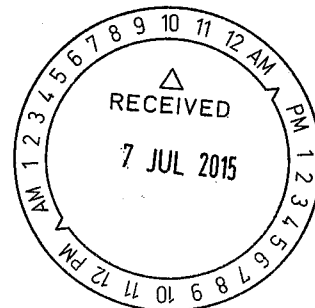




Hon Albert Jacob MLA
Minister for Environment; Heritage

Your Ref Petition No 85
Our Ref 50-09091



Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Simon

Dear Mr O'Brien

Thank you for your letter dated 17 June 2015 regarding Petition No 85 about the Rowles Lagoon water skiing area in the Goldfields.

Rowles Lagoon is a 405 hectare conservation park surrounded by the 1,926 hectare Clear and Muddy Lakes Nature Reserve and is an enclave within the adjacent Department of Parks and Wildlife-managed former Credo pastoral lease that was purchased for conservation in 2007. Rowles Lagoon and the surrounding freshwater wetlands are considered to be nationally important and have very high nature conservation values. Rowles Lagoon is approximately 70 kilometres north-west of Kalgoorlie.

Historically Rowles Lagoon was used for water skiing, however in the early 1990s the then Department of Conservation and Land Management closed the lagoon to this activity as it was not a gazetted water ski area under the Navigable Waters Regulations 1958 and allowing it to continue [unlawfully] presented a high risk to the Department.

This resulted in complaints from a small section of the community and, as a result, the then Environment Minister Hon Ian Taylor MLA (also the local Member) sought a solution so that water skiing could continue. The nature reserve vesting of Rowles Lagoon was changed to conservation park to allow active recreation and the water ski area was first gazetted in 1994. It was the only formally gazetted water ski area in the Goldfields although other local lakes are used [unlawfully] for water skiing when full.

In 2000, the issue of water-based recreation at Rowles Lagoon and associated strategies was included into the *Rowles Lagoon Conservation Park and Clear and Muddy Lakes Nature Reserve Management Plan 2000-2010* (the area management plan). The area management plan is still current.

The Goldfields Region received heavy rainfall in January 2014 filling many lakes including Rowles Lagoon to 4.5 metres deep. The gazettal of a water ski area is dependent on water depth and the lagoon was previously gazetted as a water ski area

in the 1990s and again in 2004 but cancelled in 2005 when the water level dropped below two metres and the lagoon subsequently dried out. For water skiing to again be lawful at Rowles Lagoon the water ski area will need to be re-gazetted by the Department of Transport following survey of water depths and demarcation of water ski area limits. A 2014 site inspection undertaken by Parks and Wildlife and Department of Transport resulted in advice that re-gazetting and managing the water skiing area at Rowles Lagoon will present significant challenges

You will be aware that in 2013 the *Conservation and Land Management Act 1984* (CALM Act) was amended to allow for specific Aboriginal customary activities on reserves, more Aboriginal involvement in land management and development of joint management of reserves. A joint management working group facilitated through Parks and Wildlife and the Goldfields Land and Sea Council (GLSC) for the Credo area, including Rowles Lagoon, is operational. Through this group the Aboriginal representatives have raised objections to water skiing or power boat use at Rowles Lagoon as it is an important Aboriginal site. The Aboriginal people did not have a strong voice in the 1994 and 2004 decisions to gazette the water ski area. Parks and Wildlife has received two letters from the GLSC (Attachment 1) opposing the use of power boats and water skiing at Rowles Lagoon.

In December 2014, Parks and Wildlife closed Rowles Lagoon to use by powered watercraft under the CALM Act Regulations 44(1). This was for environmental protection and visitor risk management reasons. Also as water skiing was unlawful, use by powered watercraft was not considered necessary and there was also opposition from Aboriginal groups.

With other lakes closer to Kalgoorlie drying up, interest in water skiing at Rowles Lagoon increased in early 2015 resulting in local enquires and media coverage, correspondence to the Minister for Environment, a petition and the need for increased Parks and Wildlife staff patrols to manage unlawful water skiing and power boat usage.

In addition to this background and in relation to your questions, preliminary inquiries, the petition and the submission from the principal petitioner, I provide the following comments.

The Department of Parks and Wildlife is not opposed to water skiing at Rowles Lagoon Conservation Park. Parks and Wildlife is required to manage activities in accordance with the relevant legislation and designated use for the area and to find an appropriate balance between often conflicting uses and demands. The status and some background to this issue are included in my replies to several letters from Hon Mark Lewis MLC, Member for Mining and Pastoral Region about Rowles Lagoon (Attachment 2). In addition to the direct management issues and costs associated with gazetting and managing a water ski area you will note the changing circumstances since Rowles Lagoon was last gazetted for water skiing in 1994 and 2004 including changed community expectations about the environment, a greater emphasis on visitor risk management in response to increasing litigation, Aboriginal involvement and opposition to power boats and water skiing, inclusion of the management of Aboriginal culture and heritage into the purpose of the reserve and a better understanding of environmental issues. The current status is a reflection of trying to balance all these matters.

There has not been a formal review of the compatibility of water skiing with the environmental values of Rowles Lagoon. While the environmental values are well understood and documented, defining the impacts of recreation on these values is much more difficult. As outlined above, this is just one of the issues Parks and Wildlife is required to consider as part of this issue. The very irregular use of Rowles Lagoon for water-based activities (the lagoon was mostly dry from 2005 until early 2014) makes research and monitoring of this issue very difficult. Catering for use such as water skiing once every 10 to 20 years is also problematic.

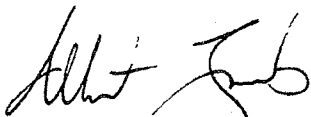
In relation to the area management plan, Parks and Wildlife has been actively implementing the plan since 2000 with adaptation as circumstances change i.e acquisition of the adjacent Credo pastoral lease in 2007. Rowles Lagoon has been developed for recreation use with new camp sites, visitor interpretation and inclusion as part of the Golden Quest Heritage Trail. Extensive recreation development is also occurring at the adjacent Credo former station. Specifically in relation to Section 33 'Water-based Recreation', Parks and Wildlife regularly reviews the strategies, however as there has not been any major water-based recreation activity from 2005 to 2013, implementation opportunities and the need for several of the strategies has been limited.

Parks and Wildlife is not responsible for locating and developing an alternative water skiing site in the Kalgoorlie-Boulder area. The relevant management plan strategy states "*Provide advice and assistance to the community and Department of Transport on locating and developing an alternative water skiing site in the Kalgoorlie-Boulder area*". This has been done on several occasions previously following community suggestions about establishing other ski areas, building artificial lakes and using other local lakes. Due to the ephemeral nature of Goldfields lakes, lack of rainfall and opportunistic use, none of the suggestions have been actively pursued by the community. During 2014, Parks and Wildlife and the Department of Transport again advised the community, pastoral land managers and local and State Government representatives on processes for gazetting ski areas, such as King of the West Lake that was being extensively used for water-based recreation and [unlawfully] for water skiing.

The area management plan is regularly used and reviewed as part of Parks and Wildlife management, budget processes, priorities and works (Section 43, Strategy 1). The plan has not been formally reviewed or audited by the Conservation Commission (formerly the NPNC), as per Section 43, Strategy 2.

In conclusion, Parks and Wildlife manages Rowles Lagoon for safe use by the community as per the area management plan and associated legislation and policies

Yours sincerely



Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Att

7 JUL 2015