area which:

- defines a vision for the future including economic development;
- provides an overview of the planning, sustainability and environmental context;
- identifies the guiding principles for the future;
- includes a strategic land use plan which identifies broad, and in some cases, specific land uses and access network; and
- ensure that registered interests in native title and Aboriginal or other cultural heritage are appropriately identified in planning and development decisions.

## Vision

The substance of the Dampier Peninsula Planning Strategy is directed at achieving an agreed vision for the Peninsula. The proposed vision is:

To develop a future that protects our culture, our lifestyle and the environment and offers economic opportunities that would improve the quality of life for stakeholders with a direct interest on the Dampier Peninsula.

This complements the vision as developed by the Traditional Owner Steering Committee for the Dampier Peninsula which is:

Healthy country, healthy people, healthy communities.

Culturally, socially spiritually, environmentally and economically strong.

## Proposed land uses

The following broad land use categories are reflected in Figure 2 of the Dampier Peninsula Planning Strategy:

- a. Cultural and Natural Resources Use
- b. Conservation Investigation Area
- c. Nature Reserve
- d. Coastal Area
- e. Pastoral (Extensive Agriculture)
- f. Coastal and Marine Investigation Area
- g. Rural Smallholdings Investigation Area (Intensive Agriculture)
- h. Existing Public Drinking Water Source Area – Priority 1
- i. Existing and potential tourism enterprise
- j. Settlement Zone
- k. Service Centre Investigation Area
- l. Proposed Browse LNG Precinct
- m. District Administration Centre.





## 2. Introduction

### 2.1 Study area

The study area for the Dampier Peninsula Planning Strategy (the Strategy) is the entire Dampier Peninsula (also referred to as 'the Peninsula' in this report) that lies north of Broome townsite from Willie Creek, between the Indian Ocean and King Sound within the Kimberley Planning Region.

The area extends from the southern boundaries of the old Waterbank Station, Country Downs Station, Mt Jowlaenga Station and Yeeda Station and north to Swan Point on the tip of the Dampier Peninsula. The Lacepede and other near-shore islands and State Coastal Waters are included in the study area.

The study area (excluding the islands) takes in about 1,100 km of coastline and 990,000 ha of land. This is home to between 1,500 and 2,500 people which does not include visitors, in particular long term visitors resident on the Dampier Peninsula during the dry season (April-November).

There are three main settlements on the Dampier Peninsula being Ardyaloon (formerly One Arm Point), Beagle Bay and Djarindjin/Lombadina together with over 50 settlements of varying size and population and located on the northern part of the Dampier Peninsula. These settlements are linked to Broome via the partially sealed Broome-Cape Leveque Road and by various airstrips. There are no regular commercial flights.

Increasing pressure on the Dampier Peninsula has resulted from tourism, recreation visitation, aquaculture expansion (i.e. pearling) and proposed new land uses such as timber production and oil and gas supply facilities.

The State Government seeks to ensure that future land use and management of the Dampier Peninsula facilitates social and economic development opportunities and enhances the way of life for residents and visitors.

### 2.2 Purpose and scope

The purpose of the Strategy is to:

- reflect the long-term land use, infrastructure provision, access and development aspirations of Traditional Owners, Dampier Peninsula residents and other land holders;
- inform the broader towns and settlements of the Shire of Broome and Shire of Derby/West Kimberley;
- satisfy the requirements of Local, State and Commonwealth agencies; and
- provide a sustainable framework for guiding decisions about beneficial economic, social and environmental outcomes.

### 2.3 Elements of the Dampier Peninsula Planning Strategy

The Strategy includes:

- a vision developed by the Traditional Owners and the community for the study area;
- guiding principles for future land use and development on the Dampier Peninsula;
- a strategy for future land use and development;
- an implementation plan; and
- a guide for possible land tenure changes which emerge from land use and management recommendations in the DPPS.

The Strategy uses the following eight primary documents for reference:

- Kimberley Planning and Infrastructure Framework (DoP, 2014);
- Kimberley Science and Conservation Strategy (DEC, 2011);
- Dampier Peninsula Plan: Land Use Planning and Tenure Reform (KLC, 2012);





- Kimberley Natural Resource Management Plan (DoP, 2010);
- *Browse LNG Precinct, Strategic Assessment Report* (DSD, 2010);
- Dampier Peninsula Planning Strategy Background Information and Key Issues Paper (DoP, July 2008);
- Dampier Peninsula Planning Strategy Record of Consultation Paper (Landvision for DoP, July 2008); and
- *Waterbank Structure Plan* (DOLA, 2000).

A comprehensive list of References is located at Section 7. Section 2 of this document draws on and summarises detailed information provided in the later three references.

## 2.4 Planning process

The DAA (formerly DIA) commissioned the *Dampier Peninsula Access Management Plan* in 2005-2007, which recommended that a comprehensive land use plan be prepared for the Peninsula based on cultural and environmental sustainability. This Dampier Peninsula Planning Strategy (DPPS) has been produced in this context.

Strategic and Statutory planning should progress on the premise that the Peninsula is unique as a region because it is comprised primarily by Aboriginal residents whose socioeconomic and

land-management requirements and aspirations are not the same as Broome's urbanised population, where current planning is focused.

The progress of this project was linked to the timetable of the siting and approval of the Browse Liquefied Natural Gas (LNG) Precinct. The LNG Precinct is subject to the Browse LNG Precinct Project Agreement (2011). The State acquired the land for the Precinct on 12 November 2013.

Preparation of the plan included the following activities:

- project brief prepared and approved by the Western Australian Planning Commission (WAPC);
- consultants appointed to manage the involvement of local towns and settlements in the preparation of the plan and to provide specialist planning support;
- consultation to inform towns and settlements on the Dampier Peninsula and other stakeholders about the project and subsequent consultation focusing on land use and development issues;
- Technical Advisory Group meetings;
- preparation of a Background Information and Key Issues paper; and
- preparation of a Record of Consultation that brought together the generalised findings from the people on the Dampier Peninsula about land use now and into the future.



During consultation detailed in the Record of Consultation (unpublished, July 2008) by Landvision Pty Ltd and Sharon Griffiths and Associates, Dampier Peninsula residents and especially those closely associated with Country, often talked about their culture and lifestyle and in general the social aspects of living on the Dampier Peninsula. They often focused on issues such as education, access to affordable food, need for medical services, housing, limited employment or economic opportunities, costs of fuel and travel, and issues associated with gaining access to basic services. Planning for infrastructure and suitable use of land is intrinsically linked with all these factors. And while it is sometimes quite challenging to get to the heart of an issue required for a land use plan, these vital social aspects have not been isolated or ignored in consultation. They have been taken into account and are integral to effective planning.

Those stakeholders who do not live on the Peninsula, and who have other interests in the region; for example, commercial or recreational, were often quite focussed on specific land use or infrastructure needs. For example the sealing of all the Cape Leveque Road, access to waste disposal points, boat launching requirements, or the need for public facilities.

In 2008 a process to short-list and then identify the Browse LNG Precinct along the Kimberley coast, including along the west coast of the Dampier Peninsula, was initiated by the State Government. The Strategy planning process was put on hold until a preferred site was identified on the Dampier Peninsula. The preferred location for the Browse LNG Precinct near James Price Point was announced by the State Government in 2009.

Following the identification of, and agreement to, the Browse LNG Precinct, re-establishment of the project to complete the Strategy was commenced by DoP. A significant step in the next phase of this project was to establish a comprehensive framework for the involvement of the Traditional Owners to build upon the earlier consultation undertaken with the Aboriginal people and residents of the Dampier Peninsula in 2007/08 and recorded in the Record of Consultation Report (July 2008).

Facilitated by the Kimberley Land Council (KLC) through the Dampier Peninsula Plan Project (DPP), a Traditional Owner Steering Committee (TOSC) was established, allowing the Traditional Owners to workshop and consider land and sea use and types of land tenure needed to protect important values within country as well as support businesses and Aboriginal people living on the Peninsula.

The DPP project provided the vehicle for the Traditional Owners to make recommendations to the State Government to be included or addressed in the Strategy.

The DPP focuses on the main areas of:

- Land and sea, and access management;
- Conservation and heritage;
- Infrastructure and services;
- Land use and economic development;
- Land tenure reform;
- Governance; and
- Implementation.

Further information is available in Appendix 1 outlining the TOSC and Dampier Peninsula Indigenous Community Consultation – the Dampier Peninsula Planning Project (DPP).

On the basis of information assessed in the previous tasks, consultation with stakeholders and an understanding of future trends, the Strategy will identify and discuss the key land use and development issues that are currently apparent or will become apparent in the study area in the next 25 years.

During the preparation of the Dampier Peninsula Planning Strategy both the shires of Broome and Derby/West Kimberley were in the process of finalising their Local Planning Strategies (LPS) therefore this Strategy was reformatted to allow relevant sections to be included in both Local Planning Strategies.

The project process was resumed in mid-2009 resulting in:

- preparation of an internal, Departmental working draft Dampier Peninsula Land Use and Infrastructure Report for discussion (November 2009);



- discussion with Traditional Owners, towns and settlements and the project Technical Advisory Group about the draft plan;
- initiation of a consultation process project managed by the Kimberley Land Council for Traditional Owners to workshop and provide recommendations on planning for country on the Dampier Peninsula as an input to the Strategy;
- broader consultation with residents on the Dampier Peninsula, the shires of Broome and Derby/West Kimberley, other stakeholders with a direct interest in the Dampier Peninsula including Government agencies, social and environmental NGO and industry;
- preparation of a draft report that was endorsed by the WAPC for public comment for a three month period;
- noted by Cabinet;
- incorporation of the issues received from public and other submissions into the Strategy;
- adoption and publication of the final Strategy by the WAPC; and
- the incorporation of the relevant findings from the Strategy into the shires of Broome and Derby/West Kimberley Local Planning Strategies.

### Native title

Traditional Owners maintain a cultural and strategic interest in the Dampier Peninsula and their economic, cultural and land use aspirations inform this Strategy. Moreover, native title rights are typically required to be taken into account in development activities. This Strategy in no way fetters existing Commonwealth and State legislative requirements in that regard.

Future determinations of native title throughout the Dampier Peninsula will facilitate further discussion about land use and management. It is anticipated that this Strategy might provide a useful frame of reference in so far as identifying future land use strategies and aspirations for various groups and towns and settlements on the Dampier Peninsula.

The State Government aim is for increased certainty and improved land management outcomes to the benefit of all land users, which includes the expedient resolution of many claims by consent, where appropriate.

Resolving native title can be seen as beneficial to both Government and Traditional Owners by providing greater certainty for land management through, for example, establishing appropriate corporate governance structures (including Prescribed Bodies Corporate) and facilitating involvement in more detailed planning subsequent to this Strategy such as local area plans, precinct plans or structure plans, where appropriate.

The land use categories proposed in this DPPS are not intended to prejudice or override requirements of the *Aboriginal Heritage Act 1972* (WA) (AHA), or land management or other outcomes associated with the *Native Title Act 1993* (Cth) (NTA). Nor does the DPPS resolve land tenure issues that may arise from native title determination or other legislative land tenure arrangements under the Part III of the *Aboriginal Affairs Planning Authority Act 1972* (AAPA), *Land Act 1933* (LA) or *Land Administration Act 1997* (LAA).







Appendix 1 includes a plan which shows the vision of Dampier Peninsula Traditional Owners for future broad land use on the Dampier Peninsula. It is noted that this map does not constitute consent by Traditional Owners pursuant to the NTA or other relevant legislation. In the interim or post determination the preferred option is for the State Government and native title parties to enter into a voluntary agreement about the use and management of lands and waters through an Indigenous Land Use Agreement (ILUA).

## 2.5 Planning framework

The *Western Australian Planning Commission Act 1985* allows the Commission to prepare planning strategies for the State to coordinate and promote regional land use planning and land development, guide government departments, authorities and local government.

The land use planning system is fundamental to the achievement of community goals and aspirations. However, rather than drive these processes, its role is facilitative, ensuring land use and planning decisions improve opportunities of the community to fulfil goals of creating wealth, caring for the environment and building sound towns and settlements.

Strategies developed for the Dampier Peninsula region are subject to the provisions and intent of policies and legislation at Commonwealth, State and local levels. Key legislation, policies and plans are described in the following sections, with an indication of the implications for this strategy, as well as State and Commonwealth legislation that is relevant in the preparation of this Strategy outlined in a summary in Section 7.3.

## State Planning Strategy

The State Planning Strategy (draft, 2012) is a land use planning framework for development up to 2029 that assists in strategic decision making. The State Planning Strategy sets out a set of principles by which coordinated, sustainable development will be implemented. Within the State Planning Strategy a context for the preparation of regional and local plans and development strategies is provided. A review of the State Planning Strategy is currently underway.

## Regional planning and infrastructure frameworks

There is a growing need to encourage and promote development in Western Australia's regions, particularly in the North West areas where there is an increasing focus on regional planning to identify regional infrastructure requirements to facilitate economic growth and development. Regional Planning Committees for the Kimberley, Pilbara, Gascoyne and Mid West are continuing to develop robust regional planning strategies to guide orderly development and local planning activities. The Kimberley Regional Planning and Infrastructure Framework has been prepared and will be released by the State Government in 2014. The intent of the Kimberley Framework will guide development across the Kimberley region, manage major resource and population growth and maximise private and public investment opportunities.

## Local government

The Dampier Peninsula lies within the boundaries of the shires of Broome and Derby/West Kimberley.

The Shire of Broome has prepared a new Local Planning Strategy and Scheme No. 6 which covers the whole of the shire including the study area.

The Shire of Derby/West Kimberley has prepared a new Local Planning Strategy which covers the whole of the shire including the study area however it falls outside of areas applicable to its respective Local Planning Schemes. The Local Planning Strategy includes detailed



plans for areas outside of its current scheme including Fitzroy Crossing and Camballin which inform current planning and development. An Interim Development Order will be in place by the end of 2014 in preparation of a new Local Planning Scheme to cover the whole of the shire.

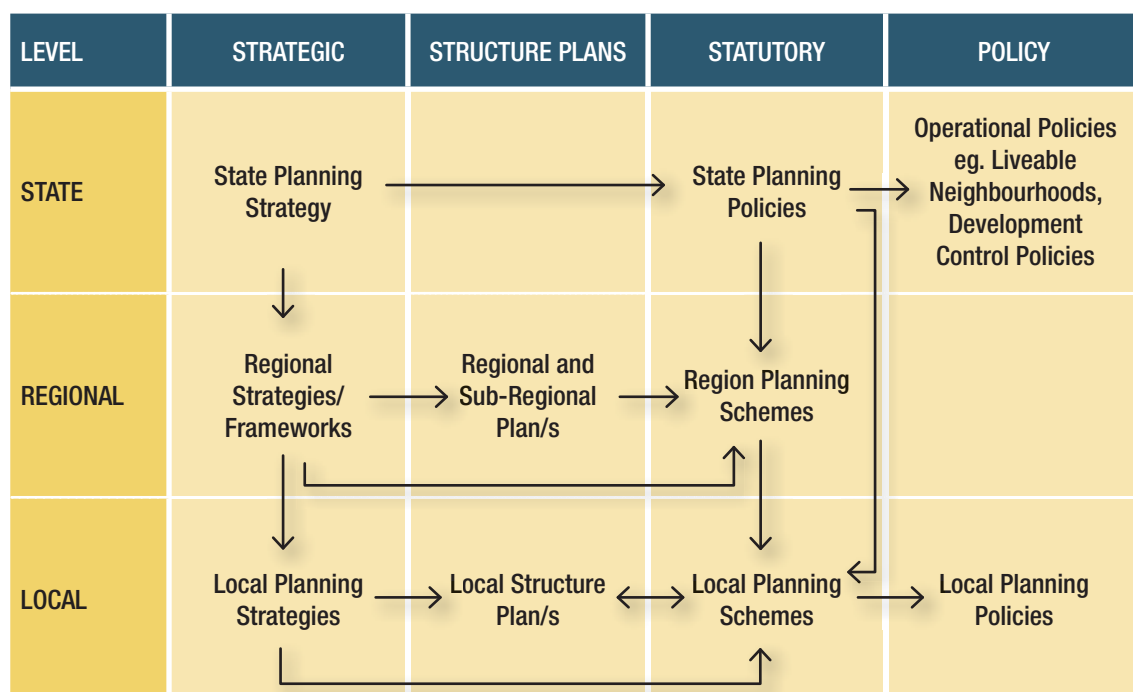
### Previous planning studies

There are a limited number of planning studies that deal specifically with the Dampier Peninsula. Studies that provide context for the Dampier Peninsula Planning Strategy are listed below:

- *Nature Conservation Reserves in the Kimberley* (CALM, 1991);
- the *Waterbank Structure Plan* (DOLA, 2000);
- *Dampier Peninsula Access Management Plan* (November 2005);
- Layout Plans (LPs) that are prepared in accordance with WAPC's State Planning Policy 3.2; and
- Improvement Plan No. 37 – Browse Liquefied Natural Gas Precinct (January 2013).

The relationship between the various levels of strategies, frameworks, schemes and policies can be demonstrated in relation to the level of planning hierarchy as depicted in Figure 1 below.

Figure 1: State planning framework





## 3. Dampier Peninsula planning strategy

### 3.1 Overview

The planning strategy is a 25-year strategic planning framework for the study area which:

- defines a vision for the future;
- provides an overview of the planning, economic sustainability and environmental context;
- identifies the guiding principles for the future; and
- includes a strategic land use plan which identifies broad, and in some cases, specific land uses and access network.

### 3.2 Vision

The substance of the Strategy is directed at achieving an agreed vision for the Peninsula. The proposed vision is:

To develop a future that protects and promotes our culture, our lifestyle and the environment and offers economic opportunities that would improve the quality of life for stakeholders with a direct interest on the Dampier Peninsula.

This complements the vision as developed by the Traditional Owner Steering Committee for the Dampier Peninsula which is:

Healthy country, healthy people, healthy communities.

Culturally, socially, spiritually, environmentally and economically strong.

### 3.3 Guiding planning principles for the Dampier Peninsula

The following are principles that have guided the formulation of the Strategy. They also represent the high level principles against which future plans for, and development of, the Peninsula will be assessed.

The guiding principles arise from the State Planning Strategy's key principles, those outlined in other plans for the Peninsula and input from the community.

#### **COMMUNITY**

Respond to social changes and create vibrant, accessible, healthy and safe towns and settlements that are supported by suitable facilities and services and allow for a diversity of residential and rural living environments and opportunities to address social disadvantage and economic diversification opportunities.

#### **HERITAGE AND CULTURE**

Safeguard and maintain the tangible and intangible values of heritage and cultural sites in their natural and cultural settings and social contexts.

All planning and development must consider the requirements of heritage and cultural protection afforded under State and Commonwealth legislation. Where relevant, it should also provide the opportunity for the development of culturally appropriate tourism through the interpretation of Aboriginal heritage.

Traditional Owners and other local residents typically recognise their need to build greater capacity, including with assistance from others, in order to more effectively and productively engage in planning and development opportunities as they arise on the Peninsula.





## ENVIRONMENT AND PROTECTION OF BIODIVERSITY

---

Protect and improve the natural and cultural assets and connectivity of the Dampier Peninsula, its biodiversity, distinctive landscapes and fragile coastline, and clean marine waters.

Healthy ecosystems are necessary to maintain and regulate atmospheric quality, climate, fresh water, marine productivity, soil formation, cycling of nutrients, and waste disposal. Biodiversity is intrinsic to values such as beauty and tranquillity. We place a high value on native plants and animals, which contribute to a sense of cultural identity, spiritual enrichment and recreation. Biodiversity is central to the health and maintenance of Aboriginal cultural practices. Australian plants and animals attract tourists and provide food, medicines, energy, cultural and building materials. Planning must consider biodiversity and development must not significantly interfere with the biodiversity in a particular area.

## ECONOMIC

---

Support the establishment and ongoing operations of economic activities that will improve the quality of life of Peninsula residents and offer opportunities for development or employment and business opportunities.

## INFRASTRUCTURE

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Ensure the provision of suitable transport, public utilities and other infrastructure to facilitate quality of life improvements and opportunities for sustainable development.

## ACCESS

---

Optimise accessibility to public services and facilities. For cultural purposes, manage access to areas of significant cultural heritage and environmental importance.

## WATER PROTECTION

---

Protect the quality of groundwater resources and ensure sufficient environmental flows and water quality to protect water dependent ecosystems.

## CUMULATIVE IMPACTS OF DEVELOPMENT

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The cumulative impacts of proposed land use change or development must be considered as part of approvals processes and the precautionary principle applied where cumulative impacts cannot be mitigated or managed.

## SUSTAINABILITY

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Meet the needs of current and future Dampier Peninsula residents in a way that provides for enduring social gains, economic advancement and the protection of environmental, cultural and heritage values.

## LIMITS OF ACCEPTABLE CHANGE

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Development should consider the limits of acceptable change. The limits of acceptable change are defined as the degree of change a system and residents can accommodate or buffer while still sustaining or returning to its desired characteristics. The limits may be defined by environmental, social, cultural or economic concerns. What is acceptable or appropriate will be determined in consultation with decision making authorities and stakeholders, as well as by legislation and regulations. The limits of acceptable change establish the maximum level of alteration for a resource that society is prepared to accept.

## PRECAUTIONARY PRINCIPLE

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Where there are threats of serious or irreversible environmental and heritage damage, lack of full scientific certainty should not be used as a reason to postpone measures to prevent environmental degradation. In applying this principle in planning and development, the following steps must be followed:

- The onus is on any proponent to show that development does not pose any likelihood of serious or irreversible harm of the environment.
- If the proponent cannot demonstrate there is no likelihood of such harm, the onus is on the development proponent to show that the harm can be managed.
- If the proponent cannot demonstrate that the harm will be managed, the development should not go ahead.



### 3.4 Proposed land uses

Without limiting the discussion contained at 4.5 of this Strategy, the following broad land use categories are reflected in Figure 2 of the Strategy and are described in more detail in section 3.5 Land Use Planning:

#### a. Cultural and Natural Resources Use

Recognises areas on the Dampier Peninsula where Traditional Owners will seek access to undertake customary practices and traditional uses. Other land uses may be considered including those that would assist in the economic development of the region in consultation with Traditional Owners (or their representatives – or other residents or land users), as required pursuant to relevant legislation including the NTA and AAPA.

#### b. Conservation Investigation Area

Comprises areas which have been identified by the Department of Parks and Wildlife (DPaW) to become Nature Conservation Reserves. Traditional Owners acknowledge these priority conservation areas as part of the overall planning and management for conservation on the Dampier Peninsula that require further investigation to determine significance, boundaries, tenure and management arrangements. Further investigation is also required to determine mining and energy resource potential of the proposed conservation areas to ensure that economic resource values and existing mineral and petroleum interests are taken into account. These areas may also attract private/public micro economic development in line with DPaW policy.

#### c. Nature Reserve

Identifies existing reserve where no changes are proposed.

Traditional Owners maintain a strategic interest through agreement with the State, and may undertake joint management, as part of overall conservation area planning and management proposed for the Dampier Peninsula. These areas may also attract private/public micro economic development in line with DPaW policy for future development within

Nature Reserves, Conservation areas and National Parks.

#### d. Coastal Area

Includes large areas along the coast which are subject to inundation from tides and/or where natural coastal processes and environment should be maintained. It also includes near-shore areas of land including the area from Quondong Point to Willie Creek which will be subject to detailed planning. Private and public development may occur in accordance with current State and local government legislation and policy.

#### e. Pastoral (Extensive Agriculture)

This land use classification is intended to formalise pastoral activity. It includes the existing Pastoral leasehold properties which will continue to be used for pastoral activities. Other economic activities may occur through Diversification permits.

Pastoral use and tenure is recognised along with Traditional Owner use or access, as afforded under the NTA.

#### f. Coastal and Marine Investigation Area

This broad category overlays the primary land use. In most instances it overlays all of the coastal area and extends into the near shore marine area. The Traditional Owners recognise the State has aspirations from past planning for Marine Parks in the Dampier Peninsula area. Traditional Owners acknowledge that this past planning needs consideration in future marine and coastal planning and management. Traditional Owners also acknowledge the interests and pressures of visitors and other stakeholders on coastal and marine resources and the need for focused planning and action to ensure the sustainable use and management of these areas.

*Willie Creek to Coulomb Point Nature Reserve (See also Rural Small Holdings Investigation Area)*

As part of the Browse LNG Precinct Project Agreement, 2,900ha of land is to be identified and granted (in freehold or other tenure) to the Goolarabooloo and Jabirr Jabirr people within their Claim Area, following the securing of a Foundation Proponent for the Browse LNG Precinct.



A much larger area has been identified in this Strategy on the coast from Willie Creek to the southern boundary of the Strategic Industry Precinct and north of this Precinct to the southern boundary of Coulomb Point Nature Reserve.

Detailed planning will be required to identify the area for the 2,900 ha and other tenure, use and management relationships within this much larger area. A range of uses are likely for this Coastal and Marine Investigation area including; activities supporting cultural and heritage use; compatible recreational uses; and encourage Aboriginal cultural tourism and eco-tourism.

#### g. Rural Smallholdings Investigation Area (Intensive Agriculture)

Recognises areas which have previously been identified as having good soils and drainage and with potential access to groundwater where development of horticulture may be economically and environmentally sustainable.

This comprises an area immediately adjacent to the eastern boundary of the Coastal Area extending east to the new access road to the Browse LNG Precinct. The area also extends from the Browse LNG Precinct south to Willie Creek. This area is also part of the area described above under Coastal and Marine Planning Investigation Area – Willie Creek to Coulomb Point Nature Reserve where 2,900 ha is to be granted to the Goolarabooloo and Jabirr Jabirr claim groups.

The two areas will be subject to more detailed structure planning to identify areas suitable for a range of uses that may include:

- visitor access;
- horticulture;
- minor settlement/s;
- tourism;
- aquaculture; and
- other economic development opportunities.

#### h. Public Drinking Water Source Area – Priority 1

Recognises the proclaimed Priority 1 area that protects the future water supplies for Broome. Land uses are limited to those which will have no adverse impacts on groundwater quantity and quality.

Land use identified by “Culture and Natural Resource Use” and certain compatible uses by Traditional Owners may coexist with management of the water resource.

This use approximates the extension identified in the *Waterbank Structure Plan* to protect the source of future water supplies to provide for the future growth of Broome townsite.

#### i. Existing and potential tourism enterprise

##### • Major Tourism Nodes

Identifies existing and potential locations catering for up to 500 overnight guests.

##### • Minor Tourism Nodes

Identifies existing and potential locations catering for up to 200 overnight guests.

Other uses as detailed in Section 3.5.5 and identified on Figure 5.

#### j. Settlement Zone

Comprises the existing settlements of Ardyaloon, Djarindjin/Lombadina and Beagle Bay (and surrounds).

#### Formulation of Settlement zones

State Planning Policy 3.2 – Aboriginal Settlements (SPP3.2) requires that all Aboriginal settlements require an endorsed Layout Plan.

Under SPP3.2 an Aboriginal Settlement is defined as a discrete place that is not contiguous with a gazetted town, is inhabited or intended to be inhabited wholly or principally by persons of Aboriginal descent and which has no less than 5 domestic dwellings and/or is supported by essential services that are provided by one or more state agency(s).

Layout Plans comprise a map set, background report and provisions. All Layout Plans are prepared in consultation



with resident community groups, Traditional Owners and Local Government, prior to being endorsed by the WAPC.

Layout Plans provide a fundamental land use planning blueprint which identify existing and future land uses, incompatible infrastructure or essential servicing, and the protection of important cultural (No-Go areas) and natural resources such as ground water.

The key settlements on the Dampier Peninsula (described as Towns within this Strategy) that require Layout Plans in accordance with SPP3.2 are:

- Ardyaloon;
- Djarindjin/Lombadina; and
- Beagle Bay.

These Towns generally support the surrounding Minor Settlements (as described in Section 3.5.3 Strategies).

SPP3.2 provides that Local government is to classify land as 'Settlement' zone in a local planning scheme where a clear and appropriate area for a 'Settlement' zone is defined and delineated in the endorsed Layout Plan.

A number of considerations define the extent of a Settlement zone in a Layout Plan. It is generally understood that a Settlement zone allows for future population growth and the development of public and private infrastructure. It also includes the identification of other land uses that could support community uses, business and industries. Settlement zones are generally based on physical and/or land administration features. Such as: cadastre, natural physical features, road reserves, exclusion boundaries for existing and future infrastructure, drinking water source protection areas and fence lines.

The Settlement zones delineated in layout plans are effective definitions of the extent of land that comprises an Aboriginal settlement. The spatial definition of the towns shown in this Strategy match the method and outcome used to prepare Layout Plans for Aboriginal settlements on the Dampier Peninsula.

Settlement zones within this Strategy are consistent with SPP3.2 and are also included within the Shire of Broome Local Planning Scheme No.6.

#### **k. Service Centre Investigation Areas**

Includes strategic locations identified by each of the Traditional Owners groups where facilities can be established (subject to planning and development approvals) to implement visitor management and education and to cater for the needs of visitors and residents such as a road house, ranger station and/or arts and culture centre and other associated tourism industries.

#### **l. Proposed Browse LNG Precinct (includes port and buffer areas)**

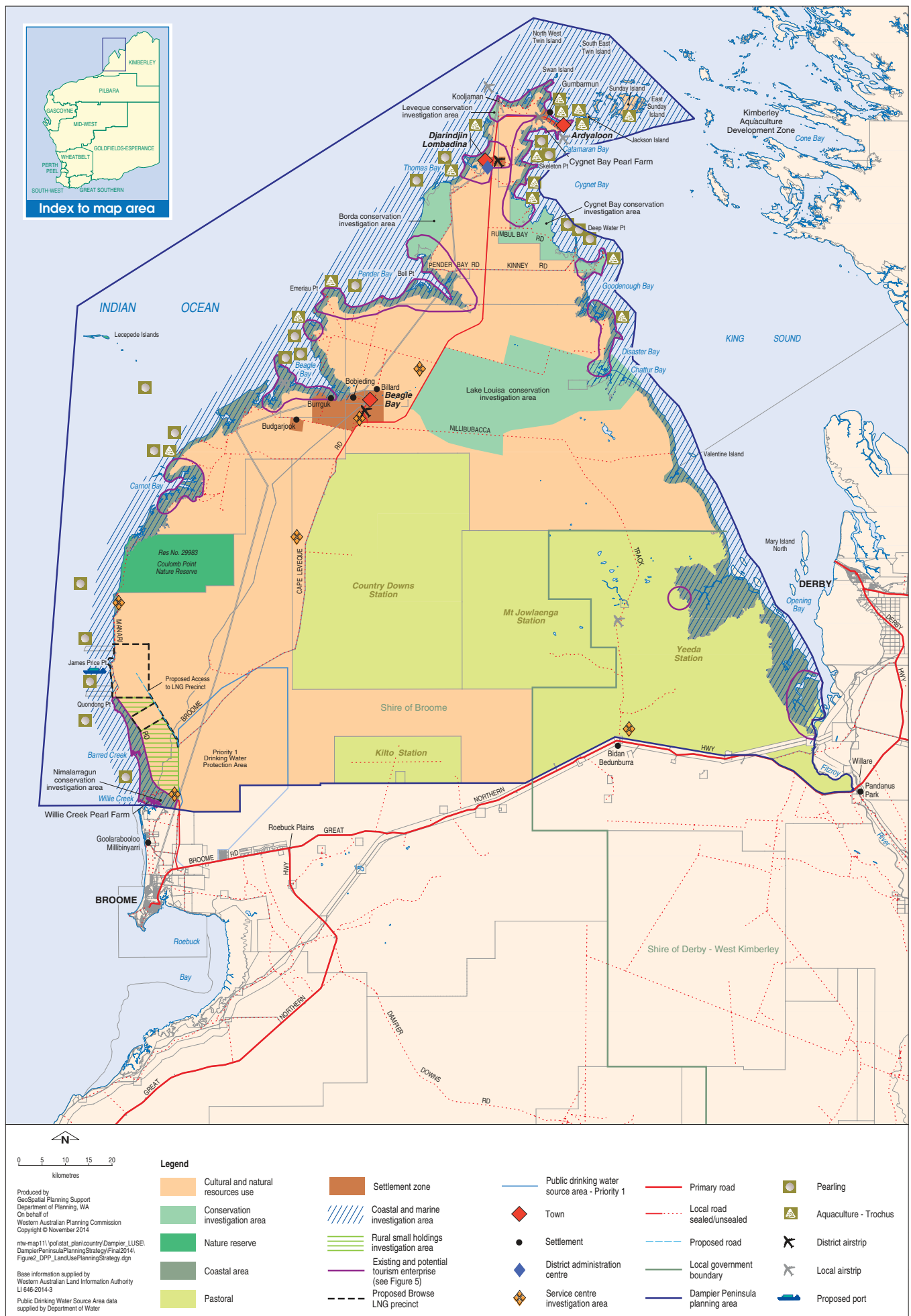
The Liquefied Natural Gas (LNG) Precinct is subject to an agreement signed with the then Goolarabooloo Jabirr Jabirr Native Title Claim Group. The State acquired the land for the Precinct on 12 November 2013.

It is proposed that the planning and development of the Browse LNG Precinct be established through the preparation of an Improvement Plan and Improvement Scheme. The Improvement Scheme will require the approval of the WAPC for development applications. The WAPC and DSD are preparing the Improvement Plan and Improvement Scheme for the Browse LNG Precinct.

#### **m. District Administration Centre**

Djarindjin Junction is considered suitable for consolidating various community services and facilities, and associated infrastructure (such as staff housing). It is also considered suitable for a range of retail and service industries for residents and visitors.





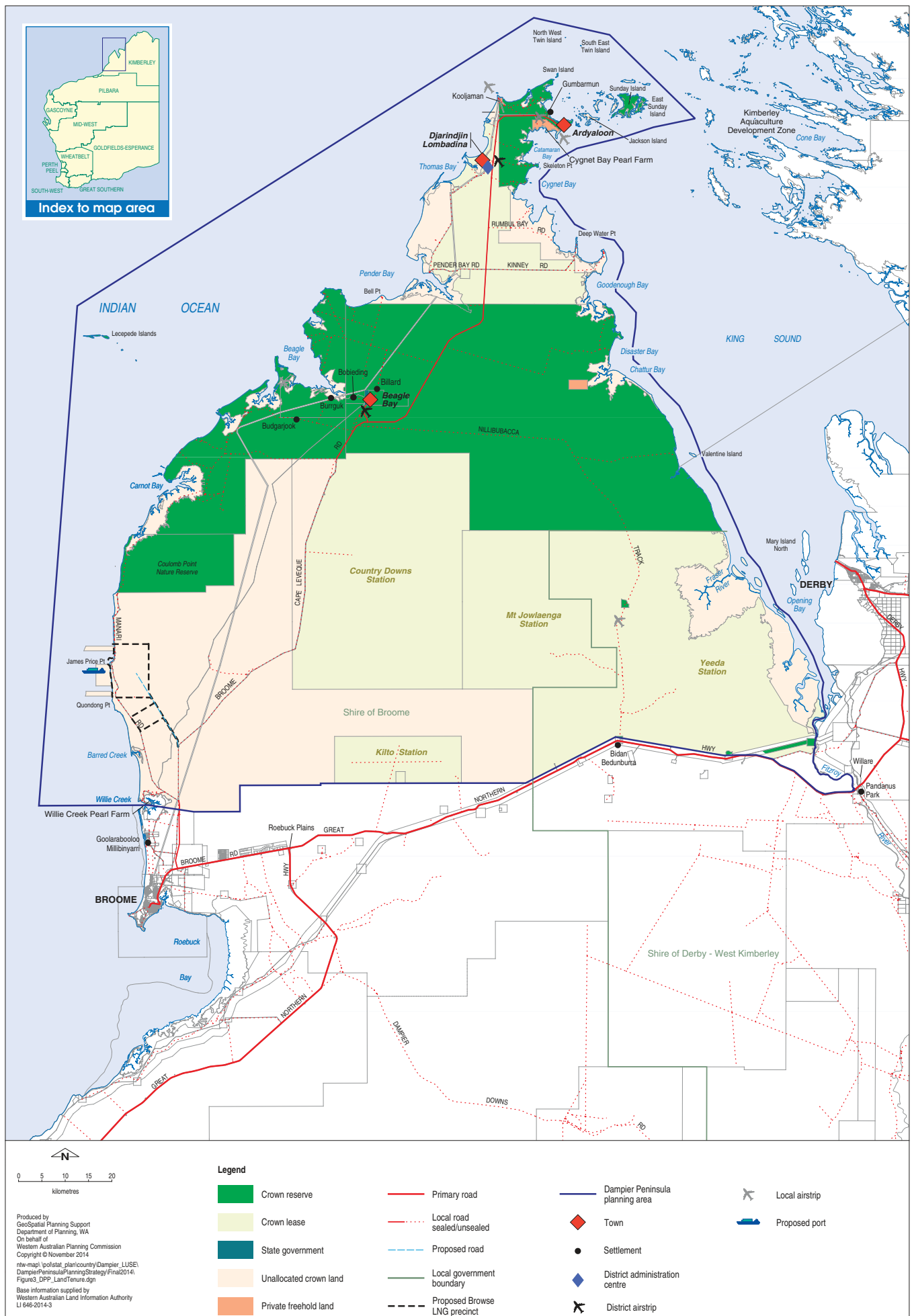


Figure 3: Land tenure









### 3.5 Land use planning

The following section further discusses the intent of each section of 3.4 – Proposed land uses, and outlines the overview of each of the land use categories and associated infrastructure and services which require further consideration for future development of the Dampier Peninsula. The Objectives, Strategies and Actions are defined and form part of the implementation phase of the Dampier Peninsula Planning Strategy.

There are a number of Objectives, Strategies and Actions which require consideration across a number of land uses and as such should be considered as a multi factor project.

Most land use themes shown in Figure 2 and discussed in Section 3, or specific elements of the theme are defined by a vision, objective, strategies and actions.

The **objective** reflects the broad intent of the land use category. The **strategy** outlines the general direction to be adopted to meet the objective. The **actions** focus more directly on tasks that should be undertaken to progress towards achievement of the strategic intent.

The agency responsible for progressing an action is shown in **bold print** in the brackets that follow the action. Other agencies that would have an involvement are also provided. The listing of stakeholders is not comprehensive and other interest groups and non-government organisations should be consulted as well.



#### 3.5.1 Cultural and natural resources use

“Despite the pressures and changes since colonisation, the Dampier Peninsula remains a living cultural landscape where systems of traditional law and culture remain strongly observed. Traditional Owners have a strong desire to protect and maintain traditional cultural heritage and values and have identified it as one of their most important issues. This includes the passing on of traditional practices and knowledge to future generations. Respect from mainstream society for traditional culture and its place in Aboriginal society is also strongly desired by Traditional Owners and seen as essential for reconciliation.”

(p. 8, DPP – TOSC).

#### Overview

The heritage and cultural values of the Dampier Peninsula are well recognised. Many heritage sites throughout the Peninsula have been formally registered. It should be noted that all Aboriginal sites, as defined under the *Aboriginal Heritage Act 1972*, are protected by that legislation, whether registered or otherwise.

Subject to relevant requirements of the NTA, strategic land use planning is one means by which customary land uses can be acknowledged by facilitating their separation or coexistence with certain other land uses, in consultation with other key stakeholders and land users on the Peninsula.

Traditional and other land uses typically co-exist throughout other undeveloped areas of the Dampier Peninsula. It is stated that there is a need to allow, provide for and manage ongoing traditional usage of the land such as continued access to and enjoyment of traditional fishing and camping spots, collection of wood for craft, plants for medicines, bush foods (both plants and animals) and ochre (Landvision and Griffiths, 2008).



A number of business ventures on the Peninsula already offer opportunities for visitors to gain insight into Aboriginal peoples traditional usage of plants and animals of the Peninsula. An expansion of these opportunities accords with the differentiated tourism product being offered in the area.

Land use and development in this zone will comply with existing legislation that support areas of high cultural and natural heritage value, such as the *Environmental Protection Act 1986* (EP Act), *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC), *Conservation and Land Management Act 1984* (CALM Act), *Aboriginal Heritage Act 1972* (WA) (AHA), *Aboriginal Affairs Planning Authority Act 1972* (AAPA) and *Native Title Act 1993* (Cth) (NTA).

It is also recognised that there will be places and areas within this land use that will have the ability to be developed in the future for business and industry. These will be identified through further localised strategic planning.

### The strategy response

Apart from the Pastoral Leases, areas identified for Cultural and Natural Resource Uses reflect the vision of Traditional Owners around customary land use. The term Cultural and Natural Resource Use describes the use rather than ownership which is more appropriate for a planning strategy.

#### OBJECTIVE

- Maintain and manage areas where the cultural use of resources can continue to occur and where development of compatible uses is considered on a case-by-case basis.

#### STRATEGY

- Maintain and manage areas within land currently Reserved under Part III AAPA Act 1972 that allow easy access to resources utilised for cultural purposes that also fulfil a range of other natural resource protection functions such as water source protection and which

complement areas where the protection of heritage, culture and the environment are the highest and best permissible uses.

- Permit other uses that are determined to be compatible with maintaining the cultural use of resources through case-by-case assessment based on consistent criteria.
- Acknowledge that Traditional Owners will continue to access places of cultural significance to undertake customary practices and traditional uses, and that as further determinations of native title occur on the Peninsula these protection and maintenance activities are likely to be recognised as native title rights and interests. Future land tenure reform may lead to a change of land tenure ownership through divestment of land to Traditional Owner groups.

#### ACTIONS

- Undertake targeted detailed planning within existing AAPA reserves to identify potential areas for development, registered heritage sites, and conservation areas to be retained in reserve status and to inform future land tenure reform through a native title determination or ILUA (Traditional Owners, DAA, DoL, DoP).
- Management – identify access management locations, protocols for visitors and impact management through the planning process. (Traditional Owners, DPaW, DoP, DAA, DoL, DMP, SoB, SDWK):
  - identifying specific areas for protection from unauthorised access by tourists and other visitors;
  - improved access management e.g. adjust the access network to deflect traffic away from sensitive areas and provision of information and interpretive signage to educate visitors about protocols associated with these sites and areas;





- encouragement of the registration of known but unregistered Aboriginal Heritage sites to assist planning approval processes to reduce the risk that developments impact on sites of importance to law and culture;
- better integration of Commonwealth funded Aboriginal ranger programs with the State's land management objectives; and
- integrate cultural resource use with other natural resource protection functions.
- Governance – Acknowledge and encourage participation of Prescribed Bodies Corporate and Traditional Owner Corporations as key stakeholders in long term planning and the development of Peninsula (All Aboriginal residents, WAPC, SoB, SDWK, DAA, DoP).



### 3.5.2 Nature Reserve and Conservation Investigation Area

#### Overview

Traditional Owners maintain a strategic interest through agreement with the State, including undertaking joint management, as part of overall conservation area planning and management proposed for the Dampier Peninsula. These areas may also attract private/public micro economic development in line with DPaW policy for future development within Nature Reserves, Conservation areas and National Parks.

Traditional Owners have a cultural and strategic interest in selection and management of conservation areas, in order to continue managing and protecting their traditional country in a manner consistent with traditional law and custom. This has been demonstrated through the Aboriginal Ranger program, the Saltwater Country Plan and Healthy Country Plans across the broader Kimberley landscape (DPP, TOSC).

The natural environment and resources of the Peninsula are of significant cultural value to Traditional Owners. The protection of coastal and marine areas was identified by Traditional Owners as being of high importance for cultural practices and resources; for example, fish, crabs, turtle and dugong as a significant past and present food source. Other inland areas also have special resources and significance for cultural practices, such as medicines, hunting grounds, dancing and customs of people linked to the area.

There is a notable lack of secure conservation reserves on the Dampier Peninsula indicated in historical information.

The reservation status of representative vegetation in the Dampier Peninsula (Pindan Land) is said to be less than 5%, which is low in comparison to other regions within the State. There is a need to represent vegetation of the northern part of the Peninsula in conservation reserves and to protect an adequate area of *pindan* and other natural features



typical of local areas such as coastal sand dunes, mangroves, *Melaleuca* thickets and swamps.

Significant stress on the Kimberley region from inappropriate fire regimes and other threatening processes are noted in the *Biodiversity Audit of 2002* (CALM, 2003). Subsequent changes to animal populations and types (particularly critical weight range mammals) and plant groups are also identified. The audit indicates that there is a significant amount of vegetation remaining, but that without secure reservation and management, further losses in biodiversity would continue. In view of the lack of secure reserves and extent of threatening processes, the region was assigned the highest priority at both a State and National level for reservation (CALM, 2002 and *Australian Natural Resource Atlas*, undated).

A decade earlier, the (then) Department of Conservation and Land Management (CALM) in its report *Nature Conservation Reserves in the Kimberley* (1991) proposed three new reserves on the Peninsula that would effectively represent the vegetation of the northern half of the Peninsula. The proposals closely reflect the Environmental Protection Authority's recommendations in their 1980 report titled *Conservation Reserves for Western Australia, System 7*.

The proposed Borda (15,800 ha), Leveque (1,010 ha) and Cygnet Bay (12,300 ha) nature reserves would together include extensive areas of remnant monsoonal vine thicket, coastal dune vegetations, fresh water swamps, limestone and sandstone outcrop vegetations, samphire and Ribbon Grass plains, mangrove communities and open forest versions of pindan. Traditional Owners assert that these areas typically have high cultural heritage and resource value.

The area surrounding Lake Louisa to the east of Beagle Bay and north of Country Downs Station has been identified by Traditional Owners and residents of the Dampier Peninsula as displaying areas that should be considered worthy of inclusion as a nature reserve or conservation park. It is located at the upper reaches and tributaries of Beagle Bay. This area will require further flora

and fauna investigation in the future to ascertain the significance and to what extent the boundary would be.

The 1991 CALM report also proposed increasing the size of Coulomb Point Nature Reserve (from 28,300 ha to 112,800 ha) and declaring it a National Park in recognition of the major usage of its coastal environments. An enlarged park would protect a greater number of the ephemeral lakes and fresh water springs, such as Wonganada Springs.

Nimalarragun wetlands are an additional area that should be considered for protection of the ecosystem and sites of cultural and spiritual significance and considered to be managed by the Traditional Owners Ranger group.

The Willie Creek wetlands (seasonal intermittent saline lakes) are included in the *Directory of Important Wetlands in Australia* as they encompass important habitat and have outstanding historical and cultural significance. A recommendation of the *Waterbank Structure Plan* was to protect the broader Willie Creek system including the Nimalaica Claypan and Crescent Lake through the establishment of the Nimalarragun Wetland Reserve.

Alternate land and management models could be considered to better facilitate joint management arrangements subject to resolution of native title considerations. An example is the approach being negotiated with Yawuru in relation to Broome's coastal parks. Amendments to the *Conservation and Land Management Act 1984* allows for and can formalise legal joint management arrangements between the Traditional Owners and DPaW. Opportunities to establish conservation areas and joint management arrangements are likely to be subject to the resolution of native title matters.

#### Islands

Many of the islands in the water around the Peninsula are relatively undisturbed, with terrestrial ecosystems largely intact and free of the threats from feral animals. They are important biodiversity refuges.

There has not been a comprehensive assessment or proposal for the protection





and management of islands in the waters across the Dampier Peninsula as a whole. Ranger groups, individual scientists and special interest groups have and continue to undertake research and make observations (most notably about turtles, dugongs and birds) on the islands within the Buccaneer Archipelago, Lacepede's and to a lesser extent on other islands.

DPaW has management responsibility for the Lacepede and Swan Islands and has management principles rather than management plans as a guide. Active management of these islands is limited.

There is a need to identify those islands that require protection and management for environmental (as well as for cultural and heritage) reasons and to ensure appropriate tenure and management. North-west Twin Island, Valentine Island and Sunday Island have been suggested as requiring protection.

Traditional Owners of the Dampier Peninsula recognise the opportunity now presented to progress, as a priority, the establishment of conservation areas on the Peninsula that will provide for their involvement and interests. They are encouraged in this regard by the following key outcomes:

- Possibilities for joint management of conservation areas as provided for under the CALM Act, subject to resolution of native title and funding matters, as exemplified in more recent times through arrangements such as those with the Yawuru and Miriwung and Gajerrong people.
- The KLC policy for co-management of conservation areas in the Kimberley region (KLC December 2010) that puts forward a stated need to embrace and incorporate cultural knowledge into the overall management of conservation reserves, rather than viewing cultural maintenance and protection as separate to biodiversity protection. The policy provides guidance for conservation area planning in the following areas: Land Tenure, Indigenous Land Use Agreement (ILUA), Board of Management, Management Plans, Resourcing, Economic Opportunities, Employment and Training, Living Areas, Permits for access and research.

## OBJECTIVE

- Without limiting the operation of relevant other legislation, facilitate conservation of cultural heritage, environmental and landscape assets of the Dampier Peninsula that are demonstrated to have local, regional, state, national or international significance.

## STRATEGIES

- Represent the vegetation of the Peninsula in secure conservation reserves, in particular areas of known special values such as vine thickets and mound springs.
- Provide protection for rare and specially protected fauna by conserving their habitat and creating secure reserves where necessary.
- Facilitate protection of coastal culture and heritage (including heritage sites and fossils), environmental and landscape assets in a coastal park while recognising or permitting other land uses where these other uses are compatible with the primary conservation objective.

## ACTIONS

- Nimalarragun: Undertake further investigations with government agencies and registered native title claimants/holders in relation to the Nimalarragun proposal. (DPaW, PBC/Traditional Owners, DAA, DMP, DoL, DoP, DSD, SoB, as required)
- Coulomb Point Nature Reserve: Undertake further investigations with government agencies and registered native title claimants/holders in relation to the Coulomb Point Nature Reserve proposal. (DPaW, PBC/Traditional Owners, DAA, DMP, DoL, DoP, DSD, SoB, as required)
- Borda: Undertake further investigations with government agencies and registered native title claimants/holders in relation to the Borda proposal. (DPaW, PBC/Traditional Owners, DAA, DMP, DoL, DoP, DSD, SoB, as required)
- Leveque and Cygnet Bay: Undertake further investigations with government agencies and registered



native title claimants/holders in relation to the Leveque and Cygnet Bay proposals. (DPaW, PBC/Traditional Owners, DAA, DMP, DoL, DoP, DSD, SoB, as required)

- Dampier Peninsula Coastal Park: Undertake further investigations with government agencies and registered native title claimants/holders in relation to Dampier Peninsula Coastal Park along the coastline of the entire Dampier Peninsula. (DPaW, PBC/Traditional Owners, DAA, DMP, DoL, DoP, DSD, SoB, as required)
- Lake Louisa: Investigate the area of the proposed Lake Louisa for its conservation values. Review and delineate a final boundary. (DPaW, PBC/Traditional Owners, DAA, DoL, DoP, DSD, DMP, SoB, SDWK as required)
- Prepare management plans as required for conservation areas on the Peninsula including the Lacepede and Swan Islands. (**DPaW** and other parties in whom conservation areas are/will be vested)
- Undertake further assessment of the islands in the water surrounding the Dampier Peninsula to determine the level of protection and management required to conserve their natural, cultural and heritage values. Special consideration should be given to North-west Twin Island, South-east Twin Island, Sunday Island and Valentine Island. (**DPaW**, MPRA, Traditional Owners, DMP, DoF)

### 3.5.3 Settlement zone

#### Overview

From the mid-1880s settlement patterns on the Dampier Peninsula occurred predominantly around the missions at Djarindjin/Lombadina, Beagle Bay and on Sunday Island.

The majority of residents on the Peninsula live in the main towns of Beagle Bay, Djarindjin/Lombadina, and Ardyaloon (which was established following the closure of the Sunday Island Mission in the 1960s). These are described as 'Towns', which have a substantial population and provide a range of services including government and commercial services. The towns each have a Community Council which represents the towns and settlements. In the planning phase of reviewing Layout Plans the Traditional Owners groups, Community Councils and local governments have an important role in this.

These towns also support smaller nearby towns and settlements (sometimes referred to as community living areas or outstations) are identified as 'Settlements' in the Strategy. Smaller still are the outstations which often comprise family groups seeking to re-establish cultural connections on traditional lands and are identified in this Strategy as 'Minor settlements'.

Cygnet Bay is a minor settlement south of Ardyaloon which has developed as a result of the commencement of Australia's oldest pearl farm, Cygnet Bay Pearls. The Brown family, three generations of whom live and work at Cygnet Bay mastered the technique of pearl cultivation at Cygnet Bay. The small settlement is on freehold land and is home to the owners, operators and workers and to tourists visiting the area. Cattle are also run on this holding.

Historically, development at the towns occurred in an ad-hoc way. In particular little consideration was given to road layout and the location of water, power and wastewater infrastructure and light industry relative to residential and other public purpose uses. These planning issues have now largely been rectified as a result of better planning through



the Department of Planning's Planning for Aboriginal Communities program. However there still remains a question as to the condition of and future funding and investment sources some infrastructure will require in the future.

The homelands movement in the 1980s saw some families return to their country in addition to other families seeking to live away from the towns and settlements. Numerous minor settlements were established at or near cultural areas away from the pressures of towns or settlements utilising old camping sites or fishing spots particularly close to the coast or water sources. Old walking tracks and survey lines became a network of unplanned access tracks across the Dampier Peninsula.

It should be noted that any further development in the 'settlements' and 'minor settlements' would not be supported unless applicants prepare a layout plan to demonstrate that additional development is self-sufficient and adequately serviced. Reference should also be made to *State Planning Policy 3.2 – Aboriginal Settlements* (SPP 3.2) and *State Planning Policy 3 – Urban Growth and Settlement* (SPP 3), particularly clause 5.7 which provides direction on planning for Aboriginal Communities.

The minor settlements were established through the issuing of leases by the Crown and the Aboriginal Lands Trust (ALT), the granting of sub-leases by Aboriginal Corporations and through arrangements generally known as informal occupancy. The fragmentation of settlement was generally unplanned and had unforeseen consequences.

The provision of infrastructure and essential services by government (housing, water, wastewater, power, waste management) to dispersed settlements and minor settlements is logistically difficult, inefficient and costly. In some instances there was an unnecessary duplication of infrastructure where minor settlements are located close to the towns and settlements or where a group of minor settlements are located within a confined area.

Particularly during the wet season minor settlements residents face difficulties in

easily accessing educational, health and policing services and shops. During the dry season, access roads to the towns and settlements provide opportunities for visitors to the Peninsula to easily enter areas of cultural and heritage importance and/or environmental sensitivity and to disturb the privacy of minor settlements residents.

Despite the constraints associated with living remotely, minor settlement residents are keen to continue living on their lands and to maintain their lifestyle. Traditional Owners assert that they maintain a cultural interest to reside within traditional country in the form of rural smallholdings and minor settlements. Notwithstanding often seasonal access restrictions and their remoteness from social and physical infrastructure, education and employment opportunities, remaining permanently at minor settlements is problematic for a number of reasons including:

- changes to Commonwealth funding arrangements, including decommissioning of ATSIC (minor settlements were created/established with Commonwealth government funds via ATSIC); and
- minor settlements may not receive essential service assistance under the Remote Area Essential Service Programme (RAESP) which is administered by Department of Housing.

It should also be noted that *State Planning Policy No. 3.2* does not support settlements with less than five houses/not connected to essential services.

A change in Commonwealth Government policy (beginning in April 2012) resulted in the phasing out of the funding for the Commonwealth Development Employment Programme (CDEP), which facilitated the development of minor settlements and the ongoing employment of people in the minor settlements (FaHCSIA, 2012). As a result many people have been leaving these small settlements and moved into towns such as Derby and Broome.

In addition to a growing awareness of opportunities and social and physical infrastructure available in larger centres, the shift in government policies can be



seen as changing the Dampier Peninsula settlement pattern. This established Beagle Bay, Djarindjin/Lombadina and Ardyaloon as towns that service settlements and minor settlements on an outreach basis. The approach to closing the gap on Aboriginal disadvantage has been established through the Council of Australian Government's National Indigenous Reform Agenda. The focus of funding and effort is now on large, to discrete settlements (priority locations) that have been identified as having the best chance of establishing robust economies and achieving land tenure reform.

Settlements that are located in the vicinity of the towns are able to share infrastructure with the towns in many instances and can easily access essential services. Minor settlements that are remote from the towns will not be provided with the same level of support as town or settlements and will independently need to identify opportunities to establish their viability and share infrastructure with close neighbours.

New residential land will therefore be needed in the larger settlements of Beagle Bay, Djarindjin/Lombadina and Ardyaloon. Change to existing tenure within settlements would generally provide greater security of government assets and infrastructure and identify areas which may be used for business, commercial and industry enterprises, but would likely require negotiation pursuant to the *Native Title Act 1993* (Cth).

The only anticipated new towns and settlement area will be in association with the development of the Browse LNG Precinct for the temporary construction and operational workforce.

#### Issues

The future of existing settlements in providing housing opportunities includes:

- the identification of land for expansion in and around existing towns and settlements;
- the cost of providing services for housing expansion;
- the cost of servicing and maintaining settlements and minor settlements;
- government policy to discontinue to support the minor settlements

movement due to the high associated costs;

- encouragement to consolidate settlement and to optimise and share services and infrastructure and limit adverse impacts on 'country', the environment, culture and heritage;
- towns and settlements with a relatively higher than normal percentage of young people and a median age of 20 years which is nearly half that of the general population;
- rectifying the lack of planning in the past in towns;
- duplication of services and infrastructure;
- the lack of an ordered and rationale approach to the establishment of minor settlements; and
- creation of easier access for tourists and others to sensitive areas and minor settlements resulting from the establishment of minor settlements.

#### **OBJECTIVE**

- Provide an adequate supply of residential land to alleviate overcrowding of existing residences, to meet longer-term demand for residential land arising from population growth and to offer a range of living options.

#### **STRATEGIES**

- Identify land sufficient to meet existing and longer-term demand for residential use within the main towns and settlements in Layout Plans.
- Provide a range of living options on the Dampier Peninsula based on a settlement hierarchy that includes towns, settlements, minor settlements and workforce accommodation.
- The proposed settlement pattern would incorporate:
  - Towns (shown as Settlement zones in Figure 2) that are large permanent settlements with a substantial population that provide a range of community, government and commercial services (such as education,





health, sport and recreation facilities, airstrip, shops). These communities have access to essential and municipal services and infrastructure (power, potable water, sewerage disposal and treatment and solid waste collection and disposal). Towns support smaller near-by settlements, minor settlements and tourist activities on the Dampier Peninsula. Towns cater for the majority of residential and commercial development on the Peninsula and are the preferred location for service related and community infrastructure. They have the capacity to accommodate growth and offer employment and enterprise opportunities. The communities of Ardyaloon, Djarindjin/Lombadina and Beagle Bay are identified as towns.

- Settlements (approx. 50-150 people) that rely on towns to access facilities and services. These communities generally source potable water from their own bore, operate their own generators, utilise septic tanks and have their own waste management facilities. It is likely that the growth of these communities would be reflective of population growth. Settlements may be associated with tourist related enterprise opportunities in the vicinity. Living areas such as Bobieding, Billard, Budgarjook, La Djardarr Bay and Millargoona are identified as settlements.
- Minor settlements are generally communities that comprise a family or a family group living on a rural residential lot or lease area. Minor settlements are not necessarily permanently occupied with residents relocating for periods of time for a variety of reasons. Population numbers vary but are usually less than 50 people. Minor settlements may operate tourism related ventures within their living or lease area. The communities are generally

self-sufficient in terms of power, water and sewerage infrastructure and solid waste management. Opportunities may exist for a number of closely located minor settlements to share essential service infrastructure. Minor settlements access government and commercial services at towns or regional centres such as Broome or Derby. There are more than 80 minor settlements on the Peninsula including places such as Carnot Springs, Pender Bay, Bindurrk, Mercedes Cove, Mudnunn and Malaburra.

- The Workers Accommodation Area will be for the exclusive use and accommodate contractors employed during construction, operational workforce and maintenance workers associated with the Browse LNG Precinct. Workforce accommodation incorporates shared village style accommodation, dining and recreational facilities. The workforce accommodation would be situated outside of the Browse LNG Precinct buffers and within 3-5 km of the LNG plant. It would be situated on a 200 ha site that could have an alternate use post the LNG construction or operational period.

## ACTIONS

- Prepare or update detailed Layout Plans for the towns of Ardyaloon, Djarindjin/Lombadina and Beagle Bay and for settlements, in accordance with State Planning Policy 3.2. Verify that sufficient residential land is identified within the plans to meet current and longer-term needs. The updated Layout Plans form part of the Plan by reference. (**DoP**, community councils, Traditional Owners, DAA, ICC, SoB, SDWK)





### 3.5.4 District administration centre – Djarindjin Junction

#### Overview

Civic or government and community services and facilities (such as medical, educational, welfare, child care, sporting) are currently provided at a number of dedicated venues in Beagle Bay, Djarindjin/Lombadina and Ardyaloon.

As a result of the concentration of settlement and population in the northern part of the Peninsula the provision of one key centre for Government agencies and other service and support personnel has been widely supported.

The sealing of the Cape Leveque Road between Beagle Bay and Ardyaloon, greatly improved road linkages between the towns, and has provided an opportunity to establish centrally located facilities that can provide the whole area with a higher level of service.

The Dampier Peninsula Multi Function Police Centre is located adjacent to the Cape Leveque Road and close to the spur road to Djarindjin/Lombadina identified as Djarindjin Junction. The facility is also easily accessible from the Djarindjin/Lombadina airstrip. This centrally located facility includes a courthouse and a Department for Child Protection office. It is also used by the Department of Justice and the Department of Transport. The Department of Health propose to establish a super-clinic in the vicinity.

This location is considered suitable for consolidating various other community services and facilities and associated infrastructure (such as staff housing). It is also considered suitable for a range of retail and service industries for residents and visitors, visitor information and a base for Rangers.

The Department of Planning has prepared a layout plan for Djarindjin Junction. This is the location of the District Administration Centre. The plan shows the airstrip, the existing houses for government employees, the multi-function police

centre and a range of other lots for future development comprising lots for:

1. government and other employee housing;
2. government purposes, business and commercial;
3. industry, rural-residential lots; and
4. protection of water supply and associated infrastructure;

Consultation undertaken and detailed in the Record of Consultation has resulted in a long list of possible uses which could be located at the Centre.

They include:

- Local government centre
- Offices for government agencies etc
- Medical/Health Centre Super clinic/hospital
- Government officer housing and other accommodation
- Emergency services centre for fire, ambulance, SES, etc.
- Multi-purpose shared works depot for Commonwealth, State and local government
- Cultural centre, art and craft, gallery and retail outlet
- Education facilities and training centre
- Regional Library and Community Information Centre
- Ranger centre and training
- Women's refuge/safe house
- Aged Persons Accommodation
- Caravan bays and camping facilities
- Tourist and visitor information and booking office
- Airstrip, landing facilities, hangars, etc.
- Light Industrial Area
- Transport depot for couriers, freight service vehicles, buses, etc.
- Cyclone shelter
- Sporting facilities and an events area
- Storage for caravans, boats and vehicles
- Sale of local produce, roadhouse, general store, bakery and markets.



Issues:

- determining the range of services and facilities to be centrally located;
- residential development must take into consideration limitations from noise from the Djarindjin/Lombadina Airstrip
- further development of the Djarindjin/Lombadina Airstrip (see section 3.6.2);
- maintaining community support for centralised rather than dispersed services and facilities where possible; and
- residents ability to access centrally located facilities and services.





## OBJECTIVE

- Continue to develop the District Administration Centre for the Dampier Peninsula that allows for the provision of government and community service facilities for the local community plus a range of retail and service industry uses for residents and visitors.

## STRATEGY

- The Strategy supports Djarindjin Junction as the location of the District Administration Centre.
- Consolidate the provision of civic or government and community services and facilities (such as medical, educational, policing, transport, child care and welfare) within the District Administrative Centre located adjacent to the Cape Leveque Road in the vicinity of Djarindjin/Lombadina and the Djarindjin/Lombadina airstrip.
- Encourage the development of new retail and service industries for residents and visitors on land identified in the vicinity of Djarindjin Junction and the Djarindjin/Lombadina airstrip.
- Integrate limited permanent and short-term accommodation for essential workers in the district administrative centre.
- Ensure that land use and development is consistent with and guided by a Layout Plan.

## ACTIONS

- Update and adopt the Layout Plan for the area identified as the District Administration Centre at Djarindjin Junction to reflect its role and range of possible land uses. (**DoP**, Djarindjin Aboriginal Corporation, Bardi Jawi PBC, DoH, SoB, and other key stakeholders)

## 3.5.5 Existing and potential tourism enterprise

### Overview

Tourism WA (TWA) believes Broome has strong tourism branding in Australia and has international recognition.

TWA expect that a doubling or trebling of visitation to the Dampier Peninsula will result from growth of visitation to Broome and the possible sealing of the remainder of Cape Leveque Road, in the longer-term or in the medium-term as a consequence of the proposed Browse LNG Precinct. There would be a resulting growth in visitation by tourists (intrastate, interstate and international) and local Broome and Derby residents recreating or visiting family on the Dampier Peninsula.

Tourism to the Dampier Peninsula is distinct but associated with the Broome brand and considered to have significant and untapped tourism potential. Opportunities exist to develop a unique visitor destination with appropriate product development and marketing.

A unique tourism product would enhance the sense of place and connection to country and culture, provide an opportunity to interact with Aboriginal people and generate an expectation of adventure. A diversity of visitor experiences should be offered from high yield and highly specialised destinations to easily accessed, budget tourism products.

There are currently a number of limitations to realising the full potential for tourism industry development and associated industries on the Peninsula. With additional investment in redevelopment and new development from the private and public sector, the following issues (including but not limited to) could be addressed:

- a shortage of bedded and serviced accommodation;
- the current focus on budget accommodation;
- the poor condition of the unsealed portion of Cape Leveque Road, particularly during the wet-season;
- the absence of vehicle hire opportunities for fly-in visitors;





- a lack of boat and caravan storage in or near Broome; and
- a lack of boating infrastructure e.g. boat ramps, jetty, harbours.

It is recognised that to simultaneously maintain the unique experience (one distinctive from Broome) and protect cultural and natural assets while growing the tourism sector would require:

- a planned approach to tourism development (both location and product) to protect the isolated, low key, small-scale, minimal footprint, nature based product;
- an approach to managing higher visitor numbers and specifically their cumulative impacts on cultural, heritage and environmental assets;
- a planned approach to the provision of visitor facilities including for day-visitors such as boat ramps and parking areas, picnic areas, walk trails, toilets and drinking water; and
- a planned approach to the provision of essential services such as potable water, power, sewage treatment and waste disposal.

A number of minor settlements have responded to visitor growth by establishing or expanding their tourist related business. This has occurred in an ad-hoc way largely in response to capital being successfully sourced from funding bodies.

To assist and support the growth and development of the Dampier Peninsula, Tourism WA is implementing a number of initiatives in the Kimberley through the *Kimberley Science and Conservation Strategy* (KSCS). These initiatives include:

- assisting Aboriginal communities to identify and develop nature based and culture based tourism opportunities at key sites;
- developing and promoting tourism corridors across the Kimberley region;
- expansion and promotion of the Kimberley Aerial Highway concept; and
- development and promotion of self-drive journeys, including four wheel drive expedition routes, through the Kimberley region.

The Dampier Peninsula has been identified as one of the tourism corridors that Tourism WA has committed to investigate,

and Tourism WA is also working closely with a number of Aboriginal tourism operators on the Peninsula in future developing their product.

There is, however, currently no planned response to the expected growth in visitation from recreational day-use and short-term camping on the coast by local Broome and Derby residents and out-of-town visitors. Notably, the coastal strip between Willie Creek and Coulomb Point that is accessed from Manari Road is frequently used to launch boats, for shore-based fishing and for free camping. The area is mostly unallocated Crown Land and is not managed.

Land for the Browse LNG Precinct was strategically identified in order to ensure its coexistence with tourism on the Dampier Peninsula and to mitigate the potential impact on public access and visual amenity for visitors.

Accommodation for construction workers (up to about 6000 people) will be situated 10 km to 12 km south of James Price Point. The intention is to place restrictions on construction workers ability to access the nearby coast and the rest of the Dampier Peninsula in general. To address community concern about the potential pressures on cultural and coastal resources such as fishing and camping spots, sensitive coastal vegetation and heritage, palaeological and archaeological sites, and for example the dinosaur walk tracks there are a number of comprehensive management plans identified in the Browse LNG Precinct Strategic Assessment Report that will manage the identified potential impacts associated with the Precinct.

There is also recognition that to retain the visitor experience along the Dampier Peninsula coast for both locals and visitors and to protect natural, cultural and heritage values requires significantly better planning and management of both the destinations and visitor access to these destinations.

#### Tourism nodes

A framework that provides a range of tourist accommodation and tourist experiences at locations with different attributes is proposed below. The



framework categorises tourism nodes according to their function and size (See Figures 2 and 5). Figure 2 shows areas/precincts which should be considered for further detailed planning in relation to future tourism development and highlight areas which may be compatible with the expectations of Traditional Owners. Figure 5 provides further details in relation to the type of tourism (current and future), that would be compatible to the area.

#### Major tourism nodes

These areas cater for up to 500 overnight guests and offer a range of accommodation types (fully serviced, self-contained, backpacker, cabins, demountable tents, eco tourist style accommodation, caravan bays, formal camp sites), services (restaurant, bar, beauty, tour booking, equipment rental) and supplies (fuel, food and groceries). Day visitors are able to access the facilities and services and purchase supplies. Sites in the vicinity of Cygnet Bay, Kooljaman, Middle Lagoon and Willie Creek are proposed as major tourism nodes.

#### Minor tourism nodes

Areas that cater for up to 200 overnight guests and offer a limited choice of accommodation types (boutique hotel with a maximum of 50 rooms, cabins, demountable tents, formal camp sites). Eco tourism style accommodation and nature based camping are appropriate. Services and supplies are available to overnight guests and day-visitors if permitted by the operator. It is proposed that Djarindjin/Lombadina and two other minor tourism nodes be identified in the northern coastal area between Deep Water Point and Packer Island (such as at Gumbarmun) and that an additional three be identified in the western coastal accommodation area between Bell Point and Middle Lagoon. The former Waterbank homestead site (although south of the project area) is also proposed as a minor tourism node.

#### Eco tourism sites

These sites focus on providing accommodation for up to 100 overnight guests who are specifically seeking a low-impact, environmentally and socially responsible experience. The eco-tourism

nodes would be located in relatively undisturbed areas (away from settlements and other development) that have high scenic, heritage or environmental values. The facilities would be constructed and operated to minimise the impact on these values and would have a small ecological footprint. Structures would integrate with the landscape and would be climate sensitive. The development would be energy efficient, minimise water use and follow a towards zero waste philosophy. The eco-tourist node would be founded on the active and substantially beneficial involvement of local people. The node would provide an opportunity for guests and local people to be informed and educated about the importance of protecting cultural and natural resources. It is proposed that four eco-tourism nodes be identified – in the vicinity of Carnot Bay, Cunningham Point area, Fraser River area and within Crown Reserve 41904 at the western termination of Pender Bay Road.

#### Small scale community based tourism sites

These sites are generally connected to minor settlements or settlements and accommodate up to 50 overnight guests. Guests may be seeking a cultural exchange with the host community and an insight into their way of life. Accommodation offered would be small-scale (bed and breakfast, guesthouse, cabin, demountable tents and formal camp sites) and services would be limited (e.g. local guides for walks, fishing, bird-watching, equipment hire). Day visitors may also utilise the available services. Small-scale community based tourism nodes would generally be situated within the coastal area.

#### Nature based camping

Areas where small clusters of camping sites are provided in a natural setting and with minimal built support structures. These nodes provide an opportunity to provide a bush camping experience. Structures may be limited to toilets and information boards. Camp site boundaries and access paths would be defined to avoid damage to surrounding areas. Water and power should be provided and waste could be disposed of offsite in consultation with and licence requirements





from the local government. Nature based camping nodes would be managed by the local community for their own benefit. Nature based camping nodes are proposed north of Barred Creek, south of Quondong Point, and in the vicinity of Langi Crossing and Telegraph Pool on the southern side of the Fitzroy River.

#### Day use sites

These sites refer to areas where nature based outdoor passive and active recreational opportunities are provided for day visitors to the Dampier Peninsula. Day use sites are situated in areas where potential conflict with surrounding land uses can be effectively managed. These nodes would provide a range of facilities such as defined parking areas, barbecues, shade shelters, picnic tables, toilets and water fountains. A limited range of services may be available at some nodes such as recreational equipment hire, local guides and a lunch bar. Walking trails with access to bird hides or other interest points may originate at the day use node. No overnight visitation would be permitted. Day use nodes are proposed at Willie Creek, Barred Creek, Quondong Point, in the vicinity of Middle Lagoon, Kooljaman, Ardyaloon and Lombadina and at Tumblegoodine Pool on the Fitzroy River.

#### Trails (heritage, nature, mountain bike etc.)

The Department of Sport and Recreation has published the Western Australian Trails Strategy 2009 - 2015.

The objective of the State Trails Strategy is to provide a distinct set of principles for those involved in trails. The development and operation of the Western Australian trails sector is now guided by principles including:

- develop trails that are sustainable in their own right;
- balance economic, social, health, environmental and cultural considerations for the long-term sustainability of the community; and
- acknowledge Aboriginal people and historical settlers.

Likewise the Kimberley Science and Conservation Strategy tourism development objectives include:

- develop the Kimberley potential to become one of the world's greatest ecotourism destinations;
- develop and promote tourism corridors; and
- assist Aboriginal communities to develop nature base and tourism services.

An example of an existing Traditional Owner trail enterprise is the Lurujarri Heritage Trail on the west coast of the Dampier Peninsula. The Trail was founded by the late Paddy Roe OAM in 1987 and continues to operate under the direction of his family. The enterprise represents a cross cultural educational, reconciliation opportunity and an Aboriginal tourism venture.

The Lurujarri Heritage Trail is consistent with the agreed vision for the Peninsula outlined in the DPPS which is to: 'Develop a future that protects our culture, our lifestyle and the environment and offers economic opportunities that would improve the quality of life for stakeholders with a direct interest on the Dampier Peninsula'. The Lurujarri Heritage Trail is also in line with the stated vision of the TOSC of 'healthy country, healthy people and healthy towns and settlements'.

#### Service centres

##### (Service centre investigation areas)

The proposed service centres are positioned adjacent to the main access corridors on the Peninsula and may have an access management function in addition to providing land for retail use. Services which could be provided include provision of tourist information and interpretation, accommodation booking, display and sale of arts and crafts, sale of food, fuel and general provisions. These nodes may also serve as gateways where access to the Peninsula is managed. Six service nodes are proposed in the long term but not all would necessarily be developed and the range of uses and activities would vary according to State and local government regulations and policies and demonstrated demand, the views of each of the responsible Traditional Owner group upon whose land the Service Centre is proposed.



Proposed sites are:

- adjacent to the Cape Leveque Road at the intersection with Manari Road;
- on Manari Road north of the Browse LNG Precinct and south of Coulomb Point Nature Reserve;
- adjacent to the Cape Leveque Road at the most southerly access road to Beagle Bay;
- adjacent to the Cape Leveque Road in the vicinity of the access road to Middle Lagoon; and
- at the intersection of the Great Northern Highway and Nillibubacca Track.

As a result of the initial round of consultation residents in the vicinity of Pender Bay/Beagle Bay where there is a concentration of tourist activity around the shoreline behind coastal dunes and cliffs and in the hinterland, expressed more specific views.

The area is referred to locally as 'North of the Causeway' and residents believe there should be a minor service centre.

The service centre could be used for:

- a school;
- a centralised waste management facility;
- tourist information; and
- other small scale uses appropriate to the resident and visitor needs.

#### Information facilities

Information facilities will assist in visitor management and education and should range from directional signs to information boards, information bays and rest areas, to staffed information kiosks at Service Centre Investigation Areas.

#### Roadside rest areas

Roadside rest areas are located on the main Cape Leveque access road to allow for short breaks from driving in an effort to reduce driver fatigue. The intention is to provide parking and toilet facilities only. Camping and overnight stopping are not permitted. Roadside rest areas are proposed adjacent to Cape Leveque Road in the vicinity of Dinner Camp and at the junction road to Middle Lagoon.

## **OBJECTIVE**

- Facilitate growth and development of tourism and tourism related opportunities that are compatible with maintaining environmental, heritage, cultural and landscape values of the Dampier Peninsula and that support the provision of a remote aboriginal tourism experience.

## **STRATEGY**

- Provide for a number of tourist accommodation development opportunities on the Dampier Peninsula that would give visitors a range of experiences at different locations.
- Cater for growth in day-visitors to the Dampier Peninsula who seek recreational and cultural experiences.
- Locate new tourist infrastructure in areas where compatibility with the cultural, environmental and landscape values of the area can be achieved.
- Ensure that the form and scale of tourist related infrastructure is consistent with the Dampier Peninsula's sense of place and are not visually intrusive.
- Designate sites for the development of camping and caravanning.
- Design tourist related structures and infrastructure to be climatically and environmentally responsive.
- Restrict camping and caravanning to designated sites on the Dampier Peninsula.
- Encourage the development of tourism 'Trails' to promote Aboriginal culture and heritage, health and land management.



## ACTIONS

- Prepare a tourism masterplan for the Dampier Peninsula that includes a critical assessment of the tourism potential of the area, audits existing tourist accommodation and other tourism related activity, identifies gaps and opportunities for new development and upgrades to or extensions to existing facilities. (**SoB, SDWK, TWA, Traditional Owners, DPaW** and other key stakeholders)
- Encourage the continued development of trail infrastructure. (**DSR, Traditional Owners, Trail developers/operators** and other key stakeholders)



## 3.5.6 Commercial and service industry

There is very limited retail activity or service related industry on the Dampier Peninsula identified in Layout Plans. There are small general stores in Beagle Bay, Djarindjin/Lombadina and Ardyaloon and bakeries in Beagle Bay and Djarindjin/Lombadina which mostly operate to service the day to day needs of residents. Arts and crafts can be purchased in Djarindjin/Lombadina. Fuel can be purchased and minor repairs to vehicles can be arranged.

While there is a desire to retain individual general stores within the towns there is recognition that locating other commercial uses and service industry at central locations that are easily accessible by residents and visitors would allow for a wider range of activities to be viably established.

There are a number of small local enterprises (arts and crafts, machinery, horticulture, cottage produce, cultural and historical tours and aquaculture) operating out of a number of settlements and minor settlements. Traditional Owners and residents of the Peninsula have identified a number of economic development aspirations for consideration in commercial and service industry planning.

Vehicle hire, accommodation and tour booking, fuel provision, vehicle repair and towing services, sale of arts and crafts, caravan and boat storage, dog kennels, transit caravan and camping facilities and cafes could be located within the Djarindjin Administration Centre or at other service centres adjacent to the Cape Leveque Road.

Continued growth in exploration and production activities in the offshore Browse Basin is expected to result in further demand for air support services.





### 3.5.7 Proposed Browse LNG Precinct (includes port and buffer areas)

#### Overview

After a comprehensive planning assessment process, the State Government identified the preferred site for the development of the Browse LNG Precinct in the vicinity of James Price Point on the Dampier Peninsula. Natural gas from the offshore Browse Basin is proposed to be processed by one or more oil and gas companies located within the precinct and shipped to customers internationally. The proposal has not yet received Federal or State environmental approval.

The Browse LNG Precinct is proposed to accommodate production of up to 50 Mtpa of LNG. Based on a notional concept of two LNG operators, this would require about 2,900 ha onshore (not including service corridors and land for public roads) and 1,500 ha offshore (not including easement corridors). An industrial buffer (2 km from the boundary fence) and a sensitive land use buffer (a further 1 km wide) would restrict development in the vicinity of the precinct.

Within the 2,900 ha identified:

- accommodation for the construction workforce (~6,000 people) and some permanent fly-in/fly-out staff is proposed to be provided within a 200 ha site located 10-12 km from the Strategic Industrial Precinct; and
- a third party contractor's site of 200 ha within the Strategic Industrial Precinct is proposed for third party contractors whose services are directly linked to the construction and or operation of the Browse LNG Precinct.

The social impacts (including infrastructure, tourism and fishing and the flow on impacts to the town of Broome) and environmental impacts associated with the proposed development have been the subject of various investigations. Reports that detail the potential impacts and proposed management and mitigation strategies can be found on the Department of State Development's website ([www.dsd.wa.gov.au](http://www.dsd.wa.gov.au)).

It is proposed that the planning and development of the Browse LNG Precinct be established through the preparation of an Improvement Plan and Improvement Scheme. The Improvement Scheme will require the approval of the WAPC for development applications. Improvement Plan No. 37 was gazetted on 29 January 2013

#### Issues

Land use planning issues that require special consideration in the Strategy include:

- location of a waste management facility to manage waste from the proposed Browse LNG Precinct and elsewhere on the Dampier Peninsula;
- the potential to share essential infrastructure (power, water, wastewater) with other nearby development;
- the demand for water originating from activities within and associated with the Browse LNG Precinct (to be determined once a proponent has been identified);
- sustainable water supplies;
- water source protection;
- direct access to the Browse LNG Precinct and associated facilities;
- the possible upgrade of the Cape Leveque Road, resulting in an increase in visitation to overnight accommodation and day-use sites on the Peninsula and need for improved visitor management;
- an increase in visitation to locations along Manari Road;
- determining Traditional owner and public access to traditional fishing and camping spots north of the proposed precinct;
- function, jurisdiction and access management of all roads and tracks impacted by the Browse LNG Precinct development; and
- camping and small boat use.



## OBJECTIVE

- Provide an adequate supply of industrial land suitable for a range of industry (not including heavy industry) uses that would support the development of towns.
- Provide a defined envelope of land for strategic industry within which the proposed Browse LNG Precinct would be located.

## STRATEGY

- Provide additional land for industry (not including heavy industry) predominantly in the area adjacent to Cape Leveque Road within the Djarindjin District Administrative Centre node with some additional light industry land (if necessary) in the locality of Beagle Bay and Ardyaloon.
- Provide a strategic industry area south of James Price Point that accommodates the proposed 2,900 ha Browse LNG Precinct.

## ACTIONS

- Ensure that sufficient land for industry (not including heavy industry) of the district administrative centre to accommodate growth over the next 15 years is reflected in the centres Layout Plan. (**DoP**, Bardi Jawi PBC, Djarindjin and Lombadina Community Councils, SoB, ALT)
- Ensure that sufficient industrial land (not including heavy industry) to accommodate growth over the next 15 years is reflected in a Layout Plan for Beagle Bay. (**DoP**, Traditional Owners, DAA, SoB, ALT)
- Ensure that sufficient land for industry (not including heavy industry) to accommodate growth over the next 15 years is reflected in the Ardyaloon Layout Plan. (**DoP**, Bardi Jawi PBC, Ardyaloon Community Council, SoB, ALT)
- Ensure that the Browse LNG Precinct and buffers be established and regulated through the preparation of an Improvement Plan and Improvement Scheme. (**DSD**, **DoP**, SoB, Traditional Owners, LNG Proponent, DPaW, WAPC, ALT)

## 3.5.8 Basic raw materials

Extractive industry relates specifically to the removal of basic raw materials. Where the following occur on Crown land, including reserves and pastoral leases, they are covered by the *Mining Act 1978* (Mining Act):

- limestone;
- sand;
- rock;
- gravel;
- shale; and
- clay.

However, where these materials occur on private (freehold) land they are not covered by the Mining Act, and hence extraction requires approval under the *Planning and Development Act 2005* (PD Act).

A key element is maintaining access and use of basic raw materials and is essential to future development.

The Department of Mines and Petroleum have published *Basic Raw Material mapping for Broome, Dampier Peninsula and Derby* (2013) and DoP/WAPC have also published the *Basic Raw Materials Applicants' Manual* (2009).

## OBJECTIVE

- Provide for the long-term availability of basic raw materials (sand, clay, hard rock, limestone, gravel and other construction and road building materials) for utilisation on the Dampier Peninsula without adversely impacting on environmental and heritage values and through protecting available resources from incompatible land uses.

## STRATEGIES

- Identify key extraction areas (locally significant resources that could provide for the long term supply of basic raw materials for use on the Dampier Peninsula) that do not compromise environmental, heritage or amenity values when developed.
- Protect identified key extraction areas from incompatible uses





through the land use planning system.

- Extract materials and rehabilitate extraction areas on a programmed basis in advance of longer-term sequential use and development.

### ACTIONS

- Delineate key extraction areas. (**DMP**, DoP, Main Roads, DoW, DPaW, Traditional Owners, DAFWA, DAA)
- Protect key extraction areas through the Shire of Broome and Shire of Derby West Kimberley Local Planning Strategies and Schemes. (SoB, SDWK, DoP)
- Prior to developing a key extraction area, a proponent must comply with the current approvals process for extraction activities, rehabilitation and mine closure plans under the *Mining Act 1978* administered by DMP. (Proponent, DMP)

### 3.5.9 Pastoral and rural small holdings investigation area

On Figure 2 the pastoral use is the equivalent of 'Extensive Agriculture' as it would be shown in a local planning scheme and the Rural Small Holdings Investigation Area is where further investigation of water and soil resources is necessary to determine the potential for horticulture which is referred to as 'Intensive Agriculture' in a local planning scheme.

#### Overview

For many years there has been an interest in developing land in the former Waterbank station area for horticulture and other irrigated agriculture including tropical timber production. A recommendation of the *Waterbank Structure Plan* was to investigate whether there were areas within a much larger investigation area totalling approximately 87,000 ha of land are suitable for horticulture. The recommendation is still being considered as part of broader land use consideration by the Traditional Owners, and the

Department of Agriculture and Food and the Department of Water are undertaking further investigations under two new projects as outlined below.

A limitation for the development of intensive agriculture in the former Waterbank Station area and the rest of the Dampier Peninsula has been the absence of adequate road access and water supply. The Department of Agriculture and Food has suggested that should the Cape Leveque Road be improved and a new spur road to the Browse LNG Precinct be established then an investigation of horticultural potential would be beneficial.

Critical to the establishment of horticulture or irrigated agriculture within the former Waterbank Station area is a secure water supply. The Department of Water has expressed concern that the Broome Sandstone aquifer, from which potable water for the Broome townsite is sourced, may not be sufficiently large to cater for an increase in demand from existing users and to accommodate a new water intensive industry. Detailed investigation is required to determine if sufficient water is available to support a viable horticultural and irrigated agriculture industry.

DAFWA and DoW have commenced two projects in the region which will contribute to the assessment of intensive agriculture on the Dampier Peninsula.

**1. La Grange:** Whilst the Dampier Peninsula is outside the geographic boundary of La Grange the outcomes of the prefeasibility studies into market and investment opportunities and the supporting economic analysis will apply to any groundwater based agriculture in the North. The study can include conceptually some small holdings of intensive agriculture in the Dampier Peninsula for assessment under this. The pindan soil studies for La Grange will also be relevant to similar pindan country in the Waterbank area.

**2. DoW groundwater project:** In the past when DAFWA has looked at the irrigated agriculture potential for the Waterbank area, water availability was relatively low. The DoW study will assist by providing more information that will identify those areas that can be irrigated or where high value/low water use crops can be considered (like Gubinge).



The form and scale of any potential agricultural development also requires consideration. It may be beneficial to establish a mosaic of horticultural lots interspersed with corridors of native vegetation that may encapsulate areas of environmental sensitivity and cultural importance rather than creating an unbroken large single precinct. This approach was preferred by the Traditional Owners in the first round of consultation and it would be an important consideration in any future study. Traditional Owner groups and other Aboriginal people have identified pastoralism and horticulture as economic development aspirations. There are currently a number of rural, agricultural and horticultural investigation projects underway to identify areas for irrigated agricultural and horticultural opportunities. An example of this is the Djarindjin Aboriginal Corporation's Rural Industry Enterprises Project. The objective of the Project is to develop irrigated agriculture utilising in situ water resources as a regional economic diversification option.

### OBJECTIVE

- Maintain the existing pastoral properties for extensive agriculture and provide an adequate supply of agricultural land suitable for a range of commercial agricultural opportunities that do not compromise ground water dependent ecosystems or future potable water supplies.

### STRATEGY

- Retain Country Downs, Mt Jowlaenga, Kildo and Yeeda Stations for pastoral purposes as defined in the *Land Administration Act 1997*.
- Investigation of the viability of establishing an intensive horticultural precinct involving all relevant agencies.

### ACTIONS

- Determine the viability (soil capability and suitability, land and water requirements, weather conditions, financial returns etc) of establishing a sustainable horticultural precinct in the area identified as a rural smallholdings investigation area. (**DAFWA**, Traditional Owners, SoB)
- Assess whether groundwater resources within the Dampier Sub-Region are sufficient to provide for a sustainable allocation to a horticultural precinct within the Rural Small Holding Investigation Area without compromising future water supplies to Broome and ground water dependent ecosystems. (**DoW**)

Note: Whilst DoW has responsibility for regional-scale investigation of water resources in priority areas, through its risk-based water licensing process under the *Rights in Water and Irrigation Act 1914*, proponents have the responsibility for local-scale investigation of water resources to support a water licence application for a particular volume. (Proponent, with support from DoW as required)

- Prepare a precinct plan for the proposed horticultural precinct (if demonstrated to be viable) that does not reflect a consolidated area for development but is mosaic or fragmented in nature and protects environmental, cultural and heritage values. (**DAFWA**, DoW, DPaW, Traditional Owners, IHA, SoB, DoP)



### 3.5.10 Aquaculture, Pearling and Fishing

Western Australia is home to some of the nation's most valuable commercial fisheries, including barramundi, oysters and pearling, and some of the best recreational fishing. Western Australia's pearling industry is worth about \$100 million annually, the second most valuable fishing industry to the State after rock lobster. It is focused on South Sea pearls from the pearl oyster *Pinctada maxima* (Department of Fisheries 2014).

Aquaculture is the farming of aquatic plants and animals. In Western Australia, commercial aquaculture produces species including barramundi, oysters, mussels and marine algae.

With the development of well-managed, low volume-high value fisheries, Western Australia has established an international reputation as a premium-quality seafood

producer. Most the seafood is exported, the major export destinations being China (including Hong Kong), Japan, USA, Taiwan and Singapore.

The pearling industry incorporates several distinct components: commercial fisheries for the collection of wild pearl oysters; aquaculture operations for hatcheries that produce pearl oysters; seeding operations and aquaculture operations for pearl farms where pearls are grown to full size.

Apart from pearl production, commercial aquaculture is a relatively small industry in WA. However, there is significant potential for development, particularly with marine species. The Kimberley has a relatively pristine environment that has disease-free status and research expertise. The Dampier Peninsula and surrounds is well placed to develop a sector that can supply a major share of high-value seafood and other products to the world's growing markets.





Recreational fishing in Australia is a multi-billion dollar per year industry, and an important leisure activity for Australians. Fishing for food has been practiced by Aborigines for thousands of years and by colonists since the earliest settlement.

Increasing fishing pressure on inshore fish stocks from recreational, subsistence and commercial fishers; environmental damage and aquatic habitat degradation from poor land management practices and pollution will push many fish stocks into decline. Existing land use and aquatic resource management strategies are required to adequately address these issues.

It is acknowledged that residents of the Dampier Peninsula are heavily reliant on marine resources for a significant part of their diet, and any constraints on access to marine resources may have detrimental community and health impacts.

### Aquaculture

Aquaculture is defined by the Food and Agriculture Organization of the United Nations as the farming of aquatic organisms, including fish, molluscs, crustaceans and aquatic plants, with some sort of intervention in the rearing process to enhance production, such as regular stocking, feeding and protection from predators.

There are various stages of aquaculture operations including a:

- hatchery operation which produces fertilised eggs, larvae or fingerlings
- nursery operation which nurses small larvae to fingerlings or juveniles
- grow-out operation which farms fingerlings or juveniles to marketable sizes.

Depending on the species being farmed, aquaculture can be carried out in freshwater, brackish water or marine water.

The National Aquaculture Statement [Department of Agriculture 2014 (Commonwealth)] to which the Western Australian Government is a signatory through the Western Australian Department of Fisheries, recognises the contribution that aquaculture makes to the Australian economy and regional development.

A key feature of the Government's National Aquaculture Statement is to recognise and acknowledge:

- that aquaculture is a significant part of the Australian seafood industry, requiring effective and efficient policy, regulatory, and research, development and extension frameworks tailored to the industry's own distinct requirements;
- that aquaculture can provide significant investment and sustained employment opportunities, particularly for rural and regional economies, including Aboriginal and Torres Strait Islander communities;
- the role Australian aquaculture can play to support food security;
- the need for dynamic industry leadership and representation to support long-term industry resilience; and
- the importance of innovation, research and knowledge transfer for the ongoing success of the aquaculture industry.

To further recognise and acknowledge the key features of the National Aquaculture Statement, the Minister for Fisheries (WA Government) declared on 22 August 2014 the Kimberley Aquaculture Development Zone (KADZ) as the first aquaculture development zone to be established in Western Australia.

The KADZ has been created through a process that primarily involves environmental assessment of the KADZ as a strategic proposal under Part IV of the Environmental Protection Act 1986. Approval of this strategic proposal will create opportunities for existing and future aquaculture operators to refer project proposals to the Environmental Protection Authority as a derived proposal. The objective is a more streamlined assessment and regulation process due to early consideration of potential environmental impacts and cumulative impacts identified during the assessment process of the zone.

The KADZ is located in Cone Bay, at the northern end of King Sound, about 215 kilometres north east of Broome. Although situated in the Shire of Derby/West Kimberley, its location provides significant pre and post farm-gate opportunities within the Shire of Broome on the Dampier Peninsula. The traditional custodians of





the land and saltwater, the Bardi Jawi, Mayala and Dambimangari people together recognise the need for appropriate strategic planning so that adequate provision is made for the necessary infrastructure to realise the full potential of the KADZ into the future.

Strategic planning on the Dampier Peninsula will need to consider both the land-based and marine-based requirements for infrastructure, supporting industry and community needs (settlements), as well as enabling economic participation and advancement of the area's Traditional Owners. Where relevant and possible, it should also provide the opportunity for the development of economic opportunities for the area's Traditional Owners including culturally-appropriate industry and tourism.

### Pearling

Western Australia has the only significant wild stock pearl oyster fishery in the world. Divers hand-pick wild *P. maxima* from ocean beds in the Kimberley, with the main fishing grounds being near Broome and the Dampier Peninsula.

Western Australia's *P. maxima* pearling industry is worth over \$100 million annually in export income (as much as \$250 million per annum in the 1990's), employs around 1,000 people at its operational peak and provides:

- regional employment;
- export income;
- cost-effective monitoring of the marine environment;
- economic diversification; and
- world renown, highest quality South Sea pearls.

The industry is governed by statutory regulations which cover areas including fishing licences for divers and vessel operators, the environmental management of pearling, marine safety, industrial relations and occupational health and safety.

A total allowable catch quota for wildstock pearl oysters is set each year by the Department of Fisheries to maintain sustainability. 17 licensees hold the individual transferable quota units.

On the land side, there are located on the Dampier Peninsula a number of pearl farm operations which include buildings for processing, accommodation for staff as well as infrastructure to support the water-based operations.

A downturn in the pearling industry as a result of the global economic contraction is currently being experienced and has affected the Dampier Peninsula-based pearling operations. Cygnet Bay Pearls have diversified into tourism but little change to the industry on the Peninsula is expected in the near future.

### Fishing

For many people, eating seafood or catching their own is an integral part of the Dampier Peninsula way of life. In many coastal towns and settlements recreational fishing forms a large part of the social fabric, creating a supply of fresh local produce. Aquatic tourism, which includes extractive and non-extractive charter tours, is also a growing industry.

The Dampier Peninsula's fish and aquatic resources are also important to Aboriginal people and it is important that Aboriginal customary fishing is managed within a culturally-sensitive and sustainable framework.

It is expected that, without management strategies, recreational fishing will be impacted by the expected growing number of visitors and improved access to the Dampier Peninsula in the long term. An increase in the number of recreational fishing vessels and charter boats operating north of Broome is also expected to have impacts.

Furthermore, as the Cape Leveque Road is upgraded, a rapid rise in the number of fishing vessels launching from ramps or the beach at the north of the Peninsula is expected. Of particular concern are vessels that currently do not have the range to reach the Buccaneer Archipelago from Broome but could fish in these waters if boats depart from the Peninsula. This may result in a loss of a remote wilderness fishing experience in the Archipelago and risk damage to cultural heritage sites.



In addition, the multitude of tracks created to access onshore fishing sites has had unforeseen detrimental environmental and heritage impacts. The uncontrolled use of these tracks may impact upon local residents' enjoyment of their land.

As fishing pressure increases, there is the potential for localised depletion of some fish stocks. Effective monitoring of the status of fish stocks and fishing effort is required to make informed management decisions to ensure long-term sustainability, particularly for demersal 'bottom' fish which are more susceptible to overfishing.

Effective access and fisheries management needs to be considered at a stock or resource level, while having regard for localised impacts and noting the significant cultural heritage value and use by Aboriginal people.

### OBJECTIVES

- Facilitate the growth of aquaculture to provide substantial social and economic benefits to the Dampier Peninsula by providing an "investment ready" platform for the development of operations, greater investment certainty and improved employment opportunities within the region.
- Maintain and service the pearling industry to continue its influence in providing employment, training and research.
- Manage access to and impacts upon fish stocks to safeguard marine resources as a food source for the residents of the Dampier Peninsula.

### STRATEGIES

- Identify opportunities for aquaculture requirements and supporting services and industries to be co-located with the infrastructure proposed to support tourism; so as to optimise its use and share capital costs.
- Identify infrastructure necessary to support the delivery of aquaculture operations which will help establish the Dampier Peninsula as an important marine servicing hub and training centre.

- Identify strategies to:
  - acknowledge the reliance on marine resources for economic, cultural and nutritional purposes by residents of the Dampier Peninsula; and
  - manage access to and impacts upon marine resources to preserve these important community and health values.

### ACTIONS

- Finalise a KADZ Site Allocation Policy (part of the zone Management Policy) to help determine the number, size and location of leases that may be established within the zone. (DoF and relevant key Stakeholders).
- Initiate planning consideration of the land based infrastructure necessary to support the KADZ activities and proponent needs (SoB, SDWK, DoF, DoP, DoL, DAA, DoT, Traditional Owners, and aquaculture Proponents).
- Improve the supply of critical services, including water, power and wastewater, to support future aquaculture and associated industries (DoF, DSD, DAA, DoL, Traditional Owners, DoP, SoB and relevant key Stakeholders).
- Investigate the potential of a medium-sized coastal facility for improved vessel access for fishing, pearling, aquaculture and tourist boats (DoF, DoT, DSD, DAA, DoL, Traditional Owners, DoP, SoB and relevant key Stakeholders).
- Identify, through local-level planning, land for pre- and post-farm gate activities that may include processing facilities, fuel and feed storage, manufacturing of ice and establishment of worker accommodation (DAA, DoL, Traditional Owners, DoP, SoB and relevant key Stakeholders).
- Identify, as a priority, funding opportunities to seal the remainder of Cape Leveque Road and improve transport linkages (DoT, DSD, DAA, DoL, Traditional Owners, DoP, SoB and relevant key Stakeholders).



## 3.6 Access management

The economic, social and environmental benefits and costs of improving access into relatively undeveloped areas has been the subject of critical debate internationally and nationally for many years (Aboriginal Affairs Department, 1998). Benefits could include better access to services, facilities and employment, improved regional connections and economic development opportunities, reducing the number and severity of accidents and lower vehicle maintenance expenses. The costs could include increased pressure on marine and terrestrial resources, uncontrolled access to sites of heritage and cultural importance, overcrowding at recreational sites, the import of social dysfunction and an intrusion into Traditional Owners enjoyment, protection and management of their land. Traditional Owners have identified a strategic interest as a key stakeholder in development of access arrangements.



### 3.6.1 Roads

#### Overview

The benefits and drawbacks of improving access to the Dampier Peninsula by upgrading the Cape Leveque Road have been well documented (Sharon Griffiths and Associates, 2005 and PPK, 2000) and are summarised below.

The benefits could include (Sharon Griffiths and Associates, 2005):

- reduction in petrol and maintenance costs for local people travelling to and from Broome;
- reduced freight costs placing downward pressure on the cost of goods and services locally;
- improved service delivery as well as access to goods and services in Broome;
- improved opportunities for economic and social development;
- improved road safety and fewer road closures during the wet season;
- assistance in attracting recreational, cultural and educational events into the area; and
- access for larger road trains providing efficiencies for the pastoral and timber industries.

The costs could include (Sharon Griffiths and Associates, 2005):

- rapid rise in (unplanned and unmanaged) tourist visitation resulting in pressure on coastal recreation spots and culturally and environmentally sensitive areas;
- increased access for 4-wheel drive vehicles and associated risk of informal tracks being created or used throughout the area;
- increased access for boats to sensitive marine environments and traditional fishing areas;
- change in the remote visitor experience;
- heightened risks from fire and the introduction of weeds;
- impact on people's enjoyment of their living areas; and
- impact on food security i.e. fish/ seafood.



While there is general agreement that the Cape Leveque Road should be an all-weather road along its entire length, concern remains about the negative impact it would have on the Peninsula in the absence of a well planned and managed response. It should be noted that the delineation and dedication of Cape Leveque Road may have some impact on ALT reserves, in particular the unsealed portions and statutory approvals from the ALT may be required. Similar concerns exist regarding increased traffic on Manari Road (currently unsealed) and access roads (unsealed to Middle Lagoon and the east coast).

The planning and management responses that could be used to avoid the perceived drawbacks of improved access and to maximise the benefits to Dampier Peninsula residents are multifaceted. Planning responses include determining the type of function of existing roads (such as Manari Road, Nillibubacca Track and Kinney Road), proposed new roads (spur road to the Browse LNG Precinct) and tracks, limiting access by road type, clarification of jurisdictional responsibilities, identification of sites as access or entry points as well as sites for day-use, overnight accommodation and boat launching.

The planning response would need to be supported with access and land management controls and activities. Recommendations made in the *Dampier Peninsula Access Management Plan* (Griffiths, 2005) suggests that access or entry points be established along the Cape Leveque Road at which visitor number control can be exercised and where business initiatives like a visitor centre could be located. Access control could be formal through the issuing of permits or linked to the reservation of accommodation and tours. A similar system has been implemented at Rottnest Island which has A Class Reserve status. There are some existing legal constraints to requiring access permits where access is gained via a public road or crown land which requires further investigation. It should also be noted that some of the towns and settlements have been charging a fee to enter the communities and to use facilities for some time without problems.

In addition to access control, the provision of visitor information and land management services by existing and future Aboriginal rangers who have relevant delegated authority, would assist in:

- limiting access to designated areas;
- protect areas of high heritage and environmental value;
- ensure fishing rules are abided by; and
- undertake fire prevention and weed management activities.

#### Issues specific to Manari Road the Nillibubacca Track

**Manari Road:** Manari Road provides access to Willie Creek Pearl Farm that has very high visitation. Manari Road is also used to access day-use, boat launching and informal camping sites at Barred Creek, Quondong Point, James Price Point and Coulomb Point. At Manari Road's termination, tracks are used to traverse the Coulomb Point Nature Reserve.

The proposed Browse LNG Precinct would sever Manari Road in the vicinity of James Price Point. An alternate access to James Price Point and north to the boundary of the Coulomb Point Nature Reserve will need to be established. There would be no public access beyond the boundary of Coulomb Point Nature Reserve without the permission of DPaW, the current management authority.

**Nillibubacca Track:** Dampier Peninsula residents who have close links with Derby value the shorter connection this track provides Derby residents with these links equally value access via the Nillibubacca Track. Increasingly grey nomads are using this track during the dry season as word of mouth reports suggest that it is better maintained and easier to negotiate than the Cape Leveque Road. It is also considered to be scenically more interesting.

The Kimberley Science and Conservation Strategy include proposals to develop 4WD and Tourism Corridors and the Nillibubacca Track could serve that purpose and contribute to meeting those objectives and also other social and economic objectives.





The future development of the track will be highly dependent upon gaining full agreement from adjoining Shire and other stakeholders concerning tenure and maintenance issues.

The Nillibubacca track has no road reserve and traverses both pastoral land and the Beagle Bay Reserve. The Shire of Derby/West Kimberley maintain part of the track, provide route guidance on their website and have indicated an interest in assessing the role of the track as an alternate route to Beagle Bay and Cape Leveque.

The Shire of Broome is not responsible for, or involved in maintaining the Nillibubacca Track.

### OBJECTIVE

- Develop an effective road network to service the needs of communities, the proposed Browse LNG Precinct, pearling and pastoral industries and tourists where this is compatible with protecting the way of life of Dampier Peninsula residents and environmental and heritage values.

### STRATEGY

- Develop a secondary road network to connect Broome to the population centres and key infrastructure of Beagle Bay, Djarindjin/Lombadina and Ardyaloon.
- Ensure minor roads from the towns and from major tourism nodes provide all-weather access to the secondary road network.
- Identify a road corridor between Broome Highway and the proposed Browse LNG Precinct.
- Develop a rural road network across the Peninsula that clearly identifies public access routes, 2-wheel drive and 4-wheel drive tracks and closed roads and specifies the form and extent of access control for these roads.
- Continue to provide a 4-wheel drive remote experience for tourists to the Peninsula.

- Maintain a road connection between the northern part of the Peninsula and Derby.

### ACTIONS

- As a priority seek funding for the construction and sealing of the unsealed portions of the Cape Leveque Road with some changes to the horizontal and vertical alignment so as to improve safety, serviceability, freight and road user efficiency and reduce road and vehicle maintenance costs. Consult with Dampier Peninsula residents to prioritise the construction program and process. (**MRWA**, SoB, Traditional Owners, ALT, Community Councils, pastoral, pearling and tourist operators and freight contractors)
- Accurately delineate the Cape Leveque Road road reserve and vest the reserve in Main Roads. (**DoL**, MRWA, SoB, ALT)
- Delineate a road reserve and seal connections between the Cape Leveque Road and spur road to the Djarindjin/Lombadina district administrative centre and Djarindjin/Lombadina community. Provide a sealed minor road to connect Djarindjin/Lombadina to this spur road. (SoB, DAA, MRWA, Community Councils, Traditional Owners, DoP, DoL, ALT)
- Rationalise and seal minor roads within towns and settlements whose function is to provide for local traffic movements, access to residences and access to essential service infrastructure. (SoB, SDWK, DAA, DoP, ICC)
- Develop an appropriate access strategy and funding arrangements to ensure appropriate access to the Browse LNG precinct and public access to the north and south of the precinct is maintained. This should include consideration to realign Manari Road between Quandong Point and the boundary of the Browse LNG Precinct; a loop road between Menari Road and the proposed access road to the Browse LNG Precinct; and access



to sites of importance (DSD, MRWA, SoB, Traditional Owners, TWA, DoP, DoL).

- Identify preferred alignments for all-weather access roads to the major tourism nodes of Willie Creek, Middle Lagoon and Kooljaman, seek funding for the design and construction of the roads and determine an appropriate vesting for each road. (**MRWA**, SoB, DoP, Traditional Owners, TWA, tourism operators, ALT)
- Prepare a rural road network strategy that defines the function of all roads on the Dampier Peninsula, determines the development need and sets out a development strategy. (MRWA, SoB, SDWK, DoP, DAA, ICC, Traditional Owners/ KLC, Community Councils, minor settlements, tourism operators, pearling companies, pastoralists, TWA)

### 3.6.2 Airstrips – district and local

The Djarindjin/Lombadina all-weather sealed airstrip is classified as a District Airstrip in this Strategy while all others on the Dampier Peninsula are designated as Local airstrips. Broome International Airport (BIA) manages and operates the Djarindjin/Lombadina Airstrip on behalf of the Djarindjin Aboriginal Corporation.

The primary purpose for the Djarindjin/Lombadina Airstrip is for emergency service such as the Royal Flying Doctors whilst also providing a stopping point for other industries such as Tourism and Oil and Gas. It is the closest all-weather airport to the Browse Basin for fixed wing aircraft and helicopters. The extent to which the oil and gas industry may impact upon use of the Djarindjin/Lombadina airstrip is yet to be determined.

The Djarindjin/Lombadina Airstrip provides a substantial source of income and prosperity for the community and is key to the community's independence and sustainability. The maintenance and enhancement of crucial infrastructure which can continue to support access to the Peninsula including for the Royal

Flying Doctor Service, and for companies, government agencies and service providers undertaking work in the region, which in turn supports local employment and other opportunities. The upgrading of the Djarindjin/Lombadina Airstrip planned over the coming years will continue to enhance these opportunities, and enable the expansion of tourist traffic, employment and business opportunities.

The Djarindjin/Lombadina Airstrip is a generator of sustained employment and business opportunities. Members of the Djarindjin Community and other Aboriginal communities in the region will have the opportunity to work as part of the team operating and maintaining the Djarindjin/Lombadina Airstrip and its surrounds, and will be a key source of employment.

#### OBJECTIVE

- Maintain safe access to airstrips for efficient emergency response and ensure investment in airstrip infrastructure provides broad social and economic development opportunities for Dampier Peninsula communities. The *Kimberley Science and Conservation Strategy* includes an initiative for a whole of Kimberley Aerial Highway. This needs to be considered in the future expansion aspirations and usage of the airstrips.

#### STRATEGIES

- Provide all-weather access to Djarindjin/Lombadina airstrip from towns and 24-hour access to Djarindjin/Lombadina airstrip to support emergency and essential service provision to the Dampier Peninsula.
- Maintain the airstrips at Beagle Bay, Ardyaloon and Kooljaman at a standard suitable for day-time light aircraft use.
- Focus all general aviation activities and associated commercial opportunities at the Djarindjin/Lombadina airstrip.
- Allocate State and Commonwealth funding for remote airstrips on the Dampier Peninsula in a coordinated manner that focuses on emergency



and essential services and assists in fostering economic opportunities.

- Consider the outcomes of the Kimberley Aerial Highway project.

### ACTIONS

- To avoid adverse impacts on sensitive land uses, determine flight paths for aircraft and helicopters utilising Djarindjin/Lombadina airstrip and reflect these in the Djarindjin Junction layout plan. (**BIA**, CASA, Djarindjin/Lombadina Aboriginal Corporation, tourism operators, SoB)
- Incorporate outcomes from the identification of any of the airstrips on the Dampier Peninsula which will form the Kimberley Aerial Highway. (**TWA**, CASA, DoP, DPaW, SoB, BIA)
- Review the Djarindjin Junction layout plan to confirm that land uses within identified flight paths are compatible with this use. (**DoP**)
- Through funding and development recognise Djarindjin/Lombadina Airstrip as the primary airstrip on the Dampier Peninsula that will service multiple users and be the focus of associated economic opportunities. (**BIA**, Bardi Jawi PBC, RADS-DoT, RASP-DITRDLG, Djarindjin/Lombadina Community Council, SoB, DoP, Department of Health, tourism/pearling operators, tourism operators, oil and gas operators)
- Secure funding to undertake repairs and maintenance at airstrips at Ardyaloon and Beagle Bay to meet minimum safety requirements. (DAA, ICC, Community Councils, Bardi Jawi PBC, Nyul Nyul)
- Investigate opportunities and advantages to combine and share Cygnet Bay and Ardyaloon airstrips on an agreed site allowing combined funding to improve the quality and management of the airstrip and to free-up land used for the existing strips. (Cygnet Bay Pearls, Bardi Jawi PBC and other relevant key stakeholders)

### 3.6.3 Recreational boating facilities

#### Overview

Recreational boats are currently launched across the beach at various places on the west and to a lesser extent on the east coast of the Peninsula. The desirability of these locations from a cultural, heritage and environmental perspective are not well known and anecdotally the majority of Dampier Peninsula residents are concerned at the growing use by day visitors. There are a number of private boat ramps located at the northern eastern end of the Peninsula.

There is a desire to identify appropriate locations for formal boat launching and associated facilities to better manage boating access to the area. Likewise the existing boat ramps and beach launching facilities on the Dampier Peninsula need investigating for maintenance and safety requirements.

The establishment of boating facilities combined with improved access along Manari Road and to the north of the Peninsula would be expected to increase fishing in the near-shore areas of the Peninsula. If not well managed this could negatively impact on the local environment, surrounding areas of cultural significance, fish stocks and the catch available to local residents for their sustenance.

Formal boating facilities in the vicinity of Kooljaman, Ardyaloon, Cygnet Bay and Deep Water Point may also create economic development opportunities to incorporate land-based and sea-based components that originate on the Peninsula rather than in Broome. This is already occurring to a limited extent. Boating facilities in this location also increase the ability of boats to access the Buccaneer Archipelago, Kimberley Aquaculture Development Zone, Camden Sound Marine Park and the proposed Horizontal Falls Marine Park.



## OBJECTIVE

- Plan for future recreational boating facilities at locations on the Dampier Peninsula where maritime conditions are suitable and where terrestrial and marine environmental, heritage and landscape values and the amenity of local communities can be protected.
- Encourage and support private enterprise development of recreational boating facilities and associated industries.

## STRATEGY

- Associate recreational boating facilities with day use sites and major tourism nodes.
- Manage the boating facilities to prevent adverse impacts on the Buccaneer Archipelago marine environment and remote tourism experience.

## ACTION

- Seek funding to investigate the need for new maritime facilities and enhancements to existing facilities in the vicinity of Willie Creek, Barred Creek, Quondong Point, Middle Lagoon, Kooljaman, Ardyaloon, Cygnet Bay, Deep Pointer Point and Telegraph Pool. The investigation should include maritime infrastructure (such as boat ramps, jetties, navigation aids, lighting, signage) and land based facilities (such as vehicle and trailed parking, lighting, ablution blocks, waste management, fish cleaning and boat washing). (Recreational Boating Facilities Scheme RBFS – **DoT**, DPaW, DAA, Traditional Owners, boating and fishing associations, Kooljaman Resort, Middle Lagoon, Willie Creek Pearls, SoB, SDWK)
- Ensure management measures for fish stocks mitigate impacts that may arise from increased boating and fishing activity in near-shore areas and in the Buccaneer Archipelago and on the remote tourism experience. Consideration could be given to the establishment of fish habitat protection areas and/

or wilderness fishing areas. (**DoF**, Recfishwest, WAFIC and other key stakeholders)

- Establish and recommend management measures that will assist in informing boaters about dangerous maritime conditions off the Dampier Peninsula coast and an emergency response procedure. (**DoT**, DoF, DFES and other key stakeholders)
- Undertake an audit of the safety and condition and management requirements of existing public boat ramps and identify additional sites for new public boat ramps (**DoT** and other key stakeholders)







## 3.7 Services and Infrastructure

Infrastructure and service capacity is important to support economic and population growth across the Peninsula. Objectives, Strategies and Actions have been identified for a suite of Community Service and Utility Infrastructure needs. This section is an overview and is not intended to outline extensive individual service provider needs for the future. Transport Infrastructure needs are discussed in the previous section 3.6.

### 3.7.1 Services

Growth of the Dampier Peninsula population and potential expansion of settlements will provide the impetus for establishing a higher threshold of community facilities and services across the region. The enhancement of these facilities and services will assist greatly in attracting and retaining workers and their families and help build a strong sense of community.

#### Public Services

##### OBJECTIVE

- Provide adequate appropriately located and zoned land for high quality public facilities that are easily accessible by residents of towns and settlements and are able to service all other Dampier Peninsula residents and visitors (when needed).

##### STRATEGY

- Public services providers will have assurances of land use identification.

##### ACTION

- Ensure appropriate land for public services are identified in the Local Planning Strategies, Local Planning Schemes, and Layout Plans (DoP, SoB, SDWK).

## Education, Training and Research

### OBJECTIVE

- To provide educational, training and research facilities that guide and enhance the many facets of the Dampier Peninsula including; Aboriginal culture and law; economic development opportunities such as maritime, aquaculture and pearling, tourism and associated industries; and higher education achievements.

### STRATEGY

- Provide ongoing encouragement and advice to facilitate expansion of infrastructure to support expanded educational, training and research facilities.
- Growth in pre-school, primary and secondary school student numbers to be accommodated within the existing schools through the upgrade or expansion of facilities.
- Identify opportunities to appropriately skill the local workforce through tertiary training to meet the needs of the resource, aquaculture and tourism sector need to be realised.

### ACTION

- Investigate the need to research the economic and social impact on the Dampier Peninsula and surrounds resulting from a declining pearling industry and to recommend actions/initiatives to revitalise the industry and to encourage involvement in aquaculture and pearling. (Pearl Producers, DoF and other relevant key stakeholders).
- Encourage Public/Private partnerships in developing world class research facilities – in particular in the aquaculture and pearling industry (DoF, KTI, WA Marine Science Institute, Kimberley Marine Research Station and other relevant key stakeholders).
- Determine if sufficient public purpose land to accommodate growth in school attendance over the next 15 years is available within the existing school locations and



reflect any necessary changes in the Ardyaloon, Djarindjin/Lombadina and Beagle Bay Layout Plans’.

- (DoP, DET, Catholic Diocese, Traditional Owners, Community Councils, DAA, ALT, TAFE, SoB)
- Support the Kimberley Training Institute’s ‘Strategic Plan - Towards 2015’, which identifies a number of key training initiatives in the pastoral and tourism sectors that are currently being implemented (KTI, DTWD, and other key stakeholders).

## Health

### OBJECTIVE

- Reduce the reliance for residents and visitors with major health needs such as medical operations having to travel to Broome or Derby or be transferred to Perth. Existing health services are currently offered at three small clinics in existing towns on the Dampier Peninsula. The State, through WA Country Health has plans to establish improved services through the establishment of a super clinic at the District Administration Centre.

### STRATEGY

- Allocate additional public purpose land for the establishment of a super-clinic on the Dampier Peninsula by the Department of Health.

### ACTION

- Review the proposed site for a super-clinic reflected in the Djarindjin/Lombadina District Administration Centre Layout Plan, confirm that the site identified for this public purpose is appropriate, estimate requirements for staff accommodation and reflect residential lots as required in the plan. (DoP, DoH, KAMS, Bardi Jawi PBC, Djarindjin/Lombadina Council, SoB)

## Police

### OBJECTIVE

- Police Services on the Dampier Peninsula are centrally located at the Djarindjin/Lombadina District Administrative Centre. As a central location it is strategically important to ensure sufficient land is available for current and future operational as well as ancillary service needs.

### STRATEGY

- Provide sufficient land within the Djarindjin/Lombadina District Multi Function Centre for the provision of policing services to the residents of the Dampier Peninsula and for associated staff housing.

### ACTION

- Review the Djarindjin Junction Layout Plan to ensure that sufficient land is available for housing of police staff. (DoP, Police WA, Djarindjin/Lombadina Community Council, Bardi Jawi PBC)

## Sport and recreation

### OBJECTIVE

- Involvement in sports, arts and community activities can have very positive social, economic and health outcomes for young people. Evidence suggests that sport and recreational activities can have a desirable impact on crime rates, school attendance, levels of substance abuse and violence, the incidence of self-harm and social cohesion within communities.
- The participation in sport and sporting activities and related programs will be assisted by the provision of suitable facilities.
- There are few community recreation facilities servicing residents on the Dampier Peninsula being limited to ovals and basketball courts. The Department of Sport and Recreation has completed a study of the need for sporting and recreation facilities on the Dampier Peninsula. This



should guide the future allocation of public/private sector resources for the development of sport and recreation facilities.

- Encourage the development of tourism 'Trails' to promote Aboriginal culture and heritage, health and land management.

### STRATEGY

- Existing sport and recreational facilities to be maintained or upgraded and potential new facilities located to maximise utilisation of shared infrastructure.

### ACTION

- Review Layout Plans to ensure that sufficient land for sport and recreation is reflected. (**DoP**, DSR, Community Councils, Traditional Owners, SoB)
- Evaluate the demand for a strategically located recreational area that could accommodate major sporting and cultural events on the Dampier Peninsula and if required identify an appropriate site. (**DSR**, **DoP**, Traditional Owners, SoB)
- Support the implementation of the State Government Trails Strategy. Encourage the continued development of 'Trail' infrastructure. (**DSR**, **Traditional Owners**, **Trail developers/operators** and other key stakeholders)

## Cemeteries

### OBJECTIVE

- There are limited formal cemeteries on the Dampier Peninsula which can be utilised by all residents. Therefore it is imperative to identify new areas that can be used for cemetery purposes.

### STRATEGY

- Ensure that sufficient appropriately located land is available to meet the long-term burial needs of Dampier Peninsula communities.

### ACTION

- Identify new public purpose land for cemeteries that is easily accessible to Ardyaloon, Djarindjin/Lombadina and Beagle Bay and is not constrained by heritage or environmental issues. Reflect the future cemetery sites within the respective layout plans. (**DoP**, Traditional Owners, Community Councils, DAA, ALT, Catholic Diocese, Cemeteries Board, SoB)

## Customs, quarantine, fire and emergency management

### OBJECTIVE

- Customs, quarantine, and fire and emergency services are not permanently located on the Dampier Peninsula. These could be centrally located at the Djarindjin/Lombadina District Administrative Centre. As a central location it is strategically important to ensure sufficient land is available for current and future operational as well as ancillary service needs.
- Improve fire fighting and emergency management capabilities in the region through appropriate planning.

### STRATEGY

- When required, locate customs, quarantine, fire and emergency management policing and protection services and associated staff within the Djarindjin/Lombadina District Administrative Centre.

### ACTION

- Confirm the need for facilities to accommodate customs, quarantine, fire and emergency management services and associated staff within the Djarindjin/Lombadina District Administrative Centre and review the layout plan accordingly. (**DoP**, FESA, Australian Customs Service, AQIS, DPaW)



### 3.7.2 Infrastructure

Towns and settlements on the Dampier Peninsula are serviced by utility service networks consisting of: water; power; waste water; telecommunications; and waste management. The configuration of services is based on key drivers of demand such as population and economic requirements. Large-scale industry and commercial activities in the agricultural, horticultural and resource sectors consume significant amounts of water and electricity.

#### Water resources

The town of Broome's water supply is obtained from bores located in the unconfined Broome Sandstone aquifer north east of the town. The aquifer comprises a substantial resource of good quality water. The aquifer is recharged directly from rainfall and the recharge area is largely within the former Waterbank Station. A recent review of the Broome water reserve proposed changes to wellfield in the draft Broome Water Reserve drinking water protection plan. This would accommodate an extension of the borefield to the north needed to meet higher demand for potable water resulting from growth of the Broome townsite and near-by horticulture.

The potential impact of groundwater extraction from the Canning-Broome sandstone aquifer at particular locations is not well understood. With increasing demands expected to be made for domestic use and tourism and possibly also from the oil and gas sector and for a horticultural activities, a regional groundwater assessment is required as a priority. Concerns about future water allocation (total volume and spatial distribution) include the impact on potable water supplies to Broome, the potential for the saltwater interface to extend further inland and potential effect on groundwater dependent ecosystems.

The relative environmental benefits and costs of sourcing water for the proposed Browse LNG Precinct and associated developments near James Price Point from the Broome groundwater resource or alternatively a deeper aquifer that would

require desalinisation of sea water require further consideration. A comprehensive groundwater assessment would need to precede a proposal to develop the horticultural precincts identified for further investigation.

In the Canning-Pender sub-area in particular, the long-term protection of groundwater resources from polluting activities and incompatible land uses is needed through water source protection planning measures including the identification of Priority areas that define permitted land uses.

On the Dampier Peninsula the DoW manages sustainable water use through licensing, the provision of water-related advice through planning processes and the collection of water information (through groundwater monitoring). Depending on the amount of water, sensitivity of the environment and potential for impact on other water users, various strategies are put in place to manage potential impacts from water abstraction. As part of the licensing process, water users (proponents) are required to provide the DoW with an appropriate level of information about their proposed water use, potential impacts and specific management strategies to reduce impacts. Licence conditions are set to manage potential risks to the resource, including monitoring requirements.







In areas where water use (or future demand for water) is high, and/or where there are a significant number of users allocation plans are developed. Where water use (or demand) is low, or the number of water users is small, DoW manages water use through the water licensing process.

In regards to the collection of water resource investigation and assessment, DoW has a number of roles:

- collecting regional-scale information on groundwater and surface water resources (eg flow estimates from gauging stations and groundwater monitoring data);
- undertaking regional-scale assessments using existing information (such as the groundwater resource review for the Dampier); and
- undertaking regional-scale resource investigations (such as Dampier R4R project).

These works provide an understanding of the regional-scale distribution and quality of water resources, not localised groundwater resource information. This regional scale information is used to develop models which guide allocation planning (including setting sustainable allocation limits for a water resource) however it does not provide specific information on the availability and quality of water resources at a particular location. As part of the licensing process, DoW may require proponents to undertake local-scale hydrogeological assessments to provide information on water availability, the sustainability of proposed water use and to model the potential impacts of the taking of water on the water resource, other users and the environment (including water-dependent ecosystems).

### Groundwater protection and use

At a micro-level, there is a need to ensure that Aboriginal communities on the Dampier Peninsula have secure access to safe drinking water. Production wells should be appropriately located and a wellhead protection zone delineated to protect the water source from contamination. A regular water monitoring regime should be established.

## OBJECTIVE

- Ensure a secure water supply for the current and future water needs of residents, visitors, agriculture and industry without compromising environmental, cultural and social values associated with the water resource.

## STRATEGY

- Provide statutory protection to public drinking water source areas through land administration and land use planning mechanisms.
- Understand the geographic distribution of groundwater resources on the Dampier Peninsula and determine an approach to the management of the resources.
- Recognise and protect the ecological, cultural and social values of groundwater dependent ecosystems in allocation and licensing decisions.
- Using a risk-based approach, proponents of major developments will need to undertake local scale resource investigations to assess the sustainability and availability of the water resource required to support their development.

## ACTION

- Complete the Review of the Broome Water Reserve Water Source Protection Plan (2001) and implement changes to the boundary of the Broome water reserve and Priority 1, Priority 2 and Priority 3 areas if necessary. (**DoW** – in progress)
- On the basis of existing studies and hydrological and hydro-geological information provided to the Department of Water and the Environmental Protection Authority for water licensing and environmental approvals, prepare a strategic assessment of water resources on the Dampier Peninsula that would:
  - identify and map ground/surface water dependent ecosystems and determine requirements to protect ecological and cultural values;



- quantify current water use and estimate future water requirements for household, industrial, agricultural and other purposes; and
- provide guidance on a conservative upper limit to water allocations on the Dampier Peninsula to assist land use planning in the area. (**DoW**, Water Corporation, DPaW, essential service providers, DAFWA, Browse LNG Precinct proponent, pastoral and pearling operators)
- Protect water resources from land use and development that could adversely impact on water quality and threaten groundwater dependent ecosystems through identification of priority water source areas, wellhead protection zones, mound springs and other water sensitive features in local planning strategies, local planning schemes and layout plans. To ensure land uses are compatible with maintaining or improving water quality apply appropriate zonings with restrictions and/or use special control areas and buffers. (**DoP**, DoW, SoB, SDWK, DoH)
- Support towns and other settlements on the Dampier Peninsula to access secure drinking water sources through:
  - assisting with the provision of information required for lodging and granting of a water license, water monitoring and license renewal processes (**DoW**); and
  - locate production wells appropriately and delineate a wellhead protection zone to protect the drinking water source from contamination in the immediate vicinity of the bore. (**DoP**, DoW, SoB, SDWK).

## Water supply

Water supplies for the region's urban places are mostly sourced from groundwater. In the future, there may be opportunities to utilise alternative water sources such as recycled water and desalination. The availability of water for commercial use depends on capture and storage, which requires engineering solutions and substantial investment. Storage efficiencies can be difficult to achieve given high rainfall variability, very high temperatures and evaporation rates in northern regions.

### OBJECTIVE

- Ensure there is a secure supply of potable water, sufficient treatment and adequate distribution infrastructure in the region's urban places to service future population and facilitate economic growth.

### STRATEGY

- Protect existing and new potable water bores and water tanks from the risk of contamination and ensure the sustainability of water supplies for the towns, settlements and minor settlements.

### ACTION

- Amend layout plans where necessary to identify areas where groundwater bores and water tanks are or will be situated as public utilities and reflect wellhead protection zones of up to 500 meters in radius. (**DoP**)
- Prepare groundwater source protection and management plans for communities to provide for the protection of existing supplies and manage any risks to public drinking water quality standards based upon advice from DoW and other stakeholders. (**DoH**, DoW, Community Councils, Traditional Owners, SoB)
- Evaluate the sustainability (capacity and risks to quality) of community potable water supplies from existing bores and determine if new sources are needed and the possible location of new bores and water tanks. (**DoH**, Water Corporation or service provider, DoW, Community Councils, Traditional Owners, DoP, SoB, SDWK)



## Wastewater management

It is important to environmental and community health that waste water, in particular effluent disposal is well managed with suitable infrastructure. Ardyaloon, Djarindjin/Lombadina and Beagle Bay have existing deep sewerage. Djarindjin/Lombadina uses on site septic tank and leach drain systems.

### OBJECTIVE

- To ensure that new development should be connected to deep sewerage where appropriate and feasible, existing systems upgraded and in all cases ground water must be protected from any adverse impacts on quality and quantity from the management and disposal of wastewater.

### STRATEGY

- Relocate or upgrade sewerage treatment ponds where required and establish new services for the proposed Browse LNG Precinct, third party contractor area and workers accommodation.

### ACTION

- Assess the capacity of existing sewerage treatment ponds at Beagle Bay to determine if population growth can be accommodated. Evaluate the quality of the infrastructure and locational risks. Determine if an expansion of the existing site is required or identify an alternate site and associated buffers. Reflect any changes in the Beagle Bay Layout Plan. (**DPaW, Water Corporation, DoP**, Community Council, Traditional Owners, ICC, DAA, SoB)
- Assess the capacity of existing sewerage treatment ponds at Ardyaloon to determine if population growth can be accommodated and evaluate any locational risks. Identify an alternate site if necessary and reflect the site and associated buffer in the Ardyaloon Layout Plan. (**DPaW, Water Corporation, DoP**, Community Council, Traditional Owners, ICC, DAA, SoB)

- Assess the capacity of existing sewerage treatment ponds at Djarindjin/Lombadina to determine if population growth can be accommodated and the viability of connecting Djarindjin/Lombadina to the Djarindjin reticulated sewerage system. Identify an alternate site if necessary and reflect the site and associated buffer in the Djarindjin/Lombadina Layout Plan. (**DPaW, Water Corporation, DoP**, Community Council, Traditional Owners, ICC, DAA, SoB)
- The provision and arrangement of utilities for the Browse LNG Precinct is being managed as part of a Master Planning process including the tenure for the proposed site for new wastewater treatment that will provide services to the Browse LNG Precinct, third party contractor area and workers accommodation. (**DSD, DPaW, Water Corporation, Traditional Owners, SoB, DoP**)

## Waste Management

Basic and uncoordinated waste management facilities exist on the Dampier Peninsula. The main communities operate their own tips and most minor settlements have individual tips that cater for relatively low quantities of waste. In some cases environmental considerations and need for buffers have not been considered when locating the tips.

There are no waste disposal points at recreational spots that are popular with both locals and visitors. There is a single rubbish disposal point on the Cape Leveque Road south of the Manari Road turnoff that is managed by the Shire of Broome, which is inadequate and often unsightly.

There are no waste separation or recycling facilities on the Dampier Peninsula and current waste management practices make it impractical.

The growth of the main communities, development of additional overnight and day-use visitor facilities and the future



establishment of LNG processing on the Dampier Peninsula would increase the quantity of waste, change the mix of waste types and the class of landfill at which the waste must be disposed.

While the establishment of a limited number of centrally located and well-managed waste management facilities may be preferable from an environmental, heritage and amenity perspective the logistics and costs of transporting relatively small quantities of waste, particularly during the wet season, needs to be thoroughly assessed.

It should be noted that the Shire of Broome has the intent of establishing a new waste facility in a location just south of the Dampier Peninsula Planning Strategy area. In combination of this new facility and a proposal for a northern Dampier Peninsula waste management model of one landfill site and several transfer stations, it is anticipated that the needs can be met in the medium to long term.

#### OBJECTIVE

- To ensure that there are no unauthorised waste management sites on the Dampier Peninsula.

#### STRATEGY

- Improve waste management (collection and facilities) on the Dampier Peninsula through the integration of waste collection services and sharing of waste management infrastructure where practicable and cost effective.

#### ACTION

- Undertake an assessment of the need for and location of waste disposal, material recovery, resource recovery and waste transfer infrastructure on the Dampier Peninsula to cater for waste generated on the Dampier Peninsula. The assessment should consider the benefits and costs of transferring waste from many dispersed sites that generate relatively low quantities of waste taking into account wet season travel difficulties and the availability and cost of transport. Consideration should be given to the Proposal outlined below. (**DER**, DoP, SoB, SDWK, ICC, Waste Authority, Traditional Owners, Community Councils and other relevant stakeholders).
- Consider a number of proposals for waste management facilities (inclusive of Class II and Class IV landfill, a material and resource recovery facility and possible multiple transfer stations) needs to be further investigated through the local planning strategy process. (**SoB**, **SDWK**, DER, ALT, DoL and DRD)
- Provide education materials and support to all waste generators on the Dampier Peninsula on approaches to progressing towards zero waste. This should be focussed around the higher value recyclables and the low volume high polluting wastes. The ability to recycle in the communities is diminished due to high costs so some cost offset or environmental driver would be required to promote the strategy. (Waste Authority, DER, Planet Ark, Keep Australia Beautiful and other NGOs).
- Require proponents seeking planning approval or building licenses for new development located outside of the towns to transfer all waste that cannot be recycled or reused on site to a designated transfer station or landfill. (DoP, SoB, SDWK, ALT, DoL)





## Energy

Energy to the Dampier Peninsula is not supplied through an integrated/ interconnected network. Service providers, provide 'isolated' and self-contained systems.

Businesses, towns, settlements and tourism facilities generally are supplied by onsite generation capacity.

### OBJECTIVE

- Ensuring there is sufficient energy generation, transmission and distribution capacity on the Dampier Peninsula to reduce current impediments to development, service future population and facilitate economic growth.
- Promoting and, where feasible, utilising renewable energy technologies to ensure there is sustainable energy capacity across the Dampier Peninsula.
- Promoting and adopting energy efficiency methodologies and practices as part of urban design.

### STRATEGY

- Source additional power requirements for towns and surrounding settlements from existing power generation facilities and encourage the use of LNG and renewable energy to satisfy new sources of power demand on the Dampier Peninsula.
- In view of the large tidal range in the area and the high cost of conventional non-renewable energy provision investigate opportunities for the development and use of tidal power.
- In particular due to the below water topography and availability of very fast flowing currents at One Arm Point that Ardyaloon is an ideal site and situation to develop pilot and experimental projects to utilise tidal power".

### ACTION

- Add new modules to the existing power stations at Ardyaloon, Beagle Bay and Djarindjin/Lombadina when additional capacity is needed. (**Horizon Power**)
- Provide advice to communities and tourism operators about opportunities to utilise renewable energy and to be energy smart through the construction of energy efficient and climate sensitive structures. (**SEDO**, Horizon Power)
- Ensure that where dedicated renewable (or non-renewable if needed) power generation facilities are required for tourism establishments, they are appropriately located and buffers are reflected on site plans (**SoB**, **SDWK**, DAA, Traditional Owners, proponents, Horizon Power, DoP)
- The provision and arrangement of utilities for the Browse LNG Precinct is being managed as part of a Master Planning process including the tenure for the proposed power station that would supply power to the proposed Browse LNG Precinct's third party LNG contractors area and workforce accommodation site. The Master Planning process also provides for a 200 metre buffer. (**DSD**, **DoL**, SoB)
- Provide power for the proposed Browse LNG Precinct operational requirements from gas-fired co-generation power facilities located within the precinct area and investigate opportunities to maximise efficiencies to provide power to other users where possible. (**LNG proponent**, DSD, Horizon Power)



## Information technology and telecommunications

The anticipated increase in the region's population will significantly increase demand for telecommunications infrastructure – phone cover and high capacity broadband. This likely to be centred on existing towns such as Beagle Bay, Djarindjin/Lombadina and Ardyaloon.

### OBJECTIVE

- Provide modern information technology and telecommunications infrastructure that is secure, reliable and meets high performance standards to improve the accessibility and delivery of services and facilitates transactions and communications.

### STRATEGY

- Improve the security, reliability and performance of information technology and telecommunications infrastructure.
- Adopt information technology and telecommunication technologies services that are low cost and provide universal access.

### ACTION

- Implement the commitments specified in the *National Partnership Agreement on Remote Indigenous Public Internet Access for the Dampier Peninsula*. (**DoC**, DAA, service providers, Traditional Owners, community councils, minor settlements, DBCDE)
- Review telecommunication infrastructure and services (standard telephone services, payphones, mobile coverage and community phones) on the Dampier Peninsula and recommend investment where additional capacity or a more secure and reliable serve is required. (**DoC**, service providers, Traditional Owners, community councils, minor settlements)



## 4. Dampier Peninsula profile and regional context

### 4.1 Historical context

“The Dampier Peninsula is a living cultural landscape that connects the Traditional Owners of the lands and waters of the Peninsula, and includes broader links that extend into the north Kimberley region and south to Karajarri country and into the desert. These cultural relationships have been maintained over thousands of years in accordance with systems of traditional law and culture that are interconnected and remain strongly observed through to the present. These cultural relationships are the foundation of the interests, concerns, aspirations and recommendations of Traditional Owners that are reported on in this document.

As a result of colonisations processes, such as development from pearling, missions, pastoralism and the ‘stolen generations’, other Aboriginal people also reside on or have strong inter-generational connections with the Dampier Peninsula.”

*(Dampier Peninsula Planning Project Report,  
Kimberley Land Council, April 30, 2012)*

The Dampier Peninsula has a long history of Aboriginal settlement and a relatively recent one of European exploration and occupation.

As has been described in the 2011 *National Heritage Listing* of parts of the West Kimberley, the region “weaves the evolution of the Australian continent with Aboriginal history dating back more than 40,000 years” (Australian Government, 2011).

Aboriginal people, living in small groups of 20-30 people had mostly maintained their semi-nomadic traditional coastal lifestyle until the advent of the pearling industry and establishment of missions and pastoral stations on the Dampier Peninsula in the late 1800s (Dampier Mission Parish, 2007).

The missions gave rise to the settlement of people in the towns and settlements of Beagle Bay, Djarindjin/Lombadina from the 1890s. Ardyaloon was set up much later (early 1970s) partly as a consequence of the closure of the mission on Sunday Island.

By about 1930, most of the pastoral land had become mission grants or reserve land for the use and benefit of Aborigines.

In the 1980s, there was a determination by some families to live on traditional lands and many minor settlements (often referred to as outstations) were established. More recently, a change in Federal government policy has corresponded with a fall in the number of minor settlements that are permanently occupied.

The pearling and pastoral industries continue their operations on the Dampier Peninsula and eco-tourism is a developing sector. The oil and gas industry has been exploring the Dampier Peninsula for more than three decades and in 2009, through the State Government’s Northern Development Taskforce, a preferred site for the Browse LNG Precinct was identified on the west coast of the Dampier Peninsula in the vicinity of James Price Point and subsequently agreed by the Traditional Owners and State Governments. At the same time as the detailed planning for the Browse LNG



Precinct continues, the Department of Planning (DoP) is formulating the Strategy. The Strategy accepts the site selected at James Price Point and has been prepared upon this premise.

## 4.2 Aboriginal cultural and heritage values

The areas of coastal, estuary and wetlands have long supported Aboriginal people and indeed their very survival has depended on them. These areas continue to be visited and utilised today. Identified uses included:

- hunting, fishing, gathering and foraging for sustenance;
- residential (living on the Country) and camping;
- collecting wood and materials for implements, building, and arts and crafts;
- maintaining ceremonial obligations;
- collecting for medicines;
- passing on ceremonial and ecological knowledge; and
- recreational pursuits.

Aboriginal people have made the point that fishing is a vital contemporary economic, as well as cultural activity for most Aboriginal residents on the Dampier Peninsula who depend on fish catches to supplement their often very low incomes. While the surrounding seas offer a rich and varied diet, seafood is also an important social identifier that binds local Aboriginal people to each other as members of a particular culture. Hunting and fishing practices are carried out by Aboriginal people to affirm their Aboriginal identity (Kimberley Land Council, 2012).

Participants in development of this Strategy assert that many significant heritage sites are located in the near shore and reef areas along the coast. Coastal and marine areas and sites within these areas include places where people commonly fish and gather shellfish, fish traps, fishing pools and rocks, mangroves and reef (Kimberley Land Council, 2012). Foods such as turtles, turtle eggs, shark, fish and shellfish are hunted and collected

in accordance with their living culture and life style and consistent with laws in respect to rights of access, seasonal activity and sharing of the resource and catch.

## 4.3 Native title

On the Dampier Peninsula, the Bardi Jawi (2005) people and the Nykina Mangala (2014) people received determinations of native title recognising traditional rights and interests over parts of the Dampier Peninsula.

Other native title claims over the majority parts of the Dampier Peninsula have been registered and are being progressed towards determination. It should also be noted that there are a number of factors that will need to be resolved including land tenure especially lands pertaining to Part III of the *Aboriginal Affairs Planning Authority Act 1972*. The future of Crown land divestment will be considered pursuant to legislative and policy requirements of the Department of Lands and the Aboriginal Lands Trust who are the lead agencies on this matter. The development of this Strategy will assist in future land tenure deliberations.

## 4.4 Population and settlement

The Australian Census (2006) figures do not accurately reflect population numbers on the Dampier Peninsula, recording a population of only 676 people.

The population on the Dampier Peninsula is predominantly young people under-15 years of age. This is also reflected in the median age of about 20 years compared with 37 years for all people in other areas of Australia.

Population estimates for the Dampier Peninsula range from 1,100-1,600 people, predominantly Aboriginal people. The population remains concentrated in the northern part of the Peninsula close to the main towns and settlements of Ardyaloon





(One Arm Point), Djarindjin/Lombadina and Beagle Bay. The number of people living in or close to these towns and settlements is estimated to be between 650-950 with an additional 450-650 people are living at minor settlements on the Dampier Peninsula or are associated with these minor settlements. The population is fairly stable but is affected by seasonal movements and events (e.g. funerals).

There are a small number of (mainly non-aboriginal) people residing on the four pastoral stations and at the three pearling farms.

Growth in the Kimberley is projected to be high in the context of the State. *WA Tomorrow* (DPI, 2005) predicts an average annual population growth rate of approximately 3% between 2004 and 2031. The growth rate is expected to decline from about 2.93% per annum between 2007 and 2012 to less than 2% in the decade ending 2031. The Dampier Peninsulas population is expected to reflect this forecast.

The future development of the Browse LNG Precinct near James Price Point may result in a temporary increase in the population of the Dampier Peninsula by about 6,000 people.

## 4.5 Housing

The majority of housing on the Dampier Peninsula is located in and around the towns and settlements of Ardyaloon, Djarindjin/Lombadina, Beagle Bay and the surrounding minor settlements. The most current estimates of population have been extracted from the Report of Economic Development on the Dampier Peninsula, *Western Australia*, by Tyrone Garstone for the Kimberley Land Council, April 2012.

Community	Estimated Population	No. of Houses (est.)
Ardyaloon	300-400	56
Beagle Bay	180-200	45
Djarindjin/ Lombadina	250-280	68

In 2004 an Environmental Health Needs survey (DIA, 2004) found that occupancy rates are relatively high with crude population density measures (usual population divided by the number of dwellings) of 10.3 people per dwelling in Ardyaloon, 8.6 in Djarindjin/Lombadina and 7.3 in Beagle Bay. The survey also found that about a third of housing in the Kularri region that incorporates the Dampier Peninsula were temporary or improvised in nature.

A number of new houses have been built in Beagle Bay and Ardyaloon since 2004.

Detailed information about each community can be found in their individual Layout Plans and supporting reports (refer to [www.planning.wa.gov.au](http://www.planning.wa.gov.au)).

## 4.6 Land tenure

Land tenure on the Peninsula is varied (See Figure 3). Most of the land is Crown land held in trust for Aboriginal people through Aboriginal Lands Trust (ALT) managed Crown reserves; or held by Aboriginal people through State leases and leases of the ALT reserves. There are four pastoral leases in the south, limited areas of freehold land and a number of reserves for conservation (See Part 4.7) and public purposes. Areas of unallocated crown land include the former Waterbank Station that incorporates the site for the Browse LNG Precinct near James Price Point.

There are also areas where family groups have resided for considerable periods of time without formal tenure but with the permission of an Aboriginal Corporation or Traditional Owners. This is generally referred to as informal occupancy.



## 4.7 Natural environment

### Climate

The Peninsula has a dry tropical climate with a distinct hot wet season during which humidity is high and most of the rainfall (764 mm/a average) occurs. A dry season extends approximately from April to November often with little or no rain.

The Dampier Peninsula is prone to annual fires, and a large part of the peninsula burns every year from bushfires during the dry season.

The Traditional Owners of the Dampier Peninsula have adopted a 'six seasons' as the natural seasonal divisions of the year. This is based on changes to weather patterns, fauna movement and flora cycles.

### Geology and geomorphology

The Dampier Peninsula covers part of the Canning Basin, which initially developed in the Early Palaeozoic (approximately 500 million years ago) between the older Precambrian Pilbara Craton to the south and the Kimberley Basin to the north. In this area is comprises from north to south part of the Lennard Shelf, the Pender Terrace and part of the Fitzroy Trough. The Canning Basin consists of continental to marine-shelf, mixed carbonate and clastic sedimentary rocks. It reaches a maximum elevation of about 247 metres within the Country Downs pastoral station. The southern part of the Peninsula features a system of minor creeks that are best developed near the coast in the Coulomb

Point Nature Reserve and east of Dampier Hill. Long sections of Holocene sand dune systems run parallel to the coast and in some places encroach towards the hinterland.

### Soils

The dominant soil profile is the Yeeda Land System that features deep red sandy soils (generally known as *Pindan*).

### Groundwater

Major groundwater resources have been recognised in both the Canning-Pender and Canning-Broome sub-areas of the Dampier Peninsula. Very little is known about the groundwater resources of the Canning-Pender sub-area of the northern Canning Basin while the Canning-Broome sub-area (that is the water source for Broome, Coconut Wells and near-horticultural areas), has been the subject of some investigation. A water reserve and a Priority 1 water source protection area safeguard Broome's water supply. There is no similar protection for the Pender water resource from which water for the four main communities on the Dampier Peninsula is sourced. Over-abstraction of groundwater in coastal locations can result in long term water quality decline due to the inland migration and up-coning of the saltwater interface. This environmental issue needs careful management through appropriate land use management planning and licensing of water use.





## Vegetation

The Dampier Peninsula falls within the Dampier Botanical District (Beard, 1980) that is broadly characterised by an unusual array of vegetation collectively known as *pindan*. *Pindan* formation on sand plains is unique to the South-West Kimberley. While most of the interior of the Peninsula is dominated by *pindan*, there are very diverse habitats, particularly in coastal and near coastal areas.

Pockets of vine thickets are found mainly on the landward slopes of the coastal primary sand dunes. The vine thickets are classified as threatened ecological communities that are protected under legislation.

Hot dry season fires have a profound effect on vegetation, simplifying the structure and diversity.

The vegetation is highly valued by the Aboriginal community for its cultural and natural values and contribution to food, diet and the subsequent health and wellbeing of the Aboriginal people.

## Groundwater dependent ecosystems

The region is known to support significant wetlands and organic mound springs such as Wonganut Springs, Bunda-Bunda Mound Springs, Bobby's Creek wetland system including Lolly Well Springs and Yarp Lakes. Bunda Bunda and Lolly Well are classified as threatened ecological communities.

## Species of fauna

Thirty three species of native mammals 440 species of insects and 214 birds have been recorded on the Dampier Peninsula. The richness of the avifauna is thought to be mainly due to the diversity of habitats on or near the coast. The Lacepede Islands, NE and NW Twin Islands and Swan Islands are important breeding sites for birds. A number of fauna species are afforded special protection through international agreements or Federal or State policy or legislation.

It should be noted that compared to elsewhere in the Kimberley, the species diversity within the Dampier Peninsula is relatively low although as further research is undertaken the known diversity may increase.

## Nature reserves

There are currently only three proclaimed nature reserves for the purpose of the conservation of flora and fauna in the study area; i.e. Coulomb Point Nature Reserve, Swan Island and the Lacepede Islands.

## 4.8 Landscape values

The coast is characterised by distinctive landforms that include long stretches of sandy beaches between large, indented secluded bays, elongated sand dunes, prominent red *pindan* cliffs and headlands, monsoonal vine thicket and associated vegetation, and island formations. The headlands and cliffs provide prominent landmarks and are important in determining the character and form of the landscape.

The landscape formations often create significant spiritual and cultural elements for Aboriginal people. A high value is associated with and placed on the landscape and its natural resources, from the social and cultural to economic aspects for local people.

## 4.9 National and State heritage values

There are a number of places on the Dampier Peninsula that have outstanding heritage value to the nation including the Lombadina mission, Coulomb Point area, Lacepede Islands and Swan Island. The Beagle Bay Church and Cape Leveque Lighthouse are on the Western Australian Register of Heritage places.

With the West Kimberley region being identified as an area of National Significance; the Dampier Peninsula has been recognised in the National Heritage listing of The West Kimberley (31 August 2011). The areas of the Dampier Peninsula recognised include the coastline; the northern areas of the Peninsula from North Head to Disaster Bay and Lacepede Islands. Inland, the Beagle Bay Church has special mention.



## 4.10 Resource values

The Fitzroy Trough, Lennard Shelf and the Pender Terrace are prospective for petroleum, especially the Fitzroy Trough due to a thick sedimentary succession, reef build ups in the north and structures along the southern boundary. To date, the Dampier Peninsula has been lightly explored for petroleum. Petroleum exploration permits are located along the eastern side of the Peninsula and over the southern portion of the Peninsula.

Evaluation of oil resources is currently being undertaken on the Ungani field and gas is being evaluated at the Yulleroo prospect both on the southern margin of the Dampier Peninsula.

Across the centre of the Peninsula, heavy mineral sand prospects comprising an assemblage of zircon-rutile-leucoxene (Dampier Project) are being evaluated under exploration licenses. Heavy mineral sand prospects have been recorded on the coast between James Price Point and Coulomb Point and also in King Sound near Derby.

In the centre of the Dampier Peninsula, dimension stone (sandstone) resources are being mined in the Mount Jowlaenga area under granted mining licenses.

Phosphate prospects are being explored under exploration tenures in the southeast part of the Dampier Peninsula.

## 4.11 Economic activity

The coastal areas of the Dampier Peninsula have supported traditional land uses for hundreds of years. Most Aboriginal people who live on the Dampier Peninsula continue to fish and hunt as an important social, cultural and recreational activity as well as providing a significant source of food. Other ongoing traditional land uses include collecting bush tucker and plants for medicinal use, passing on ceremonial and ecological knowledge, camping and collecting materials for arts and crafts.

## Agriculture

Areas of the Dampier Peninsula have historically been utilised for pastoral activities. There are four pastoral leases in the south of the project area still operate today; Yeeda, Mt Jowlaenga, Kilty and Country Downs.

Production and use of locally grown produce has significant health and social benefits as well as contributing to the local economy. Apart from cattle for food production there is little agriculture on the Dampier Peninsula other than the collection of native flora such as the Gubinge fruit.

If land is available in order to expand further agricultural production the following opportunities were identified by stakeholders (Garstone, April 2012). However, their potential to be economically viable would first need to be assessed by DAFWA:

- livestock;
- market gardens;
- herb gardens;
- bio fuels;
- nursery; and
- native fruits.

## Horticulture

Small orchard and vegetable gardens have operated in the vicinity of Beagle Bay and Lombadina. These enterprises are primarily for local use. An area that may have potential for horticulture has been identified north of Willie Creek and west of the Cape Leveque Road subject to detailed investigations of the availability and suitability of groundwater.

## Agro-forestry

Parts of the Dampier Peninsula may be well suited for agro-forestry. A 3 ha trial plantation of Indian Sandalwood was established in the Beagle Bay reserve but commercial planting has not progressed. Traditional Owners have expressed concern about the use of water resources for larger scale agricultural projects and the potential to adversely impact upon the supply and quality of the water resources. Studies by DAFWA and DoW are being undertaken to ensure the supply is sustainable in the future. A consortium of landholders is involved in harvesting the





fruit of the native *Terminalia ferdinandiana* or *Gubinge* tree. Depending on the success of this enterprise, enrichment planting or dedicated plantations may be considered in other locations.

### Commercial fisheries

Fishing is an important industry in the waters surrounding the Dampier Peninsula and nearby islands. It includes commercial catches of finfish (such as snappers, emperors and cods) and other species such as barramundi, threadfin salmon, blue threadfin and a limited number of prawns. Concern was evident by Traditional Owners during consultation in respect to the impact on these resources resulting from competition between communal, recreational and cultural fishing.

### Pearling

The pearling industry was established on the Dampier Peninsula in the 1870s and is the largest commercial industry sector by turnover on the Peninsula. There are onshore operations at Cygnet Bay, Beagle Bay and Deepwater Point associated with offshore pearling leases. Willie Creek Pearls operates a pearl farm tour. Other marine aquaculture initiatives, such as growing trochus, are being trialled on the Dampier Peninsula.

Pearling, which as an industry is estimated to contribute \$67 million to the area, is likely to remain an important aquaculture industry which also provides economic returns to the residents of the Dampier Peninsula through employment opportunities.

### Recreational fishing

Shore-based and offshore recreational fishing is a popular activity along the Dampier Peninsula coast. Offshore fishers mainly access the south-western Dampier Peninsula coast either from Broome or from Willie Creek and Barred Creek, accessed from Manari Road. The small size of many recreational vessels limits access to fishing spots further north. The condition of the Cape Leveque Road also restricts the number of vessels launching further up the Peninsula. This means that fishing in the northern waters of the Peninsula is generally limited to locals,

fishing charter operators and others that operate larger vessels. Shore based recreational fishing is very popular along the Manari Road coast, in the vicinity of tourist destinations on the Peninsula and on the Fitzroy River, close to its mouth.

Recreational fisher access is increasing from Derby residents to the east coast and from Broome residents. As access improves visitor numbers will continue to increase if unmanaged.

### Tourism

Tourism to the Dampier Peninsula has experienced strong growth over the last decade and provides opportunities for further economic development. Various estimates suggest that visitation to the Peninsula (including people staying overnight and day visitors) equalled about 35,000 (2004) with an annual growth rate of 20% per annum. Tourism is highly seasonal with the peak period experienced between June and September.

Tourist accommodation ranges from simple camping grounds to modest chalets and safari tents. The majority of accommodation is provided on the west coast of the Peninsula where there are clear ocean waters, clean sandy beaches and relatively easy access with the east coast still developing. Most visitors are self-drive fully independent visitors. Up to half of visitors are thought to stay at Kooljaman with Middle Lagoon and Lombadina accommodating many other overnight visitors. An unknown number of visitors free camp – generally without the appropriate authorisation and in unsuitable (e.g. subject to erosion) or inappropriate (e.g. on cultural sites) and usually unmanaged locations. Free camping is very noticeable along the coast that is accessible from Manari Road.

A variety of cultural and experiential tours and activities are offered to visitors to the Dampier Peninsula. These include a tour of a pearl farm, mud crabbing tours, fishing, whale-watching and scenic boat tours, bushwalking and bush tucker tours.



Garstone (April 2012) in his Report of Economic Development on the Dampier Peninsula, Western Australia advised the following:

“Through the consultation process, stakeholders were given the opportunity to discuss their aspirations for the tourism industry on the Dampier Peninsula. Listed below are the most common responses from stakeholders identifying the potential to develop:

- eco-accommodation;
- caravan park;
- camping grounds;
- cultural and heritage guided walks;
- tours – mud crabbing, fishing, bush walks and kayaking etc;
- luxury resort;
- restaurant/café; and
- cultural centre.

Currently the majority of the enterprises that are operating within the Dampier Peninsula are involved in the tourism industry. Many of these enterprises are small micro enterprises that cannot generate enough income through their enterprise to pay award wages and quite often people involved in these enterprises are reliant on income support payments or CDEP wages to supplement their standard of living.

Apart from a couple of larger tourism ventures, such as Kooljaman and Lombadina, all other tourism enterprises are reliant on a hybrid economy system that comprises of all three economics: public, private and traditional (customary)”.



### Whale migration and whale watching

Many people associated with tourism and environmental protection, and particularly the local Aboriginal residents, noted the number of whales travelling around the coast. The whales are commonly seen close to the shore in the sheltered bays feeding and resting as part of their annual migration. Both from a commercial perspective (e.g. whale-watching) and environmental protection, many people expressed concern for the future protection of whales and their habitats and suggested that some areas may need to be identified and protected appropriately.



## Settlements

The three main towns Ardyaloon, Djarindjin/Lombadina and Beagle Bay, all influence the local economy as well as being the administrative centres for the Traditional Owners.

A number of the Towns provide essential medical and community services including:

- Health clinics;
- Women's Safe House; and
- Family and Early childhood Centres.

### Ardyaloon

Ardyaloon is the most populous of the centres on the Dampier Peninsula (300-400 people) (Source: Report of Economic Development of the Dampier Peninsula, Tyrone Garstone April 2012). Together with the operation of the Ardyaloon Aboriginal Corporation visitors to the town are charged an entry fee to use the local amenities and facilities. Other than visiting the general store to purchase supplies there are few opportunities for tourists within the town other than the community owned fish hatchery and harvesting Trochus shells. There is a current downturn in the demand for Trochus. The Ardyaloon and Djarindjin towns and settlements are co-owners of Kooljaman with profits being re-invested locally.

### Beagle Bay

Beagle Bay is located approximately 120 km north of Broome and has long economic history. With the population estimated at 180-200 people, there is a general store and bakery providing daily produce as well as fuel supplies. There is also a medical clinic and visitors are drawn to the area for tourism. Beagle Bay is particularly well known for its Sacred Heart Church with its mother-of-pearl shell altar which was built entirely by hand by the Aboriginal people and Pallotine monks.

In April 2009 the Australian Government announced that the Beagle Bay Aboriginal Community was one of 29 remote Aboriginal communities targeted for inclusion in a multi-million dollar Remote Service Delivery Strategy intended to bring services and conditions to the same standards as those in similar-sized towns and settlements anywhere in Australia.

### Djarindjin/Lombadina

Djarindjin and Lombadina are adjoining predominantly Aboriginal towns and settlements with a planning layout representing one contiguous settlement pattern. In this Strategy Djarindjin/Lombadina is identified as a 'Town' based on this settlement pattern.

In close proximity is Djarindjin Junction identified as the 'District Administration Centre' and the Djarindjin/Lombadina Airstrip identified as a 'District airstrip', in this Strategy.

### Djarindjin

Djarindjin has an estimated population of approximately 320 people. Apart from public sector employment and funding, the store is one of the main economic activity and employment generators within the Town. The community is part owner of Kooljaman Resort at Cape Leveque. The Djarindjin/Lombadina Airstrip is owned by the Djarindjin Aboriginal Corporation which will derive income in the future as its services expand. Other economic activities include:

- Family and early childhood centre;
- Mechanical Workshop; and
- Community Resource Centre.

### Lombadina

Lombadina has an estimated population of approximately 150 people people.

The community has developed tourist accommodation over a number of years comprising a lodge, cabins, apartments and single quarters. In addition community members operate a range of tours for visitors. Other economic activities include:

- the local store;
- machinery hire;
- mechanical workshops; and
- the establishment of a Gubinge plantation.

## LNG processing

The Browse Basin, one of Australia's most hydrocarbon-rich offshore basins, is located in coastal water off the north-west coast of Western Australia. The State Government initiated a process in July 2007 to identify a precinct within which Browse Basin gas could be processed onshore in the Kimberley. A preferred site



for processing LNG has been identified in the vicinity of James Price Point on the Dampier Peninsula. The land for the Precinct (including all native title rights and interests) has been acquired by the State whilst environmental approvals are still to be determined.

A foundation proponent has as yet to commit to the identified LNG precinct however a range of marine and land based studies are being undertaken to ensure that the proposed development of the precinct and marine based access and infrastructure is project ready.

A Precinct area of 3,414 ha is required for the provision of the LNG trains and associated infrastructure, inclusive of 1,500 ha for port facilities, 200 ha for a third party contractor's site and a further 200 ha for a workforce accommodation site.

### Service industry

As resource companies develop opportunities on the Dampier Peninsula such as the Browse LNG Precinct near James Prince Point, other opportunities will arise for employment and to expand the local economy for such activities as:

- heavy machinery repair, maintenance and leasing;
- building and construction;
- repairs and maintenance for housing;
- mechanical repairs/service stations;
- transport;
- land management (e.g. Ranger services, land repair/rehabilitation);
- cross-cultural training;
- gardening services;
- catering;
- labour hire;
- equipment hire; and
- cleaning.

### Other commercial uses

Throughout consultation and as recorded in the Record of Consultation (July 2008) the main discussion on commercial uses focused around tourism whether it be camp sites, guided tours, scenic flights, charter boats or bush tucker experiences or resort development.

There were concerns expressed about the impacts from current or proposed commercial operations, for example, fishing and the availability of marine resources for local residents. Timber plantations and horticulture proposals often had people questioning the sustainability of resources, or long term availability of ground water for residents and industry.

The retention of substantial areas of natural bushland within the Cultural and Natural Resource Use zone is a vital resource to the Aboriginal population as a source of food, medicines, wood and other materials used in cultural and other traditional activities and for passing on of ceremonial and ecological knowledge. In addition conservation and sustainable management of their country will ensure opportunities are maintained for economic use of these conserved resources. An example is the recent collection and export (to Melbourne health food markets) of 1.5 tonnes of Gubinge fruit is indicative of the untapped potential of the bushland on the Dampier Peninsula to support Aboriginal people culturally, physically and economically in the future.





## 4.12 Services and Infrastructure

### Education

Pre-school, primary and secondary education is provided at Ardyaloon, Djarindjin/Lombadina and Beagle Bay.

### Health services

Services are currently offered at three small clinics on the Peninsula (Ardyaloon, Djarindjin/Lombadina, and Beagle Bay). WA Country Health is considering the benefits of establishing a single better serviced super-clinic on land near the new multi-function police station at Djarindjin Junction.

### Police

A multi-function police station is situated on Police Road at Djarindjin Junction which is near the intersection of Cape Leveque Road and Djarindjin/Lombadina Road.

### Sport and recreation

Community recreational facilities are limited to ovals and basketball courts at the main towns and settlements. The facilities are not always functional.

### Water supply

Groundwater is the main source of potable water on the Peninsula. The four towns and minor settlements source their water from a number of extraction bores that tap groundwater from the Cretaceous Sandstone.

### Wastewater management

There are reticulated sewerage systems and lined and bunded sewerage ponds in Ardyaloon, Djarindjin/Lombadina and Beagle Bay. Djarindjin/Lombadina waste water is disposed of onsite in septic tank and leach drain systems. Similar systems operate for most minor settlements.

### Waste management

Waste collection and management facilities on the Peninsula are not shared or centralised. The four main communities plus most of the minor settlements operate their own separate and basic tips.

### Energy

Horizon Power has established 50 kW diesel power stations at Ardyaloon, Beagle Bay and Djarindjin/Lombadina. The capacity of the stations can accommodate growth in demand and additional modules can be added when required.

### Telecommunications

A range of services (standard telephone services, payphones, mobile coverage and internet access) are available at the main towns and settlements. Some of the smaller towns and settlements have pay-phones or utilise satellite technology.

### Airstrips

Tourists, some residents, the Royal Flying Doctors Service (RFDS) and other medical support staff, pearl farmers and increasingly oil and gas industry support staff travel to the Peninsula by air. There are general purpose airstrips at Djarindjin/Lombadina, Beagle Bay, Kooljaman and Ardyaloon. There are other light aircraft landing strips at the pearl farms and pastoral stations.

### Boat ramps/launching

There are boat ramp facilities at Ardyaloon. Boats are also launched off the beach and in creeks in a number of other places along the coast such as Barred Creek, Flat Rock, Chile Creek, Willie Creek, Middle Lagoon, Kooljaman and Mudnunn. In addition there are private boat launching facilities associated with the pearling operations at Cygnet Bay, Deep Water Point and Ledge Point which may not open to the public.



## Roads

Road access to the Peninsula from Broome and Derby is via Cape Leveque Road and Manari Road with the Nillibubacca Track providing an (informal) alternate route during the dry season. Minor roads branch off these roads providing access to the four main communities, minor settlements, pastoral stations and pearling operations. There are also many other informal tracks that provide access to water sources, infrastructure, recreational sites, fishing spots and areas of cultural importance.

## Infrastructure service delivery

Another factor that influences land use planning, development and approvals on the Peninsula is the manner of service and infrastructure delivery. In the main, infrastructure and services are provided by State and Commonwealth agencies or NGO's on behalf of State and Commonwealth.

The shires of Broome and Derby/West Kimberley have a very small rate base on the Peninsula – rates would only be paid by the small number of freehold land-owners and the four pastoral stations – and so the resources available to the local government for service provision to the Peninsula is very limited.

Because of the predominance of the State and Commonwealth, much of the existing and proposed development on the Peninsula can be classed as a public work (housing, community facilities, landfills, sewerage treatment plants, power stations, police stations) and as such the usual local government planning and development approval process do not apply. The shires must be consulted, but they are not an approval authority.

Within this context, localised planning and development decisions are difficult but can be achieved and at the strategic level there is no appropriate and agreed government structure.

## 4.13 Climate change

The CSIRO (2006) predicts that climate change will affect the Kimberley in four ways – temperatures will increase, rainfall patterns will change, the sea-level will rise and increases in the frequency or severity of extreme weather events is possible.

Currently almost all the population of the Dampier Peninsula live and recreate very close to the coast. When considering new development and determining associated development setbacks for physical processes, sea level change must be taken into account. The draft State Coastal Planning Policy 2.6 allows for sea level rise of 0.9 metres over a 100 year planning timeframe to 2110. The Policy is currently being reviewed and the 0.9 metres may be revised.

The overall development setback for physical processes (that takes into account sea level rise plus erosion, accretion, storm surge, tides, wave conditions and biophysical criteria) should be sufficient to ensure that buildings and permanent coastal infrastructure are sited to avoid the risk of damage from coastal processes and also limit the need for physical structures to protect infrastructure from these risks.

	Historical (1930-2007)	Future (~2030)
Mean annual rainfall	868 mm	Slightly drier
Mean annual potential evapotranspiration	1979 mm	Slightly higher
Mean annual rainfall deficit	-1111 mm*	Slightly higher
Mean annual recharge to groundwater		Similar

\* rainfall minus evapotranspiration



## 5. Governance and implementation

### 5.1 Planning and development control

The State Government seeks to ensure that future land use and management of the Dampier Peninsula is supportive of social and economic aspirations of Traditional Owners, enhances the way of life of local residents including formally recognised native title interest holders and supports the provision of long term, sustainable economic development enterprises including a range of tourism and recreational opportunities for visitors, sea and land based industries such as pearling and aquaculture and operational logistics to the gas and oil industry, allows for sustainable agriculture and protects the land's cultural, heritage and natural resources values.

The Strategy establishes a settlement and tourism hierarchy, provides direction for economic enterprise development, and identifies areas for the conservation of sensitive coastal and environmental areas as well as for the continuation of traditional resource use. The plan also suggests that the timing of development on the Dampier Peninsula be linked to institutional changes that bring about improved land use and visitor management and an assessment of (positive and negative) cumulative impacts of previous planning decisions. In addition, the plan provides for the location of strategic industry to accommodate the proposed Browse LNG Precinct and associated access corridor and infrastructure.

Given the significance (environmental, social and economic) of the Dampier Peninsula, nature of land tenure (unallocated Crown Land, ALT Reserves, Crown and ALT leases, Community Council sub-leases, informal occupancy and limited freehold) complexity of native title claims, dual shire jurisdiction and service delivery through State and Commonwealth agencies and non-government organisations, it is important

to establish effective high level planning and development guidance and control.

The Dampier Peninsula Planning Strategy serves as a blueprint for various local incorporated Aboriginal bodies and other land users, prospective developers and decision-making bodies such as local and state governments.

#### 5.1.1 Local Government

The Shire of Broome is responsible for the preparation and administration of a local planning scheme. Local planning schemes set out the way land is to be used and developed. They classify areas for land use and include provisions to coordinate infrastructure and development. They also include controls to ensure long-term strategic planning objectives are achieved through the processing of development applications. This Strategy is intended to be a dynamic instrument providing the rationale and the framework for decision making on the Dampier Peninsula and to assist the role of Local Government in the assessment of subdivision, development and zoning matters under the Shire of Broome Local Planning Scheme.

The Dampier Peninsula Planning Strategy area within the Shire of Derby/West Kimberley boundary will operate under an Interim Development Order until the completion of a whole of shire Local Planning Scheme.





### 5.1.2 State Government

A range of governance models for the Dampier Peninsula continue to be debated by Traditional Owners, other residents and stakeholders Local, State and Commonwealth Governments. It is within this context that a proposal for enhanced planning and development control is made, that can be established and implemented in the short-term.

In their DPP report, the TOSC state the following in respect to their view on governance of the Dampier Peninsula:

“Traditional Owners and other Indigenous stakeholders on the Dampier Peninsula have had a long interest in establishing more empowered governance arrangements that match with cultural traditions and relationships. Issues around governance and infrastructure and service delivery have also been somewhat problematic for governments and communities. In more recent times an additional emphasis is being placed on pursuing economic development, which raises issues for governance, planning, decision-making, investment and capacity building.

Native title has introduced another significant factor for governance, with Traditional Owners and other Indigenous stakeholders coming to grips with the complex and drawn out process of seeking determination of native title, responding to various future act processes and the need to establish formal governance structures that can also deal with legacies from the past and work within traditional cultural and mainstream western spheres.

Traditional Owners and other Indigenous stakeholders consistently raise concerns about consultation processes with governments and that decisions are made for communities by outside organisations.

Establishing effective and locally legitimised governance arrangements that have the right cultural match has become increasingly recognised by researchers, governments, traditional owners and communities as being fundamental to achieving sustainable outcomes for Indigenous people. Successful and enduring implementation needs a foundation of good governance – that enables local decision-making and setting of priorities, takes responsibility, has effective institutions, has the right cultural match and is proactive”.

The TOSC formulated a long term vision as follows:

#### Vision (long term)

That traditional laws and customs are fully recognised, respected and continue as the foundation of the way of life on the Dampier Peninsula. This is supported and respected by a strong set of local and regional governance arrangements.



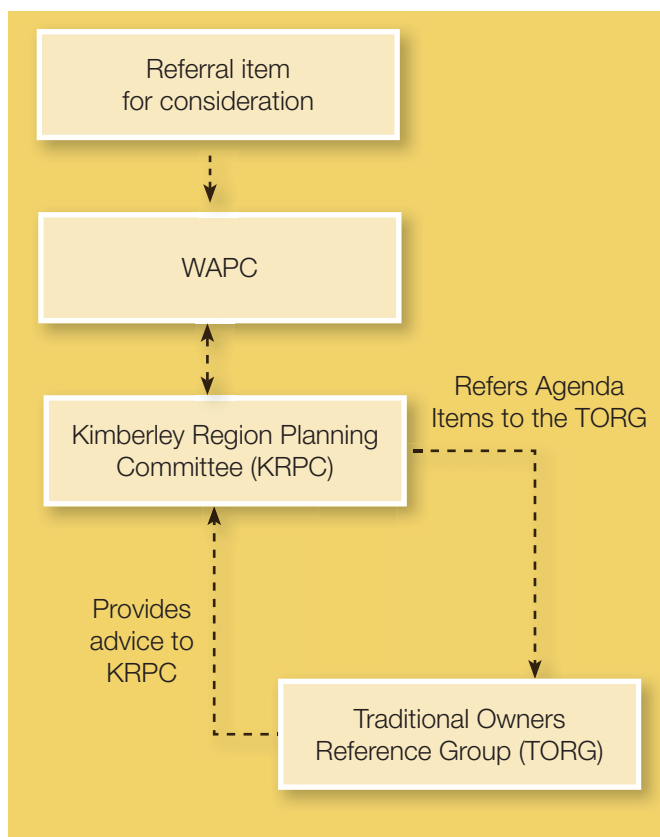


### 5.1.3 Kimberley Regional Planning Committee

The Dampier Peninsula Planning Strategy supports the following approach for enhanced planning and development input.

At this stage, with the aim of allowing the Traditional Owners to have more input to, and involvement with, decision making, another model is needed.

The preferred alternative model is to refer relevant items to the Kimberley Region Planning Committee, following preliminary assessment may refer the item to the Traditional Owners Reference Group (TORG) (if considered relevant or necessary) which has already been established under Kimberley Regional Planning Committee to provide advice on a broad range of planning issues in the Kimberley. Where native title has been determined to exist, native title holders via their Prescribed Bodies Corporate are eligible to become members of the Kimberley-wide TORG.



This is an alternative model for governance:

#### 1. How would it work?

- The KRPC role would be unchanged but it would refer items relevant to the Dampier Peninsula Study Area to the TORG.
- TORG would receive the agenda items from KRPC relevant to Dampier Peninsula Study Area but the material could have sensitive material removed or summarised when necessary.
- All relevant background reports, plans etc should be provided to assist the TORG in providing their advice.
- Regional Manager of DoP could present items at the TORG meeting and be available for discussion.
- TORG would meet and provide advice/recommendations to the KRPC for information within an agreed timeframe.
- If proponents or Government and Local Government are making a presentation to KRPC relevant to the Dampier Peninsula Study Area they could also be invited to address the TORG.

#### 2. TORG advice

The TORG advice would have no statutory authority; it would be advice only to the KRPC. The advice would be intended to:

- better inform the KRPC in particular providing advice which addresses aboriginal issues on social, environmental, economical, cultural and spiritual matters;
- ensure that no relevant information was missing and that facts provided are correct;
- allow Traditional Owners to raise new relevant matters; and
- be helpful and of assistance to KRPC.

3. The TORG would be given the opportunity to address the KRPC as required or when they request to do so if agreed by the Chairman of the KRPC.

4. The priority will be to find a way to resource the TORG for its role in meeting to provide advice to the KRPC.



Funds may be targeted from a number of State Government agencies or programs to jointly fund the TORG.

#### 5. Benefits

The potential benefits include the following:

- a. depending upon the impact of their advice and how successfully it influences KRPC decisions it should give the TOs and aboriginal population a feeling of empowerment and responsibility;
- b. the KRPC would develop a strong relationship with the TOs and possibly result in some highly regarded planning and development outcomes assisting in improving the quality of life of all residents;
- c. it has no resource implications for other Government agencies;
- d. it could provide a basis for establishing mutual trust and understanding;
- e. it puts DoP in a very central and supportive role in future planning for the area;
- f. it allows the DoP, in particular, to become a valued, trusted and inclusive public service and equally for the Regional Manager;
- g. it in no way impinges on the role of the local government and the shires responsibilities (and is a model that the Local Governments may wish to emulate); and
- h. it is very easy to establish and does not require legislation or other significant administrative steps and the TORG now has relevant experience; for example, it could be established under of Memorandum of Understanding or other such agreement.

#### 6. Challenges to overcome:

- a. finding resources to fund, manage and provide administrative support for TORG;
- b. gaining the support for the decision making model including from TORG itself;
- c. ensuring that the referral to TORG and receipt of their advice is managed so as to minimise any delays to decision making; and
- d. general negotiation to give the TOs a meaningful input to decisions impacting on or affecting their country.

#### 7. Other considerations:

- management and sensitivity of information and any privacy issues in respect to the information given to the TORG would need careful consideration; and
- if the TORG agreed a member of KRPC could attend the TORG meeting when KRPC items are being discussed.

## 5.2 Managing acceptable rates of change

Over the last decade, tourism has been the focus of economic development on the Dampier Peninsula. This has been an incremental process linked primarily to the increase in tourism to Broome, the sealing of the northern part of the Cape Leveque Road and growth in overnight visitor accommodation on the Dampier Peninsula. Managing the rate of change to allow towns, settlements and infrastructure to adapt to and hopefully accept change is challenging and very important.

The rising visitor numbers have had economic, socio-cultural and environmental impacts. Tourism has brought economic benefits to some towns, settlements and individual families, but it is thought that there is substantial leakage from the area because of a lack of facilities. The absence of effective access controls and visitor management has affected residents' enjoyment of their



land and exposed some heritage sites and culturally and environmentally important areas to damage from vehicles and pedestrians.

The actual thresholds are not static and are difficult to determine. They are influenced by people's views and objectives, ecological dynamics, management practices, technology, infrastructure and changes in consumer preferences.

Subject to operation of the NTA, traditional owner groups have a cultural and strategic interest in managing traditional country, and participating in economic development opportunities. Culturally appropriate governance structures have already been established through PBCs.

### 5.3 Access and visitor management

Currently, outside of the main towns, there is effectively unimpeded access to the Dampier Peninsula. Signage at the entry to towns and settlements requests visitors to report to the office and in some instances to purchase a visitors permit. Signage on some spur roads to minor settlements indicates that no public access is allowed.

Most visitors are unaware of any access limitations and others choose to ignore signage (where it exists) in the knowledge that there is limited enforcement authority and capacity.

Access management has been a concern of Dampier Peninsula residents for many years and a reason for sealing the northern part of the Cape Leveque Road in advance of the southern portion. A number of access management models have been recommended. For example, an approach that promoted progressive implementation was recommended in the *Dampier Peninsula Access Management Plan* (2005). Initially a cooperative approach would be adopted with the emphasis on information provision and visitor awareness. This would be followed by a dispersed management model with the major towns and settlements

responsible for controlling entry and movement and finally the adoption of a centralised management model with visitor access and management the responsibility of a centralised management authority.

It is acknowledged that to effectively manage access, it would be preferable that land tenure reform needs to occur, native title settled and a statutory or cooperative governance structure established for the Dampier Peninsula that has the authority, capacity and funding to determine access management arrangements and enforce them.

The Dampier Peninsula Planning Strategy makes a number of recommendations that would assist in managing where visitors go and to a lesser extent, to control visitor numbers. The Plan suggests:

- in the short term, raising awareness and using communication materials for visitors such as signage, a visitor's guide including cultural protocols and cultural awareness training for operators, service providers and visitors/tourists;
- the establishment of visitor service nodes at strategic locations on Cape Leveque Road and Manari Road that could serve an access management function and offer other services;
- a road network that identifies roads that are publicly accessible, accessible with permission or closed except to traditional owners or minor settlements residents;
- the establishment of managed day-use sites at key locations that would offer services sought by the majority of visitors and reduce the incentive to visit unmanaged sites; and
- an expansion of the range of visitor accommodation and facilities available to provide defined destinations and prevent unmanaged and highly dispersed overnight visitation patterns.

The extent to which the gradual implementation of these recommendations can assist in the access management task, to protect heritage and environmental assets and allowing residents to enjoy their country is however closely linked to the resolution of governance arrangements for the Peninsula.



## 5.4 Natural resource management

The natural environment on the Dampier Peninsula (similarly to many other places in the Kimberley) is subject to a number of threatening processes. These include:

- significantly altered and inappropriate fire regimes;
- ad-hoc clearing and development;
- weed invasion;
- uncontrolled access to areas of heritage or environmental sensitivity particularly by 4-wheel drive vehicles;
- cumulative impacts of increasing numbers of visitors on terrestrial and marine environments;
- unmanaged groundwater extraction;
- inappropriate waste management;
- climate change;
- feral animals; and
- overgrazing in some areas.

There are natural resource management projects that are responding or have responded to these threatening processes and provide training and employment for local people. For example, The Bardi Jawi Ranger program (supported by the KLC) that plays a lead role in dugong and marine turtle management and the Community Weed Education Eradication Delivery and Conserving Dampier Peninsula's Vine Thickets projects that focus on weed management and education.

Funding has previously been received through the Rangelands WA, Caring for Our Country, Dampierland Bioregion Program that aims to work with aboriginal ranger groups, KLC, DPaW, FESA, pastoralists and DAA in an effort to protect Monsoonal Vine Thickets (a Threatened Ecological Community), significant wetlands and other sensitive environments by addressing the cyclical effects of fire, weeds and feral animals at a localised and regional level.

Funding for most natural resource management projects and programs are for 2-3 years. While they create opportunities for employment and training and are effective locally, they generally are not sustainable without ongoing financial support.

There is an opportunity for NGO's, private sector and Local, State and Commonwealth governments to work cooperatively with Dampier Peninsula residents to:

- determine an approach for drawing together and expanding on skills acquired through short-term natural resource management and environmental projects;
- clustering compatible natural resource and environmental management and enforcement functions in order to create sustainable regionally (Dampier Peninsula) based employment and training; and
- identify fee-for-service opportunities and avenues for funding that can be maintained in the long-term.

The Strategy proposes areas as secure conservation reserves, areas where protection of environmental, heritage and cultural assets is the highest priority and other areas where traditional use of resources can continue unhindered. Should these proposals be implemented, a well-structured and well-resourced natural resource and environment management program would be essential.





## 5.5 Implementation

The Strategy sets out Government's broad planning approach to the Dampier Peninsula study area. It will assist the WAPC and local authorities in making decisions about future land use and planning.

The Strategy therefore provides a link between State strategic directions and management and local planning of management strategies, local planning strategies and local planning schemes.

The Strategy process began as a result of a recommendation resulting from an assessment of sealing the Cape Leveque Road and increased importance when the preferred site for the Browse LNG Precinct was proposed at James Price Point.

As a result of extra resourcing, further consultation with the Traditional Owners and Aboriginal stakeholders being the Aboriginal people of the Dampier Peninsula, endorsed the recommendations of the TOSC. Extracts from the draft report they endorsed are included in Appendix 1.

This provides an opportunity to build on the good will and agreement developed during consultation to have an agreement on the planning, economic development, future settlement and cultural and heritage protection reflected in the Strategy recommendations.

Specific recommendations have been made in Section 5.2 for the continuation of the established Traditional Owners Group (TOrg) to provide advice and recommendations on the implementation of the Strategy to the WAPC, Shire of Broome and other Government agencies.

The Shire of Broome Local Planning Strategy and Local Planning Scheme should reflect the findings in the Strategy.





## 6. Management priorities

The management priorities are listed as Actions in section 3.5 – Land use planning; section 3.6 Access management; and section 3.7 Infrastructure and services.

Each Action section nominates either a lead agency together with other key stakeholders or organisation in bold type or where there are a number of agencies and organisations who need to further refine the lead then these are listed in a random order. It should be noted that under legislation, regulation and policy for government agencies there are protocols and requirements in undertaking due diligence and consultation. In each case as a matter of full consultation, all interested parties including Traditional Owners, Prescribed Bodies Corporate, Community Councils, land owners and residents should be given the ability to be a proactive participant in the planning and development of the Dampier Peninsula.

Prioritisation has not been undertaken in this Strategy as each Action will need to be considered in each agencies or organisations overall work schedule.

The Western Australian Planning Commission encourages the seeking of funding to accelerate an Action if it becomes a priority. The funding should be sought from both private and public funding sources.

To successfully implement the Strategy and achieve its objectives requires that concurrent measures be taken to improve the management of visitors and the environment.



## 7. References, acronyms, legislation and policies

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## 7.2 Acronyms

ACMA	Australian Communications and Media Authority
ALT	Aboriginal Lands Trust
AQIS	Australian Quarantine and Inspection Service
BIA	Broome International Airport
CALM	Conservation and Land Management
COAG	Council of Australian Governments
DAA	Department of Aboriginal Affairs (formerly Department of Indigenous Affairs – DIA)
DAFWA	Department of Agriculture and Food Western Australia
DAP	Development Assessment Panel
DBCDE	Department of Broadband, Communications and the Digital Economy
DER	Department of Environmental Regulations
DET	Department of Education and Training
DITRGLG	Department of Infrastructure, Transport, Regional Development and Local Government
DMP	Department of Mines and Petroleum
DoC	Department of Communications
DoF	Department of Fisheries
DoH	Department of Housing
DoL	Department of Lands
DOLA	Department of Land Administration
DoP	Department of Planning
DoT	Department of Transport
DoW	Department of Water
DPaW	Department of Parks and Wildlife
DPC	Department of Premier and Cabinet
DPDSC	Dampier Peninsula Development Statutory Corporation
DPI	Department for Planning and Infrastructure
DRD	Department of Regional Development
DSD	Department of State Development
DSR	Department of Sport and Recreation
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FESA	Fire and Emergency Services
ICC	Indigenous Coordination Centre
IHA	Indigenous Harvest Australia
KAMS	Kimberley Aboriginal Medical Services
KDC	Kimberley Development Commission
KLC	Kimberley Land Council
KRPC	Kimberley Regional Planning Committee
LNG	Liquefied Natural Gas
LP	Layout Plans
MRWA	Main Roads Western Australia
PBC	Prescribed Body Corporate
RFDS	Royal Flying Doctor Service
SDWK	Shire of Derby/West Kimberley
SEDO	Sustainable Energy Development Office
SEWPAC	Department of Sustainability, Environment, Water, Population and Communities
SoB	Shire of Broome
SPP	Statement of Planning Policy
TEC	Threatened Ecological Community
TOs	Traditional Owners
TWA	Tourism Western Australia
WAPC	Western Australian Planning Commission





## 7.3 Commonwealth and State legislation and policies

### Commonwealth legislation

Many Commonwealth policies and pieces of legislation relate to this Strategy and the study area, but only the most relevant have been included and elaborated on in the Strategy.

### Legislation

#### ***Environmental Protection and Biodiversity Conservation Act 1999 (as amended)***

The overarching environmental legislation at the national level is the *Environmental Protection and Biodiversity Conservation Act 1999*. The Act identifies the following matters of national environmental significance:

- World Heritage properties;
- National Heritage places;
- Ramsar Convention wetlands of international significance and other wetlands of national significance;
- nationally listed threatened species and ecological communities;
- listed migratory species;
- Commonwealth marine areas; and
- nuclear actions (including uranium mining).

Any action that is likely to significantly affect a matter of national environmental importance is subject to a rigorous assessment and approval process. The Act also provides for the preparation of recovery plans, threat abatement plans and wildlife conservation plans to protect listed species and communities and to protect critical habitat.

There are several matters of national significance in the study area and there are also areas of high species richness that are valued for their endemism (only occurring in a specific area), disjunct (separation from other species or areas) and for being relictual (unchanged over time). Any development proposed for

these areas of national environmental significance would be subject to a rigorous Commonwealth assessment and approval process.

### ***Native Title Act 1993***

On 1 January 1994 the Commonwealth *Native Title Act 1993* commenced operation. The Act is part of the Commonwealth's response to the High Court's decision in *Mabo V Queensland (No. 2)*. The Act adopts the common law definition of native title. Native title is now defined as the rights and interests that are possessed under the traditional laws and customs of Aboriginal and Torres Strait Islanders in land and waters, and that are recognised by the common law. In summary, the *Native Title Act 1993*:

- provides statutory basis for recognising the existence or otherwise of traditional rights and interests;
- provides for the validation of past acts which may be invalid because of the existence of native title;
- provides for a future act regime in which native title rights are protected and conditions imposed on acts affecting native title land and waters;
- provides a process by which native title rights can be established and compensation determined, and by which determinations can be made on future grants and acts done over native title land and waters; and
- provides for a range of other matters, including the establishment of a national Aboriginal and Torres Strait Islander land fund.

### **Policies**

There are a number of relevant Commonwealth policies which will be considered when formulating the Strategy including:

- the National Strategy for Ecologically Sustainable Development;
- Australia's Oceans Policy; and
- National Heritage Trust.



## State legislation

### ***Aboriginal Affairs Planning Authority Act 1972***

The *Aboriginal Affairs Planning Authority Act 1972* established the Aboriginal Lands Trust. This Act also established the Aboriginal Affairs Planning Authority that is now known as the Department of Aboriginal Affairs. The Aboriginal Lands Trust became responsible for the administration of lands previously held by the Native Welfare Department and a number of State Government agencies. There are also lands that remain registered in the name of the *Aboriginal Affairs Planning Authority Act 1972*. Additionally, as a part of the effective management of the estate, the Aboriginal Lands Trust undertakes strategic land acquisitions.

The Aboriginal Lands Trust provides advice to the Minister for Aboriginal Affairs on Aboriginal Lands Trust land issues. The Aboriginal Lands Trust is a significant landholder with responsibility for approximately 27 million hectares or 11 per cent of the State's land mass. This land comprises different tenures including, reserves, leases and freehold properties. A significant proportion of this land comprises reserves that have Management Orders with the Aboriginal Lands Trust (generally having the power to lease), with their purposes mostly being for "the use and benefit of Aboriginal inhabitants".

### ***Aboriginal Heritage Act 1972***

Aboriginal heritage and culture is managed through the *Aboriginal Heritage Act 1972*. This includes the maintenance of the register of sites and support for the operations of the Aboriginal Cultural Material Committee, which provides advice on the protection and management of sites.

### ***Bush Fires Act 1954***

The *Bush Fires Act 1954* provides for diminishing the dangers resulting from bushfires, for the prevention, control and extinguishment of bushfires.

### ***Conservation and Land Management Act 1984***

The *Conservation and Land Management Act 1984* provides for the use, protection and management of certain public lands and waters and associated flora and fauna. Public lands and waters include state forests, timber reserves, national parks, conservation parks, nature reserves, marine nature reserves, marine parks, marine management areas and other lands or waters vested in the Conservation Commission of the Marine Parks and Reserves Authority.

DPaW is subject to the provisions of the Act in terms of managing public lands and waters. Management plans prepared under the *Conservation and Land Management Act 1984* are statutory documents. The provisions of the *Conservation and Land Management Act 1984* affect the study area since it contains the Coloumb Point Nature Reserve and a number of Conservation Reserves and areas proposed to be jointly managed with the Traditional Owners.

CALM Act land is required to be managed in a manner that conserves and protects Aboriginal culture and heritage. The CALM Act provides protections to enable Aboriginal people to undertake customary activities and maintain access to CALM Act land for such purposes. The CALM Act also includes provisions enabling the joint management of land that is solely or jointly vested in the Conservation Commission and the Marine Parks and Reserves Authority, as well as land that is held or managed by other parties.

### ***Environmental Protection Act 1986***

The *Environmental Protection Act 1986* (EP Act) is the principle environmental statute in Western Australia. The EP Act provides for the prevention, control and abatement of environmental harm and for the conservation, protection and management of the environment.

Sections of the EP Act of relevance to the Strategy include:

- The formal environmental impact assessment process set out in the EP Act requires that the environmental impacts of statutory planning schemes and development proposals be



assessed to ensure the environment is protected.

- Any clearing of vegetation in the study area may require a permit, in the issuing of which DER will take into account the impacts of clearing on biodiversity, water and soil resources, salinity and other environmental issues.

### ***Fish Resources Management Act 1994***

The objective of the *Fish Resources Management Act 1994* is to conserve, develop and share the fish resources of Western Australia for the benefit of present and future generations. The Act aims to achieve this by:

- ensuring that the exploration of fish resources is carried out in a sustainable manner;
- enabling the management of fishing, aquaculture and associated industries, aquatic ecotourism and other tourism reliant on fishing; and
- fostering the development of commercial and recreational fishing and aquaculture.

### ***Land Administration Act 1997***

The *Land Administration Act 1997* and the associated *Acts Amendment (Land Administration) Act 1997* were passed by Parliament on 18 September 1997 and commenced on 30 March 1998.

This is the State's legislation for dealing with the disposition of Crown land. The Land Administration Act covers a wide range of functions including the administration and management of Crown estate, planning, acquisition of land for government works, administration of the legal framework of the State's reserves and road systems, the leasing of Crown land and the granting of other tenures.

### ***Local Government Act 1995***

The objectives of the *Local Government Act 1995* are:

- to provide for the constitution of elected local governments in the State;
- to describe the functions of local governments;
- to provide for the conduct of elections and other polls; and
- to provide a framework for the administration and financial management of local governments for the scrutiny of their affairs.

### **Mining, petroleum and geothermal energy legislation**

The *Mining Act 1978* regulates mineral exploration and mining in the State through the grant and administration of various types of mining tenure and mining-related activities. It establishes the rights of access for exploration and mining purposes on different classes of land and the compensation provisions and royalties that apply.

The Western Australian *Offshore Minerals Act 2003* regulates mineral exploration and mining within the area from the baseline (generally the mean low water mark) outward to three nautical miles of the territorial sea. Beyond this boundary, these activities in Australian waters are regulated by the Commonwealth *Offshore Minerals Act 1994*.

Activities in the petroleum, geothermal energy and greenhouse gas storage sectors are regulated by the following legislation:

The *Petroleum and Geothermal Energy Resources Act 1967* covers all onshore areas of the State, including its islands and some waters landward of the base line, other than 'subsisting' permit areas under the *Petroleum (Submerged Lands) Act 1982*.

The Western Australian *Petroleum (Submerged Lands) Act 1982* applies to Western Australia's terrestrial sea, including the territorial sea around the State islands, and under certain circumstances, some areas of internal waters.

The Commonwealth *Offshore Petroleum and Greenhouse Gas Storage Act 2006*



applies to the offshore areas of the continental shelf beyond the territorial sea boundary (at the three nautical mile mark),

Both the *Petroleum and Geothermal Energy Act 1967* and the *Petroleum (Submerged Lands) Act 1982* are administered solely by Western Australia, while the *Commonwealth Petroleum and Greenhouse Gas Storage Act 2006* is administered by the National Offshore Petroleum Titles Administrator (NOPTA), which is part of the Commonwealth's Department of Resources, Energy and Tourism (RET).

### ***Planning and Development Act 2005***

The *Planning and Development Act 2005* (PD Act) sets out the legislative framework for planning and development of land for the purposes of urban, suburban and rural use in Western Australia. The Act describes the significant town planning processes, their relationship to Crown land and alienated land, the review process and other miscellaneous provisions relevant to town planning and development in the State.

Local planning schemes are prepared by local governments, under the virtues and powers set out by the PD Act. A local planning scheme is a statutory planning instrument guiding future development in a local government area. Statements of Planning Policy that come into effect under section 5AA of the *Town Planning and Development Act 1928* continue under section 3 of the *Planning and Development Act 2005* and are renamed state planning policies.

### ***Rights to Water and Irrigation Act 1914 (as amended)***

The *Rights in Water and Irrigation Act 1914* and *Rights in Water and Irrigation Regulations 2000* are administered by the Department of Water. The Act and Regulations set out a legislative framework relating to rights to access water (such as riparian rights) and the regulation, management, use and protection of water resources. Provisions in the Act and Regulations allow for the issuing of licenses and permits which authorise certain activities like the take of groundwater and surface water resources in proclaimed areas.

The DoW licensing process under the Act and Regulations provides for the sustainable management of water resources through a risk based assessment process which considers amongst other matters, the protection of water dependent ecosystems and the environment in which water resources are situated.

### ***Wildlife Conversation Act 1950***

This Act provides for the protection of flora and fauna across the State, including private lands. Except to the extent to which the Minister declares by notice published in the Government Gazette pursuant to the provisions of section 14, all fauna is wholly protected throughout the whole of the state at all times. The legislation regulates the picking or harvesting of indigenous flora. Provisions for management of the trade in wildflowers and other specific activities are also controlled by DPaW in accordance with a management program approved by the Commonwealth Minister for the Environment.





## Appendix 1: Traditional Owners and Dampier Peninsula Indigenous Community Consultation – the Dampier Peninsula Plan Project (DPP)

### Consultation and recommendations

Initial consultation with Dampier Peninsula residents was undertaken in 2007-2008 and recorded in the Record of Consultation described above.

As explained in Part 2.4, it was agreed in mid 2009 that there should be additional consultation with the Traditional Owners and other Indigenous stakeholders on Dampier Peninsula, with the expected outcome to be a range of recommendations to be considered in the draft Strategy.

Funding was allocated to the KLC to project manage this consultation which was carried out from June 2011 to April 2012. This consultation project proved to be extremely valuable providing the Traditional Owners the opportunity to jointly discuss the future of the Dampier Peninsula.

The process was initiated with the formation of a Traditional Owner Steering Committee (TOSC) to be the primary forum for consultation with Traditional Owners. The formation of the TOSC required consultation with each of the Traditional Owner groups on the Dampier Peninsula to discuss the project and seek authorised nominations. The TOSC was formed with four representatives from the six native title groups on the Peninsula:

- Bardi Jawi;
- Djabera-Djabera;
- Goolarabooloo Jabirr Jabirr;
- Nimanburru;
- Nyikina Mangala; and
- Nyul Nyul.

(Nyul Nyul formally joined the TOSC from December 2011. They had been observers at TOSC meetings prior to December 2011 and were briefed by KLC on the DPP whenever possible).

Additionally the KLC Cultural Advisory Group attended to provide support and leadership. Observers were also present from the Stolen Generation.

The outcome has been the production of the Dampier Peninsula Plan Project Report (DPP) April 2012.

In view of the high quality of work and relevance of findings, a summary highlighting the Traditional Owners vision for the Peninsula is provided in Appendix 2. Wherever relevant, aspirations, visions and recommendations have been considered and incorporated in the Strategy findings and recommendations. The TOSC report will include Work Priorities which have been provided for consideration and these priorities have been considered when formulating the Actions and Recommendations.

The DPP Traditional Owners Vision for the Dampier Peninsula is included in Appendix 1.



## Traditional Owner broad land use recommendations map

### Traditional Owner Country

The DPP supports the Visions and proposed Work Priorities with a plan showing Broad Land Use Recommendations most of which are reflected in the Strategy (See Appendix 1).

The Traditional Owners' vision for Land Use and Economic Development:

Traditional Owner land use, cultural values, aspirations, and rights and interests are recognised and supported in all relevant planning instruments, with Traditional Owners deciding the future use of land so that cultural traditions can be recognised, maintained and protected along with the planning and development of new uses to enhance our economic sustainability and independence.

It is recommended in the DPP that a broad land use category of Traditional Owner Country be placed as a mapping underlay on the Dampier Peninsula. Traditional Owner Country would give strategic recognition of:

- Traditional Owners' rights and interests as reflected in native title, Heritage (National and State), Customary uses, Aboriginal Protected Areas (IPA) and land held by the Aboriginal Land Trust (ALT);
- Traditional Owners' interests and aspirations to identify areas for other specific uses through more detailed land use planning over time, eg for economic development and areas where access and development may be prohibited or significantly constrained; and
- Traditional Owners' long-held need and desire to have a proper say and role in the use and development of the Dampier Peninsula and in its management.

Traditional Owner Country is clear and meaningful to Traditional Owners and also has important symbolic value that can be easily seen on a map. It can be a significant and empowering recognition

to support decision-making by Traditional Owners to enhance their aspirations for greater control over their futures. It could also be seen as supporting reconciliation more generally. It is not about regulating customary and traditional uses in the planning system, as these run with native title tenure and pre-date western planning. It does not delineate Traditional Owner or native title groups; rather it reflects a set of common and generic Traditional Owner interests that can be applied with flexibility at local levels.

Provisions that should run with the Traditional Owner Country include acknowledgement that Traditional Owners will:

- i. prepare more detailed local area plans for their respective areas, identifying suitable contemporary uses and any specific cultural priorities that need to be mapped and shown in accordance with Traditional Owner protocols (see Cultural Mapping and Land Use & Economic Development);
- ii. determine uses within those areas under their mainstream tenure control following land tenure reform, with any necessary approvals such as planning, environment and development being sought as required; and to
- iii. be consulted for any development or change of use where land is not under their mainstream tenure control, whether as a Future Act where native title is determined or registered or otherwise.



## Appendix 2: Extracts from 'The Dampier Peninsula Project Report' Kimberley Land Council on behalf of the Dampier Peninsula Indigenous Community. Draft April 30, 2012.

This report (the DPP) contains recommendations of Dampier Peninsula Traditional Owners for future land use on the Dampier Peninsula. Nothing in this report constitutes a consent by native title holders or native title claimants to any future act, including future acts constituted by land use controls, zoning, grants of interests, or changes in tenure; or a waiver of any kind of any right arising under the *Native Title Act 1993* (Cth) or otherwise. Extracts from the DPP in respect to the vision and recommendations are included below.

### 4.2 Overall vision for the Dampier Peninsula

Healthy country, healthy people, healthy communities. Culturally, socially, spiritually, environmentally and economically strong.

### 4.3 Cultural heritage

Some specific recommendations in this report that need to be supported by cultural mapping include the following:

- conservation area planning and management; for example, traditional access and use areas, such as traditional fishing and camping spots;
- governance; for example, ensuring traditional laws and customs are accommodated within other corporate and government decision-making arrangements;
- detailed land use planning; for example, the identification of go and no-go areas for development and the identification cultural conservation areas; and
- management; for example, access management locations, protocols for visitors and impact management.

Some planning and management options identified in past studies to protect heritage and culture include:

- accurately mapping cultural resources;
- giving specific areas on the Peninsula a high level of protection from tourists and other visitors;
- improved access management, for example adjust the access network to direct traffic away from sensitive areas and provide information and interpretative signage to educate visitors about protocols associated with these sites and areas;
- improved planning approval processes and guidelines to ensure that developments do not interfere with places of importance to law and culture;
- improved oversight by rangers; and
- integration of cultural resource use with other natural resource protection.

The Vision and Work Priorities recommended for the Cultural Heritage Focus Area reflects the importance Traditional Owners place on cultural heritage and the importance of cultural mapping.

Some important matters to address in any cultural mapping activity include:

- protection and management of cultural heritage sites;
- safe-keeping of cultural knowledge with Traditional Owners;
- promoting culture to children and towns and settlements;
- management of National Heritage values; and
- establishing protocols with governments, towns, settlements and other stakeholders so that cultural traditions are always respected when actions or decisions are to be taken that could impact on country or heritage.



#### 4.3.2 Heritage vision

To protect and maintain respected living cultural and heritage traditions for future generations.

#### 4.3.3 Heritage work priorities

1. Each Traditional Owner group to undertake Cultural Mapping as soon as possible.

#### 4.4.2 Conservation vision

Priority conservation areas are established on the Dampier Peninsula that:

- Traditional Owners and Government have jointly agreed to on location, use, tenure, control, and management of conservation and heritage areas;
- respects and integrates cultural and western scientific and technical knowledge; and
- facilitates a transition to Traditional Owner sole management as soon as possible.

Past Priority Areas for conservation reserves/parks The following conservation proposals from past work are to be considered in the planning for conservation areas on the Peninsula (see also Islands above):

- Borda Nature Reserve (north of Pender Bay);
- Leveque Conservation Park (south of Cape Leveque);
- Cygnet Bay Conservation Park (north-east Peninsula);
- Dampier Land National Park (part of old Waterbank Station);
- Jowlaenga Nature Reserve (old Waterbank Station east of Country Downs); and
- Nimalarragun Wetland Park (surrounding Willie Creek).

#### 4.4.3 Conservation work priorities

1. Develop a Conservation and Heritage Plan with the Department of Parks and Wildlife (DPaW) that:

- protects cultural and natural heritage values;
- recognises, respects and supports Traditional Owner interests;
- brings together the right people on country with the best cultural and western scientific and technical knowledge; and
- works with other supporting programs like IPAs.

#### 4.5 Access management

The recommendations for access management from the DPP Project are consistent with those of the *Dampier Peninsula Access Management Plan* (2005). Implementation of these recommendations should commence as a matter of priority in Stage 1 as soon as possible. Planning in Stage 2 should include consideration of:

- visitor centres and access control points;
- access destinations and related policies, infrastructure, services and management plans;
- road network;
- economic opportunities and integration;
- sustainable management of visitor numbers and experiences;
- permits and fees;
- enforcement, legalities, governance and accountabilities;
- marine and air access;
- integrated management with Rangers; and
- resourcing and implementation staging.





#### 4.5.2 Access management vision

An access management system integrated across the Dampier Peninsula based on Traditional Owner priorities that respects, protects and supports:

- culture and heritage;
- cultural protocols;
- resident lifestyles;
- sustainable economic activities; and
- positive visitor experiences, reconciliation and enforcement.

#### 4.5.3 Access management work priorities

1. Stage 1: Raising awareness and using communication materials for visitors such as signage, protocols and cultural awareness training for operators, service providers and visitors/tourists.
2. Stage 2: Planning for an integrated access management system for the Dampier Peninsula.

#### 4.6.2 Land and sea management vision

Well managed land and sea country with its natural values protected, restored and maintained for:

- sustaining cultural practices by Traditional Owners;
- ecological or natural functions;
- compatible economic, living and recreational activities; and
- present and future generations.

#### 4.6.3 Land and sea management work priorities

1. Develop a Management Framework (Plan) for land and sea country that includes:
  - values – environmental and cultural;
  - uses and activities;
  - priorities;
  - partnerships; and
  - capacity building.
2. Develop management plans for priorities such as fire, water resources, fisheries, National Heritage values, and high conservation/threatened areas.

#### 4.7.2 Ranger Services vision

A coordinated ranger system for the Dampier Peninsula managed and operated by Traditional Owners in cooperation with government that integrates:

- maintenance of cultural heritage customs and values;
- land and sea management;
- visitor and access management;
- emergency and quarantine management;
- research and monitoring;
- resources use; and
- employment and training opportunities Dampier Peninsula people.

#### 4.7.3 Ranger Services work priorities

1. Develop an integrated ranger system across the Dampier Peninsula.

#### 4.8.2 Land use and economic development vision

Traditional Owner land use, economic sustainability and independence, cultural values and rights and interests are recognised and supported in all relevant planning activities.



#### 4.8.3 Land use and economic development work priorities

- Recognition of Traditional Owner rights and interests and aspirations in State and Local Government planning.
- Preparation of an Economic Development Strategy for the Dampier Peninsula that addresses:
  - a. support for business development and employment;
  - b. governance relationships;
  - c. new economic activities;
  - d. economic hubs;
  - e. barriers to economic development; and
  - f. early opportunities
- Preparation of Industry Master plans.
- Preparation of detailed Land Use Plans for each Traditional Owner area.
- Update Layout Plans (LPs).
- Review and update the Dampier Peninsula Planning Strategy in five years.

#### 4.10 Infrastructure and service delivery

The Vision and Work Priorities that follow aim to provide an integrating and overarching framework for the investigation and resolution of what is needed for improved delivery of Infrastructure and Services. Both the development of a Model and a Plan for Infrastructure and Services can be built over time, as experience and capacities increase. However, it will be important to maintain a view across the whole system to avoid a continuation of the current incomplete and fragmented outcomes.

Some characteristics of a Service Delivery Model include:

- a strong foundation of relationships for capacity building of people and communities on the Dampier Peninsula to create and capture opportunities for transitions to increased self sufficiency and self determination;
- being informed by on-ground work through current activities such as the Working Group with the Shire of Broome on the transfer of Municipal Services to remote aboriginal

communities, the Remote Services Delivery program, experiences of current Service Providers and the updating of Layout Plans;

- recognition of and support for the needs of minor settlements and their place as an important alternative to community living;
- Infrastructure and Service delivery have the right cultural match and are properly approved;
- priority for capacity building for infrastructure and service delivery through local aboriginal employment, training and enterprises;
- ensures that Traditional Owners and communities have a say in Infrastructure and Service delivery priorities, policies and plans;
- considers the role of Traditional Owners and communities in the awarding of contracts, allocation of resources, performance reporting and auditing; and
- includes consideration of what role a united Dampier Peninsula body, such as a Dampier Peninsula Authority, could play in Infrastructure and Service delivery (See Governance).

#### 4.10.2 Infrastructure and service delivery vision

The delivery of infrastructure and services to all communities (inclusive of minor settlements) on the Dampier Peninsula that is:

- at a standard equal to that generally enjoyed in other, non-indigenous communities;
- done in a way that respects and delivers culturally appropriate engagement;
- supportive of local Indigenous employment, training and enterprises; and
- responsive to locally determined priorities.



#### 4.10.3 Infrastructure and service delivery work priorities

- Develop an Infrastructure and Service Delivery Model that supports the Dampier Peninsula to be self-served, self-sufficient and self-determined.
- Prepare a detailed Infrastructure and Services Plan for the Dampier Peninsula.
- Improved communication between people, communities, service providers and all three levels of government about:
  - a. current decision-making;
  - b. policy development;
  - c. roles and responsibilities; and
  - d. local needs, concerns, aspirations and priorities.

#### 4.12.2 Governance and implementation vision

##### Vision (Long term)

That traditional laws and customs are fully recognised, respected and continue as the foundation of the way of life on the Dampier Peninsula. This is supported and respected by a strong set of local and regional governance arrangements.

##### Vision (Short-medium term):

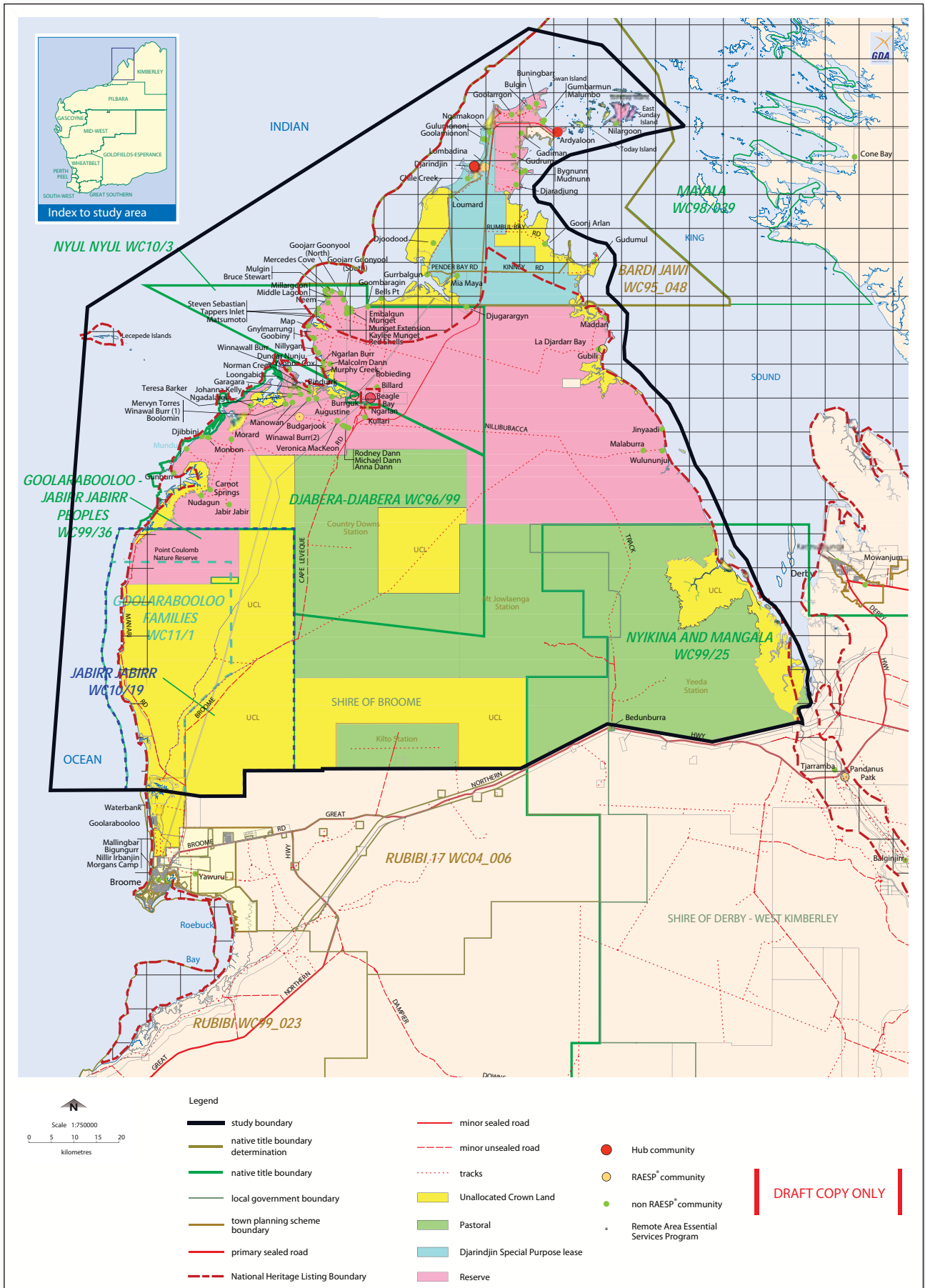
That Dampier Peninsula Traditional Owners and other Aboriginal stakeholders are supported to continue working together through a TOSC type body. This body coordinates and oversees the priority work identified in the DPP Project recommendations (Implementation). Native title is agreed and determined across the Dampier Peninsula.

#### 4.12.3 Governance and implementation work priorities

1. Resolve native claims on the Dampier Peninsula by consent as soon as possible, in less than five years.
2. Develop a Governance model (long term):
  - underpinned by cultural customs and protocols;
  - by working together;
  - appropriate at the local and regional levels;
  - agreed and supported by key stakeholders;
  - that builds capacity and removes barriers;
  - that is adequately resourced; and
  - that considers existing governance and service delivery arrangements and whether they can be improved or need to be replaced.
3. Each native title group to undertake a local governance project (including community councils and minor settlements).
4. Establish a new coordinating body for the Dampier Peninsula to oversee and coordinate implementation of the recommendations from the DPP Project.

Note the maps on pages 97, 98, 99 and 100 were provided by the Kimberley Land Council from the Dampier Peninsula Project Report (refer to page 92 for further details).

## KIMBERLEY LAND COUNCIL MAP



Dampier Peninsula Planning Project

Map 1: Study Area/Land Tenure/Native Title (April 2012)

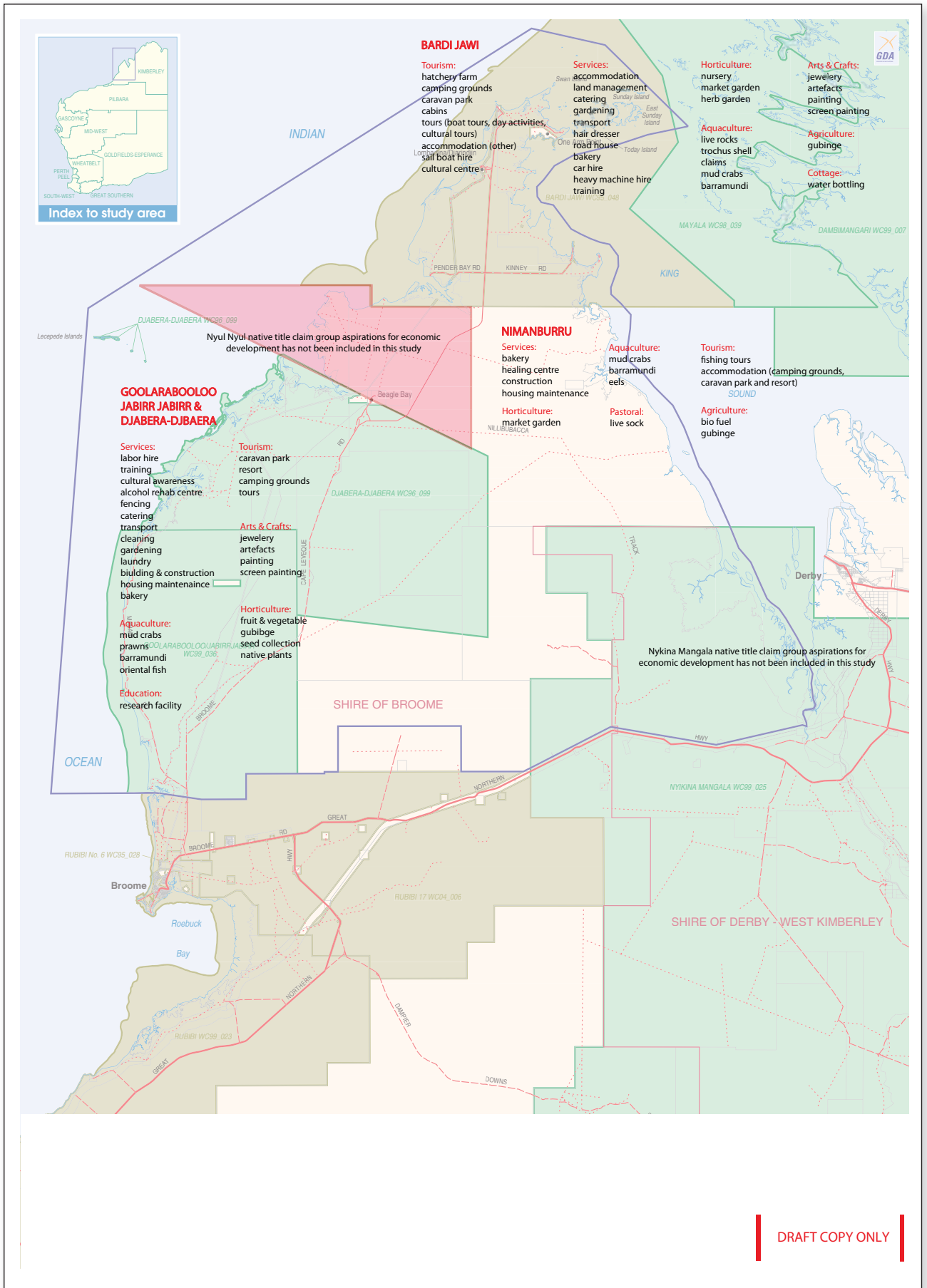


# KIMBERLEY LAND COUNCIL MAP



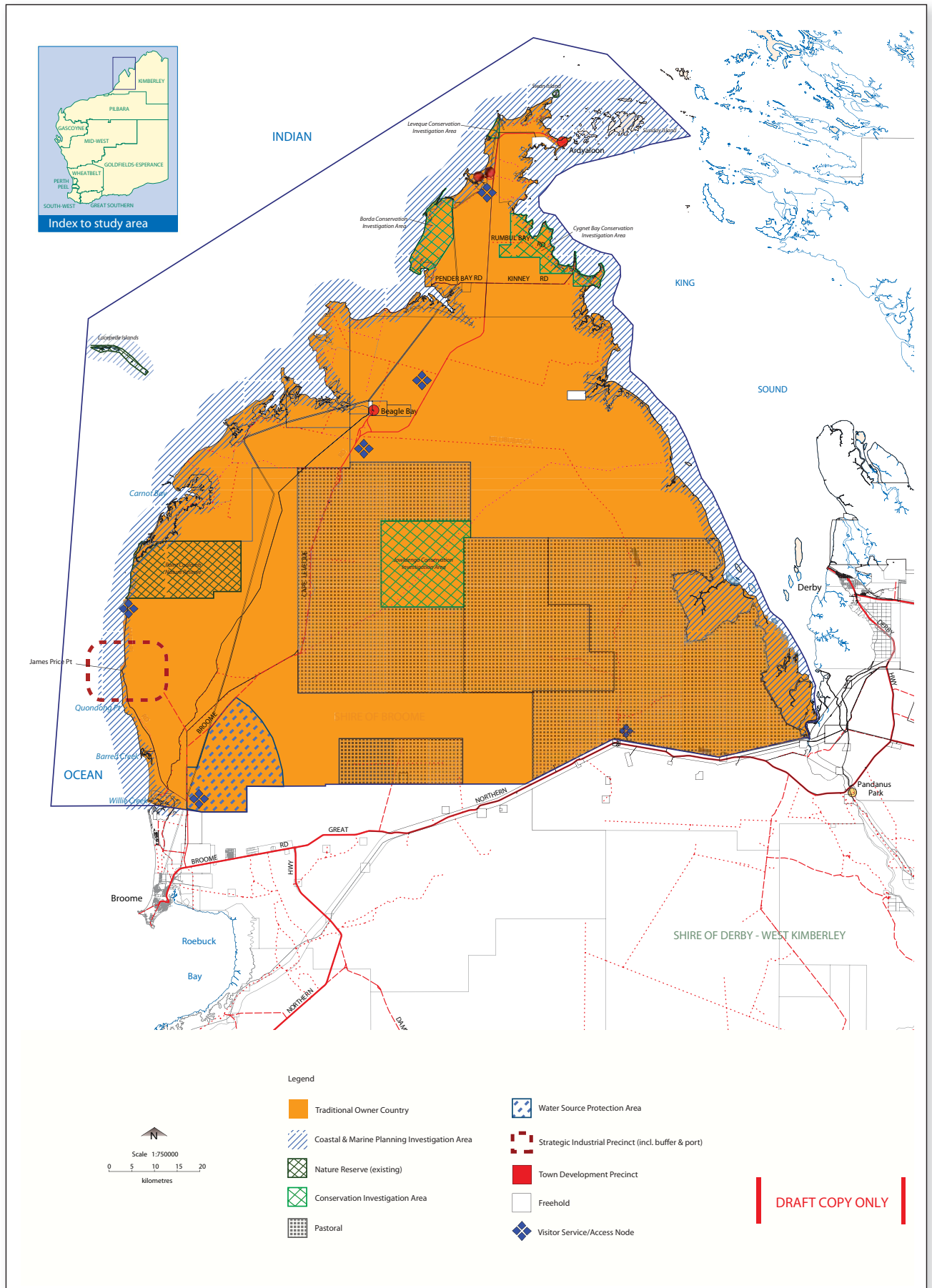
## Dampier Peninsula Planning Project Existing Economic Enterprise (DRAFT)

# KIMBERLEY LAND COUNCIL MAP



Dampier Peninsula Planning Project (concept diagram)  
Economic Development Aspirations (DRAFT)

# KIMBERLEY LAND COUNCIL MAP



Dampier Peninsula Planning Project

Map 4: Traditional Owner Broad Land Use Recommendations (April 2012)