

DAMPIER ARCHIPELAGO — WORLD HERITAGE LISTING

Motion

Resumed from 23 March on the following motion moved by Hon Robin Chapple —

That this house calls on the Premier to protect the most unique and largest collection of rock art in the world by nominating the Dampier Archipelago to the federal government for inclusion in the World Heritage List.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.04 pm]: I wish to continue with my remarks on this motion. In essence, when we started this debate, I was trying to paint the picture of why this area of the state has so much rock art in terms of its value and its representation at a worldwide level. Just to recap, the rock of the Burrup Peninsula is made up of granophyre and gabbro, which are very fine, dense forms of an early type of granite. That type of granite is not subject to exfoliation. When rock exfoliates, the surface of the rock literally falls off after a period of time. Most granites lose their surface after about 3 000 years. The gabbro and granophyre of the Burrup Peninsula have been in situ for around five million years by comparison. The only thing that happens to that rock form is that it spalls; that is, over time, the corners thin off due to heat and cold. However, the face of the rock remains the same. The Indigenous people 30 000 years ago were able to do their rock carving not only across Australia, but across the Asia-Pacific region, because of the land bridge that existed at that time. However, the Dampier Archipelago is one of the few places in this whole area in which the rock carvings remain. I think I have mentioned the fact that there are a couple of carvings of this nature in the Calvert Ranges, and there are also a couple of carvings of this nature in the Durba Hills, in very isolated situations. What is interesting is that the carving style, negative relief—which is like a lino print, where the body is carved away and the lines are left proud—is a unique style. That unique style has been found quite widely. It can be assumed from that that prior to the last ice age, when Australia went through a major climatic change, there was a greater synergy between Aboriginal groups and it was one larger society that did not have the level of nationhood that is currently experienced among Aboriginal people.

The Dampier Archipelago has retained rock carvings from 30 000 years ago to the current time. Studies indicate that about seven distinct carving styles have emerged during that period. Because of the retention capability of the rock, instead of just one or two carvings from a particular time frame, we have a plethora of carvings that extend over time. In fact, we have evidence of what we would classify as vandalism dating back 10 000 years, where old carvings have been carved over by newer carvings some 15 000 years later. There has never been any detailed study to quantify the exact number of rock carvings on the Dampier Archipelago. However, we do know how many carvings there are per square kilometre in certain areas. When that is extrapolated over the whole of the archipelago, it is estimated that there are between two million and 2.5 million rock carvings in that area. At other archaeological sites of rock carvings, such as in Turkey and the Navajo Desert, the carvings are from only one time frame. The Navajo Desert carvings are from 500 years ago. The Turkish carvings are from 2 000 or 3 000 years ago. The carvings do not extend over time. Therefore, what we also get in the Dampier Archipelago is a chronology of human endeavour. There is no other place on the planet that provides a chronology of human endeavour over that length of time.

The area has been beset by a number of problems over many, many years, and I suppose the first problem was experienced by the Yaburara people. They were basically an isolated water-based group of individuals who lived on the island systems of the Dampier Archipelago and used mangrove rafts and the island system for their subsistence. Unfortunately, in 1868 a massacre occurred—it is my belief that the massacre was inadvertent—and a large number of people were killed over a number of days. I will briefly touch on why that occurred.

There had been some incidences between an Aboriginal person and a station person from Roebourne over a person's wife. As a result of a murder, a posse was sent out to capture the Indigenous people. Records provided by those people to the Battye Library of WA History show that, unfortunately, they were not provided with chains or ropes, and so when they rounded up the Indigenous people for the purpose of bringing them back to Roebourne for assessment, they had no way of constraining them. They would tell them to sit down and wait, and they would run away. An incorrect decision was made that the best way to stop them running away was to shoot them. Over a period of days around 80 people were massacred at various places from Flying Foam Passage to King Bay. It is understood that two people survived, and they eventually handed themselves in at Roebourne a number of years later. That was the start of the problems.

Why did we come to use the Dampier Archipelago for industrial purposes? It really is quite interesting to know that at that time the intent was to identify areas of importance for industry—for potential port developments—and areas of importance from a heritage perspective. It is noted that the initial area considered was Depuch Island, which is about 100 kilometres up the coast from the Dampier Archipelago and the Burrup Peninsula. In 1964, the Western Australian Museum was asked to evaluate Depuch Island. William Wright, Ian Crawford,

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Storr, Berndt and R.D. Royce went up to the island, along with botanists and other anthropologists, to evaluate Depuch Island. They spent a number of weeks on the island and identified 5 000 carvings of great significance. While they were there they sent two botanists—I make it clear that they actually sent two botanists—down to the Burrup to check out the flora and fauna of that area. Having done so, those two botanists reported that they had found a couple of hundred carvings on Angel Island and concluded, as a result, that the area did not have any heritage values; an assessment was not carried out.

When the 1962 report was tabled in the state Parliament the minister stated that the government was not going to use Depuch Island because of the 5 000 carvings. As a result, it was determined that the Dampier Archipelago would be used, which, at that time, had not been assessed for use as an industrial hub, other than the visit of the two botanists. Very, very quickly the Museum became aware that the Dampier Archipelago had a significant amount of heritage material, and a number of eminent people started working on the Dampier Archipelago. It was then referred to, believe it or not, as the Dampier Peninsula; a misnomer that was corrected in 1979 when it was renamed the Burrup Peninsula. Those people started really looking into the values of the area, and people like Michel Lorblanchet from France and Enzo Virili from Italy carried out extensive surveys of lots of parts of the island system.

People were initially viewing the rock art as the material that was blatantly obvious—that is, the newer material. There was a high level of variation between the background rock and the dark patina that covers the rock; it was easily visible. They then started finding a lot of much older rock art that was fully patinated. Patina is a dark, varnish-like material that has been laid down over a rock over a very, very long period of time. The basic underlying rock of the Burrup and the Dampier Archipelago is grey, but the boulders are dark red brown—not dissimilar from the colouring of the panels behind us—and the colouration is patina that has been laid down over time. Because the rocks are very old, the patina is very old, which is why there is this rugged complex of brown boulders over the Burrup Peninsula and the Dampier Archipelago. A lot of the carvings that are being found now are fully patinated and so are not really visible until low light is shone on them and reveals the shadow of what was a carving. That is leading the international scientific community to wonder at the nature of the material that has been laid down.

The early material was mainly archaic faces, geometrics and people. It is really quite telling that in the time before the ice age, which occurred 17 500 years ago, Australia is assumed to have been quite lush in vegetation. Prior to the ice maxim no hunter-gatherer material seems to have been carved, which, in itself, is quite unique. Carvings done after the ice maxim contain much more hunter-gatherer material and are done with a degree more haste and less culture than the material before the ice maxim. From that, we can extrapolate that food was plentiful and life was easy 17 500 years ago, and so people were able to follow cultural pursuits and in a greater level of detail because they had a great deal more time on their hands. Carvings done after the ice maxim include spearings of various animals, hunt scenes and chases—the imperative was to hunt for food. During the same period, we find that the types of animals that were being hunted changed over time. Until about 8 000 to 10 000 years ago, the islands now known as the Dampier Archipelago were actually a mountain range. It was around that time that the ocean rose and surrounded the tops of the mountain range to create the islands. If we go back about 17 000 years, we find that the mountain range that became the island systems that exist now was about 140 kilometres inland from the coast. The coast used to be out near the Montebello Islands and Barrow Island. Most of the carvings that were done in the early period were actually done on top of a mountain range and reflected the sorts of conditions that existed there then. There is also a wide range of carvings of animals that are now extinct or that simply no longer exist in that area. Considering that it was a series of islands, there are carvings of long-necked tortoises there, which come from freshwater environments, usually inland. There are also a lot of emu carvings, and emus are plains-type animals. It is assumed by the experts, of which I am not one, that the emus were carved at a time when the islands were part of the mountain range system, and there were plains around them, and that therefore there was a wide range of emus moving through the area. There are also at least 28 thylacine carvings that we know of. Some of them are very old carvings and might be the record of the last thylacines in that area after the advent of the dingo, bearing in mind that it was the dingo that knocked over the thylacine. We have all this as an archaeological record at this location. There is also an animal referred to as a fat-tailed wallaby, which was a rather large species. Instead of having a bouncing tail, it had a sort of fat sack for a tail; it was very slow moving, and it has been identified as an early form of Meals on Wheels for Indigenous people! All they had to do was walk up behind it, tap it on the back of the head, and they had lunch; maybe it would have been a long lunch, because they were a bloody big animal!

This is what is so special about this area.

Hon Helen Bullock: I am just wondering: what happened to the people who did the carvings?

Hon ROBIN CHAPPLE: We have identified roughly seven different styles of carving over time; the styles merge into one another, but they are distinct styles. For example, a style that is often referred to as the “climbing

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man” style comes from a period of around 17 000 years ago. It is easily identified because it is either a full body or a stick body, but the head is separate; it does not have a neck. They did not carve a neck in that period, so we can quite easily identify those forms of carvings—they can be seen all over the Burrup—and we know that they come from that period. The archaic faces are really almost Mayan in their look.

Hon Helen Bullock: My question was: what happened to the people?

Hon ROBIN CHAPPLE: The eventual inhabitants were massacred.

Hon Helen Bullock: Who by?

Hon ROBIN CHAPPLE: By whitefellas, in 1868.

Hon Helen Bullock: That can’t be right, can it? We’re talking about carvings that happened 30 million years ago.

Hon ROBIN CHAPPLE: No, 30 000.

Hon Helen Bullock: Sorry, 30 000 years ago.

Hon ROBIN CHAPPLE: People moved. There was a great transition of people —

Hon Helen Bullock: Where to?

Hon ROBIN CHAPPLE: Across Australia.

Hon Helen Bullock: They actually moved inland?

Hon ROBIN CHAPPLE: In the early days, they moved right across the continent.

Hon Helen Bullock: Where is the evidence to show that the group of people who did the carvings moved over to the mainland?

Hon ROBIN CHAPPLE: There are carvings of the same type in other locations, so we can actually map where people went across the continent.

Hon Helen Bullock: Where are those carvings found on the mainland?

Hon ROBIN CHAPPLE: In the Calvert Ranges and in the Durba Hills. One is in the Northern Territory and the other is on the Canning Stock Route, to give the member an idea. I will continue.

I turn now to how we came to have industry in the area. I take my hat off to a number of museum departments in the 1970s that went up to the Burrup as it was being developed and stood in front of bulldozers—not protesting, but ensuring that certain pieces of rock art could be saved. Unfortunately, before 1972 no record was kept of material that was destroyed on the Dampier Archipelago, but given the size of the area that was impacted and the known density of carvings per square kilometre, we can say that approximately 5 000 carvings were destroyed prior to the 1972 Aboriginal Heritage Act. Subsequent to that act, we at least kept records, and 4 780 have been destroyed since the Aboriginal Heritage Act. A further 1 800 were removed to a compound near Hearson’s Cove, where they were supposed to remain for a couple of weeks before being relocated. Unfortunately, 20-odd years later, they still have not been relocated, and because a lot of the carvings were laid face down in the dirt, we have actually lost about 25 per cent of those 1 800 salvaged carvings. They are still sitting in the compound. Hopefully, now that we have passed the Conservation Legislation Amendment Bill, the Department of Environment and Conservation can actually do something about them.

I turn now to world heritage. I will try to explain why the area is so important. It is acknowledged by just about every archaeological group and association worldwide. In 2008 there was a meeting in Ireland of the World Archaeological Congress; there are 72 countries involved, and it is like a mini UNESCO. The two keynote speakers were a representative from the Spanish government and the President of the Irish Parliament. A motion was passed by all 72 nations that the Dampier Archipelago should be immediately protected and be included on the World Heritage List. It is interesting that some of the first people who talked about putting it on the World Heritage List were from the Minister for Indigenous Affairs’ own department. In 1992, in response to the Western Australian government’s Pilbara 21 draft strategy report, the Department of Aboriginal Sites wrote, according to my notes —

As acknowledged in the document, the rock art sites are world renowned and it is our opinion that the area is of world heritage significance and therefore, after extensive consideration, may be worthy of complete protection. (italics in original)

The archaeology of the Burrup Peninsula is unique and is worthy of continued major investigation.

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Living Aboriginal people do have information relevant to the Burrup Peninsula (for example mythological tracks) and are concerned about the area. The rock art is also of current significance to Aboriginal people throughout the Pilbara.

The Aboriginal heritage of the Burrup Peninsula is currently being adversely affected by land use including recreational activity.

A management plan needs to be instituted which clearly defines the heritage value of the Burrup Peninsula to Aboriginal people as well as to the wider community before any proposals for land use of the area are considered.

That was a letter that the Department of Aboriginal Affairs wrote in 1992 to the Pilbara 21 draft strategy report. The only decent study of the area that had been carried out at that time what was done by Peter Veth, Elizabeth Bradshaw, Tom Gara, Nic Hall, Phillip Haydock and Peter Kendrick. They mapped the northern end of the island by doing one-metre transects 10 metres apart. It is from this sort of work that we were able to identify the density of the rock art in the area.

Many other people have called for World Heritage listing or have identified the values recommended for World Heritage listing. One of the first groups that identified the World Heritage value of the area was the World Monument Fund. That is an American-based organisation that looks at heritage issues around the world. Every four years it produces a list of places in the world that it considers are the most endangered world monument sites. In 2004 it placed on the list the Burrup Peninsula. In 1992, the Australian Conservation Foundation supported a motion calling for the area to be given World Heritage status. Most importantly, in May 2005, a report was conducted by Jo McDonald and associates to assess the heritage values of the area for the National Heritage List. That report was provided to the then Minister for the Environment and Heritage, Senator Ian Campbell, and to the subsequent Minister for Environment and Water Resources, Malcolm Turnbull. The report shows that for the first time the federal government assessed the Dampier Archipelago against the criteria of World Heritage listing in order to ascertain whether the area met World Heritage standards on one of the criteria. When the assessment was done, it was found that the area met four of the criteria. This is one of the only sites in the world that met four counts of the criteria for World Heritage listing. Most places usually meet one or two of the criteria.

Hon Helen Morton: Can you repeat what that document is that you are referring to?

Hon ROBIN CHAPPLE: It was done by Jo McDonald and is called “Desktop Assessment of Scientific Values for Indigenous Cultural Heritage on the Dampier Archipelago, Western Australia; May 2005 Report for the Heritage Division of the Department of Environment and Heritage”. The minister’s department has a copy of that report. For the first time we can see in appendix 8 of that report the list of criteria. The Dampier Archipelago does, in fact, meet all the criteria.

I have to be brief, so I will deal with another area of World Heritage. Paragraph 12.1 of the Burrup and Maitland Industrial Estates Agreement 2002 states —

Within three (3) months of the date that the Commonwealth Government formally requests the views of the State to some or all of the Dampier Archipelago and the Burrup Non-Industrial Land being nominated to the World Heritage List, the State will establish a committee ...

The committee was to have carried out a World Heritage evaluation over the following year. It has only recently come to my attention that Hon David Kemp wrote to the state government in 2003 requesting an evaluation. In response to that correspondence the then Minister for the Environment and Heritage wrote —

Thank you for your letter of 26 March 2003 regarding the Western Australian Government’s intentions in respect of protecting the rock art of the Burrup, and establishing the Burrup Heritage Committee to consider whether a recommendation should be made to the Commonwealth Government for some or all of the Dampier Archipelago and the Burrup Peninsula non-industrial land to be nominated to the World Heritage list.

You are correct in your observation that several issues will affect the management of the rock art, but I must advise that the State has certain legal obligations under the Deed of Agreement for the Burrup and Maitland Industrial Estates which has been registered on the Register of Indigenous Land Use Agreements by the Registrar of the National Native Title Tribunal. Specifically the State is obliged to establish the Burrup Heritage Committee to consider the matter of nomination of the Burrup to the Commonwealth for World Heritage Listing.

I appreciate receiving your advice that there may be scope for including the Burrup rock art in any serial listing for Australian rock art sites. Whilst I welcome the opportunity to discuss the merits of such a proposal, I wish to ensure that any course of action instigated by either the State or Commonwealth

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Governments complies with the legally binding, and agreed, procedures and undertakings between the State and the Native Title Parties.

That is really interesting because quite clearly the assessment should have occurred as per the requirement under clause 12 of the Burrup and Maitland Industrial Estates Agreement. I am looking for a further document that will further elucidate that. A ministerial briefing to the Minister for State Development states —

ISSUE(S):

The Hon Dr. David Kemp MP, Commonwealth Minister for the Environment and Heritage has written to Dr. Judy Edwards MLA regarding the possible nomination of the rock art of the Burrup Peninsula and Dampier Archipelago for World Heritage Listing as part of a broader listing of Australian rock art.

Dr Kemp's correspondence triggers a clause in the Burrup native title agreement requiring the establishment of a committee to consider the nomination. Unfortunately, no committee was ever established. It is my view that clause 12 of the Burrup and Maitland Industrial Estates Agreement has been triggered by those documents. There are other documents, that I do not have access to but have seen, that indicate that there was correspondence to Dr Kemp indicating that that committee had been established, although, to my knowledge, it never was.

Historically, many people have identified the values of heritage, the last of whom was the then federal Minister for the Environment and Water Resources, Malcolm Turnbull. Indeed, I would hope that this house would accept the global notion that this site is of great significance and importance to the world, and that we would be derelict in our duty to protect this site if we did not at least engage with the federal government over the potential nomination of this area for its World Heritage value. I believe it is a truly remarkable site. I make an offer to any member of this chamber that if they ever want to go to the Dampier Archipelago, to the Burrup Peninsula, to see any of this rock art firsthand, I will arrange for either myself or eminent archaeologists to accompany them. I make that offer because the rock art has to be experienced, as the leader of the current government, Hon Colin Barnett, has done on innumerable occasions. He has said on a number of occasions that this site will eventually be World Heritage listed. Now is the time to start considering requests that not only I make, but that the international community makes, and that, indeed, the leader of the government, Hon Colin Barnett, has made in the past.

HON KEN BASTON (Mining and Pastoral) [2.41 pm]: I will just touch on this very briefly. I have visited the Dampier Archipelago a few times. In fact, Hon Robin Chapple was there the last time I visited the rock art, and we had a tour of much of it, and saw good examples of it.

I cannot support this motion for the World Heritage listing for the Dampier Archipelago. I acknowledge the number of years that these rock carvings have been there—some 10 000 years, and I believe it could be up to 30 000 years. I also know that it gives us a chronicled human time frame of what has occurred there over many millions of years. There is some very interesting art on those particular rocks. The Burrup Peninsula was first discovered by the Dutch as early as 1628 when the Dutch East India Company recorded it on its maps. I must move on from the history as one could go on for ages on the various ships and crews that visited and recorded the Burrup. The Burrup Peninsula was named after a bank clerk from Roebourne back in the nineteenth century. It is interesting that its name relates to somebody who was very much local; I guess a bank manager was a very important figure in the community in those days. A press release in July 2007 by the then federal minister, Hon Malcolm Turnbull, announced a National Heritage listing of the area. That is one of the ways that we preserve things of value in Western Australia. It is interesting that the question of when the last engravings were completed is open to conjecture, given that on the Burrup, unlike other parts of the Pilbara, there is no knowledge of the descendants of the original people. In 2005, Justice Nicholson found that despite claims by other groups, no native title was found to exist over the Burrup Peninsula.

The first published reports of Pilbara rock art are those of Wickham in 1843 and Stokes in 1846 recording their visit to Depuch Island on HMS *Beagle* in 1840. Despite the early research on the carvings, nothing further was done until the 1960s, and ironically it was the push for development of the port that sparked the scientific study of Burrup and the Port Hedland sites. This began with a Western Australian Museum expedition in 1962 when a deepwater port was proposed at Depuch Island and the subsequent development of the Dampier loading facilities. It was acknowledged then that protection was required and many successive governments have acknowledged that, particularly in the past 10 years. Companies then became more proactive in protecting the area. I was there on several occasions when the Pluto liquefied natural gas plant was being built by Woodside, and I have to acknowledge the amount of effort that it went to in protecting some of the rock art that had to be moved. It involved large cranes—first of all groundsheets were put down, soil was put on top of that and then the cranes carted the rocks, reached out and put them in place. Those rocks were put back at the exact angle at which they had been before. They were placed back into the spinifex surrounds and it looked as though they had been there for 10 000 or 30 000 years—or millions of years—as it was done with such care. It cost Woodside millions

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of dollars and the process was watched by Indigenous people paid to see that everything went to order. During the blasting, any surrounding rock art was sandbagged and protected. Woodside went to great lengths to ensure that this art was protected for the future. I was very impressed by the amount of effort that was put into the process.

In 2002, as Hon Robin Chapple has alluded to, the then state government established the Burrup Rock Art Monitoring Management Committee. In 2003 came what can be seen as the first formal recognition of protection with the Burrup and Maitland Industrial Estates Agreement. This agreement was between the three Aboriginal groups involved in the native title claim and the government, and this allowed for a major industrial development in the southern section in return for the creation of a conservation reserve that covered almost 60 per cent of the remaining peninsula. As I mentioned, in 2007 the area was given the strongest protection it could have when it was provided with National Heritage listing. The Dampier Archipelago was included in the National Heritage List on 3 July 2007. The listing states in part, and I paraphrase, that the Dampier Archipelago is home to one of the most exciting collections of rock art in Australia; it is home to some of the most ancient works created by man, in addition to a multibillion dollar gas, petroleum, and iron ore resource industry. It goes on to state that a balance between the heritage management and economic prosperity is being achieved through a collaborative partnership involving Indigenous groups, industry, governments and the community. Careful, long-term management of the Dampier Archipelago and the Burrup Peninsula will see both our heritage and economy protected into the future, to the advantage of all Australians. Thus the area still remains under the management of the state government, and is protected under the commonwealth Environment Protection and Biodiversity Conservation Act 1999, or EBAC as it is better known. This legislation, of course, rides over the top of everything. I am drawing out these examples to explain why I do not believe the Dampier Archipelago needs World Heritage listing. We already have protection from not only our state, but also our federal government. In managing World Heritage-listed properties the Department of Sustainability, Environment, Water, Populations and Communities indicates that consideration be given to the following —

- ensuring the provision of essential services to communities within and adjacent to a property
- allowing provisions for the use of the property which does not have significant impact on the World Heritage values and their integrity
- recognising the role of current management agencies in the protection of a property's values
- the involvement of the local community in the planning and management of a property.

I have to say that all these things can and do occur in national park areas without them having to be placed on the World Heritage List. I do not know why we would give World Heritage listing to the United Nations Educational, Scientific and Cultural Organization. I was involved in the early days of the debate on World Heritage listing for Shark Bay and I attended many meetings then to discourage the listing. I then went to Ningaloo Reef and listened to the arguments going on there for World Heritage listing. I found it interesting to talk to some gentlemen there in Ningaloo who were conducting an evaluation of the criteria for World Heritage listing. I have to say that I found them extremely naive in their understanding of what they were doing. We in Australia are naive in going for World Heritage listing. Why do we do it? We are told that one reason is for better tourism. If we actually want to protect something, we do not want a heap of people running all over it. If we go for World Heritage listing, we will be putting up the “For Sale” sign and saying, “Come. Walk over here. We have something special.” I believe we can promote the area without World Heritage listing. That is why I will not support this motion today.

When I was in Shark Bay and Denham a couple of weeks ago, I recalled the promises made back in the 1980s for the capital that we were to receive for the management of those areas. I have to tell members that it has not happened. I believe that state governments get up and drive the management of those areas. We have two World Heritage listed areas in Western Australia. One is the Bungle Bungle range in Purnululu National Park, and the other is Shark Bay. I travelled the road to the Bungle Bungles the year before last and I must admit that it took me two and a half hours to travel 53 kilometres—and I was passing everyone! That gives members an indication that if we put up these kinds of places in lights, we have to either provide access for the people of the world who we will be encouraging to visit them, or we have to get on and protect them by understating their condition, as we have already done with the Burrup Peninsula.

HON HELEN MORTON (East Metropolitan — Minister for Mental Health) [2.52 pm]: As a preamble to my response to this motion, I say that the state government recognises the richness, diversity and abundance of rock art on the Burrup Peninsula. I also note that the Dampier Archipelago, including much of the Burrup Peninsula, was included on the National Heritage List on 3 July 2007 and, as such, is afforded protection under the commonwealth Environment Protection and Biodiversity Conservation Act 1999. This means that the EPBC

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act applies to new developments that are likely to significantly affect National Heritage values. In the context of the EPBC act, National Heritage listing provides the same legislative protection as World Heritage listing.

As members would be aware, the Conservation Legislation Amendment Bill 2010, which passed through this house a couple of weeks back, proposes to amend the Conservation and Land Management Act 1984 and the Wildlife Conservation Act 1950 to provide increased opportunities for Aboriginal people to be actively involved in and to contribute their knowledge to the management of land. The bill will create the necessary statutory provisions to allow the Murujuga Aboriginal Corporation and the Department of Environment and Conservation to establish a joint management agreement over the proposed Murujuga national park on the Burrup Peninsula. This will afford the area protection under Western Australian law whilst also providing for joint management. The state government is committed to ensuring that effective management arrangements are put in place for the proposed Murujuga national park on the Burrup Peninsula, which is one of the reasons why it has progressed the Conservation Legislation Amendment Bill. The state government is also committed to ensuring that the benefits in the area of training, education and employment flow to local Aboriginal people, and the Conservation Legislation Amendment Bill will assist in achieving these outcomes.

In relation to World Heritage nominations, I will briefly outline to the house the protocols that are in place. Under agreed arrangements between the states and the commonwealth, the preparation of a World Heritage nomination is the responsibility of the state in consultation with the commonwealth. In the case of properties that transcend state boundaries, the commonwealth will coordinate the nomination. Following consultation with states, the commonwealth government determines which properties are to be submitted to the World Heritage committee as part of Australia's World Heritage tentative list. Inclusion on the World Heritage tentative list is a requirement for a World Heritage nomination, as outlined in UNESCO's operational guidelines for the implementation of the World Heritage Convention. Under agreed arrangements within Australia, the commonwealth government seeks written assurance from the state that the area proposed for World Heritage nomination has a management plan or a management system in place that meets the requirements of the Australian World Heritage management principles. As such, I can advise the house that the state government would not consider World Heritage nomination for the Dampier Archipelago, including the Burrup Peninsula, until an appropriate legislative arrangement and an effective management system are in place for the area. This needs to include finalisation of the Conservation Legislation Amendment Bill, the management plan and the joint management arrangements for the Dampier Archipelago, including the proposed Murujuga national park on the Burrup Peninsula.

Monitoring of the rock art on the Burrup Peninsula is an important aspect of the management arrangements for this area. I can advise the house that the Burrup rock art monitoring program has been in place since 2004, and involves field measurements of selected rock art to measure changes to colour or colour contrast of the rock art images, and changes to surface mineralogy of the rock from exposure to air pollutants. The reports published so far have confirmed that there has been no impact on the rock art from air emissions. The responsibility for the monitoring program has been transferred to the Department of Environment and Conservation, and I am pleased to advise the house that funding to continue the monitoring program has been secured from industry for a further five years.

The Minister for Environment is in the process of re-establishing the Burrup rock art technical working group and has appointed Associate Professor Frank Murray from Murdoch University as chair. The technical working group will advise on the monitoring program and assess the monitoring reports prepared by CSIRO, which has been contracted to conduct the monitoring. Should any negative impact be discovered, the Minister for Environment will consider the recommendations made by the working group, which will provide expert advice on the environmental measure required to protect the rock art.

In April 2009, the former Burrup Rock Art Monitoring Management Committee released its report and recommendations to government for the Burrup rock art monitoring program. In its report, the former committee recommended that monitoring of the colour contrast and spectral mineralogy of rock art be continued on an annual basis for 10 years and be reviewed after five years, and that ambient air quality and rock microbiology monitoring be suspended and only recommended, if warranted, by a major increase in emissions or if evidence becomes available to require further monitoring. It also recommended that a small technical working group be established to consider the monitoring results and make them available to the public on an annual basis and that no environmental management measures specifically to protect the rock art from air pollution are necessary at this time. If monitoring suggests the possibility of impacts of air pollutants on rock art, the technical working group will report to government so that appropriate action may take place. The 2009 and 2010 monitoring reports are still to be assessed by the technical working group and will be publicly released once this process has been completed. For those reasons, the government will not support the motion.

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HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [3.00 pm]: I wanted to make a few comments. Unfortunately, I was caught outside the chamber so I have missed most of the minister's discussion on the matter other than to hear that the government will not support the motion. The opposition, however, will support the motion moved by Hon Robin Chapple. I thank him for his very detailed discussion, both today and on the last occasion that we met, in explaining to us the significance of that part of our state in heritage terms. Whilst I have not ventured to the north west all that often, I had the opportunity to go through that area many years ago with my good colleague Hon Jon Ford. I remember it very clearly because we were there on other business and Hon Jon Ford said, "While we're here, you've got to come and see this rock art." It was quite an experience to see what was there.

Given that we are such a young state, in that our colonisation was fewer than 200 years ago, and that we usually talk about our heritage in terms of built heritage, it is a sign of our maturity as a state that we are starting to acknowledge the significance of the rock art in the Burrup. In other places in the world where preservation work has been carried out and very significant discoveries have been made, such as Marseille and a number of other areas in different parts of France, people have come to value those areas highly and they not only are preserved for their heritage value but also have become quite significant tourism attractions.

Hon Robin Chapple: Five million a year.

Hon KATE DOUST: That is pretty good. Maybe that is something that we need to address as a state. As we mature and become more aware of these things and we look to our natural heritage, I am sure that we will focus more on and be aware of other parts of our state and put the effort into ensuring that these areas are preserved for our future so that our children and so forth also have the benefit of being able to see this particular type of art.

I was thinking the other day that it was only a few months ago that we talked in this chamber about the graffiti legislation. Having listened to Hon Robin Chapple, I was wondering whether people who lived many thousands of years ago would have been called graffiti artists, and now it is art that we want to preserve. I was wondering whether somewhere down the track perhaps some of the work of our graffiti artists who embellish our train stations or bus stops—I know it will not last that long—will also be considered art that we want to preserve. Sometimes it is just a question of timing and perceptions. This is an important motion to support.

Many pieces of correspondence have come to our electorate offices, particularly from Friends of Australian Rock Art, which has been very thorough in the amount of detail it has provided to all of us in its correspondence. They are very passionate about their concerns and their desire to protect and keep this art in place or available to the public. It is disappointing that the government is not prepared to support the motion moved by Hon Robin Chapple. We have only to look at the media in the past few years. Sometimes when people think they are about to have a change in life, be it employment or otherwise, they think about the bigger picture and the longer term. Perhaps that is what happened to our current Premier, Hon Colin Barnett. If we go back to the media commentary made from the early 2000s, we see that he was expressing his own views on this matter. He was quite passionate in his advocacy for maintaining the rock art in this area. From memory, he even went on *60 Minutes* and discussed the matter at length. He became a bit of a poster boy for sustaining the rock art in that area. I see Hon Robyn McSweeney smiling, so she obviously remembers that well. At that point he was probably not the flavour of the month within his own party. As we know, retirement was his focus. When people get to that point in life, sometimes they say and do things that they may not have said or done if they had other constraints placed on them. If we go through a number of pieces of media in which the current Premier commented on the preservation of this rock art, we see that he was fairly consistent in wanting to ensure that it was both preserved and placed on the World Heritage List. We should keep in mind that at the same time as Hon Colin Barnett was making these very clear statements, a federal Liberal government was in power. We had a couple of Liberal heritage ministers. I think Ian Campbell was one and, as we go through the media articles, we will find that Malcolm Turnbull was another minister responsible for this matter. Both of them looked at this matter.

I turn to an article that appeared in *The Weekend Australian* on Saturday, 1 July 2006. There is a quote from Colin Barnett. I want to put these quotes on record because I think it is very important for consistency that we remind people that the current Premier was a staunch advocate for ensuring that this rock art was protected and accessible into the future and put on the World Heritage List.

Hon Norman Moore: Did he say that it should be on the World Heritage List?

Hon KATE DOUST: Yes, he did. I will find the quote and I will read it out. I am quite happy to do that. In July 2006 he is quoted as saying —

Hon Robin Chapple; Hon Ken Baston; Hon Helen Morton; Hon Kate Doust; Hon Norman Moore; Hon Jon Ford

“It is an unhappy coincidence that Australia’s most significant rock-art site happens to coincide with arguably Australia’s most important industrial site,” observes Colin Barnett, a former state resources minister and Liberal leader and still a state MP.

Barnett’s reaction is typical of the Johnny-come-lately way the issue of Burrup’s archaeological treasure trove has been handled. Now a passionate convert to rock-art preservation, Barnett signed off on deals that consigned some rock engravings to rubble during his time as resources minister from 1993 to 2001. “Perhaps, to my shame, I did not at that time recognise the significance of the rock art or indeed its scale,” he admits.

That is a fairly strong statement for that period. I am not too sure why the government has taken the position it has. It is a shame that I missed the first part of the discussion. Perhaps if Hon Jon Ford seeks the call, he might remind me of what the minister had to say about why the Premier has now changed his position on supporting the rock art for World Heritage listing.

There was an article in *The West Australian* on 30 May 2007 headed “Industry ‘high risk’ to Burrup rock art”. It discusses a report on the impact of industry upon that area. The article states —

WA Liberal MP and former resources minister Colin Barnett has argued against building Pluto on the Burrup, —

It is interesting to be reminded that he was a staunch opponent of Pluto and now he embraces it with great eagerness —

saying it made a mockery of the Federal Government’s ongoing consideration of heritage listing for the area. He believed the Burrup rock art was one of the most significant heritage issues WA had faced.

And all power to him at that time for being so passionate about it. I am sure that would have been quite an interesting discussion in the Liberals’ party room at the time when he was taking this position, Mr Leader.

Hon Norman Moore: He believed that Pluto and Gorgon should have gone to the Maitland industrial complex, as did all of us.

Hon KATE DOUST: It must be interesting when the minister meets with the companies.

Now we move on to July 2008. This article is headed “Global plea to protect Burrup art”, and it refers to how the members from the more than 74 countries that make up the World Archaeological Congress had demanded that the state and federal governments do more to protect WA’s Burrup rock carvings from being damaged or destroyed by industrial development. It then goes on to refer to their views. It also mentions Hon Robin Chapple in his role as co-convenor of Friends of Australian Rock Art—FARA—and it again quotes the member for Cottesloe, Colin Barnett, and states —

Member for Cottesloe Colin Barnett said the Burrup rock art collection was the most significant heritage site in WA, and “ignorance is no longer an excuse” for its destruction through development.

Again, that was a fairly strong statement by the Premier.

I then go to an article in *The West Australian* of Tuesday, 13 January 2009, headed “World protection urged for Burrup art”. This article quotes people such as Tom Perrigo from the National Trust, who talks about the importance of the area and the reasons why it should also be listed. In this article he is quoted as saying that he hoped that Premier Colin Barnett, who was a champion of the Burrup in opposition, would lead the nomination. The article further states —

Mr Barnett said he was committed to protecting the ancient rock art and hoped to balance its need for protection with its appeal as a tourist attraction.

It is very good that he said that. I do not know whether much has been done in that regard to generate tourism. I am not sure who is responsible for that area. Is the person responsible for tourism in this chamber?

Hon Norman Moore: You should know because you did the native title deal for the Burrup, didn’t you?

Hon KATE DOUST: No, I did not do that one.

Hon Norman Moore: No, but your government did.

Hon KATE DOUST: Yes, it did, but I am asking who has responsibility for tourism on the minister’s side at the moment.

Hon Norman Moore: Kim Hames.

Hon KATE DOUST: Okay. Mr Barnett is quoted as saying —

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“I just think there’s a lot more work to be done,” he said. “Ultimately, yes, it may well end up under some sort of world heritage listing but I don’t believe we’re at that stage now. I believe the State has got more work to do in that area.

“I would like to see the tourism side of the Burrup developed without damaging the rock art or the environment around it.

And he goes on to talk about the number of years.

There is another article in the *pilbaraecho* of 15 May last year. The Premier, as a member and now as the Premier, has continued to support the preservation of this area, albeit some of his views may have been watered down with the change in role and position. However, he was still enthusiastic enough in May last year to launch a book about the Burrup, with several hundred images of the rock art, which is quite impressive. Therefore, one would hope that if enough pressure is applied, he will continue to support it. Given the significance of and his own views about this area, it is disappointing that the government—it is disappointing that, unfortunately, the minister is not in the chamber to continue listening to the debate—has not come out and totally backed the position that Hon Robin Chapple has put forward. It is very important to find the balance between preserving the art and ensuring that we can develop industry up there. I thought that under the last government that could be achieved, and I think that even under this government it can be achieved. However, it is disappointing that the Premier cannot maintain his principles and support the proposal that we are dealing with today.

I thought it was very interesting to look at the types of criteria for selection. I am not sure whether Hon Robin Chapple went through the criteria.

Hon Robin Chapple: I didn’t.

Hon KATE DOUST: Okay. I will deal with a couple of the criteria that need to be taken into account to make a decision on whether the rock art will be included on the World Heritage List. The first criterion is that the site should represent a masterpiece of human creative genius. It should exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design. It should bear a unique or at least exceptional testimony to a cultural tradition or to a civilisation which is living or which has disappeared. I think that is fairly clear. I am not sure where else in this state we have a similar type of Indigenous art from earlier times. Perhaps Hon Robin Chapple might be able to let us know if other places in our state have artwork that is of a similar nature to the artwork in the Burrup.

Hon Robin Chapple: There is nowhere else in the world that is like the Burrup.

Hon KATE DOUST: It should be an outstanding example of a traditional human settlement, land use or sea use that is representative of a culture, or cultures, or human interaction with the environment, especially when it has become vulnerable under the impact of irreversible change; and it should be directly or tangibly associated with events or living traditions, with ideas or with beliefs or with artistic and literary works of outstanding universal significance. They are just some examples, and they go on. About 10 different criteria are used to determine whether an area or a structure is suitable to be listed. Some of the other places in Australia that are already on the World Heritage List include Australian convict sites, which I understand include the Fremantle Prison, and that came about in 2010. The Royal Exhibition Building and Carlton Gardens in Victoria were put on the list in 2004, and, of course, the Sydney Opera House was listed in 2007. They are the cultural ones. Then we look at the natural World Heritage listings. There is quite a diverse range in Australia. In Western Australia we have the Bungle Bungles and Shark Bay. In the other states there is Lord Howe Island, the greater Blue Mountains area, the Great Barrier Reef, Fraser Island and a number of others. Then, of course, there is the Kakadu National Park, the Tasmanian wilderness and a number of lakes areas in other parts of the states. So, quite a diverse range of natural areas have already been put on the World Heritage List. A number are also waiting for support to be listed. I thought it was quite interesting to see the comparison.

As I understand it, a petition has already been tabled in the federal Parliament. This is an issue that is not restricted just to our state; this issue has been picked up at a national level. I am sure that, as a result of Hon Colin Barnett’s participation in the *60 Minutes* program, people in a range of other places were able to pick up on his interest in this area. Therefore, I think it is quite strange that the government cannot say to Hon Robin Chapple that he is correct and that this is indeed a most unique and extremely large collection of rock art. As Hon Robin Chapple has informed us, it is the only place of this type in Western Australia.

Hon Robin Chapple: In the world.

Hon KATE DOUST: In the world; Thank you. It would be a real shame if more work was not done to elevate this area to the status it deserves. The resource companies that are involved in that area have been working diligently to ensure that a substantial part of this area is protected and preserved.

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Hon Robin Chapple: Rio in particular.

Hon KATE DOUST: Rio in particular, yes. That is very important.

To ensure the protection of the remainder of the rock art, the government should make a firm decision and not just sit on the fence. Even though we have been waiting since August 2009 to have this discussion, this issue is still relevant in 2011. It is disappointing that, although the Premier has expressed publicly and repeatedly at both a state and national level his support for the preservation of this area, the government has backed away from providing the support that is needed to have this area listed as a World Heritage site. The Premier has also said that this rock art could be a significant tourism attraction. I am therefore interested to know what steps the government will be taking to promote this area and to encourage people to view the rock art. I do not necessarily mean clamber through it, as has been done in the past —

Hon Jon Ford: By me!

Hon KATE DOUST: Yes! There must be ways of enabling people to view the rock art. I do not know how that is done in other parts of the world. I, along with Hon Jon Ford, have had the opportunity to see that rock art and it is certainly an interesting experience to see art that is so ancient. We acknowledge the importance of this area. We thank Hon Robin Chapple for raising this matter for discussion so that we can bring it back to the forefront of the Premier's mind and encourage him to review his decision and renew his enthusiasm for this matter and give some thought to how he can advance this proposal so that we can give this area the protection of World Heritage listing.

HON NORMAN MOORE (Mining and Pastoral — Leader of the House) [3.23 pm]: I listened with great interest to Hon Kate Doust's speech, which was made up largely of quotes from newspapers. I also listened with great interest when Hon Kate Doust read out that the Premier had advocated World Heritage listing for the Burrup rock art. Perhaps by way of interjection, Hon Kate Doust might be able to find that quote for me. This motion is not just about protecting the rock art of the Burrup. This motion is about doing that through World Heritage listing. My understanding, from what the member read out to us, is that the Premier, Colin Barnett, has had a long and close interest in the rock art on the Burrup and has been an advocate for its preservation and protection. But I do not recall the Premier saying, and it certainly was not part of the member's quotes, that the way to do that is through World Heritage listing. I may be wrong, and I would be happy to be told that I am, but I suspect that I am not.

Let us put this into the correct perspective. Colin Barnett has—for reasons that only he can explain to the member, because I do not have the same passion for rock art that he does—taken a very deep interest in the rock art of the Burrup and is very keen for it to be preserved and protected.

Hon Kate Doust: What would you do with it?

Hon NORMAN MOORE: Hang on! I have just started. I have been going for only about half a second.

Hon Kate Doust: What would you do with it? What is your view?

Hon NORMAN MOORE: Just be a little bit patient! I will tell the member in due course.

The Premier has been a great advocate for the protection of the rock art on the Burrup; indeed, he has made the comments that he has made and that the member read out. I have no doubt that he still has the same view. In fact, I asked the Premier the other day, when this motion was coming on, whether he supported World Heritage listing of this area, and he said that he does not, but he does support the preservation and conservation of the rock art. I ask the member a rhetorical question: what is so significant about World Heritage listing? What does World Heritage listing provide by way of protection for the environment that we cannot provide under existing state and national laws? I am old enough to have seen the creation of a World Heritage site in Western Australia. Indeed, I was probably around when some of these World Heritage sites were created! Somebody might even nominate me in due course, with a bit of luck!

Hon Jon Ford: I don't think you need protecting!

Hon NORMAN MOORE: Hon Ken Baston and I know this well, because when I was a fairly new member of Parliament, the then federal government—I think it was the Hawke government—with the assistance of Bob Pearce, the then state Minister for the Environment, decided that to ensure the conservation and preservation of the Shark Bay area, it should be on the World Heritage List. It was very interesting to watch the process that we went through with the World Heritage listing of Shark Bay. Numerous public meetings were held at Shark Bay, and numerous explanations were provided by the federal and state ministers about how good this would be for Shark Bay. It is interesting that at the public meetings that I attended, there were hundreds of people. There were probably 300 people at one meeting, and the vote was something like 298 against the World Heritage listing of Shark Bay, and two for it. I know the people who voted for it, because they were friends of mine, and they took the view that World Heritage listing would be good for tourism and business in the Shark Bay area. Everybody

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else took the view that we did not need it, because we could protect the area of Shark Bay under existing laws. Everybody else took the view that all World Heritage listing would do is transfer the administration, the control and the management of that land from the local authority and from the state government to the commonwealth government. But Bob Pearce, and the then federal minister, whose name I cannot recall—I think it was Kelly —

Hon Ken Baston: Yes, it was—the whiteboard lady!

Hon NORMAN MOORE: Yes; Ros “Whiteboard” Kelly. They told us that this was going to happen whether the people of Shark Bay wanted it or not. I think it was probably part of the then federal government’s determination to be seen to be concerned about the environment and heritage and to do all the things that it thought were appropriate to win the hearts and minds of those people who did not think development is something we should have been considering. That was the path they went down. The same Bob Pearce also stopped people from shooting ducks and things like that. It was that sort of government—warm and fuzzy, and protecting everything. Apart from that, Shark Bay is just way up there, and it does not affect any of us, so they went ahead and declared that area a World Heritage site. The area that was declared a World Heritage site went right around Shark Bay, up to just south of Carnarvon, out to Dorre and Bernier Islands, and around the peninsula of Shark Bay and all the waters therein. A United Nations committee was then given the task of deciding whether Shark Bay should be eligible for World Heritage listing. Libya was one of the member states of that heritage committee. I thought that was interesting, because at that time Libya did not seem to have much of a concern about its own heritage; Colonel Gaddafi was just in the business of doing what he was in the business of doing.

It is interesting that, over time, the local authority of Shark Bay began to find itself squeezed out of any decision making about its own area. The then Department of Conservation and Land Management—now the Department of Environment and Conservation—became a very important player in Shark Bay. Some 30 DEC staff are now employed in Shark Bay to manage the terrestrial environment, and they also do some marine environmental management at the same time. The number of staff grew like topsy. DEC then also became involved in Monkey Mia and all the other activities that take place in Denham and Shark Bay. The commonwealth had, of course, overriding control of any planning processes that might take place in Shark Bay. At that time, a ministerial council was created—I do not know whether it still exists—that had on it two federal ministers and two state ministers. Ironically, and interestingly, I was one of the state ministers on that ministerial council when we were last in government. Robert Hill—bless his soul—who gave us the dreadful federal environment legislation and was then the Liberal environment minister, was on it, as was Hon Cheryl Edwardes, who was also a state minister. We had to work out what was to be done in this World Heritage-listed area, completely ignoring, of course, what the local community wanted, because it was quite irrelevant! I remember debating the location of the Shark Bay Interpretive Centre, which had been planned to be in Denham—to give the previous Labor state government its due, it actually put money up for this—but the federal government wanted it at Big Lagoon, not in Denham; the state government wanted it in Denham. So we had a fight, and at every meeting of the ministerial council it would be fobbed off and deferred and there would be procrastination. To give Hon Tom Stephens his due, I think he put a lot of effort into getting that World Heritage interpretive centre up and running in Denham, and a contribution was made by the state government; I think the commonwealth also put some money in. The irony of all this is that the commonwealth, having created World Heritage status over this whole area of Western Australia, just about disappeared off the face of the earth when it came to doing anything constructive on site. It wanted to make all the policy decisions, but when it came to putting money in for infrastructure and for tourism development—for all the things it kept telling us World Heritage status was going to deliver—it was nowhere to be seen. Over the years the dispute went on and on, and it still goes on because the local authority feels completely isolated when making planning decisions for its own community.

On the other hand, I do not know that Shark Bay having World Heritage listing has delivered anything near what was promised; certainly I do not see it being advertised around the world as a great place to come and see because it is World Heritage listed, and I do not know that there has been a significant increase in tourists. Most tourists go to Shark Bay to see the dolphins at Monkey Mia. The dolphins at Monkey Mia have nothing to do with a World Heritage listing; they are actually to do with a caravan park owner who started feeding them and so they started coming into shore, and the rest is history. It was not a natural phenomenon at all. I knew the caravan park owner very well; he died a couple of years ago.

The point I am trying to make is that when members come into this place saying something should be covered by a World Heritage listing, they should ask themselves what it actually means and for what purpose. If it provides some level of protection that cannot be provided nationally, then I can think of an argument; if it is going to result in a massive increase in tourism numbers that it would not otherwise get if it did not have this listing, maybe there is an argument for it. But that has not happened in respect of what we have in Shark Bay and Purnululu National Park; their World Heritage listings have not in any way been a great attraction to a vast number of international tourists who want to see a World Heritage-listed area.

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We are debating this issue in respect to Burrup Peninsula. Until quite recently I had not visited the rock art on Burrup Peninsula, albeit I have been to Burrup Peninsula many, many times over the past 35 years. I want to thank Hon Robin Chapple and a couple of other citizens of Karratha for showing us around on our recent visit to Karratha as part of the regional cabinet meeting; it was a fascinating experience. But I have to say that I did not have the epiphany that somebody said I was going to have. I thought it was interesting and worth preserving, but I did not have some sort of spiritual experience that some people said I was going to have.

Hon Robin Chapple: Some of your colleagues did!

Hon NORMAN MOORE: They may well have; everybody is different.

But it was fascinating, and I jokingly said to Hon Robin Chapple that some people say that rock art is prehistoric graffiti. The honourable member in fact agreed that some of what is there could be described as that because they are in fact etchings over the top of much more ancient rock carvings, and in a sense that could be described as graffiti. It is not for me to decide what graffiti is and what it is not, and some people who graffiti the walls of buildings around our city describe it as art; I describe most of it as rubbish. Some people describe rock art as art; some people think it is just somebody sitting around chipping away at a bit of rock, which is, to them, not art. Art, I guess, is in the eye of the beholder. But I acknowledge that it is a significant collection of rock art, and I found the experience of Hon Robin Chapple and others explaining to us the way Aboriginal people lived in that part of the Pilbara—we saw the shells on the ground and were told that that was part of the diet—extremely interesting. I do not have any problem with protecting that from any future activities by companies wanting to carry out industry on Burrup Peninsula.

Bear in mind—going back in time—that when the North West Shelf was first developed there was some desecration, if members want to use that word, of rock art, but it was moved; in many cases it was protected within compounds. The attitude was not just, “Let’s smash it all up and go ahead and build our LNG plant.” In the years after the development of the North West Shelf, the need arose for an industrial site in the Pilbara, not only for the North West Shelf but also for any other industrial activity that we wanted in the Pilbara. Hon Kate Doust talked about Premier Colin Barnett when he had the role of Minister for Resources; Development in the context of Pluto and others, and said that somehow or other he was quite comfortable having this industrial activity on the Burrup, when in fact he argued for—we argued long and hard about this—the development to take place at Maitland industrial estate. It was interesting that when Gorgon—which was originally going onto the Burrup; a site had been set aside at the south of the North West Shelf—eventually came to Parliament for a state agreement act, the former Labor government agreed that it should go on Barrow Island; at the time we argued that it should go to Maitland estate on the mainland. The company convinced everybody, including the federal and state governments, that that was too expensive, and so the Gorgon project did not go onto the Burrup. Prior to that, Pluto, which is the Woodside LNG plant, was given approval—I suspect by the former Labor government—to be constructed on Burrup Peninsula on the site that was originally going to be, as I recall, the Gorgon site. Then, of course, the previous government gave approval to Burrup Fertilisers to do further development on Burrup Peninsula. So it is a significant industrial site, which coexists—probably regrettably in a sense—with the rock art that Hon Robin Chapple is trying to preserve.

Mixed up with all this—I know members will be fascinated to be reminded of this—there was a native title claim over the Burrup. The Leader of the Opposition is not interested, but I will tell her anyway.

Hon Sue Ellery: I’m not the only one.

Hon NORMAN MOORE: I know; that is okay. They all know this. Sometimes it is helpful to remember what used to happen so that the same mistakes are not made in the future, and so the opposition might learn from this.

Hon Robin Chapple will tell me if I am wrong, but there were three groups of native title claimants over the Burrup Peninsula. The then Labor state government—I think Hon Eric Ripper might have been the minister responsible for this but I could be wrong—had to make a decision about some industrial development on the Burrup, but the native title claimant determination had not been made. So the Labor Party said that it would, prior to a determination being made in respect to native title ownership, pay compensation to the native title claimants. That compensation was, I think, \$15 million, which was then announced. The result of that was the Burrup and Maitland Industrial Estates Agreement, which was part of the native title settlement. Interestingly, only a month or two after the decision was made to acquire native title rights for \$15 million, the Federal Court of Australia determined that there was no native titleholder at all. I quietly asked whether that meant that the \$15 million would be given back, and was told, no, it would stay in place.

That is what the present state government has inherited in respect of the Burrup Peninsula—an agreement reached by the previous Labor government on the future development of the Maitland area. The Burrup and Maitland Industrial Estates Agreement contains provisions to grant freehold title in favour of the Murujuga Aboriginal Corporation for the non-industrial land on the Burrup Peninsula. The agreement also provided

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\$500 000 for the preparation of a management plan by consultants nominated by the native title party; \$8 million for capital works for visitor infrastructure, including roads, car parks and a proposed visitor centre on the Burrup Peninsula; and \$450 000 per annum for joint management of the non-industrial land by the Murujuga Aboriginal Corporation and the Department of Environment and Conservation. We have inherited this arrangement.

The draft management plan that has been put in place for the non-industrial land specifies that the land is to be managed as a national park and is to be named the Murujuga National Park; this plan has the support of the Murujuga Aboriginal Corporation. The Department of Environment and Conservation has requested over the past 18 months that the management plan for the proposed national park be considered by the Murujuga Aboriginal Corporation. It has requested that the government meet its obligations under the Burrup and Maitland Industrial Estates Agreement to transfer the Burrup non-industrial land to the Murujuga Aboriginal Corporation. However, the land cannot be transferred by the state until, firstly, the Conservation and Land Management Act is amended, which has been done—it went through this house quite recently and is now in the other place; secondly, the management plan for the Burrup non-industrial land is approved by the Minister for Environment; and thirdly, the joint management agreement is updated to be factually correct—there were some issues in respect of its accuracy. The legislation is in the other place, and its passing will enable the joint relationship between Aboriginal corporations and the Department of Environment and Conservation to manage, through a national park arrangement, areas of land such as the non-industrial part of the Burrup Peninsula.

The government intends to meet its obligations and transfer the land to the Murujuga Aboriginal Corporation after the CALM act amendments have been assented to, the management plan has been approved, and the joint management agreement has been signed by the state and the Murujuga Aboriginal Corporation. Upon completing these actions, the Murujuga National Park will be afforded a high level of protection and active management by the Murujuga Aboriginal Corporation and the Department of Environment and Conservation.

I would have thought that the Labor Party, having put that process in train, would now agree that that is the way to manage the rock art on the Burrup Peninsula. There is, indeed, no reason to go for World Heritage listing, unless it gives Labor Party members some serious feeling of international importance, perhaps. If that is all it is, they can think about it in those terms. But at the moment, the Burrup Peninsula is being managed by the government of Western Australia on behalf of the citizens of Western Australia through agreements reached between the government of Western Australia and an Aboriginal corporation. The day we go for World Heritage listing is the day that we invite the commonwealth government to become involved as well.

Hon Kate Doust: Here it comes.

Hon NORMAN MOORE: I say to members that, with the federal coalition government in place, I would not hold my breath if I were somebody waiting to invest on the Burrup industrial estate to continue to create industry in that part of Western Australia, which would provide jobs and wealth for our citizens. There is no point that I can think of in seeking World Heritage listing; it will not give us any better outcome than the outcome we will get based upon the system we inherited from the previous Labor government.

I am looking forward to hearing from Hon Jon Ford, because he might be able to explain to me in better detail than Hon Kate Doust was able to why the Labor Party supports World Heritage listing. All Hon Kate Doust did was tell us that Hon Colin Barnett—albeit that she could not prove it to my satisfaction—actually asked for World Heritage protection. He is quite comfortable that the process we are going through now will lead to the sort of protection of the Burrup rock art for which he has argued for some time. Indeed, he and Hon Robin Chapple are great mates when they go to the Burrup Peninsula. When they go anywhere else in the state, it is quite different, I suspect! But that is how it is, and it is a good thing that people with such divergent political points of view can come together with the common objective of preserving something that is worth preserving. It is going to be protected; the issue is how it is going to be protected. We are going through the processes that we inherited and we are committed to continuing those processes, and as a result of that we will get protection of the Burrup rock art, but we do not believe that there is any need for World Heritage listing.

I will conclude on this point: there is another move by the commonwealth government to have World Heritage listing in Western Australia, and the state government was prepared to agree to part of the Ningaloo area being World Heritage listed. As Minister for Mines and Petroleum, I am interested in making sure that we keep the mining industry going, and I had some involvement in deciding where the boundary ought to go. I will give members an example of how difficult it can be to deal with the commonwealth government's approach to these things. As members may be aware, there is south of Exmouth a very significant limestone resource—probably the most significant limestone resource in Australia. It is high quality and in large quantity, but right now it is a long way from anywhere and there is no great demand for it. I argued that all of that resource should be excluded from the World Heritage area for the simple reason that international and national companies in the mining industry will not mine in a World Heritage area, even if the government of the day says that they can. It is a policy that they have all adopted because they are not prepared to take the international risk that such mining

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might create. We put forward the proposal that the limestone area be excluded, and the commonwealth government came back and said, “No, you can’t do that because if you exclude that, you exclude one of the significant karst formations on the North West Cape, and it therefore will not be representative of the whole ecosystem and environment, so it has to be included in the World Heritage area.” We had a different position from the commonwealth government. I do not know what the commonwealth government has put forward to the World Heritage body; Hon Donna Faragher might know, but I do know that Peter Garrett, the former federal environment minister, recently told the people of Fremantle that the World Heritage listing for Ningaloo would happen any time now, which was news to me and, I suspect, news to our government. I assume he was trying to get friendly with the greenie people in Fremantle because, as we all know, Fremantle is a place where the politics, at the state level, are more to do with the seat of Fremantle than anything else. I guess the Labor Party has to be seen to be greener than everyone else in Fremantle, in the hope that it might win back the seat of Fremantle. It will be fascinating to see how the federal coalition government manages the Greens versus Labor Party issues in Fremantle, but that is another story for another day.

Hon Kate Doust interjected.

Hon NORMAN MOORE: The Labor Party ought to talk to us about Fremantle. Instead of trying to be greener than the Greens, why not talk to us?

Hon Kate Doust: It might cause you some other problems in your party room.

Hon NORMAN MOORE: I would not have thought so. I can tell the member who I would sooner be doing deals with if I were her. I know that this has absolutely nothing to do with the motion, Mr Deputy President (Hon Michael Mischin), but I will say that it is fascinating to observe the disputes going on over in Fremantle between the Labor Party and the Greens in an attempt to show who can be greener, who can be more in favour of World Heritage listing, who can be more supportive of preserving Ningaloo, and who can be more against lead exports than the other lot. It is just fascinating to sit and watch. The Labor Party thinks that by being greener than the Greens in Fremantle it will win votes in Wiluna where 260 jobs are at stake. Those jobs will probably go down the gurgler as a result of the hysteria over lead. That is where the Labor Party is at now. It will stay in opposition as long as it completely ignores and jettisons its traditional supporters. I should not be giving the Labor Party this advice, but I will anyway; it is gratuitous and absolutely free. This only came to mind because I was reading the local *Melville City Herald*, which is one of those leftie sorts of newspapers. I am thinking about putting a sign on my letterbox saying “junk mail is okay, except the Herald”, but it turns up every week anyway. It had a story on the front page saying that the fishermen are terrible people for chopping up someone’s banner. Even Hon Jon Ford would have been upset about what these fishermen are supposed to have done. It reported that Ningaloo would be given World Heritage listing because Peter Garrett told them so. I wonder where the boundaries are and whether they will include that significant limestone resource, which is a vitally important resource for the future of steelmaking in Western Australia, if it ever happens. Anyone who knows anything about steelmaking knows that a lot of limestone is needed. The metropolitan area is running out of limestone for building. There will be a demand for more limestone in due course, but if it is quarantined by being World Heritage listed, we can kiss it goodbye. That is why we must be very careful about these types of things. I will read the exact words of the motion so that I do not misinterpret it. The motion calls on the Premier —

... to protect ... by nominating the Dampier Archipelago to the federal government for inclusion in the World Heritage List.

Presumably the Dampier Archipelago means the Burrup and all the islands off the coast. If that is all put into one big World Heritage zone, it does not take much to work out what can be done in that part of Western Australia once that heritage listing is put in place. It will be virtually nothing. We will look after the Burrup rock art. The Premier is determined to do that and he has a personal commitment to it. We will do it through our own laws and achieve the outcome that the honourable member wants us to achieve, but going down the path of World Heritage listing is in no-one’s interest.

HON JON FORD (Mining and Pastoral) [3.53 pm]: I will start by responding to the comments of the Leader of the House. The motion calls on the Premier to protect the most unique and largest collection of rock art and invites the Premier to list what would be included on the World Heritage list. The Leader of the House talked about the co-existence of large resource projects in that very special and unique area. The Leader of the House also invited me to talk about what World Heritage listing would mean for the area. There are some paddy fields north of Denpasar, about halfway up Bali. I am a relative newcomer to Bali. I have been going there for only a year or a year and a half, although I have been there a lot in that time. When I arrived there, the first thing I looked for were the culturally significant places of interest outside the beach areas, and it caught my eye that the paddy fields are World Heritage listed. I had no interest in paddy fields prior to that. However, the fact that it was a World Heritage-listed area made me want to take a look. World Heritage listing is an international

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drawcard. In my view, World Heritage listing protects areas from being threatened or damaged. The minister talked about companies boycotting prospectivity in World Heritage areas. It provides that level of protection.

When I was a much younger man, I was in the Air Force and I used to go to Darwin a fair bit because my squadron had a detachment there. The national parks around Darwin are spectacular. I have forgotten the name of the wetlands just south of Darwin. Although they are not heritage listed, they are pretty spectacular. For the same reason that I looked at the paddy fields in Bali, I looked at areas that have been nominated as World Heritage sites elsewhere. I am still of the view that the wetlands around Kununurra are probably better than those in Darwin. For some reason, the wetlands in Darwin have been considered nationally and internationally important. World Heritage listing is significant. A World Heritage listing can co-exist with industry as long as the area is well defined. The Leader of the House said that World Heritage listing would threaten to block limestone prospectivity. That will not occur in the Burrup because I cannot imagine how many more industrial projects we can fit on the Burrup, although I am often surprised.

Although there is a lot of focus on the petroglyphs, which are pretty amazing, I am also interested in Maitland. I can take members to areas of petroglyph concentrations in Maitland; it is quite an interesting area. World Heritage listing also gives the world's academia an opportunity to focus on an area that has been regarded as special enough to be identified for that type of listing. Ningaloo attracts international interest from a research perspective because people want to see why the area is so significant. People who visit the north west wonder why that area is peculiar because there are other examples of extraordinary rock formations elsewhere. For the benefit of members who have not been there, there are piles of red rock that look as though they have been dumped there. People have told me that it must be where they dump the rocks from the North West Shelf. They are quite surprised when they are told that it is a natural formation. I do not know why that has not occurred elsewhere. I can foresee quite a number of advantages in identifying that area as World Heritage, provided it is done in a sensible way, as it is a very special area. The Leader of the House is correct: we must be very careful about where the boundaries go. From my perspective of personally supporting the motion, I am in fact inviting the Premier of Western Australia to get involved. The motion does need that level of consideration. One aspect of World Heritage listing is that it removes from local government the authority for permission in local planning decisions. We therefore need to be pretty careful about where the boundaries start and finish.

Hon Ken Baston talked about the need to avoid attracting lots of people to the area and about the risk that doing so can damage the areas that we love. I suppose that is true. However, the trouble at the moment is that the area is completely uncontrolled. I am one of those people who crawl all over the place there. I go there whenever I have an hour or two to spare, and I have been going there since 1989. Every time I go there I find something different. From my perspective, I can sit on top of these petroglyphs—it might be peculiar to me—and try to imagine what the people were thinking when they were creating the rock art and what they saw in their mind's eye or what was presented in front of them. There are some pretty amazing images there. Some are obvious, such as animals and kangaroos. Some images look like megafauna and others look like maps of the area. It is therefore a unique and special place. I therefore do not foresee in this instance a contradiction between a World Heritage listing and the protections to which the government has said it is dedicated.

It was interesting to hear what Minister Morton had to say. I welcome the protections that she talked about, but I do not foresee a conflict; I foresee an advantage. If we built proper walkways and if the area were listed as a heritage area and brought more people in, by necessity it would mean better management. Better management can be simply having access walkways over the area, because for anyone with any sort of mobility restriction it is a very difficult place to get onto and around. The area could be opened up to a range of people, including aged people who currently cannot visit it. I think, therefore, that World Heritage listing would be a great opportunity. I do have a view that eventually it will become heritage listed, no matter how this house votes on this motion today, as it is a unique and special place.

As I said, I do not share the view of Hon Robin Chapple that the area is endangered by industry around there. However, I do share Hon Ken Baston's view that the biggest risk is to not put some control in there, particularly control on access.

Debate adjourned, pursuant to temporary orders.