

WILSON INLET MANAGEMENT ADVISORY GROUP

MINUTES OF MEETING HELD 17 JUNE 2009 AT SHIRE OF DENMARK, RECEPTION ROOM AT 1.00PM

PRESENT: George Ebbett (Chairperson), Yvette Caruso (SoD), Kim Stanton, John Xanthis, Ben Chuwen, Warren Miller, Basil Schur, Mark Parre, Tony Fitzpatrick (DPI), Brett Chambers (DPI - guest of Tony), Phil Shaw (DoF), John Dibble (WC), Chris Gunby (DoW) and Daniel Endacott (DoW - minutes).

1. PUBLIC OPEN FORUM

Case Koning: Expressed his happiness with the construction of the gazebo at the yacht club reserve. Asked whether the Drainage Review has been finalised? When will it be made public? Brief was to discuss the bar breaching height, not the methodology of the bar breaching? Methodology of improving the opening was not discussed? Will it be considered? Stated he would like to see optimum level openings. Believes the drainage review does not adequately address water exchange, which needs to be maximised.

Chris Gunby: The drainage review has been sent to EPA for final approval. The new decision making tool is to be actioned now. The brief from EPA was to review the timing and height of the breach. Methodology in terms of height was considered. 0.3m is quite a difference from the pre-existing policy. Dredging may be considered if an application is made. The drainage review focused on height and timing as the priority.

Owen McIntosh: Chairman of WISE. Stated he is pushing for greater marine exchange. To achieve this we need an eastern opening. No reason why it shouldn't start this year. Finance is not a problem, just removing past sand dune. Shire should not be making the decision, should come from WIMAG with your expertise. Heavy winter will mean lower salinity, worse for ruppia growing limits. Trial should start now rather than waiting for management plan which will lock us in and be costly. Boughton's report supports an eastern opening with 60% increase in marine exchange.

George Ebbett – This item is on the council agenda and will be discussed there.

Alex Symes: Councillors received a letter from Basil supporting east opening, signed by 5 WIMAG members. My interest as a councillor is that WIMAG should give advice to the Denmark Council, but 5 individuals have written a letter giving their point of view. WIMAG hasn't made a decision. It seems as if the signatories are saying listen to them, not to WIMAG.

George: Members can consider themselves whether it is appropriate.

Basil Schur: We tried to reach consensus, but it hasn't been possible. Majority of members seem to support east, but for various reasons that view has not been allowed to be represented by WIMAG. This view hasn't been allowed to be expressed. It has been difficult to have a full discussion. In terms of due process, I believe individual members can make their view known, in keeping with the Terms of Reference for the group.

Alex – You didn't feel safe to approach council individually?

Basil – We felt that the majority who want east could not get WIMAG to endorse this. Also, Neville Boughton's report which gives evidence for greater marine exchange with an eastern opening was not made available.

George – The item in relation to an eastern opening is on the council agenda. I expect WIMAG reference would not make a difference to the outcome.

John Xanthis – This issue has been discussed at length at previous meetings.

Alex – Has there been any motions in relation to this?

Various members: Yes, at the last meeting. However, there was no quorum at last meeting.

Chris – In regards to Owen's question, WIMAG role is not to make such a decision. We don't want to stifle debate either. The community can express their view. WIMAG does not have the power to make a decision on the position of the bar breach. Water Corp make the decision, DoW seek WIMAG's view and the view of the Council. The previous WIMA body recommended an eastern opening in the mid-nineties. This was overturned by the Minister. The Minister will need to change their decision for it to be overturned. Council would need to recommend to the Minister, and then agencies would follow this decision.

Case and Owen: both requested to stay for the rest of the meeting. George consulted WIMAG members who raised no objection. Shire NRMO Helen Heydenrych also sat in on the rest of the meeting.

2. APOLOGIES

Sandra Maciejewski, Ian Osborne, Kirsty Alexander, Elissa Stewart.

3. CONFIRMATION OF MINUTES

The minutes from the previous WIMAG meeting held on 15 April 2009 were confirmed as a true and correct record of the proceedings.

4. CORRESPONDENCE & MATTERS ARISING

(a) Correspondence (signed by 5 WIMAG members) in support of an eastern opening trial: It was noted that this is on today's agenda and will be discussed then. It was noted that the response from DoW was not provided, and that this should be circulated to WIMAG members.

Action: Daniel to circulate DoW's response to this letter.

(b) Email from Fergus McManus supporting a dual east and west opening: The email was read by members and discussed briefly. Concerns were raised that it would divide the power of the opening over two locations, which could be disastrous. There was also some confusion as to whether the correspondence was sent representing his role with the Shire or his own personal views. It was agreed that Water Corporation would be the appropriate agency to respond if necessary.

(c) The Agenda for the climate change forum to be held on 18th June at the Denmark Council chambers was tabled by Helen Heydenrych.

(d) Tony Fitzpatrick introduced Brett Chambers who will be the new DPI representative for WIMAG.

5. ADOPTION OF TERMS OF REFERENCE

The updated terms of reference (ToR) were presented and discussed. Daniel explained that the updates follow on from the review carried out last year to address public attendance at meetings.

Further updates are now needed to incorporate the new Vice Chairperson position. If adopted by WIMAG members, the document will go to the relevant agencies for formal sign-off.

Some members wanted clarification on the proxy process, and whether Agency proxies needed to undergo any selection criteria. It was agreed that agency representatives are selected by the agency and do not require a specific selection process. Agencies will decide who is most appropriate.

Questions were raised as to where in the ToR does it state that WIMAG cannot advise on bar opening. Chris explained that the ToR are general in relation to what items can be discussed, however for certain matters there is policy that already exists. These issues could be made explicit in the ToR, as there are not many exclusions. When they were first written, certain documents and policies already existed. It is difficult to be too explicit as it is too hard to cover every possible scenario. Basil noted that what WIMAG had been discussing in terms of the bar opening appears to fit into the existing ToR.

The issue of whether the chairperson should undergo specific training on chairing meetings was also raised. It was decided that the Chair person already is selected on specific criteria and that this is sufficient.

George asked members if there were any objections to the updated Terms of Reference being adopted by WIMAG to allow sign-off with the relevant agencies. Carried with no objections.

Action: Daniel to finalise ToR and circulate to relevant agencies for final sign-off.

6. BAR OPENING OPTION FOR DISCUSSION

John Xanthis presented an option for minor channel dredging just behind the sandbar with the aim to increase marine exchange (illustration of proposal was circulated). There is some concern with the state of the bar area. Storm surge events have pushed sand into mouth of Wilson Inlet. The level of sand that is there has not been seen for a long time. Once the water level gets down to about 0.5m it hits the sand bar that has built up and reduces flow. The deep hole near the eastern channel is not there anymore. This build up of sand is affecting mussels and recreation in the inlet. Idea is to cut channel through the built up area. Cut the smaller channel to the inlet. Minor dredging should be done considering all the other work that is done.

General discussion:

Was the proposal was to use a dredger or an excavator? Would be costly to do. There could be a possible acid sulphate soils issue? Going down to 2m, that's a lot of sand. John Xanthis estimated it to be about 2000m³ of sand that would be removed. Options could be to put it out near Nullaki or build a small island or it could go to other locations. Because of depth, the material may need to be tested, but it depends on what you do with the spoil.

John Xanthis explained that this idea would increase efficiency of opening. We are not making most of current opening height. We need to return to 5 years ago otherwise it'll be like a lake. Water is banking up and being held back where it would normally flow. The 1.2m head of water last year still did not budge the accumulated sand.

Concern was raised that storm surges have been happening for a long time. The sand dune is causing the storm surges to deposit the sand. These sand hills were wiped out by an eastern opening.

The issue of cost was raised. No estimates have been made yet. Minor channel dredging has been mentioned in reports and plans. Some members noted that this option is more of a medium-scale dredging option and that it would be costly. The cost would need to be weighed against the benefits to tourism and recreation.

It was noted that this shows the community feedback that marine exchange is important. There is also the additional environmental approval that will require indigenous consultation as they generally do not support dredging within the inlet.

It was generally agreed that this proposal could be considered as background info for the bar opening item at the upcoming council meeting.

7. WILSON INLET FORESHORE MANAGEMENT PLAN UPDATE

Yvette gave the group an update on the implementation of the Wilson Inlet Foreshore Reserves Management Plan 2008. The Implementation Strategy has been finalised after receiving feedback from key Shire staff and DoW. The strategy includes an operational planning table that itemises each action from the plan, whose responsibility it is and the current status. Some priority actions have been selected for 2009-10 and actions designated to the appropriate people/groups. Dan and Yvette had a meeting to assist in the selection of priorities, as well as the previous advice from WIMAG. It was decided that complete costing of the plan is too hard due to the long-term nature of many of the actions. It also needs to be noted that many actions are already being progressed via existing Shire work programs. We would seek to get continuing advice from WIMAG members on the implementation of the actions. Yvette also had recent conversation with Shire Director of Infrastructure Services which resulted in more funds being set aside for infrastructure actions.

A recent meeting was held at the Rivermouth Caravan Park to discuss plans for further revegetation along the foreshore and provision of picnic tables and educational signage. Plans for this work are being progressed.

General Discussion:

Clarification was sought on how the unspent WIMAG funds have been allocated? Yvette clarified that 5,000 has been put towards ongoing WIMAG expenditure, then 5,000 to the Foreshore Management Plan.

George updated the group on discussions he had with the Shire engineer for protecting the riverbanks at the rivermouth. There is not much more to report but will continue talking. Initial estimate was \$1,000,000 to stabilise the banks.

The question was asked as to whether CoastCare funding was being looked at for funds? Yvette confirmed that this was being looked at.

General positive comments were made by members on the progress of the implementation strategy.

John Xanthis also spoke about the progress of work at the yacht club reserve. Funding came from Tidy Towns and from council. Work so far includes a gazebo and table, and also asking for a bbq. Keen to do other sites as well such as Poison Point.

8. APPLICATION FOR HORSE RIDING ON MORLEY BEACH

Daniel spoke about an application for horse riding tours along Morley Beach that has been sent to DoW and the City of Albany for comments. The application has been made to the State Land Services (DPI) because the land is Unallocated Crown Land. The details of the application were circulated to WIMAG members prior to the meeting. Comments from WIMAG members are being sought.

General Discussion

The question was asked as to whether approval was required under the Waterways Conservation Act, as the Horse riding guidelines states this? Chris explained that formal approval in the form of a permit or licence is not required. It is more a case that DoW's advice needs to be sought.

It was noted that currently, cars and bikes can access Morley Beach and that horse riding tours is lower risk than these.

The foreshore management plan designates that the area should be managed for conservation values. It is especially important as a wader bird habitat. Minimising impacts during wader bird feeding time is the crucial issue. We should express concern as we should be restricting

recreational access. WIMAG has previously recommended greater conservation status of the area. Monitoring has indicated that bird numbers have declined recently. The site is also being considered for nomination for RAMSAR listing. Perhaps just the road down to the beach should be used?

Some members also suggested that a more appropriate location could be selected by the proponent, such as the Denmark rail trail.

The idea of allowing a trial for the tours was considered by the group. A short distance of the beach could be nominated for the tours. Advice needs to be sought from the Albany Bird Group and/or Birds Australia to determine what the impacts may be and whether they could be monitored or managed. A possible 6 months trial could be considered that included monitoring of any impacts on wading birds. Condition could be for monitoring by Albany bird group. The onus should be on the proponent to demonstrate they can manage the risk to wading birds.

It was generally agreed that this advice should be used in the DoW and City of Albany's responses.

Action: Daniel and Sandra to integrate WIMAG's comments into the response to DPI.

9. EASTERN OPENING TRIAL

Prior to the commencement of discussion on a potential eastern opening trial, Shire NRM Helen Heydenrych gave a presentation on 'Wilson Inlet Sand Bar & Climate Change'. This included a comparison of the sandbar with other inlets on the south coast. It also included projections on rainfall decreases and sea level rises for the rest of this century as a result of climate change and how this may affect Wilson Inlet.

Daniel then handed out a collation of documents to all WIMAG members which included the most relevant and important historical studies, surveys and policies on the sandbar issue. The documents provided were:

- **Wilson Inlet Sandbar Openings Policy Framework** – memo and policy position to WIMA dated 17 January 2000
- **Letter from Shire of Denmark to Hon. G.P. Foss MLC, Minister for the Environment** dated 3 July 1996.
- **Letter from Hon. Kevin Prince MLA, A/Minister for the Environment to Wilson Inlet Management Authority** dated 31 July 1996.
- **Wilson Inlet Sandbar Opening Protocol (revised April 2008)** – currently being revised.
- **Wilson Inlet Bar Opening History 1954-2006**
- **Wilson Inlet Report to the Community No. 6 – Managing the bar and the Inlet** – Water and Rivers Commission, June 2002.
- **News Article 'Denmark's Bar Causes Trouble'** dated May 17 1962.
- **Wilson Inlet Delta Area Engineering Study Survey and Assessment Report** – Port and Harbour Consultants, 10 January 1997.
- **Wilson Inlet Ocean Entrance – Management Options** – M P Rogers & Associates, January 2001.
- **Simulation of Eastern Bar Openings in 1990 and 1991 and Comparison with Western Openings** – N. Boughton, June 2005
- **Inflow/Outflow and Salinity Simulations from July 1994 to February 2002** – N. Boughton, February 2004.
- **Factors Affecting Ocean Inflow** – N. Boughton, February 2005.
- **Sand Deposition Behind the Bar in the Years 2003 to 2006** – N. Boughton, July 2006.
- **Estimation of Marine Water Exchange Caused by Dredging Options at Wilson Inlet** – N. Boughton, July 2001.

Chris also provided members with a draft document titled '**Wilson Inlet Sandbar: Information Sheet**' (a summary of information to aid discussion on the East-West debate). The document is a draft and comments are very welcome. The collation of documents handed out to all members provides the background for this information sheet. Advice on how we present this to the

community is sought from WIMAG. DoW always tries to release information as much as possible and does not hide reports. DoW will be providing this information to the Shire and councillors.

General Discussion:

It was noted that there is a joint effort needed between the DoW and Shire of Denmark to provide information to the community on the sandbar issue. A public seminar on future management of Wilson Inlet is being proposed, and will include relevant experts. It needs to be made as comprehensive as possible. It will also be advertised widely to ensure community participation.

It was mentioned that some members feel that their views have not been allowed to be expressed. The policy says that there needs to be a change in the community's view or a significant change in scientific evidence for the Western opening policy to be changed. On the scientific issue, the Boughton report seems to be very important and some members are surprised to not have read about it before. Community support for increased marine exchange has been demonstrated. There has been no response from DoW or WIMAG.

It was mentioned that Council will not make a decision based on the one community survey that was conducted.

Chris stated that this is not new information or policy. Boughton's report has been available for years. We know that marine exchange can be increased, but the DoW does not see a significant environmental benefit.

Some members commented that they thought DoW advice has been that the difference is negligible in marine exchange between east and west openings. However 65% increase in marine exchange is definitely significant. WIMAG should apologise publicly for not acknowledging that marine exchange is greater with an eastern opening.

The following MOTION was put to the group:

"That, given the recent (May 2009) public release of a credible scientific report presented in June 2005 to the then WA Department of Environment titled 'Wilson Inlet Simulation of Eastern Bar Openings in 1990 and 1991 and comparison with Western Openings' by Neville Boughton, a highly respected engineer, that WIMAG issues a public apology to acknowledge that it has not hitherto taken sufficiently seriously the assertions of those members of the community who have consistently asserted that eastern sandbar openings are likely to significantly increase the amount of marine exchange into Wilson Inlet when compared to western openings."

Moved: Ben Chuwen.

Seconded: Basil Schur.

DISCUSSION of the motion:

Chris stated that he didn't believe the motion is a reasonable representation of what WIMAG or DoW has said in terms of the affect on marine exchange. The problem with apologising is that findings were presented to WIMAG at the time. The focus has always been that reduction in nutrients is more important than maximising marine exchange. We would always encourage members to release this type of information to the public.

Some members thought they recalled past members stating that the difference in marine exchange was negligible. Proponents of an eastern opening have stated the increased marine exchange in the past and many people did not believe it, but a report was in existence that supported them that was not released. Zac Launay was a member of WIMAG at the time of the report, and he got the results but did not get a final report.

It was noted that Neville Boughton has also said that most marine exchange is from storm surges off low pressure systems more than the difference between east/west.

Speakers for the motion explained that the purpose is simply to acknowledge that there is a difference. I have requested documents in the past and they have not been provided. This took a

long time to come out. It has been previously documented that east/west was not different when this is wrong. That's why we need to apologise.

VOTE: Motion lapsed: 3 'For' and 9 'Against'.

Request for names to be recorded: 'For' - Ben, Basil, Warren. 'Against' – George, Yvette, Kim, Chris, John Xanthis, Mark, Tony, Phil, John Dibble.

Further Discussion:

Some members expressed that it seems that marine exchange is not being considered in the link to the health of the inlet. Fish populations are very much matched to marine exchange, but this is not being considered. Species diversity is very important in looking at the health of inlet.

There was agreement that it was important, but the health needed to be looked at on the whole. We're surrounded by permanently open inlets with different qualities. All have problems though with algal blooms. These differences in the inlets cause the diversity.

A second MOTION was put to the group:

"That, given the findings of recently released new scientific information (Neville Boughton's June 2005 Report to the WA Department of Environment) and evidence that the majority of the Shire of Denmark rate payers support a trial of eastern sand bar openings, WIMAG advises the Shire of Denmark and the Department of Water of its support for such a trial and for sufficient technical and financial resources to be made available for 1) the additional cost of the first eastern opening, 2) appropriate environmental monitoring, and 3) investigating ways to maintain Prawn Rock Channel during the trial."

Moved: Ben Chuwen

Seconded: Basil Schur

DISCUSSION of the motion:

This issue will be discussed at the upcoming council meeting. The advice from WIMAG will not be used directly by council on this particular issue. WIMAG looked at this issue 2 months ago.

Some members stated that they can't see why WIMAG can't comment on the sandbar opening.

Should the community be consulted in a referendum to finalise the decision? George commented that the Denmark Shire council is the appropriate forum for community representation. There was general agreement that the community should make decision.

The question was also raised - how can we say we are making informed decisions when we don't have all the data? An informed decision cannot be made by the public. A community forum would facilitate dissipation of information.

Some members spoke for the motion because we did not have Neville Boughton's report with his findings previous to now. Eastern trial will test that idea, it could be a future management tool. It is important for WIMAG to give advice to council. This would provide advice to agencies and takes into account the public survey support, in line with the policy for community response to give change to the sandbar policy. The policy is that we need a change in scientific information and community position, and we have both. This is based on Boughton's report and the survey and the community members of WIMAG.

What proposal is it that Council are considering? George responded that it is Basil's letter signed by 5 WIMAG members to Shire for an eastern opening trial. This will be an agenda item at the Council meeting.

VOTE: Motion lapsed: 4 'For' and 7 'Against'

Request for names to be recorded: 'For' – Ben, Basil, Warren, Mark. 'Against' - George, Kim, Chris, John Xanthis, Tony, Phil, John Dibble. Abstained – Yvette.

After the vote, there were some comments that the group shouldn't need to keep talking and arguing about the same issues.

Would the community forum allow a resolution to come back to the Shire? George – Yes.

10. MEMBERS REPORTS

Chris – DoW are in a tough financial position at the moment. The funding situation for ongoing water quality monitoring is grave. DoW is proceeding with the drafting of a Protection Plan for Denmark river over the next 12 months.

Mark – none.

Phil – Consultation process is being finalised for the prohibition of fishing at Greens Pool. 55 responses so far. Preparing advice to the Minister soon.

Tony – Just a reminder of the jetty survey in Wilson Inlet in the new year. Will involve photos and condition reports.

John Xanthis – Tourism is impacting on the inlet. Jet skiers are becoming a problem. The more people who visit, the greater the impact. Can upset birds in the shallows of the inlet and also annoy residents.

Tony – DPI will monitor use of jet skis. Shire would have to motivate change to gazettal, this would block of access to all vessels. Now two officers in region to deal with complaints.

Warren – after last storm last week the ruppia really came up. Little mussels have been washed up on the shore and died. Could be de-oxygenation caused by the stirring up of sediment. Wiped out mussels.

Kim – Discussed the east/west sandbar opening issue with Cr. Des Wolfe who would like to see a trial eastern opening. CoA has no official position on it.

Basil – none.

Yvette – Going on maternity leave soon. Helen will be WIMAG representative. My position will be replaced with a 6 month contract which is being advertised.

Ben – The flying fox over water on river is dangerous, especially for anyone going faster than 8 knots.

John – Quickup Dam is at 65% capacity. No intention to draw on Denmark at this stage.

George – The letter from Basil to go to the next Council meeting.

11. NEXT MEETING

Next meeting will be on 19TH August 2009.

Meeting closed at 3.30pm.

Action items from WIMAG meeting 17/06/2009:

- 1) Daniel to circulate DoW's response to letter signed by 5 WIMAG members in favour of a trial eastern opening.
- 2) Daniel to finalise ToR and circulate to relevant agencies for final sign-off.
- 3) Daniel and Sandra to integrate WIMAG's comments on Morley Beach horse riding proposal into the response to DPI.

DRAFT