



Minutes

Ordinary Council Meeting

Thursday 27 June 2024 at 5.30pm

11.2 Lane Poole Reserve Proposed Change in Classification to National Park

File Ref: D24/19796
 Previous Items: OCM 23 Sep 21 Item 11.1 (OCM21/143)
 Applicant: Nil.
 Author and Title: Dean Unsworth, Chief Executive Officer
 Declaration of Interest: Nil.
 Voting Requirements: Simple Majority
 Appendices: Nil.

Recommendation/Council Decision OCM24/077**Moved: Cr S Carter****Seconded: Cr S Lee****That Council:**

1. Supports Alcoa's response to the Shire of Murray's request that the company supports reclassification of an area of Lane Poole Reserve to National Park as identified in the proposed identification area of 4,281Ha. (Map 2 within this report). Further Council, thanks Alcoa for the work undertaken to present this proposal and requests a letter of support for an application for National Park status.
2. Notes that a letter of support would include the wording "*Alcoa wishes to retain the right to assess southern areas of LPR for mineral prospectivity and any support letter would reflect this position. We note that any future proposal to mine in LPR would be subject to an environmental assessment by the Environmental Protection Authority, inclusive of broad stakeholder and community consultation*".
3. Requests the CEO to:
 - a. write to the Shire of Waroona requesting formal support for the National Park proposal identified in Map 2 within this report; and
 - b. prepare an application for the National Park proposed identification area (identified in Map 2 within this report) to become National Park.
4. Notes that the Dwellingup Community Compact's aspiration for the Dwellingup Discovery Forest remains supported and is separate to this proposal.

In Favour: President David Bolt, Crs Douglas McLarty, Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, David Pike, Stewart Carter and Nicole Willis

Against: Nil.

CARRIED UNANIMOUSLY 9:0**In Brief**

- Since 2023, the Shire has been in discussions with Alcoa requesting support for land within the Lane Poole Reserve to become submitted for consideration for National Park status.
- Negotiations have been ongoing with Alcoa, and then with the Shire of Waroona, to come to a joint outcome, and for Alcoa to formally support this outcome.
- Following a presentation to Council's Briefing Session held 13 June 2024, Council requested that the Chief Executive Officer put this proposal to Council for formal consideration.

Background

Western Australia's national parks, nature reserves, State Forests and timber reserves are vested in the Conservation Commission of Western Australia.

Lane Poole is well known for its recreation and nature-based tourism opportunities and also for its high conservation values with the presence of rare and priority flora and fauna, significant habitats including old-growth forest, wandoo woodlands, riparian areas and wetlands. It contains a complex, diverse and interwoven ecosystem that provides suitable habitats for threatened species such as the noisy scrub bird, western ringtail possum and woylie.

As one of the highest visited natural areas (approximately 300,000 visitors annually and growing), Lane Poole caters for many user groups.

The Jarrah Forest of the Darling Scarp is a unique eco-region in the centre of the internationally recognised biodiversity hotspot, with the South West of WA recognised as one of 34 international biodiversity hotspots (Conservation International, 2006).

Report Detail

At the September 2021 Ordinary Council meeting it was Resolved (OCM21/143):

That Council:

- (1) Supports Department Biodiversity Conservation and Attractions (DBCA) in changing Reserve 39820 classification from Conservation Park to National Park and requests consideration be given to expanding National Park status to other relevant Conservation Park reserves as proposed national park in the Lane Poole Reserve Management Plan.*
- (2) Lobby the Minister for Environment to seek the earliest consideration of the change in Lane Poole Conservation Park Reserve classification to National Park status in light of increased interest from mining companies to submit Exploration Licence applications over nearby State Forest lands; and*
- (3) Notifies the Member for Murray-Wellington and Minister for Tourism of this urgent Ministerial request via a Reserves Bill action to be progressed through an Act of Parliament.*

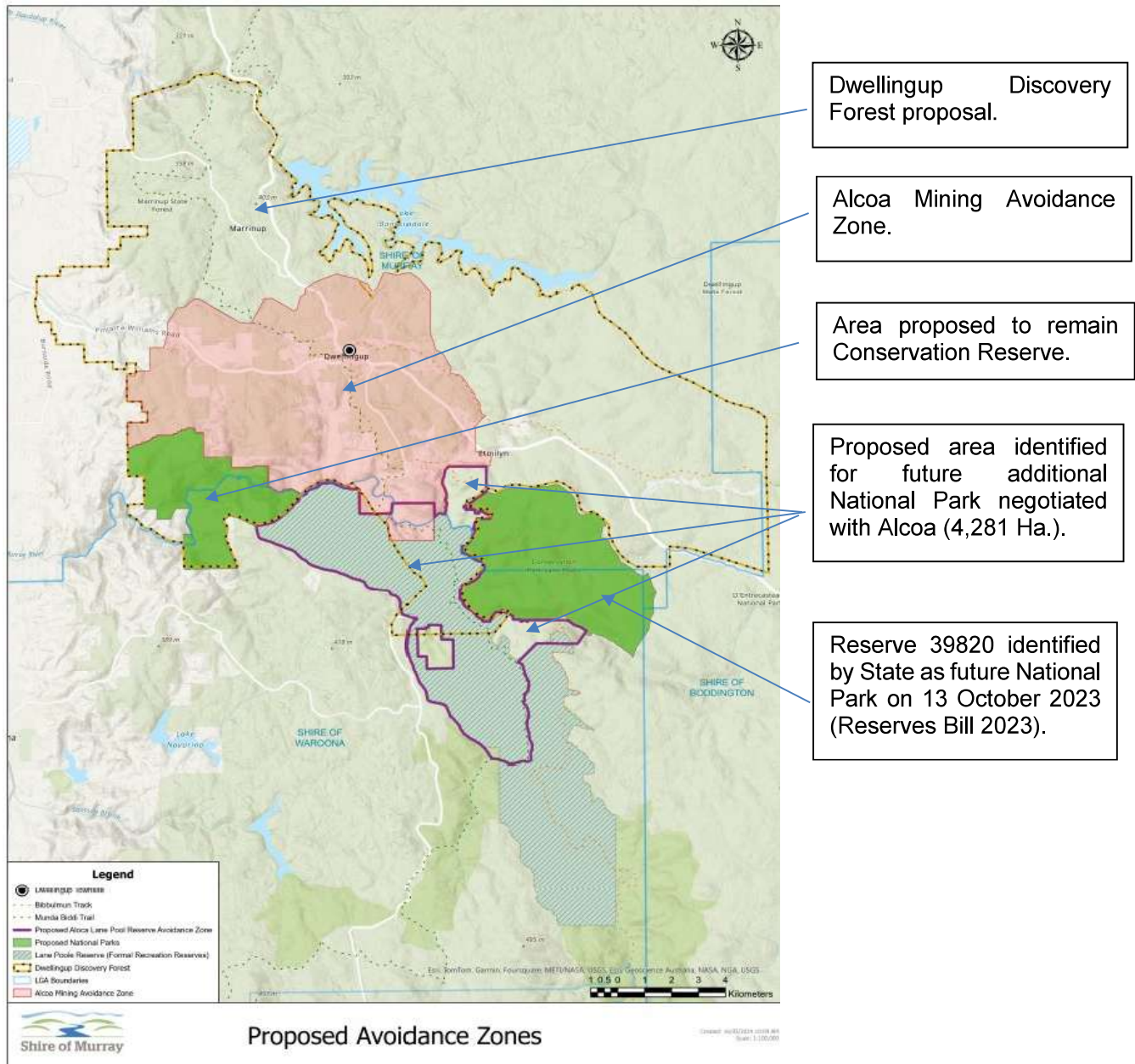
On 13 October 2023, the Minister for Environment, the Hon. Reece Whitby announced that over 3000 hectares of Lane Poole Reserve will now be covered by a higher level of environmental protection, as part of a Reserves Bill introduced into Parliament.

The Reserves Bill 2023 states:

Clause 9 Amendment to class A Reserve 39820

This clause will change the purpose of Reserve 39820, as part of Lane Poole Reserve, from “Conservation park and the agreement defined in section 2 of the Alumina Refinery Agreement Act 1961” to “national park”. This recognises the conservation and recreational values of the reserve and realises the intent of the Lane Poole Reserve and Proposed Reserve Additions Management Plan 2011, current and past forest management plans and the Draft Forest Management Plan 2024-2033, all area management plans prepared in accordance with the Conservation and Land Management Act 1984

Map 1 – Alcoa Mining Exclusion Zone, Conservation Reserves & Proposal National Park (Reserve 39827)

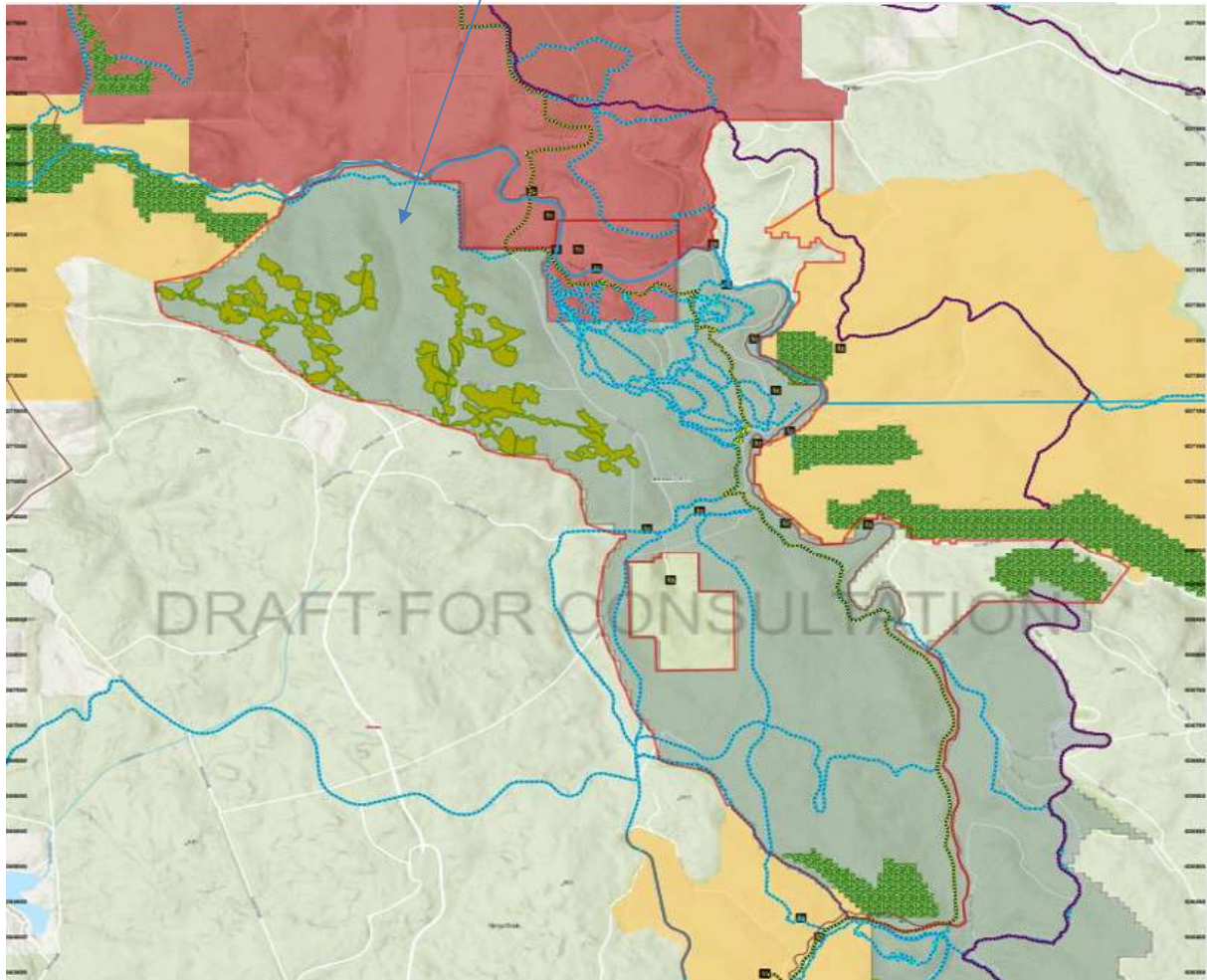


Note: The proposed area of 4,281 Ha. Consists of:

- Lane Poole Reserve land (green hatched) 3,686 Ha.
- Additional land to the north east of Lane Poole reserve 307 Ha.
- Additional land to the eastern perimeter of the subject area 288 Ha.

Map 2 - National Park proposed identification area supported by Alcoa

Following a number of meetings to discuss the proposal, Alcoa have provided the following map which identifies the area it is prepared to consider formally supporting to be transferred to National Park status within red border (below).



Legend

- Proposed LPR Avoidance Zone
- Shire Boundaries
- Orion
- Dwellingup MAZ
- Lane Poole Reserve (Conservation Parks)
- Lane Poole Reserve (Formal Recreation Reserves)
- Old Growth Forest
- Bibbulmun Track
- Munda Biddi Trail
- Trails
- Recreational Sites
- LPR Rehab
- LPR Open Area

It should be noted that Alcoa has advised that any letter from Alcoa to support the proposed National Park would include the following statement:

“Alcoa wishes to retain the right to assess southern areas of LPR for mineral prospectivity and any support letter would reflect this position. We note that any future proposal to mine in LPR would be subject to an environmental assessment by the Environmental Protection Authority, inclusive of broad stakeholder and community consultation”.

Council Plan 2033

Focus Area 2	Planet
Outcome 4	The ecosystem is managed sustainably for the benefit of current and future generations.
Objectives 4.1	Sustainably manage and conserve water resources, rivers and waterways.
Actions 4.1.8	Advocate for Lane Poole to be classified as a National Park.

Focus Area 2	Planet
Outcome 4	The ecosystem is managed sustainably for the benefit of current and future generations.
Objectives 4.2	Sustainably manage and conserve forests, bushland, trees and reserves.
Action 4.2.1	Implement recommendations in the Local Biodiversity Strategy.
Action 4.2.2	Advocate to Department of Biodiversity and Conservation to appropriately classify Old Growth Forest within a protection zone within a review of the Forest Management Plan.

Other Strategic Links

Nil.

Statutory Environment

Once land has been reserved for the purpose of Conservation Park or Class A Nature Reserve or National Park, the purpose of the land can only be changed by an Act of Parliament. Some minor amendments can be made for the purpose of public utility services without an Act of Parliament, but only on the advice of the Environment Minister, and the change is still subject to non-approval in Parliament.

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

- Mineral value to State and local economies.
- Tourism expenditure in local communities from visitors attracted by the natural, cultural and recreational values.

Social - (Quality of life to community and/or affected landowners)

Lane Poole Reserve provides strategically important recreation, cultural and heritage value.

Environment – (Impact on environment’s sustainability)

Lane Poole Reserve is located within an internationally recognised ‘biodiversity hotspot’:

- A rich mosaic of significant habitats including riparian areas and wetlands, granite outcrops, old-growth forest and wandoo woodlands.

- Populations of rare and priority fauna including Baudin’s cockatoo, Carnaby’s cockatoo, quokka, western ringtail possum and noisy scrub bird.
- Rare and priority flora including the rare dwarf spider orchid.
- A diverse array of natural environments providing numerous research opportunities to increase knowledge associated with ecological, biological and physical processes, native flora and fauna and their habitats, the effects of threatening processes and for visitor research.

Policy Implications

No policy implications.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
High	Encroachment of mining activities closer to Lane Poole Reserve could cause potential incompatible consequences on the environmental values of the area.

Consultation

- Alcoa
- Department of Biodiversity, Conservation and Attractions
- Shire of Waroona
- Dwellingup Futures Implementation Group
- Dwellingup Community Compact

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Supports the proposal for reclassification of area of Lane Poole to National Park status (as identified under the National Park proposed identification area map) within this report.
2. Requests an amendment to the Lane Poole Reserve National Park proposed identification area map).
3. Not support the proposal.

Conclusion

Negotiations have been ongoing since Council’s resolution in September 2021, including meeting with the Shire of Waroona. With the previously identified Reserve 39820 as per the *Reserves Bill 2023* now supported by the State Government, and the new area put forth by Alcoa following a request from the Shire of Murray, a significant part of Lane Poole Reserve will be subject to much higher approval scrutiny if mining was ever proposed in these areas.