

Ugul Malu Kawal Indigenous Protected Area Plan of Management 2018 - 2028

**Maluilgal
(Torres Strait Islander)
Corporation RNTBC**



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Image courtesy of Matt Dunn, 2017

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We also acknowledge our Rangers: the Mabyugiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers, who, under the umbrella of the Torres Strait Ranger program, continue to be tireless in their dedication to the protection and care of Ugul Malu Kawal Indigenous Protected Area's special values.



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Boeradharaw Kuykul (Traditional Property Owners) Statement

The Ugul Malu Kawal Indigenous Protected Area (IPA) is dedicated by us as the area's Traditional Property Owners.

We dedicate Ugul Malu Kawal to protect these islands; their immensely sacred spiritual places, their abiding cultural significance to our peoples, and their many culturally and ecologically significant native animals and plants.

Our dedication is made in accordance with Ugul Malu Kawal's protection under International Union for the Conservation of Nature (IUCN) category VI *Protected areas with sustainable use of natural resources*.

The Ugul Malu Kawal IPA will be managed, in accordance with strict Cultural Protocols and in line with the IUCN Protected Area Guidelines, by the Mabuygiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers, with the guidance of Guda Maluilgal and Maluilgal Elders and our Maluilgal (Torres Strait Islander) Corporation RNTBC representatives.

Boigulgal Director



Keith Pabai, Sager Gubalayg

Goemulgal Director



Terrence Whap, Woerraw Gubalayg

Dauanalgal Director



Thomas Mooka, Zey Gubalayg

Badulgal Director



Maluwap Nona, Nay Gay / Naygay Gubalayg

Saibailgal Director



Paul Kabai, Kuki Gubalayg

Chair, Maluilgal (Torres Strait Islander) Corporation Registered Native Title Body Corporate



Maluwap Nona, Nay Gay / Naygay Gubalayg



Our Vision

We, the Guda Maluilgal and the Maluilgal Boeradharaw Kuykul Warul Kawaw / Leberen, Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay, will carefully protect and manage our sacred islands, and share in their precious sea and land resources, for the benefit of current and future generations. Management of these places is founded on Lagaw Sabi a Danalaig / Igililnga.

Ngoelmun Koey Mabaygaw ngulayg continues to guide our Nations and our Rangers today in protecting and carefully managing our very special islands, as Mariw Dan have done since time immemorial. We do this important work with the support of the Australian Government and our other IPA partners.

Ceremony and story continues to connect us to all places within the Ugul Malu Kawal Indigenous Protected Area.

We belong to these islands and reefs. These places are a part of our people. Our IPA's places and our people are one and the same.

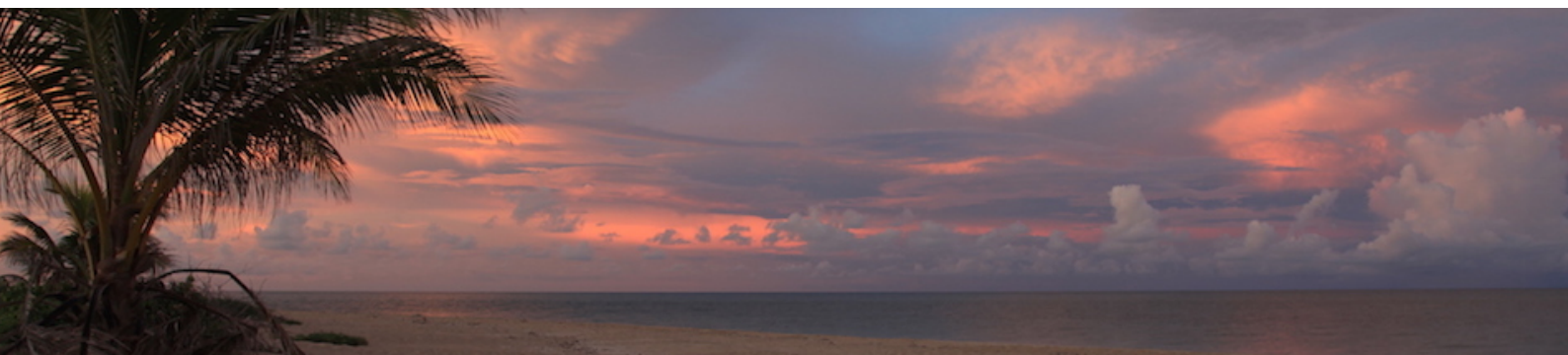
This Plan re-connects our peoples with the special places within our IPA, so that we can continue to pass on our ways of life and our inheritance to future generations of Badulgaw, Boigulgaw, Dauanalgaw, Goemulgaw and Saibailgaw of the Guda Maluilgal and Maluilgal Nations.

Our Vision is to acknowledge and capture our Ancestral Spiritual Vision (Mariw Dan).

Our Vision was developed by Badulgaw, Boigulgaw, Dauanalgaw, Goemulgaw and Saibailgaw Koey Mabaygaw (our Counsel of Elders), Kuiku Mabaygal (our Leaders) and the Directors of Maluilgal (TSI) Corporation RNTBC during the 2017 review process for the draft *Warul Kawa Indigenous Protected Area Plan of Management* (2013).

Ngoelmun Koey Mabaygaw ngulayg is the wisdom and knowledge of our Counsel of Elders.

Warul Kawa / Leberen (Deliverance Island), Awaial Kawa / Kiss Ilan (Kerr Islet) and NorWes Sandbank / Turu Cay collectively are the Ugul Malu Kawal Indigenous Protected Area. Ugul Malu Kawal means 'murky water islands' in our traditional languages.



Ugul Malu Kawal's Traditional Property Owners

The Ugul Malu Kawal Indigenous Protected Area (IPA) is located in the far north-west of Torres Strait, Australia, within Guda Maluilgal and Maluilgal sea country. Warul Kawa / Leberen - first declared an IPA in 2001 (Appendix A) - is the largest and most northern of the three places within our IPA. It is situated approximately 30 km south of Papua New Guinea and about 139 km north-west of Waiben (Thursday Island) (see Map 1).

Our IPA's three (3) uninhabited places are sandy cays or islands situated on individual reef platforms of various sizes: Warul Kawa / Leberen (Deliverance Island), Awaial Kawa / Kiss Ilan (Kerr Islet) and NorWes Sandbank / Turu Cay.

Ugul Malu Kawal, in our western islands language Kala Lagaw Ya, means *murky water islands*. This name describes the murkiness of deeper, offshore marine waters in the region, in contrast to Pudhu Malu - the clearer, bright turquoise colour of other Torres Strait marine waters.

All places within the Ugul Malu Kawal IPA are of unique spiritual importance to us as the Traditional Property Owners. All native animals and native plants within our IPA are considered sacred by our Guda Maluilgal and Maluilgal peoples.

Guda Maluilgal is the collective name for Boigulgal, Dauanalgal and Saibailgal: the peoples of Boigu, Dauan and Saibai. Maluilgal is the collective name for Goemulgal and Badulgal: the peoples of Mabuyag and Badu. We generally call Badu, Boigu, Dauan, Mabuyag and Saibai our respective *home islands* or *island nations*. The words Guda Maluilgal and Maluilgal are also used to refer to the two *island clusters* which collectively include our respective home islands.

Guda Maluilgal Traditional Property Owners call the largest island in our IPA Warul Kawa, the Island of Turtles, with Awaial Kawa, the Island of Pelicans, close-by and integrally connected. The Guda Maluilgal consider these islands as being part of the one area and generally use Warul Kawa as the collective name for both. For Maluilgal Traditional Property Owners, these places are generally called Leberen and Kiss Ilan in recognition of their connections to the pearling and fishing industries and their desire to keep strong and private certain sacred traditional names. For both the Guda Maluilgal and the Maluilgal this area is a deeply sacred place on the western horizon where the spirits of the deceased go to rest. As such, the places are also of importance to all Torres Strait Islanders.

Our IPA includes sites of most significant spiritual and ceremonial importance, as well as traditional and historical hunting and fishing grounds. These grounds extend south to NorWes Sandbank (Turu Cay). The Torres Strait region's historic pearling "Old Ground" lies to the immediate west of our IPA.

Indigenous Protected Areas are areas of land and/or sea which are dedicated by their Aboriginal or Torres Strait Islander custodians for protection of the area's bio-cultural resources, significant places and/or other heritage values. All around the world, protected areas are recognised under set International Union for the Conservation of Nature (IUCN) Guidelines and criteria. Our IPA is dedicated under IUCN category VI (category 6) - protected areas with sustainable use of natural resources. A full description of this IUCN category is at Appendix G. IPAs can be managed by ourselves as the area's Traditional Property Owners using legal or other effective means.

We manage our IPA through our Guda Maluilgal and Maluilgal determined native title rights, the special trans-boundary arrangements which apply under the Torres Strait Treaty and our IPA Rangers: the Mabuygiw Rangers (Mabuyag Island), the Malu Ki'ai Rangers (Boigu Island), the Mura Badhulgau Rangers (Badu Island), the Mura Buway Rangers (Saibai Island) and the Simakal Rangers (Dauan Island), together with our partners the Torres Strait Regional Authority's Land & Sea Management Unit (TSRA LSMU) and the Australian Government's Indigenous Protected Area program, with the support of Malu Lamar (TSI) Corporation RNTBC which holds our peoples native title in the seas surrounding our IPA.

Map 1: Location of the Ugul Malu Kawal Indigenous Protected Area

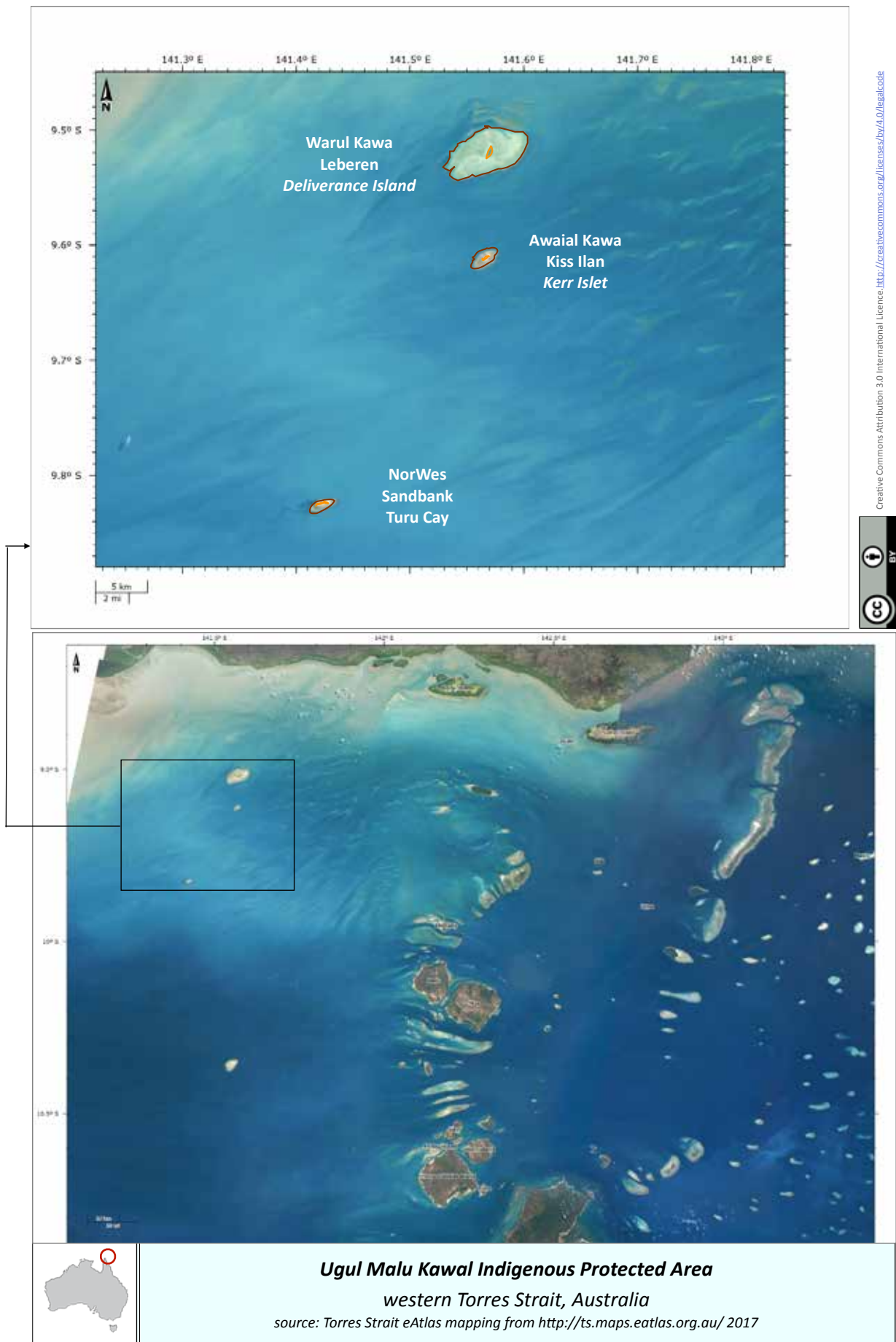
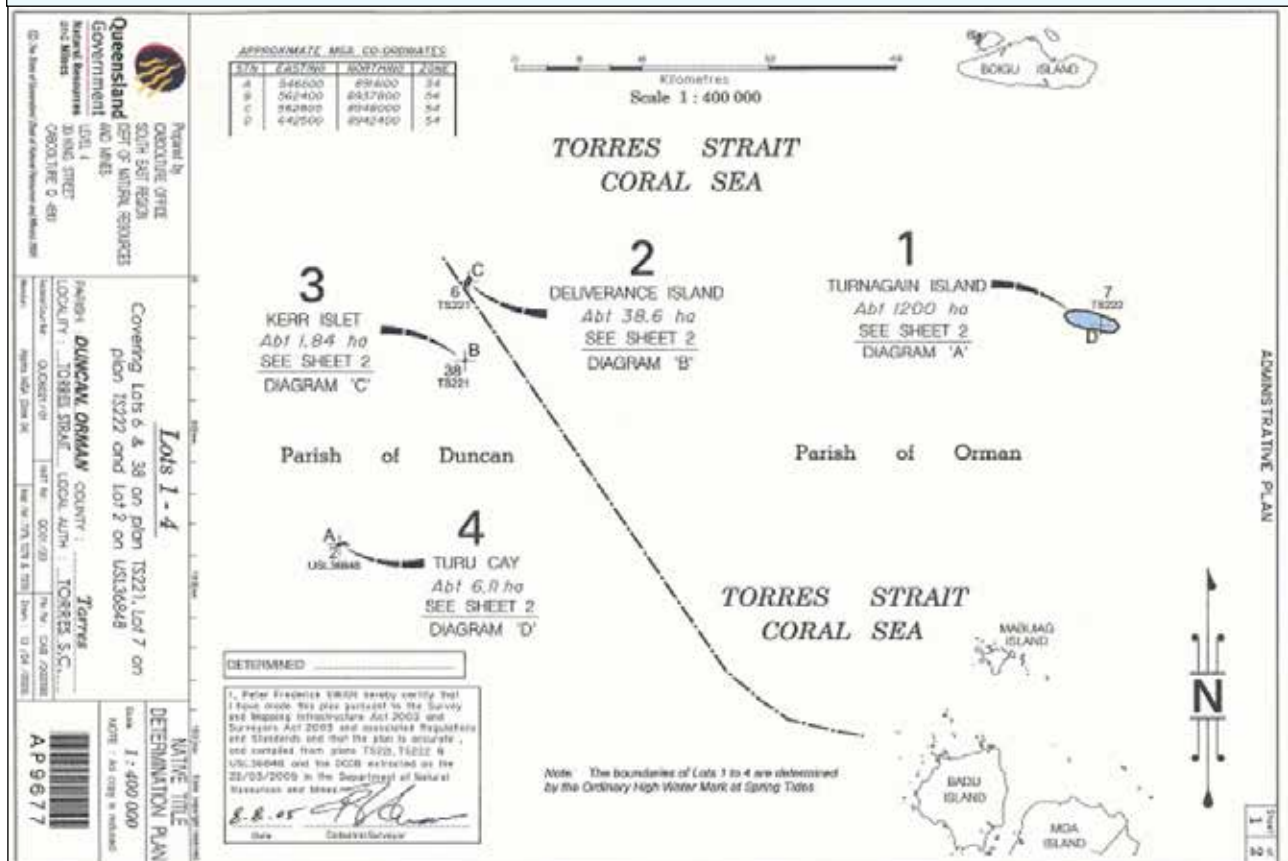


Figure 1: Dedication Area, Tenure Details, Coordinates & Native Title: Ugul Malu Kawal Indigenous Protected Area

Warul Kawa IPA (declared 2001)	3,500 hectares / 35 km ²	source for Warul Kawa / Leberen reef platform area is the 2001 Declaration Notice - Appendix A	
Awaial Kawa / Kiss Ilan	250 hectares / 2.5 km ²	Island and reef platform to be dedicated under this IPA PoM	
NorWes Sandbank / Turu Cay	248 hectares / 2.48 km ²	Cay and reef platform to be dedicated under this IPA PoM	
COORDINATES - WARUL KAWA / LEBEREN, AWAIAL KAWA / KISS ILAN AND NORWES SANDBANK / TURU CAY			
Traditional Names	Other Names	Coordinates (Latitude / Longitude)	Datum: GDA 1994 UTM Zone 54
Warul Kawa / Leberen	<i>Deliverance Island</i>	9° 31' South / 141° 34' East	562194.7 8947974.9
Awaial Kawa / Kiss Ilan	<i>Kerr Islet</i>	9° 37' South / 141° 25' East	562176.5 8936918.3
NorWes Sandbank / Turu Cay	-	9° 34' South / 142° 17' East	545690.5 8914829.1
LEGAL TENURE DETAILS - WARUL KAWA / LEBEREN, AWAIAL KAWA / KISS ILAN AND NORWES SANDBANK / TURU CAY <i>All land parcels (island / cays) in the Ugul Malu Kawal PA fall within the jurisdiction of the Torres Shire Council (TSC) local government area. Area given is approximate only.</i>			
Traditional Names	Area (hectares / km ²)	Lot on Plan, Tenure (Land Title)	Trustee
Warul Kawa / Leberen	38.6 hectares / 0.386 km ²	Lot 6 TS221 (Reserve 224)	Queensland Government Dept. of Aboriginal, Torres Strait Islander Partnerships (previously known as DATSIMA)
Awaial Kawa / Kiss Ilan	1.84 hectares / 0.0184 km ²	Lot 38 TS221 (Reserve 226)	
NorWes Sandbank / Turu Cay	6.11 hectares / 0.06 km ²	Unallocated State Land (USL)	Queensland Government
Schedule 1 Warul Kawa and Buru native title determination (FCA 1118) of August 2005. Native title rights and interests are vested in the Maluilgal (TSI) Corporation RNTBC on behalf of the Traditional Property Owners. The full determination decision can be accessed at http://www.austlii.edu.au/au/cases/Cth/FCA/2005/1118.html			



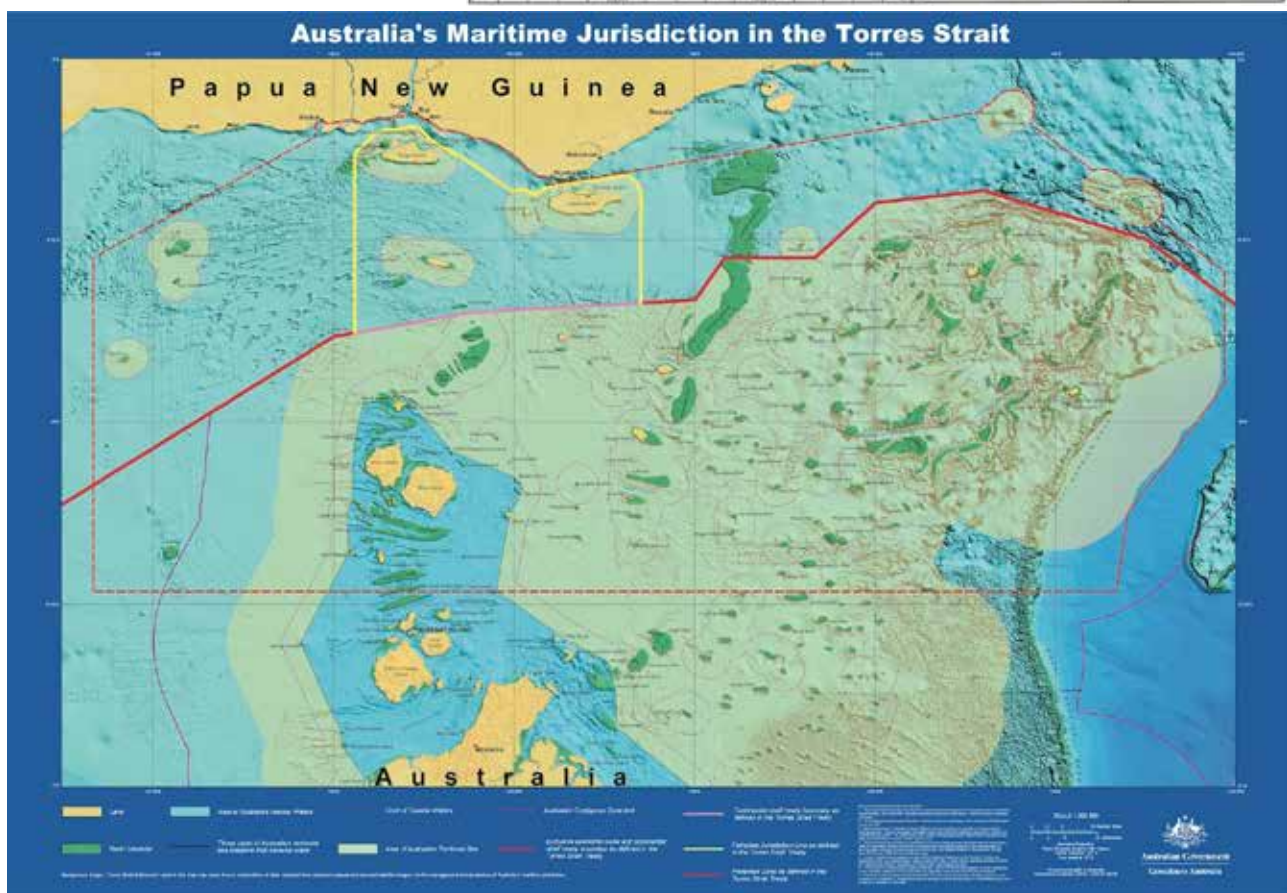
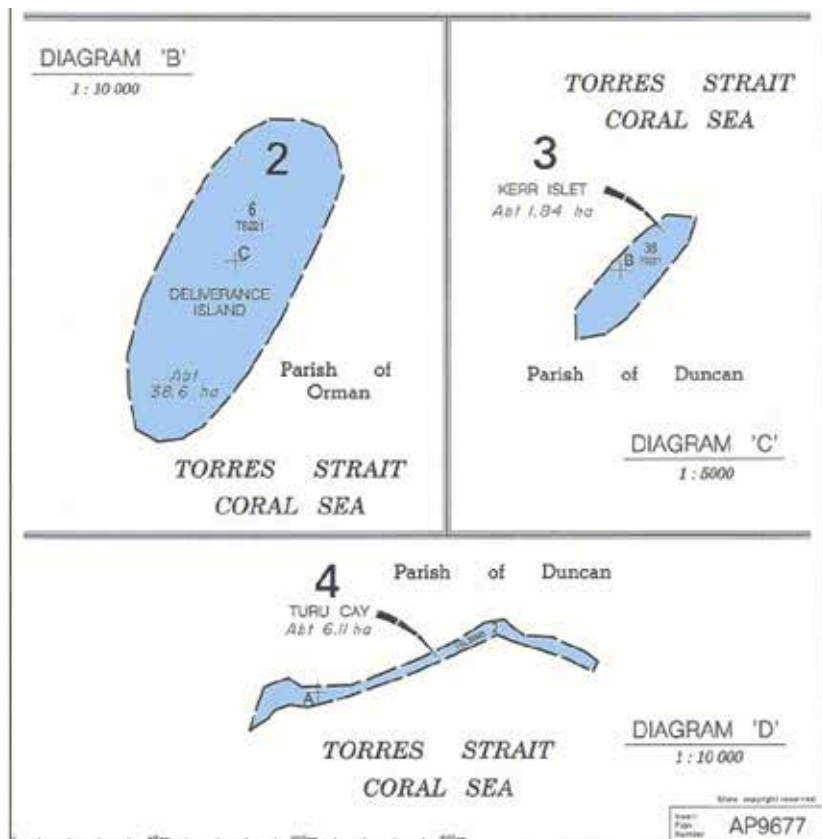
Map 2: Australia's Maritime Jurisdiction in the Torres Strait

Diagrams 'B', 'C' and 'D' are taken from the Warul Kawa and Buru native title determination (FCA 1118) of August 2005. [In the original determination document Diagram 'A' shows the legal description of Buru (Turnagain Island) which, although part of the same native title determination vested in the Maluilgal (TSI) Corporation RNTBC is not included within the Ugul Malu Kawal Indigenous Protected Area.]

Map 2: Jurisdictional Map

Australia's Maritime (sea-related) Interests in the Torres Strait, detailing Australia's territorial seas, reefs and inter-tidal zones, agreed Treaty movement areas and Treaty-related boundaries.

This map has been included with the permission of Geoscience Australia and can be found at: <https://ecat.ga.gov.au/geonetwork/srv/eng/search#la05f7892-daeb-7506-e044-00144fdd4fa6>.



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Our Journey to dedicating the Ugul Malu Kawal IPA

The Ugul Malu Kawal Indigenous Protected Area is an **expansion of the Warul Kawa IPA dedicated on 15 February 2001**.

The decision to expand the original IPA to also include Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay was made by our Elders and our RNTBC leadership on the advice of Traditional Property Owners during 2017 consultations. The desire to expand the IPA was initially expressed in the earlier 2013 draft Warul Kawa IPA Plan of Management.

The 2001 Warul Kawa IPA dedication involved Traditional Property Owner representatives, staff of the Torres Strait Regional Authority (TSRA), the then Island Co-ordinating Council (ICC) and Environment Australia (the then Australian Government Department for the Environment). Consultation at that time was funded by the National Heritage Trust.

Many events of significance to our peoples have taken place in the interim period between the original IPA dedication and development of this Plan of Management for the larger Ugul Malu Kawal IPA, which we are dedicating through this Plan of Management.

The timeline below outlines the dates of key events in our journey towards realising the Ugul Malu Kawal IPA:

1996 – Australian Government Department of Environment’s IPA Program commences.

1996 -1997 – Funds received from the Australian Government by ICC to explore establishment of IPAs in Torres Strait – community consultations include further discussions about Warul Kawa / Leberen.

1998 – Second round of funds received by ICC to support further community visits and also surveys of Warul Kawa / Leberen's natural and cultural values.

February 2001 – ***Warul Kawa Indigenous Protected Area*** declared for Warul Kawa / Leberen and its surrounding reef platform, an area of about 35kms² in total size (**Appendix A**). Development of a draft IPA management framework was not completed at the time.

2002 – IPA management signage put up and a shelter with water tank to support Ranger management was built on the island. At about this time an interim IPA Steering Committee was also established.

August 2005 – *Nona on behalf of the Saibai, Dauan, Mabuig, Badu and Boigu Peoples v Queensland* [FCA 1118] native title determination recognises the rights and interests of the five Traditional Property Owner groups who hold connections to Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan, NorWes Sandbank / Turu Cay and Turnagain Island (Buru). Native title claimants are ‘Victor Nona, John Whop, Pili Waigana, Nelson Gibuma and Phillip Bigie on behalf of Saibai, Dauan, Mabuig, Badu and Boigu peoples’.

These native title rights and interests are held by the Maluilgal (Torres Strait Islander) Corporation Registered Native Title Body Corporate (RNTBC) on behalf of the Traditional Property Owners. This claim is more generally referred to as the “Warul Kawa and Buru” determination, registered 18 August 2005.

2006 - The first meeting held to establish our Ranger groups took place at Peo Ahmat’s property at Gaubuth on Badu Island in 2006. At this time, Guda Maluilgal and Maluilgal Elders were also holding discussions about island-based dugong and turtle management frameworks, assisted by Horace Nona.

2009 – TSRA secured funds to develop a Torres Strait Indigenous Ranger program through then Australian Government Caring for Country program. At about this time the TSRA’s Land & Sea Management Unit (LSMU) started coordinating natural resource management across Torres Strait. Since this time, the LSMU has provided IPA management support and coordination of Rangers for activities through Ranger group operational and annual work plans, as well as managing financial resources made available for our IPA’s management from the Australian Government’s IPA program and other partners.

2 July 2010 – *Akiba on behalf of the Torres Strait Islanders of the Regional Sea Claim Group v Queensland (No.2)* [FCA 643] lodged. Claim includes marine waters to the 3 mile limit around Warul

2011 – TSRA secured further funds to assist in finalising an IPA Plan of Management for Warul Kawa.

2011 and 2012 – IPA Plan of Management development started with field surveys and Rangers from five Traditional Property Owner groups working with Arafura Consulting. Warul Kawa IPA Science Team: Dr Garrick Hitchcock (anthropologist), David Fell (botanist), Rachel Groom (marine ecologist) and Professor Justin Watson (terrestrial ecologist). In 2012 this team included Professor Ian McNiven (archaeologist).

14 March 2012 (amended 7 August 2013) – *Commonwealth of Australia v Akiba on behalf of the Torres Strait Islanders of the Regional Sea Claim Group* [FCAFC 25] Native Title Claimants: ‘Leo Akiba and George Mye behalf of the Torres Strait Regional Sea Claim Group’. Decision recognises native title rights including take of fish and other aquatic species for sale or trade.

2013 – Revised draft Warul Kawa IPA Plan of Management presented.

26 June 2014 – Federal Court ordered that the *Torres Strait Islanders of the Regional Sea Claim Group* native title rights and interests be held in trust on their behalf by the Malu Lamar (Torres Strait Islander) Corporation Registered Native Title Body Corporate (RNTBC).

2015 to 2016 - Rangers survey nesting and foraging Green and Flatback marine turtles, undertake marine debris and ghostnet removals, native vegetation and native fauna surveys, and the in-situ investigation of invasive species presence / absence (feral cats) and control measures (black rats).

February 2017 - Meeting held between Maluilgal RNTBC and TSRA LSMU agrees to progress draft IPA Plan review with the aim of developing and finalising an up-dated Plan of Management for the IPA.

March and May 2017 - Rangers continue surveys of nesting and foraging marine turtles, undertake marine debris and ghostnet removals, vegetation and fauna surveys, and in-situ investigation of invasive species presence / absence (feral cats) and control measures (particular focus on black rats *Rattus Rattus*).

June - September 2017 - IPA Plan review process progressed with Badulgal, Boigulgal, Goemulgal, Dauanalgal and Saibailgal Elders and Traditional Property Owners. This process also engaged Mabuygiw Rangers, Malu Ki'ai Rangers, Mura Badhulgau Rangers, Mura Buway Rangers and Simakal Rangers. These review discussions lead to preparing and finalising this *Ugul Malu Kawal IPA Management Plan*.



Emerging U / Wanah (Flatback marine turtle) hatchling, Warul Kawa / Leberen, Ugul Malu Kawal Indigenous Protected Area

Image courtesy of Tristan Simpson, 2017

Sacred islands and reefs, sacred animals and plants

Ugul Malu Kawal's Special Values

The sacredness of the Ugul Malu Kawal IPA to us as Guda Maluilgal and Maluilgal Traditional Property Owners arises directly from our peoples' traditional spiritual beliefs, which continue to resonate across the whole of Torres Strait. All places within the IPA - its islands, cays and sandbanks, its reefs, its deeper and shallower marine waters - are sacred.

We have abiding responsibilities as the Traditional Property Owners to protect our IPA's sacredness from trespass or pollution, and to protect and look after the many native animals and plants which live within or move through our IPA with each year's winds. We do this by respecting the sacred powers of our IPA and our own living connections to it. We follow the traditions and practices of our Ancestors in honouring and respecting the sea and all its life forms.

We do not see or experience the 'cultural' and the 'natural' as separate - for us, all places within our IPA, all of its animals and plants, and all of us as the Ugul Malu Kawal IPA's Traditional Property Owners, are connected through Lawag Sabi a Danalaig / Igililnga (*our Ancestors' lores*) and Ngarpun Kupay a Wakaynthamam / Ngarpun Igililnga (*our Worldview*).

From the Markay (*non-Indigenous*) perspective, our IPA holds many significant natural values recognised within the western scientific tradition. These knowledge systems are used by us in our IPA management work with our IPA partners. Our IPA's non-indigenous heritage values have been influenced by many significant events, some of which are described below or in other parts of this Plan.

Spiritual Places of Sacred Significance

The Ugul Malu Kawal IPA in its entirety is an immensely powerful and sacred area for both the Guda Maluilgal and the Maluilgal Traditional Property Owners. Story and ceremony connect both in different ways. The sacred significance of this area is important to all Torres Strait Islanders given its location toward the spiritually significant western horizon. When we go to this sacred place we do not ever stay for long and we are very mindful of where we go, what we do and how we do things during our stay. Only authorised senior Traditional Property Owners can make decisions about use of the area's sacred traditional names and more detailed spiritual aspects to this area are not able to be shared.

Our IPA's three (3) uninhabited places are sandy cays or islands on their own reef platforms of various sizes, two of which - Warul Kawa / Leberen and Awaial Kawa / Kiss Ilan - have established plant communities (vegetation) growing on them. Our Elders who have visited NorWes Sandbank / Turu Cay in the past know this place as a bare sand cay without plants.

All of our IPA's cays have abiding spiritual, traditional and other cultural values, as do the reef platforms each cay is situated on and the seas around them - being that western part of Torres Strait merging with the Arafura Sea.

Traditional cultural connections extend west and south to the Australian mainland and the Gulf of Carpentaria, and to the north east towards the greater island of Papua (Papua New Guinea and the Indonesia territory of Irian Jaya). These continuing connections reach back over 9,000 years since the flooding of the Sahul land-bridge, which as transmitted to us through our Ancestors' lores and our oral histories, has shaped our island and sea-based economies, our complex seasonal trading relationships and our customary practices as Guda Maluilgal and Maluilgal Traditional Property Owners.

Places of Enduring Traditional Significance

Our IPA includes many sites of enduring traditional significance to our peoples as the area's Traditional Property Owners, which remain highly restricted places, governed by sacred resource use prohibitions and by our cultural protocols, with seasonally limited access and relative remoteness. Amongst these are:

- Traditional ceremonial sites, connected by our Lore, our Songs and our Stories to our home islands.
- The Boigulgaw Story *Maui a Usuru*.
- The Mabuygiw Stories *Uga: the Mortal Girl who Marries a Spirit Man* and *Tapeba: the Mortal Man who marries a Spirit Girl*.
- Traditional occupation and use of sites on Warul Kawa / Leberen and Awaial Kawa / Kiss Ilan.
- Traditional ceremonial hunting grounds, particularly for dugong and marine turtles at certain seasonal times.
- Traditional ceremonial harvesting grounds, particularly for the seasonal collection of marine turtle eggs.
- Traditional fishing grounds for diverse reef and pelagic fish species, including tropical rock lobster.
- Place of the original Dhani tree (*Ficus* sp.) which produced the sapling Tree of Spy on Boigu. Boigulgal Elders¹ state the Tree of Spy was used by Boigu people to look-out for encroaching Papuan headhunters, known as the 'Thuger'. The Dhani is a closed forest species which does not occur naturally in Boigu's low, swampy environment.
- Open marine waters seasonally travelled by our peoples in traditional canoes using traditional celestial navigation.
- Occasional use by the traditional inhabitants of the island of Papua (now Papua New Guinea and part of Indonesia).

The sacred names of places located in our IPA, and the deeper spiritual meaning of these names, may only be shared at the discretion of senior Traditional Property Owners. Ownership of sacred cultural information remains with the senior decision-makers and leaders of our peoples.

Boigulgal lore and stories for Warul Kawa, Awaial Kawa and Turu Cay link back to Boigu, to Dauan and Saibai, and for some lore and stories, also to other places within Torres Strait.

Mabuygiw lore and stories associated with Leberen, Kiss Ilan and NorWes Sandbank connects these places to Mabuyag and, for some lore and stories, also to other places in Torres Strait.

The late Boigu Elder Charlie Gibuma (1991:110), stated that 'long ago the Boigu people travelled about in canoes. They sailed west to Deliverance Island (Warul Kawa) to get turtle eggs'. Boigu Elder Keith Pabai also noted the economic and cultural significance of the island in his Traditional Property Owner evidence to the Torres Strait Regional Sea Claim:

We go to Warul Kawa for bird eggs and turtle eggs during the monsoon season, naigai time, when the north west wind blows. We will often go when the wind drops and there is a flat sea. We also pick up whiting from there. We get unuwa (Hawksbill) and u (Flatback) turtle eggs. Every now and then there are green turtle eggs there (Pabai 2008:45).

Warul Kawa is a spiritual place. There is an old belief handed down from our forefathers; that Warul Kawa is where the spirits go when they leave the sandbanks on the western end of Boigu. That's why we don't go there all the time; we only go there at certain times and we wouldn't be staying there for a week or so. We might stay for one or two nights; then we go. That respect is given because it's a special place. We don't play sports or anything like that; we just gather the food we came for and that's it. You take and then you go. The resources there include fish like trevally and mullet, dugong, turtle, turtle eggs. Even turtles; we bring back a couple newly hatched baby turtles; we bring them up then let them go. It is a tradition that reminds us of Warul Kawa. We also collect the eggs of sara there, the seagull (Pabai 2008:63).

The origin story of the Tree of Spy sourced from Dhanil Kawa ('Fig tree Island') is told by Boigu Elders:

The Tree of Spy is a fig tree which we call dhani. Long ago it was brought from Deliverance Island and planted in the village near Koedal Boepur. It grew to be a tall tree and in the later years of fighting the Thuger [headhunters from New Guinea], it became very useful to the Boigu people. If the Thuger were about, someone would sit in the top branches and keep watch during the day (Ingui et al. 1991:78-79).

¹Gary Tom and Mayi Gibuma, personal communications with Arafura Consulting 2001

Cultural Places of Unique Historical Significance

The IPA further includes many places of historical and continuing (contemporary) cultural significance, both for us as the Traditional Property Owners and for other Queenslanders and Australians. As there are restricted places within the Ugul Malu Kawal IPA, access and bio-cultural resource uses are governed by our cultural protocols. These places include:

- Historical hunting, harvesting and fishing grounds, either seasonally accessed by our Ancestors and our Elders to obtain food and other traditional bio-cultural resources, or accessed occasionally by them during the pearling days to supplement their meagre rations of European foodstuffs paid in lieu of wages.
- Historical visitation and use sites on Awaial Kawa / Kiss Ilan and NorWes Sandbank, accessed by our Ancestors and our Elders to obtain food and other traditional bio-cultural resources during both earlier and later pearling periods.
- Use of the cays by shipwrecked sailors and others since the early period of European voyaging through Torres Strait.
- Occasional use by Papuan peoples (this is suspected to still occur, based on recent evidence found within the IPA).
- French include these islands as the *Iles de la Deliverance* in 1792-93 in maps as drawn by Charles Francois Beutemps-Beaupre² as part of a voyage through the region by French naval captain Antoine Bruny d'Entrecasteaux.
- English naming of Warul Kawa / Leberen as Deliverance Island is attributed to Captain William Wright Bampton. Bampton's ship, the *Shah Hormuzear*, was accompanied on its 1793 voyage through Torres Strait to Bombay (now Mumbai, India) by the whaling ship *Chesterfield*. During that journey, both vessels also anchored offshore at Erub, where six crew were killed by Erubum Le for polluting the island's only water well, after which other crew murdered a number of Erubum Le and destroyed houses, canoes and gardens there.
- Special Lease no. 1531, granted by the Queensland government in 1911, for Warul Kawa / Leberen to Reginald A. Charles Hockings for 30 years, permitting use of the island for a pearl fishing base and the growing of coconuts (copra plantation) for £5 (5 pound) rent per year for the first 5 years of the lease. The lease conditions required the lessee to permit access to all others for obtaining water. This lease was surrendered in 1919.³
- Historical occupation sites on Warul Kawa / Leberen, including the camp built and occupied by Harry Evoldt (also known as German Harry) a Danish hermit who lived on the island between 1893 and his death there in the late 1920s. According to historical newspaper articles, Harry originally arrived on the island together with two other men to kill Hawksbill turtle for the highly sought after material tortoiseshell⁴, and his remains were found by another European visiting the island.⁵
- At least two documented (but unmarked) historical grave sites on Warul Kawa / Leberen, one being the above-mentioned Harry Evoldt and the other a Japanese pearl diver.⁶

Despite the presence of Europeans on the island over several decades, our Ancestors continued to visit the island in the course of their participation in the marine industries. The island was located near the famous 'Old Ground' pearl shell fishery. An old song from Mabuyag, *Black Swan*, recalls the visits of the community's lugger to the area:

<i>Naki matha ngoey</i>	The only boat is us
<i>Black Swana-e</i>	the Black Swan
<i>E-a-e</i>	
<i>ngoelmun rangadh</i>	Our course
<i>nake nawopa</i>	is set
<i>Lebarainika</i>	to Leberen

² *Carte Generale de la Nouvelle Hollande et des Archipels du Grand Ocean* in the 1807 published *Atlas du Voyage de Bruny d'Entrecasteaux* <http://nla.gov.au/nla.obj-230810006/view> - translation: "General Map of New Holland [Australia] and the Archipelagos of the Grand [Pacific] Ocean".

³ Cooper 1999, cited in Maluilgal RNTBC and Arafura Consulting Pty Ltd (2013)

⁴ "Torres Strait and a Trip to Deliverance Island" Saturday 29 September 1877 The Brisbane Courier (source: Trove on-line database)

⁵ "A Modern Crusoe: Story of Deliverance Island and Its Hermit" Saturday 8 December 1934 The Katoomba Daily (source: Trove on-line database)

⁶ Kyuhara 1977, cited in Maluilgal RNTBC and Arafura Consulting Pty Ltd (2013)

Habitats of Sacred Significance

The Ugul Malu Kawal IPA provides essential marine (sea) and terrestrial (land) habitats for many culturally unique and ecologically significant animal and plant species. In our Guda Maluilgal and Maluilgal worldview all things are connected - the sacredness of our IPA as a whole is not separate to the sacredness of the area's animals or its plants.

Our Rangers and IPA partners record all animals, birds and plants observed in the IPA during their management visits and related surveys, with their results to date listed in the respective appendixes to this Plan, as indicated below.

Animals of sacred significance include all animals to which we relate as the Traditional Property Owners, including through our clan affiliations and our totems. Some animals known from within our IPA (**Appendix B**) include:

- Sea turtles including Green Turtle, Flatback Turtle and Hawksbill Turtle:
Warul Kawa / Leberen is globally recognised around the world as an important site for three (3) species of sea turtles. Together with neighbouring Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay, and Crab Island (to the south of Maluilgal sea country), this area supports the largest known nesting population⁷ of Flatback turtles (*Natator depressus*). Hawksbill (*Eretmochelys imbricate*) and Green (*Chelonia mydas*) turtles also nest in our IPA⁸. Warul Kawa / Leberen appears to have a significant juvenile Green turtle population inhabiting and foraging on its adjacent reef flat. Successive IPA-specific work in recent years appear to indicate that Green turtles may depart Warul Kawa as they increase in size, perhaps migrating off the reef edge or to other foraging grounds.
- Other marine animals including dugong, dolphins, sharks, rays, diverse fish, tropical rock lobster and oysters.
Extensive shallow water habitats and sea grass beds in the Ugul Malu Kawal IPA support large numbers of migrating turtles and dugong herds (*Dugong dugon*) and a large number of fish species, crustaceans and other marine species.
- Land animals including the Black Flying Fox (*Pteropus alecto*), Six-toothed Rainbow Skink (*Carlia sp.*), Dubious Gecko, Estuarine Crocodile and diverse micro-bat species.
- Birds including the Orange footed scrub fowl, Australian Pelican, smaller song birds and diverse other birds such as migratory shorebirds, pigeons and larger song birds. Originally a list of only thirteen (13) bird species from Warul Kawa / Leberen was known to scientists. Following preliminary surveys in 1999, the IPA's bird list was increased to 33 species, with 2011 and 2012 IPA bird survey work subsequently almost doubling the 1999 recorded bird species⁹. Eighty-eight (88) bird species have been recorded to date in the IPA, with 39 of these documented on both Warul Kawa / Leberen and Awaial Kawa / Kiss Ilan (**Appendix C**).

Habitats with Culturally Significant Native Plants

A high number of culturally significant plants have been documented on Warul Kawa / Leberen and Awaial Kawa / Kiss Ilan over the past decade (**Appendix D**), some of which are of regional conservation significance^{10,11}. There are no federally (EPBC) listed plants or plant communities known to occur in our IPA. Under the State (NCA) legislation, the Piner (*Pisonia grandis*) forests are listed as 'of concern' (less than 30% remaining)¹². The Piner communities on Warul Kawa, whilst not large enough to be included in RE mapping, (less than 1Ha in size), are of significant regional and local value as they are significantly taller and further developed than those within the Capricorn-bunker islands. The Warul Kawa Piner forests are more typical of those communities found within Indo/Malayan islands. The biodiversity status of *Pisonia grandis* forests in Qld. is Critically Endangered, to reflect the pressures these plant communities face in the Indo Pacific from development, clearing, guano mining, climate change and the potential threat that the *Pisonia* leaf minor represent.

With its very thick, high forest, Warul Kawa / Leberen is not like most other sand cays in Torres Strait. Plants and plant communities (vegetation) were mapped in 1999 by aerial photography interpretation. More information was collected during a 2011 field survey involving a botanist identifying five (5) vegetation communities¹¹. This survey recorded 106 species of plants, increasing the known number of plant types on the island by 50 species¹³.

⁷ Limpus et al. 1989, cited in Maluilgal RNTBC and Arafura Consulting Pty Ltd (2013)

⁸ Groom, R. Warul Kawa Indigenous Protected Area Marine Turtle Survey.

⁹ Draffan et al. 1983 and MacFarlane and Hitchcock 2008, cited in Maluilgal RNTBC and Arafura Consulting Pty Ltd (2013)

¹⁰ Fell, D.G., Mclean, M. and Leahy, S. (2017) Results of a vegetation and flora survey of Awaial Kawa (Warul Kawa) Indigenous Protected Area, Torres Strait.

¹¹ D.G. Fell (2012) The Vegetation and flora of Warul Kawa Indigenous Protected Area, Torres Strait and J.J. Watson (2013) Results of Surveys of Vertebrate Fauna on Warul Kawa (Deliverance Island) and Awayal Kawa (Kerr Islet), 2011 and 2012.

¹² Eda Addicott pers comm Qld Tropical Herbarium, JCU Cairns Nov 2017.

¹³ Kwan et.al. 1999 Cited in Maluilgal RNTBC and Arafura Consulting Pty.Ltd (2013)

Habitats for Critically Endangered and Other Threatened Marine and Migratory Animals

The below listed island-specific findings are detailed in recent IPA-specific survey reports (see also **References**).

Our IPA provides breeding and foraging habitats for many animals also significant from a conservation perspective:

- Dugong and at least four (4) species of marine turtles: Green, Flatback, Hawksbill and Leatherback turtles
- State-listed threatened species such as Little Tern, Beach Stone Curlew and Eastern Curlew
- Federally-listed and internationally recognised marine and migratory species
- On Warul Kawa / Leberen:
 - Vine thicket/forest vegetation – high biodiversity value for migratory and resident birds and reptiles:
 - Semi-deciduous mesophyll vine forest dominated by Lettuce or Bird Lime Tree (*Pisonia grandis*)
 - Semi-deciduous notophyll vine forest dominated by Coconut and Wongai (*Manilkara kauki*)
 - Semi-deciduous vine thicket
 - Mudflats/sand-flats – important forage and roost habitat for birds (including migratory waders)
 - Coastal habitat for rare sea birds and waders
 - Coastal dune system with protective vegetation cover (dune scrublands, coastal fore-dune grassland, herb-land and scrubland complex)
 - Sandbank/sand spit as nesting and roosting area for large colony of terns (>1,000 observed 2012)
 - Sandbank/sand spit as roosting site for migratory waders (>2,000 (2012), high tide roost very important)
 - Black Flying Fox colony
- On Awaial Kawa / Kiss Ilan
 - Pelican rookery and nesting site - over 250 birds recorded in 2012 survey, and 250 birds and 110 nests in 2017.
 - Sand spits/sandbanks (north west, southwest) that support roosting seabirds and migratory waders
 - Coastal habitat for rare sea birds and waders
 - Nesting site for Nankeen Night Herons (and possibly Reef Egrets)
 - Relatively undisturbed dune scrub vegetation
 - Coastal habitat for rare sea birds and waders
- A place-specific search of threatened, migratory and marine species undertaken through the *Environment Protection Biodiversity Conservation Act 1999* (Cth) (EPBC) Protected Matters database shows the IPA may provide habitat for:
 - 17 threatened species
 - 40 migratory species
 - 80 marine species
 - 10 whales and other whale-like animals (cetaceans)
- A place-specific search of listed species undertaken of the Queensland Government's *Nature Conservation Act 1992* (NCA) Wildlife Online database indicates the IPA may provide habitat for the following NCA listed animals:
 - 5 endangered species
 - 7 vulnerable species
 - 1 near threatened species - the littoral whiptail skink
 - 34 species of least concern - *for our IPA this category refers to migratory birds protected under international migratory species agreements or conventions*



Six-toothed Rainbow Skink, Warul Kawa / Leberen (photo courtesy of David Fell, 2011)



Turtle tracks, Warul Kawa / Leberen, Ugul Malu Kawal Indigenous Protected Area

Image courtesy of David G Fell, 2011



Green Turtle with tag, Warul Kawa / Leberen, Ugul Malu Kawal Indigenous Protected Area

Image courtesy of Tristan Simpson, 2016

Known and Arising Threats

Threats and Threatening Processes

We as Guda Maluilgal and Maluilgal Traditional Property Owners of the Ugul Malu Kawal IPA have identified **six (6) critical threats or threatening processes**¹⁴ which are currently impacting, or have the potential to significantly impact on our IPA's sacred seas, islands, reefs, cultural sites and totems, animals and plants.

We have considered and discussed these critical threats during the 2017 review process, and developed management strategies with our Ranger groups and IPA partners to address or further investigate these identified priority threats and threatening processes in the period to 2028.

One of the highest priority known threats identified by Traditional Property Owners is unmanaged access. When outsiders come to our IPA's islands, or the seas around them, without first asking our permission. It is not only disrespectful to us as the IPA's Guda Maluilgal and Maluilgal Traditional Property Owners, it is also unsafe and pollutes these sacred places. Unauthorised access and illegal activities causes harm to our IPA, to ourselves and also to others.

This section also describes other threats and threatening processes which impact, or have the potential to impact our IPA.

We will continue our management policy of enforcing limited access to our IPA to protect its many special values.

Within the various sections and tables of our IPA Plan of Management, the Mabuygiw Rangers (Mabuyag Island), the Malu Ki'ai (Boigu Island) Rangers, the Mura Badhulgau Rangers (Badu Island), the Mura Buway (Saibai Island) Rangers and the Simakal Rangers (Dauan Island) are at times collectively referred to as "*our Rangers*", "*our Ranger groups*" or "*the Guda Maluilgal and Maluilgal Rangers*".



Although remote, the Ugul Malu Kawal IPA's special values are under threat: Globally significant Flatback turtle rookery (left) - Critical migratory bird habitats (centre) - Access only by invitation and prior permission from Traditional Property Owners through Maluilgal (TSI) RNTBC (right).

Images courtesy of TSRA LSMU 2016 - 17

¹⁴ Threatening processes are threats which evolve over time with the potential to cause long-term or irreversible changes. Certain 'key threatening processes' assessed by the Australian Government's Threatened Species Scientific Committee are listed under the Commonwealth EPBC Act - see <http://www.environment.gov.au/cgi-bin/sprat/public/publicgetkeythreats.pl> and <http://www.environment.gov.au/biodiversity/threatened/tssc>

1) Not Enough IPA Resources

Our Ranger groups, and we as Guda Maluilgal and Maluilgal Traditional Property Owners through our native title holding body the Maluilgal (TSI) RNTBC, need sustained support and financial resources to better understand, effectively monitor and strategically manage those threats and threatening processes which impact, or have the potential to harm our IPA's special native animals and plants, or reduce their numbers over time.

THREAT: NOT ENOUGH IPA RESOURCES		
How might this threat harm our IPA	What might we do about this threat?	Who may need to be involved?
Not enough funds available to employ our Rangers for IPA management, or to provide tools and equipment, or to undertake regular IPA management visits to check for trespass or illegal uses	<ul style="list-style-type: none"> - Build strong IPA support partnerships - Continue to strengthen relationships with Australian Government IPA program - Support TSRA LSMU and Maluilgal (TSI) RNTBC efforts to access additional IPA resources from other partners as agreed 	Ranger & IPA Steering Committee TSRA, LSMU management and senior staff Maluilgal (TSI) RNTBC Directors Malu Lamar (TSI) RNTBC Directors Bodies with interests in, or around, our IPA Australian Government agencies and staff Regional, state and federal politicians
Not enough resources for our Rangers to effectively manage or eradicate invasive species - animal pests (like rats) or invasive plants (weeds)	<ul style="list-style-type: none"> - Skilled Guda Maluilgal and Maluilgal Rangers employed to manage our IPA - Continue to strengthen relationship with regional Biosecurity staff and agencies - Build information-sharing partnerships with surveillance agencies 	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers Guda Maluilgal and Maluilgal Elders LSMU IPA Program staff External experts / scientists by invitation
Inability to properly protect native animals and plants, most of which are culturally significant species	<ul style="list-style-type: none"> - Cultural Protocols apply to all IPA visitors - Continue to monitor the health of our IPA's native animals and native plants - Continue to look after our sacred places 	
Not having enough resources for our Rangers to remove washed up rubbish (marine debris including ghostnets) which harms and kills native animals (on sea and land) <i>Rubbish comes mostly from outside places or from boats.</i> <i>Marine turtles in the Arafura Sea are very highly vulnerable to being caught up in ghostnets.</i>	<ul style="list-style-type: none"> - Rangers collect washed up rubbish (debris) during each IPA survey visit / IPA management visit - Collected debris is sorted, weighed and recorded by number, weight and type - IPA debris information is shared with Marine Debris and Ghostnet databases - Some debris can be passed onto home island art centres for re-use/re-cycling 	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers LSMU IPA Program staff External IPA partners by invitation

Nation-wide data on marine debris and ghost nets is collected as part of the Australian Marine Debris Initiative, first set up by Tangaroa Blue¹⁵. This database has to date recorded information about 8.5 million individually collected bits of debris removed from over 2,000 locations all around the country since 2004. North Australian marine debris comes mostly from larger urban population centres in Australia and Asia, or is thrown overboard from sea-going vessels.¹⁶

¹⁵ Tangaroa Blue Foundation and Australian Marine Debris Database - <http://www.tangaroablue.org/database.html>

¹⁶ North Australia Indigenous Land & Sea Management Alliance Ltd (2017)

2) Decline in the Health of our IPA's Marine Turtles

Our Maluilgal and Guda Maluilgal traditional knowledges, our historical experiences and our continuing traditional practices - relating directly to all sea and land areas within our IPA - continue to inform our understanding today of these sacred animals' behaviours and movements. Warul (sea turtles), in particular Waru (Green turtle *Chelonia mydas*), U / Waneh (Flatback turtle, *Natator depressus*) and Unawa (Hawksbill, *Eretmochelys imbricata*) are all known to forage (eat), breed (nest) and stay for long periods of time each year in our IPA, which is internationally recognised as significant marine turtle habitats. We know loggerhead turtles (*Caretta caretta*) move through our IPA as well.


Sea turtles are under threat around the world. Australia has entered into several international agreements that protect sea turtles - the *Convention on the Conservation of Migratory Species of Wild Animals*, the *Convention on Biological Diversity*, the *Convention Concerning the Protection of the World Cultural and Natural Heritage*, and the *Convention on the International Trade in Endangered Species of Wild Fauna and Flora* (CITES). In Australia, all sea turtles are considered to be threatened species, and are protected as such under federal and state laws. Strategies for reducing human impacts on sea turtles are set out in the *Recovery Plan for Marine Turtles in Australia 2017-2027*.¹⁷

Key threatening processes listed under the EPBC Act (Cth) for Australian sea turtles are:

- Injury and fatality to vertebrate marine life [marine animals with backbones] caused by ingestion [eating or swallowing] of, or entanglement [getting caught up] in, harmful marine debris [washed up rubbish]; and
- Loss of climatic habitat caused by anthropogenic [human] emissions of greenhouse gases.

As Guda Maluilgal and Maluilgal Traditional Property Owners we have put in place our own local and regional rules about the traditional hunting of Warul, set out in our respective home island *Dugong and Turtle Management Plans*. Scientific research work¹⁸ has also involved sea turtles and their habitats near our IPA and surrounding seas. Since declaration of the Warul Kawa IPA in 2001, our Ranger groups have recorded significant turtle monitoring data at Warul Kawa / Leberen, at times also working with invited external scientists and experts.¹⁹

WASHED UP RUBBISH RECENTLY COLLECTED BY RANGERS ON WARUL KAWA / LEBEREN AND AWAIAL KAWA / KISS ILAN		
When: month and year	How much did our Ranger remove?	Total rubbish removed by year
March 2016	15 large bags of rubbish	45 large bags of rubbish
May 2016	30 large bags of rubbish	
March 2017	47 large bags of rubbish	64 large bags of rubbish
May 2017	17 large bags of rubbish	



Washed up rubbish and marine debris: Warul Kawa / Leberen . Rangers collecting, sorting and recording marine debris, before removing debris from the Ugul Malu Kawal IPA.

Images courtesy of TSRA LSMU 2017-2011

¹⁷ *Recovery Plan for Marine Turtles in Australia 2017-2027* environment.gov.au/marine/publications/recovery-plan-marine-...

¹⁸ For example: *Assessment of Key Dugong and Turtle Seagrass Resources in North-west Torres Strait, Torres Strait Atlas - Seagrass mapping*, 2015 National Environmental Research Program Project 2.1 *Marine turtles and dugongs of the Torres Strait, Torres Strait Dugong Sanctuary Deepwater Seagrass Monitoring 2010-2014*

¹⁹ Groom, R. *Warul Kawa Indigenous Protected Area Marine Turtle Survey*

THREAT: DECLINE IN THE HEALTH OF OUR IPA'S MARINE TURTLES		
How might this threat harm our	What might we do about this threat?	Who may need to be involved?
Fibropapillomatosis disease - disease affecting turtles around the world <i>Presently affects about 3% of Green turtles in our IPA</i>	<ul style="list-style-type: none"> - Regularly check Green turtles on annual IPA survey and management visits - Maintain records / data about any diseased turtles within our IPA 	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK External experts / scientists by invitation
Changing turtle populations - hotter sand may lead to a larger number of female turtles over time (compared to male turtle numbers)	<ul style="list-style-type: none"> - Continue to keep records of nesting turtles and their hatchlings during IPA survey and management visits - Data loggers to monitor sand temperatures - Continue to record female and male turtle numbers 	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK External experts / scientists by invitation
Un-permitted, illegal or unsustainable hunting of turtles or dugong or other bio-cultural resources in our IPA	<ul style="list-style-type: none"> - Cultural Protocols apply to all IPA visitors - No hunting or resource harvesting by non-Traditional Property Owners - Rangers help to implement home island <i>Dugong and Turtle Management Plans</i> 	Guda Maluilgal and Maluilgal Traditional Property Owners Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors LSMU staff: Land & Sea Team, IPA/TEK
Ghostnets and marine debris - floating ghostnets, and rubbish like plastic shopping bags, kill turtles <i>Our Rangers started removing Ghostnets and marine debris over 10 years ago (as part of the Carpentaria Ghostnets program)</i>	<ul style="list-style-type: none"> - Rangers collect and count stranded (washed up) ghostnets during each IPA survey visit / IPA management visit - Nets are sorted, weighed and identified by net type (where possible) - IPA debris information is shared with Marine Debris and Ghostnet databases - Ghostnets can be passed onto home island art centres for re-use/re-cycling - Develop partnerships to remove larger ghostnets from our IPA 	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK External IPA partners by invitation
Erosion of the sand profile may limit nesting opportunity <i>Our Elders request our Rangers be trained in the use of aerial survey techniques for IPA management and monitoring activities and undertake beach profiling monitoring</i>	<ul style="list-style-type: none"> - Aerial surveys in areas agreed by our Elders and by Maluilgal (TSI) RNTBC - Undertake aerial imaging work together with beach profiling images to better track temporal changes to cays, sandbanks and beaches - Rangers and LSMU co-workers share knowledge to better understand potential climate change and extreme weather event impacts on our IPA - Find resources to undertake aerial survey work 	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors External IPA partners by invitation External experts / scientists by invitation
		
Ugul Malu Kawal IPA is globally significant habitat for Marine Sea Turtles: Green Turtle (left, image courtesy of Tristan Simpson, 2017), Flatback Turtle (centre, image courtesy of Matt Dunn, 2017), Hawksbill Turtle.		

3) Black Rats

Black rats (*Rattus rattus*) have been known to inhabit Warul Kawa / Leberen for many decades (first recorded in 1949) and there is a well established population of active rats on Warul Kawa / Leberen - a significant threat to this island. No other native or other animal in the IPA is known to predate (eat) rats. Although historically cats have been present on the island (up to 80 cats were recorded here in the early 1900s), surveys and work by our Rangers and LSMU co-workers in 2011-12 and 2016-17 indicates that feral cats may no longer be present within our IPA.

Rats eat significant numbers and varieties of native plants, many of which are culturally important to Guda Maluilgal and Maluilgal Traditional Property Owners. Rats also eat the fallen nuts and shooting nuts of the Coconut - a highly significant cultural resource. Work by our rangers indicates that rats may be higher on Warul Kawa / Leberen's western side, that they are active both at day and at night, with most of their activity happening during the night.

Black rats eating bird eggs will lower the numbers of native and migratory birds residing within or moving through our IPA. Rats may be predated both sea turtle eggs and their hatchlings in our IPA. Rats are also suspected to eat the eggs of other land and sea animals including sea turtles and smaller reptiles known from our IPA like skinks and geckos.

Our Elders can recall when Warul Kawa / Leberen had many tall, mature coconut palms in the past. In their observations, the number of taller, more mature coconut palms have lessened since the 1960s. Saibailgal Elders have indicated that a large, mature plantation of coconut palms on Saibai Island was grown from nuts sourced at Warul Kawa / Leberen, and that this plantation could provide nuts for any revegetation using coconuts in our IPA.

Black rat eradication within our IPA is a very high priority for Guda Maluilgal and Maluilgal Elders and Traditional Property Owners. In order to progress this priority, several types of baiting stations have been trialled over recent years to gain insights into design effectiveness, bait mix preferences and bait-station placements. Elliot trapping of small mammals present on the island has also been undertaken by Rangers to generate data on their populations and the potential implications for native mammals under any future program of rat eradication adopted for our IPA.

Ranger and LSMU staff presentations on this project were given at all Warul Kawa IPA Plan review meetings held during June and August 2017 on Mabuyag, Dauan, Saibai, Boigu and Badu islands.




THREAT: IMPACT OF BLACK RATS		
How might this threat harm our IPA	What might we do about this threat?	Who may need to be involved?
Rats feeding on seeds and nuts - many rats will lead to lower numbers and diversity (variety) of native plants	<ul style="list-style-type: none"> - Rangers and LSMU co-workers progress finalisation of a Rat Eradication Strategy - Endorsement of Rat Eradication Strategy by Elders and Maluilgal (TSI) RNTBC - Resources are secured to implement the agreed IPA Rat Eradication Strategy - Move to eradicate black rats once agreed IPA Rat Eradication Strategy is finalized - Progress rat eradication activities over a number of years on site within the IPA - Monitor rat populations during each IPA survey visit / IPA management visit - Check vessels or other transport used for IPA management activities for rats (and other pests) before departure to the IPA 	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers LSMU staff: Land & Sea Team, IPA/TEK Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors External experts / scientists by invitation
Rats feeding on coconuts and shooting coconuts - this means less mature, fruiting coconut palms over time		
Rats feeding on the eggs of migratory, marine and threatened birds		
Rats feed on the eggs of native land animals like geckos and skinks		
Rats suspected of feeding on turtle eggs and turtle hatchlings - this may lead to less turtles within our IPA over time		

4) Unmanaged Access

All places in the IPA are spiritually powerful places. At no time is it permitted for outsiders to visit the Ugul Malu Kawal IPA without the prior written consent of the Directors of the Maluilgal (TSI) Corporation RNTBC. Mandatory IPA visitor approval procedures are outlined in our Cultural Protocols for Visitors as set out in this Plan.

We restrict visits to our IPA to small groups of people only, which are accompanied by senior Guda Maluilgal and Maluilgal Elders during all visits. The guidance of Guda Maluilgal and Maluilgal Elders is necessary to ensure appropriate behaviours are maintained during visits and that culturally inappropriate behaviours and activities do not pollute our sacred places. Despite our adopted Cultural Protocols being in place, unauthorised visits by outsiders will occur from time to time.

Papua New Guineans, in particular from the Torres Strait Treaty villages of Mari and Jarai, have visited our IPA to dig turtle eggs, the nests of the Orange-footed Scrubfowl (*Megapodius reinwardt*) to collect their eggs and to access other animal or plant resources. Illegal fishing in the waters around Warul Kawa / Leberen, by boats originating from the port of Merauke, in Indonesia's Papua Province, is also commonly reported. Other people may arrive from time to time by boat, in particular by illegal foreign fishing vessels or by suspected illegal entry vessels (SIEVs). We see evidence of these visits in the rubbish, campfire ashes and other evidence of visitation these unauthorized visitors left behind (e.g.: the footprints of others, damaged plants, the bones of eaten native animals including birds).

THREAT: UNMANAGED ACCESS		
How does this threat harm our IPA	What might we do about this threat?	Who may need to be involved?
Unauthorised visitors harm everything within this sacred place and disturbs and disrespects the spirits of the deceased	<ul style="list-style-type: none"> - We control IPA access: strict Cultural Protocols apply for anyone wishing to visit any place within our IPA - Traditional Property Owners check for unauthorized access during their visits, reporting all related observations and evidence to their home island Rangers, Elders and Maluilgal RNTBC Director - Our Rangers check for unauthorised visitation during their annual IPA survey or management visits - Put up No Access warning signs to discourage illegal entry into our IPA - Develop and distribute multilingual IPA brochures detailing access prohibitions - Investigate opportunities for better cross- 	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers LSMU staff: Land & Sea Team, IPA/TEK Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors Torres Strait Regional Authority (TSRA) Protected Zone Joint Authority Border Force and Biosecurity agencies Malu Lamar (TSI) RNTBC Directors
		
Illegal access disturbs our sacred IPA and impacts on the nesting and feeding behaviours of our sacred native animals: Green turtle hatchling Warul Kawa / Leberen (left, image courtesy of Tristan Simpson) - Flatback turtle returning to sea after laying Warul Kawa / Leberen (centre, image courtesy of Matt Dunn) - Australian Pelican eggs at Awaial Kawa / Kiss Ilan (right).		

5) Illegal Fishing

Illegal fishing harms our sacred islands and reefs, and disturbs and disrespects the spirits of our deceased.

Illegal fishing impacts on the determined native title rights and interests of Guda Maluilgal and Maluilgal Traditional Property Owners (the native title holders) under the Torres Strait Regional Sea determination. Illegal or unregulated fishing also has the potential to impact negatively on the future economic development opportunities of Traditional Property Owners' fisheries within western Torres Strait.

THREAT: ILLEGAL FISHING - UNAUTHORISED OR NON-PERMITTED RECREATIONAL AND COMMERCIAL FISHING		
How might this threat harm our IPA	What might we do about this threat?	Who may need to be involved?
<p>Illegal fishing harms our IPA's sacred islands and reefs, and disturbs and disrespects the spirits of the deceased</p> <p><i>All islands and reefs in our IPA are spiritually powerful</i></p>	Native title is determined for IPA islands and surrounding seas - Traditional Property Owners have some legal rights to control fishing in the IPA	<p>Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers LSMU IPA Program staff Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors Torres Strait Regional Authority (TSRA) Protected Zone Joint Authority Malu Lamar (TSI) RNTBC Directors Crawfishing industry representatives</p>
	Non-traditional (commercial, recreational) fishing is not permitted	
	Our Rangers check for illegal fishing on IPA survey or management visits, reporting any observed or suspected illegal activities to local fisheries agencies	
	Put up No Access warning signs to discourage illegal fishing within our IPA	
	Develop and distribute multilingual IPA brochures about IPA fishing prohibitions	
	Build IPA partnerships to support illegal fisheries surveillance and compliance	
<p>Illegal fishing impacts on the native title rights and interests of Guda Maluilgal and Maluilgal Traditional Property Owners and also impacts on future Traditional Property Owners fisheries within the western Torres Strait.</p> <p><i>IPA Places are sacred to Traditional Property Owners</i></p>	<p>Strict Cultural Protocols apply in our IPA</p> <ul style="list-style-type: none"> - Work with agencies to reduce illegal fishing and protect our peoples' fish stocks - Traditional Property Owners check for illegal fishing activities during visits, reporting any seen or suspected illegal activities - Our Cultural Protocols do not allow for commercial cray-fishing on reef edges within the 3-mile limit off islands/ cays. 	
		
<p>Illegal fishing causes harm to Guda Maluilgal and Maluilgal sacred sites and the many different fish and marine animals in our IPA: Some of the marine debris collected by our Rangers on Warul Kawa / Leberen (left) - Shark species Warul Kawa / Leberen (centre, image courtesy of David Fell) - Mud crab at Warul Kawa / Leberen (right, image courtesy of Matt Dunn).</p>		

6) Climate Change

The TSRA's LSMU has developed the *Climate Change Adaptation Strategy 2014-2018 Building Community Adaptive Capacity and Resilience* for the whole of the Torres Strait region together with key regional and external partners including local government bodies in our region. The *Torres Strait Regional Adaptation and Resilience Plan 2016 - 2021* has been put in place to help all of our communities to plan for, and develop ways in which we can adapt to, the many serious impacts that come with a changing climate.

With respect to our IPA, the main identified threats arising from climate change detailed in the *Resilience Plan* are:

- Rising sea levels, a major threatening process for mangroves, sand cays and reef platforms
- Changes to the ocean environment, like a change in the make up (chemistry) of saltwater or warmer sea waters
- More hotter days
- More intense rainfall
- A longer dry season
- Rising costs, in particular fuel, with implications for transport across our region, including for IPA management
- Pressures increasing from resource uses by people from PNG Treaty villages

Our Rangers are involved in climate change monitoring at our IPA, including the setting up of temperature loggers to measure changes in sand temperatures on beaches at Warul Kawa / Leberen. As part of our Rangers' IPA monitoring work recording the movements, numbers and behaviours of our IPA's native animals and plants, we also look out for changes to the tree cover (vegetation) on our islands and the impacts of seasonal weather events including storm tides or high winds. We also keep an eye out for new, potentially invasive, pest animals or plants that might be arriving at our IPA from flood events elsewhere, particularly to our north.

Recently, aerial survey work using a drone has begun to assist in the implementation of a monitoring program to map changes to sandbanks and beaches over a number of years to inform the Strategy and to assist in the development of related IPA management strategies. Initial aerial survey trial flights were able to be completed at Awaial Kawa / Kiss Ilan in May 2017, with further aerial survey work supported by Guda Maluilgal and Maluilgal Traditional Property Owners in coming years.

THREAT: CLIMATE CHANGE		
How might this threat harm our IPA	What might we do about this threat?	Who may need to be involved?
Changing behaviour of native birds and animals - both terrestrial (land) and marine (sea) animals and birds	Our Rangers and LSMU co-workers survey native animals and plants during IPA management visits each year, recording any new or unusual species, including potential invasive species.	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers
Hotter days and nights - hotter sand may also have implications for the sex and hatching of marine turtles	Our Rangers and LSMU co-workers check nesting turtle health, the sex of foraging turtles and also record hatchling numbers. Data loggers monitor sand temperature	LSMU Climate Change, IPA / TEK program staff and their invited external partners Ranger & IPA Steering Committee
Bigger / stronger or more frequent high tides, storms and rainfall	During IPA management visits, our Rangers and LSMU co-workers observe any major changes to tree cover or beach movements and record these using cameras, including aerial surveys where possible. Aerial surveys can be taken over a number of years to track changes to our IPA's cays, sandbanks and beaches.	Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors Torres Strait Regional Authority (TSRA) Torres Strait Island Regional Council
Rapid or significant changes to our IPA's cays, sandbanks and beaches		
The normal patterns of winds may change for places within our IPA		

IPA Management Targets

Our Management Targets for the Ugul Malu Kawal IPA

We, Guda Maluilgal and Maluilgal Traditional Property Owners of the Ugul Malu Kawal IPA, have identified eight (8) priorities for management action to 2028. We have considered and discussed these priority management activities during the 2017 review process. Details of our Ranger groups' annual work plans and LSMU operational planning that support on-ground IPA management are contained in separate documents, listed in Tables A and B at the end of this section.

- IPA management visits and all IPA-based research visits must observe the fundamental requirement to undertake an induction of visitors by the duly delegated Elders.
- IPA inductions must involve Guda Maluilgal and Maluilgal Elders as designated by Maluilgal RNTBC, and must take place before any departures to the IPA as well as at the IPA before anyone sets foot on the IPA.
- At the discretion of Elders and the RNTBC, further ceremonial requirements may apply at conclusion of an IPA visit.

In this section of this Plan (including in the tables below) the Mabuygiw Rangers, the Malu Ki'ai (Boigu Island) Rangers, the Mura Badhulgau Rangers, the Mura Buway (Saibai Island) Rangers and the Simakal Rangers are also collectively referred to as "*our Rangers*", "*our Ranger groups*" or "*the Guda Maluilgal and Maluilgal Rangers*".



BOIBOI - *Clerodendrum inerme* Native plant recorded during 2017 Awaial Kawa plant survey conducted by our Rangers and LSMU IPA Team.

Images courtesy of TSRA LSMU 2016 - 17

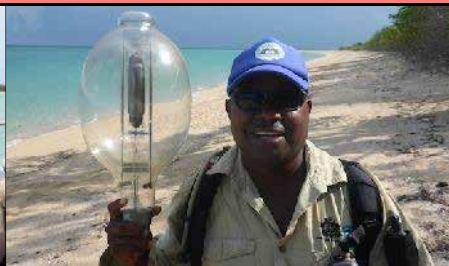
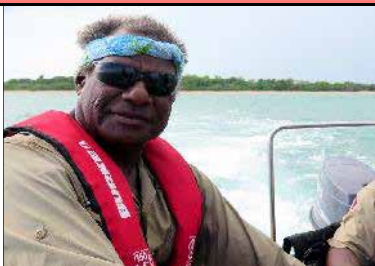
1) Using Our People's Knowledge in IPA Management

Given the very high spiritual significance of all places here, our knowledge must be central to our on-going IPA management activities, and our permission must be formally obtained by anyone wishing to access the IPA.

- All places in the Ugul Malu Kawal IPA are very sacred and powerful.
- We respect and follow our Ancestors' lores - Lawag Sabi a Danalaig / Igililnga - as passed down to our peoples today.
- The knowledge and wisdom of our Ancestors guides our work in our IPA to this day.
- Strict Cultural Protocols, that have been put in place by our Elders and the Maluilgal RNTBC, apply for all visitors.
- All Cultural Protocols must be properly followed.
- Our Rangers work with our Elders to record our languages, stories and traditional practices. Both KKY and KLY are recognised as severely and critically endangered languages by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the Australian Government and Torres Strait communities²⁰.
- Traditional Ecological Knowledge (TEK) is actively used in management of our IPA.

IPA Management Action	Who may need to be involved	By When	Priority
Respect and follow our Ancestors' lore, which guides our IPA work	Everyone	On-going	HIGHEST
Strict Cultural Protocols are actively enforced	Everyone	On-going	HIGHEST
Elders knowledge is actively recorded	Guda Maluilgal and Maluilgal Elders Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers	On-going	HIGHEST
Using knowledge in management	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers LSMU TEK program staff	On-going	HIGH

Related Threats: Not Enough IPA Resources, Turtle Health and Climate Change



Our Rangers and our LSMU co-workers visit our IPA each year to monitor our IPA's health and manage its many special values:

Malu Ki'ai (Boigu Island) Ranger Nelson Gibuma returning from survey work at Warul Kawa / Leberen (left) –

Top Western Ranger Supervisor Dimas Toby with collected marine debris at Warul Kawa / Leberen (centre, image courtesy of Matt Dunn)

Simakal Ranger Tenny Elisala records native plants on Awaial Kawa / Kiss Ilan (right).

²⁰ Torres Strait Traditional Languages Plan 2016 - 2019 p.7

2) Protecting our Cultural Traditions and Our Heritage

Our cultural traditions and heritages as Boigulgal, Dauanalgal and Saibailgal (Guda Maluilgal) and Badulgal and Goemulgal (Maluilgal) continue to direct and inform us as the Traditional Property Owners of our IPA - including those individuals amongst us who are, or have been, employed as Rangers in the TSRA LSMU's Land Team and Sea Team.

Ranger work undertaken with LSMU co-workers trialling bait stations on Warul Kawa / Leberen over the past several years has identified that there is a well established larger infestation of introduced rats present on the island, which has no known natural predators acting to control rat numbers or reduce their impacts on this sacred island, our cultural sites or traditional heritage, including the health and well-being of our IPA's native animals or plants. Rangers also routinely remove washed up ghostnets and other marine debris from the IPA during management visits.

In dedicating our islands and reefs within this IPA we are establishing a strong foundation for passing our cultural traditions and heritages onto our younger generations, including our own heritages of looking after and protecting the many special values of the Ugul Malu Kawal IPA. Refer to the Cultural Protocols for IPA Visitors included in this Plan.

- Our Cultural Protocols are respected and properly followed.
- Our Cultural Protocols apply to everyone wishing to access or visit the IPA.
- Our Cultural Protocols are endorsed by the Maluilgal (TSI) RNTBC, on the advice and with the consent of our Elders.
- Our Elders confirm what is able to be shared about our cultural traditions and heritages, in the right cultural way.
- Looking after our Cultural Sites: all IPA management visits and work activities must follow our Cultural Protocols.
- Our collective traditional knowledge is being passed on in many ways, this includes our Rangers speaking about the IPA at our schools.

IPA Management Action	Who may need to be involved	By When	Priority
Our Cultural Protocols are respected and properly followed by all IPA visitors	Everyone	On-going	HIGHEST
IPA Inductions are properly held for all IPA visits	Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK	Before and during each IPA visit	HIGHEST
Guda Maluilgal and Maluilgal traditional knowledges are passed on in the right cultural way	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers	On-going	HIGHEST
Eradicate introduced Black Rats (<i>Rattus rattus</i>) once agreed Control Plan for IPA is finalised and subject to funding	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors External experts / scientists by invitation	By 2028	HIGH
Our IPA management knowledge is being passing on	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers	On-going	HIGH
Survey Warul Kawa/Leberen and Awaial Kawa / Kiss Ilan for weeds and other pest species	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK External experts / scientists by invitation	During annual IPA management visits	HIGH

IPA Management Action	Who may need to be involved	By When	Priority
Document and remove ghost nets and other marine debris (flotsam and jetsam) from Warul Kawa/Leberen and Awaial Kawa / Kiss Ilan, NorWes sandbank / Turu Cay	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK External IPA partners by invitation	During annual IPA management visits	HIGH
Cultural Site management	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors	On-going	MEDIUM
Related Threats: Not Enough IPA Resources, Unmanaged Access, Black Rats, Turtle Heath, Illegal Fishing and Climate Change			



Above Warul Kawa / Leberen survey visit May 2016 Standing: Mura Badhulgau Elder, Alick Tipoti, Simikal Ranger Tenny Elisala, Malu Ki'ai Elder Warren Ingui. Sitting: Malu Ki'ai Ranger Supervisor Dimas Toby, Malu Ki'ai Ranger Nelson Gibuma, Malu Ki'ai Elder Dick Gibuma.

Below Warul Kawa / Leberen turtle survey work March 2016 LSMU staff and Rangers

Images courtesy of TSRA LSMU 2016 - 17



3) Skilled Rangers

The Mabuygiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers are led and staffed by Guda Maluilgal and Maluilgal Traditional Property Owners.

Our Elders and Leaders have directed that only Rangers from these groups who are Traditional Property Owners of the Ugul Malu Kawal IPA are to conduct cultural site management, IPA land and sea management and monitoring.

IPA access permissions for Rangers as employees of the TSRA LSMU to conduct their daily activities are confirmed by the respective Boigulgaw and Goemulgaw Maluilgal (TSI) RNTBC Directors under an arrangement between the RNTBC and the LSMU. Permissions for Ranger activities within the IPA must have prior approval through the RNTBC. All other individuals from other places need prior written approvals from the Maluilgal (TSI) RNTBC. The process for this is set out in the Cultural Protocols for Visitors detailed in this Plan.

- IPA Management is founded on our Ancestors' lores and our worldview.
- Our Elders are our teachers.
- Not following our Cultural Protocols risks the health of everything in the IPA. Our Protocols also apply to all Rangers.
- Our Rangers try to visit the IPA one (1) or two (2) times each year to monitor changes to our sacred islands and reefs, and the health of our IPA's animals, birds and plants.
- Our Rangers and all visitors to the IPA must be properly announced by our Elders - inductions for all Rangers and visitors accompanying them to the IPA, including other LSMU staff, must take place before and during every visit.

IPA Management Action	Who may need to be involved	By When	Priority
Skilled Rangers	Mabuygiw Rangers (Mabuyag Island) Mura Badhulgau Rangers (Badu Rangers) Malu Ki'ai (Boigu Island) Rangers Mura Buway (Saibai Island) Rangers Simakal Rangers (Dauan Island) TSRA LSMU	On-going	HIGHEST
Annual IPA Management and Monitoring Visits	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK Invited IPA partners Maluilgal (TSI) RNTBC Directors	On-going	HIGHEST

Related Threats: Not Enough IPA Resources and Unmanaged Access



Our Rangers work with our LSMU co-workers and invited outside experts to gain technical skills and share knowledge:

The introduced invasive species (pest animal) Black Rat (*Rattus rattus*) at Warul Kawa / Leberen (left)

A baited cat caller set up to check for feral cats at Warul Kawa / Leberen (centre)

Malu Ki'ai Rangers and LSMU's Matt Dunn measuring Green turtles foraging at Warul Kawa / Leberen (right).

4) Knowing more about our IPA - TEK and Science

Greater understanding about the natural values of places within the Ugul Malu Kawal IPA is based on good two-way knowledge sharing between ourselves as Guda Maluilgal and Maluilgal Traditional Owners and Rangers, and our IPA partners. This is because, in our worldview, there is no separation between ourselves, all of the places within our IPA - the sea, islands or reefs - and all of the animals and plants found here, many of which are sacred or otherwise culturally significant. As stated earlier in this Plan, we do not separate out the 'cultural' from the 'natural'.

Where external researchers are invited to assist us in our IPA management activities, our knowledges of our IPA and its many species must also be respected and valued. Our TEK must be regarded as specialist, technical expertise.

Our IPA is facing serious threatening processes, where threats evolve over time with potential to cause long-term or irreversible changes. Climate change, changing winds and seasonal weather patterns, stronger storms and ocean acidification pose critical, direct threats to our IPA and its many special bio-cultural resources. The regional work being done on Climate Change and the management of traditional marine (sea) resources through our Ranger groups and the LSMU also integrates two-way learning and the development of strategies grounded in both TEK and science.

Our Rangers pass on new science they have become aware of through their LSMU activities or co-workers, or learnt from external IPA partners, to the IPA's Traditional Property Owners. Our Rangers work with scientists to better understand local changes, in particular those relating to Climate Change and the health of animals and plant species (Biodiversity). Learning new science information about our IPA's animals and plants with new knowledge about science and climate change also passed on by our Rangers.

- The Ugul Malu Kawal IPA is home to regionally, nationally and internationally significant animals and plants.
- Our Rangers monitor our IPA's places, animals and plants. During each IPA visit our Rangers undertake plant (flora) and animal (fauna) surveys to track changes to their health and their numbers / populations over time.
- Every year, our Rangers measure sea turtle health and populations in the IPA:
- Flatback turtle nesting rates and hatchling numbers (usually done in February or March). Nesting success in 2016 was recorded at 88%, with hatching success at 86.2%. In 2017, 46 of the 77 Flatback marine turtles attempting to lay eggs (62%) were successful, and hatching success was recorded at 60%.
- Green turtle foraging behaviours, nesting rates and hatchling numbers (usually done in May). 184 Green turtle were tagged in 2016, and a further 176 tagged in 2017.
- Hawksbill turtles have been recorded nesting at all IPA islands and cays, with two (2) nesting turtles recorded 2017. The Maluilgal (TSI) RNTBC also wishes to monitor Hawksbill turtles to better understand their numbers.
- During IPA management visits, Rangers also record plant types and changes, shorebird numbers and other birds. Information from our IPA is entered into TEK databases maintained by some of our Ranger groups. Ranger groups without existing TEK systems would like to have such a system set up in their home island offices as a priority.
- Dugongs and Sea Turtles are protected within our IPA and the hunting of these animals is not permitted in our IPA.
- Climate Change - more rapid seasonal changes are being observed within our IPA by our Rangers.



Managing our IPA's special values: Malu Ki'ai Snr Ranger Nelson Gibuma at rat baiting station trial site on Warul Kawa (left) - LSMU Snr NRM John Lynn and Mura Badulgau A/Snr Ranger Dick Williams undertaking fauna surveys on Awaial Kawa / Kiss Ilan, 2017 (centre) - Mabuygiw Ranger Ted Whap and Simakal Snr Ranger Tenny Elisala measure Green turtle on Warul Kawa (right, image courtesy of Tristan Simpson, 2017).

IPA Management Action	Who may need to be involved	By When	Priority
Contribute data to respective home island Traditional Ecological Knowledge (TEK) databases	Elders and Traditional Property Owners Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK	Scheduled in each Ranger groups' Work Plans	HIGHEST
Survey of Warul Kawa for weeds and other pest species	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK IPA partners (DAFF, Biosecurity) External experts / scientists by invitation	During annual IPA management visits	HIGH
Animal, bird and plant surveys completed during each IPA management visit: marine turtle surveys, seasonal surveys/counts of migratory bird species and monitoring the Awaial Kawa / Kiss Ilan Australian Pelican rookery	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK IPA partners by invitation External experts / scientists by invitation	During annual IPA management visits	HIGH
School talks about this IPA Plan and IPA management activities	Mabuygiw (Mabuiag) Rangers Malu Ki'ai (Boigu) Rangers Mura Badhulgau (Badu) Rangers Mura Buway (Saibai) Rangers Simakal (Dauan) Rangers	Scheduled in each Ranger groups' Work Plans	HIGH
Regular presentations to Guda Maluilgal and Maluilgal Traditional Property Owners about this IPA Plan, IPA management priorities and Ranger activities	Traditional Property Owners Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors Ranger & IPA Steering Committee LSMU staff: Land & Sea Team, IPA/TEK	As agreed between the RNTBC and LSMU, either by schedule, request or invitation	HIGH
Implement home island <i>Dugong and Turtle Management Plans</i>	Guda Maluilgal and Maluilgal Rangers Ranger & IPA Steering Committee LSMU staff: Land & Sea Team	Scheduled in each Ranger groups' Work Plans	HIGH
Contribute data to LSMU Torres Strait Climate Change project:	Traditional Property Owners Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK	Scheduled in each Ranger groups' Work Plans	HIGH
Signage in Pidgin at Boigu and Saibai targeting trespassing illegal fishers and hunters	Guda Maluilgal Elders Malu Ki'ai Rangers, Mura Buway Rangers Maluilgal (TSI) RNTBC Directors LSMU IPA Program staff	Scheduled in each Ranger groups' Work Plans	HIGH
Multilingual Cultural Protocols signage (KKY, KLY, English) on each of five IPA home islands	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors LSMU IPA Program staff	Scheduled in each Ranger groups' Work Plans	HIGH

IPA Management Action	Who may need to be involved	By When	Priority
Multilingual Cultural Protocols Brochure (KKY, KLY, English) for distribution on home islands	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors LSMU IPA Program staff	As agreed between the RNTBC and LSMU staff including our Ranger groups	MEDIUM
Signage in Bahasa Indonesia on Warul Kawa/Leberen targetting trespassing illegal fishers	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors LSMU IPA Program staff	Scheduled in each Ranger groups' Work Plans	MEDIUM
Ugul Malu Kawal IPA DVD <i>showcasing and promoting our IPA's values, management work and our Rangers</i>	Guda Maluilgal and Maluilgal Elders Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors LSMU IPA Program staff	Following agreed confirmation of this Plan, subject to secured additional funds	MEDIUM
Related Threats: Not Enough IPA Resources, Unmanaged Access, Turtle Health, Black Rats, Illegal Fishing and Climate Change			



Ugul Malu Kawal Indigenous Protected Area Traditional Property Owner Rangers and LSMU co-workers departing Waiben (Thursday Island) for an IPA survey and management visit undertaken during 2016.

5) Ranger Training and Professional Development

As professional managers of today's Ugul Malu Kawal IPA, the Mabuygiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers need secured access to targeted training support in order to effectively manage the increasing threats to our sacred seas, islands and reefs.

We as Guda Maluilgal and Maluilgal Traditional Property Owners, and our Maluilgal (TSI) RNTBC Directors, support capacity building for our Rangers to undertake IPA management.

Annual training programs are developed by LSMU IPA Program staff in close collaboration with our Rangers, with advice also sought about annual IPA management activities from our Elders and our Maluilgal (TSI) RNTBC Directors.

- Our IPA is now changing fast: past changes were seasonal and regular, climate change may cause faster changes.
- Training for Rangers to understand what changes are now taking place, such as learning to use new technology e.g.: drones. Drones are being used in our IPA to record changes to sandbanks and island plant communities. Maluilgal (TSI) RNTBC and our Elders confirm areas where drones can be used.
- Our Rangers are supported by LSMU staff to learn new skills. Regular, coordinated training and professional development programs delivered to our Rangers through the LSMU. Training is built into annual Ranger work plans.
- Other partners, scientists and technical experts also help to train our Rangers. Training activities taking place at any site within the IPA must have formal prior approval from Elders and the Maluilgal (TSI) RNTBC.

IPA Management Action	Who may need to be involved	By When	Priority
Training to be delivered at IPA sites has formal prior approval	Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors LSMU staff: Land & Sea Team, IPA/TEK	Before any training is undertaken at any IPA site	HIGHEST
Training program implemented for all Guda Maluilgal and Maluilgal Ranger groups	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK IPA partners by invitation External experts / scientists by invitation	On-going	HIGH
Ranger group training: survey techniques, coxswain licensing, GPS use, specialized invasive species control (weeds, rat eradication), drone use, TEK recording skills	Guda Maluilgal and Maluilgal Rangers LSMU staff: Land & Sea Team, IPA/TEK IPA partners by invitation External experts / scientists by invitation	On-going	HIGH

Related Threats: Not Enough IPA Resources, Unmanaged Access, Turtle Health, Black Rats, Illegal Fishing and Climate Change



Our Rangers undertake research in our IPA together with our LSMU co-workers and invited outside experts:

Mabuygiw Senior Ranger Willie Babia sets up bait stations for Black Rat (*Rattus rattus*) monitoring at Warul Kawa/Leberen (left, courtesy of Matt Dunn). Aerial imagery of Awaial Kawa/ Kiss Ilan (centre). Simakal Senior Ranger Tenny Elisala and LSMU IPA Program Officer Melinda McLean observing turtle hatchlings at Awaial Kawa / Kiss Ilan (right)

6) Authorised Research Activities in our IPA

Our Rangers and the LSMU work with outside researchers on-site within the Ugul Malu Kawal IPA from time to time.

Ugul Malu Kawal IPA Research Protocols have been developed and must be followed by all researchers. Cultural Protocols for IPA visitors also apply to all researchers. All researchers must secure prior IPA access approvals.

Research activities undertaken by outsiders must be fully collaborative and respectful, involve our direct participation, and comply with our Research Protocols. The progress and results of all research must also be made available to Guda Maluilgal and Maluilgal Traditional Property Owners in pre-agreed, plain English reports and/or posters.

- Research priorities are set by Guda Maluilgal and Maluilgal Traditional Property Owners: our Elders and the Maluilgal (TSI) RNTBC set Ugul Malu Kawal IPA Research Priorities.
- Our Elders and the Maluilgal (TSI) RNTBC confirm what can be used or accessed for research in our IPA.
- Traditional Property Owners direct IPA research: our Rangers must contribute to and benefit from all research work.
- Proper sharing of research outcomes: all research results must be fully shared with the Traditional Property Owners.
- Researchers wishing to publish the results of their work undertaken on the IPA must acknowledge Guda Maluilgal and Maluilgal Traditional Property Owners.

IPA Management Action	Who may need to be involved	By When	Priority
Continue to implement IPA management strategies for weeds, pest species and marine debris	Guda Maluilgal and Maluilgal Rangers LSMU Land Team, IPA / TEK program staff Ranger & IPA Steering Committee	During annual IPA management visits	HIGHEST
Continue to monitor our IPA's bio-cultural resources, island / cay environment and surrounding seas	Guda Maluilgal and Maluilgal Elders External IPA partners by invitation External experts / scientists by invitation		HIGHEST
Continue to monitor tree cover in the IPA to add to baseline data on <i>Piner (Pisonia grandis)</i> forest.			HIGH
Research turtle populations at Warul Kawa / Leberen, Awaial Kawa / Kiss Iian and NorWes Sandbank / Turu Cay as a potential index monitoring site for nesting Hawksbill, Flatback and Green marine turtle populations	Guda Maluilgal and Maluilgal Rangers LSMU Sea Team, IPA / TEK program staff Ranger & IPA Steering Committee Guda Maluilgal and Maluilgal Elders External IPA partners by invitation External experts / scientists by invitation	During annual IPA management visits	HIGHEST
Conduct marine environment surveys of the waters surrounding all three (3) IPA islands / cays as baseline to monitor potential impacts of projected sea level rise.			HIGHEST
Detailed beach, cay, reef platform mapping to 1) develop a baseline for modelling potential sea level rise/extreme weather events (e.g. storm surge associated with king tides) and 2) detect, monitor and investigate any cay migration	Guda Maluilgal and Maluilgal Rangers LSMU Climate Change, IPA / TEK program staff and their invited external partners Ranger & IPA Steering Committee Guda Maluilgal and Maluilgal Elders Maluilgal (TSI) RNTBC Directors	During annual IPA management visits	HIGH
Related Threats: Not Enough IPA Resources, Unmanaged Access, Turtle Health, Black Rats, Illegal Fishing and Climate Change			



Our Rangers tagging a young Green turtle at Warul Kawa / Leberen 2017 (photo courtesy of Tristan Simpson, 2017)

- Researchers are encouraged to offer co-authorship to our Rangers, our Elders and other Guda Maluilgal and Maluilgal Traditional Property Owners contributing to their research work involving our IPA.



Satellite image of Ugul Malu Kawal Indigenous Protected Area, to the west of the Torres Strait's Western Islands and North-Western Islands.

7) A Healthy IPA - culturally correct decision-making and management

The Ugul Malu Kawal IPA Plan of Management supports our Rangers to develop additional technical skills and science-based knowledge to complement their extensive, living traditional ecological knowledges of our IPA's sacred places.

Both traditional knowledges and science-based knowledge will enable our Ranger groups to continue to track changes to our IPA and to care for its many special values.

On behalf of the IPA's Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners, the Directors of the Maluilgal (TSI) RNTBC and the LSMU's Ranger & IPA Steering Committee will work to establish beneficial partnerships with other public and private agencies to access relevant funding and training opportunities.

- Governance of our IPA is undertaken, on behalf of all native title holders, by the Maluilgal RNTBC, with the advice and direction of our Elders and our Leaders, in partnership with the TSRA LSMU Ranger & IPA Steering Committee.
- The determined Native Title holders are the Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners.
- Our IPA Management is founded on Lawag Sabi a Danalaig / Igiliinga (*our Ancestors' lores*) and Ngalpun Kupay a Wakaynthamam / Ngalkan Igiliinga (*our Worldview*).
- Our Rangers are the Mabuygiw Rangers the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers, employed as staff of the TSRA's Land & Sea Management Unit (LSMU).

Key Threats: Not Enough IPA Resources, Unmanaged Access, Illegal Fishing and Climate Change			
IPA Management Action	Who may need to be involved	By When	Priority
Maluilgal (TSI) RNTBC receives regular briefs on Ranger & IPA Steering Committee meetings	Ranger & IPA Steering Committee TSRA, LSMU management and senior staff Guda Maluilgal and Maluilgal Rangers LSMU Land and Sea Teams, IPA / TEK staff Maluilgal (TSI) RNTBC Directors	On-going	HIGH
Strategic partnerships built with key IPA partners	Maluilgal (TSI) RNTBC Directors TSRA, LSMU management and senior staff LSMU IPA program staff Australian Government IPA program staff Potential IPA program investment partners	On-going	HIGH
Strategic relationships built with relevant other agencies	Maluilgal (TSI) RNTBC Directors TSRA, LSMU management and senior staff Bodies with interests in, or around, our IPA Australian Government agencies and staff	On-going	HIGH
Source funds for priority IPA field studies and activities	Maluilgal (TSI) RNTBC Directors TSRA, LSMU management and IPA staff Australian Government IPA program staff Potential IPA program investment partners	On-going	HIGH
Networking with other IPA programs in Australia	Ranger & IPA Steering Committee Guda Maluilgal and Maluilgal Rangers Maluilgal (TSI) RNTBC Directors	On-going	MEDIUM

8) Growing Our IPA

Discussions with Guda Maluilgal and Maluilgal Traditional Property Owners during revisions to the draft Warul Kawa IPA Plan of Management discussions in 2011-2012, and during consultations in mid-2017, indicated an interest in adding Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay to the existing Warul Kawa Indigenous Protected Area (IPA).

Support for the addition of both places into the existing IPA was clearly expressed by Guda Maluilgal and Maluilgal Elders and also by Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners during more recent IPA consultations held in mid 2017 at Mabuyag Island (14 June 2017), at Dauan Island (20 June 2017), at Saibai Island (21 June 2017), at Boigu Island (23 June 2017), at Badu Island (5 August 2017) and at a meeting of delegated Elders and Maluilgal (TSI) Corporation RNTBC Directors held at Thursday Island on 7 and 8 August 2017.

The reasons for inclusion of these places into an expanded IPA are as follows:

- All three (3) places (Warul Kawa / Leberen (also known as Deliverance Island), Awaial Kawa / Kiss Ilan (also known as Kerr Islet) and NorWes Sandbank / Turu Cay have continuing spiritual and traditional cultural significance to their Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners.
- All three (3) places have abiding cultural, historical and contemporary significance to the Traditional Property Owners.
- All three (3) places are within the determined native title area of the Guda Maluilgal and Maluilgal peoples, whose rights and interests in these places are held on their behalf in trust by the Maluilgal (TSI) Corporation RNTBC.
- Many Australian Pelicans (*Pelecanus conspicillatus*) nest every year at Awaial Kawa / Kiss Ilan, and this place is considered to be a nationally significant Pelican rookery.
- Hawksbill Sea Turtle are known to visit, forage and nest at our IPA's islands, including NorWes Sandbank / Turu Cay.
- Our Elders and our RNTBC's Directors have confirmed their agreement to include both Awaial Kawa / Kiss Ilan and NorWes Sandbank in an expanded IPA, to be re-named the Ugul Malu Kawal Indigenous Protected Area.
- Who needs to agree to include these new areas?
 - The Traditional Property Owners as native title holders through the Maluilgal (TSI) Corporation RNTBC
 - IPA Managers: the Mabuygiw Rangers the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers and the LSMU together with the Directors of the Maluilgal RNTBC.
 - The current landholding entity, the Torres Shire Council (TSC).
 - For IPA resourcing purposes and for dedication confirmation, the Australian Government's IPA program, which is also responsible for registering formally protected areas on Australia's National Reserve System.



Table A - Relevant Ranger Work Plans and LSMU Operational Plans

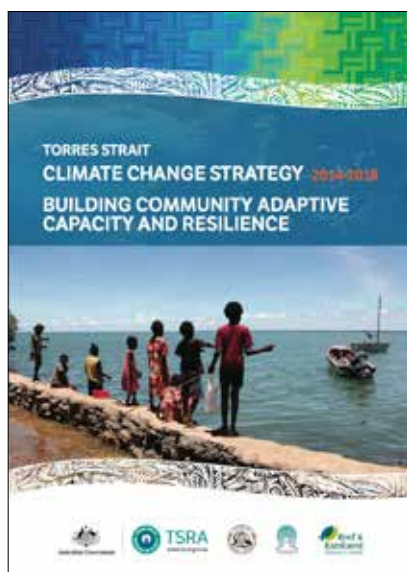
Details of our Ranger groups' work plans and LSMU operational planning that supports on-ground management of the Ugul Malu Kawal IPA are contained in separately maintained documents, listed in **Table A** below.

TABLE A: Relevant LSMU Work Plan or Operational Plan	Intent of Document	Applies to:
Mabuygiw Rangers Working on Country Plan 2013 - 2016	Directs the day-to-day land and sea, cultural and environmental management and monitoring activities of the Mabuygiw Rangers	Mabuyag and surrounding waters
Malu Ki'ai (Boigu Island) Rangers Working on Country Plan 2013 - 2016	Directs the day-to-day land and sea, cultural and environmental management and monitoring activities of the Malu Ki'ai Rangers	Boigu Island and surrounding waters
Mura Badhulgau Rangers Working on Country Plan 2013 - 2016	Directs the day-to-day land and sea, cultural and environmental management and monitoring activities of the Mura Badhulgau Rangers	Badu Island and surrounding waters
Mura Buway (Saibai Island) Rangers Working on Country Plan 2013 - 2016	Directs the day-to-day land and sea, cultural and environmental management and monitoring activities of the Mura Buway Rangers	Saibai Island and surrounding waters
Simakal Rangers Working on Country Plan 2013 - 2016	Directs the day-to-day land and sea, cultural and environmental management and monitoring activities of the Simakal Rangers	Dauan Island and surrounding waters

Table B - Relevant Regional Land and Sea Management Plans and Strategies

Key regional thematic and resource management strategies which support the management arrangements for this IPA Management Plan are detailed in **Table B** below.

TABLE B: Relevant Regional Plans and Strategies	Intent of Document	Applies to:
Torres Strait Climate Change Strategy: Building Community Capacity and Resilience	Provide a regional framework for developing and implementing climate change adaptation	Whole of Torres Strait
Torres Strait Regional Land and Sea Strategy 2016 - 2036	Regional Natural Resource Management (NRM) Plan for the Torres Strait region	Whole of Torres Strait



Making good decisions and managing our IPA well

Governance and Management of the Ugul Malu Kawal IPA

Decision-making for lands and seas within Torres Strait today takes place through a number of unique multi-level governance arrangements, reflecting the Strait's international trans-boundary location and its regionally specific traditional, cultural and historical characteristics. No other region in Australia is subject to similar arrangements.

Traditional Authorities

The Traditional Property Owners are the Boigulgal, Dauanalgal and Saibailgal (Guda Maluilgal: north-western island peoples) and Badulgal and Goemulgal (Maluilgal: western islands peoples) whose prevailing rights and interests in the Ugul Malu Kawal IPA arise directly from their ancestral bloodline and recognised kinship connections to the IPA. We are also Torres Strait Islander peoples with ongoing interests across Torres Strait²⁰.

Unique Traditions, Cultures and History

Our peoples' oral histories and other historical research points to the movement of many different peoples through Torres Strait over time. Our stories and lore links Papuan myths, peoples, animals and Papua New Guinea to our seas and islands; as their stories and lores link back to some of our peoples, seas and lands. Our stories and lore also link some of our peoples, seas and lands to Cape York on the northern Australian mainland. Our peoples have travelled the Strait by ocean-going and smaller canoes for millennia - as island peoples for the past 9,000 years since sea levels rose over the earlier Sahul land bridge - to conduct ceremonies, ritualised trading, hunting and harvesting of sea and land resources, warfare and inter-island kinship business like marriages and adoptions.

It is likely that Chinese, Malay, Egyptian and Indonesians²¹ travelled through the Strait before Europeans sailed through in the 1600s and 1700s (e.g.: the Spanish / Portuguese (de Torres), the French (d'Entrecasteaux) and the British (Cook, Bampton, Flinders etc.). By the mid 1800s European activities were expanding from beche-de mer (sea cucumbers) into pearling - both for pearls and for pearl-shell. Hawksbill sea turtle harvesting also became more intensive, given the international commercial value of tortoiseshell. Our islands and reefs became increasingly visited and exploited.

Before 1872 Torres Strait Islanders governed themselves as wholly sovereign peoples²², despite the significant largely ungoverned Markay population. In 1872, a year after arrival of the London Missionary Society (LMS) on Erub, the Queensland colonial administration annexed all islands in Torres Strait within 60 nautical miles of the coast (Cape York), including Badu, Dauan and Mabuyag. Seven years later, the *Queensland Coasts Act 1879* (Qld) annexed the remaining islands including Boigu and Saibai. With these actions, our islands became part of pre-federation colonial Australia.

Unique to Torres Strait, local Island Councils responsible for home island governance, policing and justice were established from 1899, just before the federation of Australia in 1901. In 1904 the LMS founded Pacific Industries Ltd to build Islander-owned fishing enterprise - so-called Company Boats. That same year Torres Strait Islanders became subject to the *Aboriginal Protection and Restriction of the Sale of Opium Acts 1897* (Qld), under the authority of a

²⁰ See Loban 2007:8. This source further provides powerful insights into aspirations of Torres Strait Islanders in economic and commercial fisheries.

²¹ O'Donnell 2006:53. This source provides a detailed history of Torres Strait in addition to analysis of multi-jurisdictional governance in the region.

²² An overview of the governance history of Torres Strait islands can be found at <http://www.tsirc.qld.gov.au/changing-region/governance-history>

together with a pass system controlling our peoples' movements and their day-to-day activities, including who they could marry and where they could travel or work. These restrictions and the gross exploitation of our peoples' in the commercial fishing and pearling industries as an under-paid or unpaid, ration-compensated labour force resulted in the famous 1936 Maritime Strike, protesting the Protector's powers.

New laws and regional governance initiatives followed, which have evolved to the present in line with Australian and Queensland government policies, and also in response to evolving international laws and trans-boundary (Australia - PNG) relations. For our peoples, the most significant of these are:

- the Torres Strait Treaty²⁴, which defines national boundaries and the use of the sea by both parties including by their traditional inhabitants, signed by the Australian Government and the government of the newly independent Papua New Guinea (PNG) in December 1978, and which entered into operational force in February 1985;
- the *Native Title Act 1993* (Cth) which directly arose from the claimants' successful actions against the Queensland government in the 1988 decision in *Mabo v State of Queensland* (Mabo No.1, first lodged in 1982) and the 1992 decision in *Mabo v State of Queensland [No.2]*. The *Native Title (Queensland) Act 1993* operates in parallel to it;
- the *Aboriginal and Torres Strait Islander Commission Act 1989* (Cth), enabling establishment of the TSRA in 1994;
- the *Bamaga Accord* of 12 October 2001 developed as an outcome of the TSRA Greater Autonomy Task Force; and
- the *Joint Agreement on Enhanced Cooperation Between Australia and Papua New Guinea*²⁵ signed 30 June 2004.

Other domestic (Queensland and Australian) laws particularly relevant to ourselves as Torres Strait Islanders are listed in **Appendix E**, where key international agreements and conventions relevant to our peoples are also summarised.

Ugul Malu Kawal IPA-specific Legal Mechanisms

- Warul Kawa and Buru Native Title Determination 2005 - exclusive native title rights and interests as defined in section 223 of the *Native Title Act 1992* (Cth) held on behalf of Traditional Property Owners by Maluilgal (Torres Strait Islanders) Corporation RNTBC.
- Malu Lamar Native Title Determination 2012 - non-exclusive native title rights and interests as defined in section 223 of the *Native Title Act 1992* (Cth) held on behalf of Traditional Property Owners by Malu Lamar (Torres Strait Islanders) Corporation RNTBC.
- The Torres Strait Treaty's Protected Zone as set out in Article 10 *Establishment and purposes of the Protected Zone* which (amongst other matters) recognises the traditional way of life and livelihoods of traditional inhabitants including traditional fishing and free movement, and confirms an additional purpose of the Zone to be protection of the marine environment and the indigenous fauna [animals] and flora [plants] in and in the vicinity of the Zone.
- The United Nations Declaration on the Rights of Indigenous Peoples - particularly Articles 3 and 19. Article 3 asserts the right of Indigenous peoples to self-determination including rights to *freely determine their political status and freely pursue their economic, social and cultural development*. Article 19 compels *States to consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative measures that may affect them*.

Day-to Day Management of the Ugul Malu Kawal IPA

Our IPA Management is founded on Lawag Sabi a Danalaig / Igililnga (*our Ancestors' lores*) and Ngalpun Kupay a Wakaynthamam / Ngalkan Igililnga (*our Worldview*). All IPA places are sacred to the Traditional Property Owners. IPA activities need prior consent from Traditional Property Owners through the Maluilgal (TSI) Corporation RNTBC.

Our Elders direct that our Rangers; the Mabygiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers, exclusively manage our sacred IPA.

²⁴ The full name of the treaty is: *Treaty Between Australia and the Independent State of Papua New Guinea Concerning Sovereignty and Maritime Boundaries in the area between the Two Countries, Including the Area Known as Torres Strait, and Related Matters*.

²⁵ Parliament of Australia (http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Completed_Inquiries/jsct/8february2005/chapter4)

Our Rangers, under the direction of our Elders, work together to protect our inheritance: the Ugul Malu Kawal IPA. Our Ranger groups, together with other TSRA LSMU staff are the IPA's day-to-day managers.

IPA Management Partnerships

Regional agencies and outside agencies with interests in and around our IPA include:

- Torres Strait Regional Authority (TSRA) which developed the *Torres Strait Regional Plan 2009 - 2029* in partnership with the Torres Shire Council, the Torres Strait Island Council and the Northern Peninsula Area Regional Council, and the *Land and Sea Management Strategy for Torres Strait 2016 - 2036* in partnership with the Gur A Baradtharaw Kod Torres Strait Sea and Land Council.
- TSRA Land & Sea Management Unit (LSMU) which assist and informs IPA management in our region.
- The TSRA LSMU Ranger & IPA Steering Committee which reviews risks and issues, ensures tasks, timetables and resources are on track and oversees the Torres Strait IPA Project.
- Torres Shire Council (TSC) as the administrator of uninhabited islands in Torres Strait.
- Torres Strait Protected Zone Joint Authority (PZJA) - oversees all traditional and commercial fisheries within the Zone and adjacent Torres Strait waters. Bag limits are currently in place for traditional harvesting of tropical rock lobsters (three tropical rock lobster per person or six per boat (if there is more than one person in the boat)) and for sea cucumbers (three sea cucumbers per person or six per boat (if there is more than one person in the boat)). A ban on the sale of clam shell meat is also presently in place.
- Australian Government's Indigenous Protected Areas program currently invests management funds into our IPA.
- Australian Government Border Force which undertakes surveillance against trans-boundary smuggling, including operations targeting suspected illegal entry vessels (SIEVs).
- Australian Government Biosecurity (Dept. of Agriculture & Water Resources) which oversees implementation of the Northern Australia Quarantine Strategy, enforces quarantine arrangements within the Torres Strait's diverse quarantine zones and undertakes related compliance.
- Australian Fisheries Management Authority which regulates commercial fishing licensing (including for tropical rock lobster fisheries) in Torres Strait, including compliance enforcement and monitoring of illegal fishing activities.
- Queensland Government Transport (Dept. of Transport & Main Roads) which monitors shipping lanes and shipping movements within State waters and channels in Torres Strait.
- The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) which remains the trustee of Warul Kawa / Leberen and Awaial Kawa / Kiss Ilan.
- The Department of Foreign Affairs and Trade which administers the Torres Strait Treaty.

Permission to Access the IPA

- Access protocols apply to Guda Maluilgal and Maluilgal Traditional Property Owners, who should speak to their respective Maluilgal RNTBC Director.
- Strict access protocols apply for all IPA management work and Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Elders must be given the right to consider and agree to proposed or planned IPA management activities in advance. Procedures are in place for this to be facilitated through our day-to-day IPA management relationships.
- Strict IPA Access and Research protocols also apply to all researchers and scientists, who must obtain prior written permissions from the Maluilgal RNTBC to travel to or work in our IPA.
- The Torres Strait Treaty protects and preserves seas, animals and plants.

Reviewing this IPA Plan of Management

- Maluilgal (TSI) Corporation RNTBC Directors and TSRA LSMU IPA Program staff undertake to review IPA management activities against the Ugul Malu Kawal Indigenous Protected Area Plan of Management 2018-2028 every two (2) years. Partnership support procedures will be developed to facilitate these Plan of Management reviews.

Cultural Protocols for Visitors

Cultural Protocols for Visitors to the Ugul Malu Kawal IPA

The Ugul Malu Kawal IPA includes many very sacred and spiritually powerful places.

All islands and reef platforms, including their edges, are subject to strict access, behavioural and induction rules, set by Guda Maluilgal and Maluilgal Elders and enforced under their authority by the Maluilgal (Torres Strait Islander) Corporation Registered Native Title Body Corporate (RNTBC). The Maluilgal RNTBC holds the determined native title rights and interests of Guda Maluilgal and Maluilgal Traditional Property Owners for all areas included in our IPA.

During 2017, senior Guda Maluilgal and Maluilgal Elders and RNTBC representatives agreed to the following protocols,

All places within the Ugul Malu Kawal Indigenous Protected Area are of unique spiritual importance to Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners. Warul Kawa / Leberen is the sacred island to the west where the spirits of the deceased go to rest, with this place further deemed to hold great spiritual significance for Torres Strait Islander peoples across our region.

Traditional Property Owners of these areas are requested to talk to their Maluilgal RNTBC Director before visiting the IPA.

For all others, formal access permissions must be obtained before any visits and strict cultural protocols apply to everyone visiting the IPA, including for IPA management activities or any research activities.

which apply to any person seeking to visit any place within the Ugul Malu Kawal IPA, including for IPA management.

Cultural Protocols for Visitors

Ugul Malu Kawal Indigenous Protected Area

Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay

We, the Maluilgal (Torres Strait Islanders) Corporation Registered Native Title Body Corporate (RNTBC) administers native title rights and interests recognised in the Warul Kawa and Buru native title determination, which was duly registered in August 2005.

Our corporation holds these native title rights and interests on behalf of Guda Maluilgal (Boigulgal, Dauanalgal and Saibailgal) and Maluilgal (Badulgal and Goemulgal) Traditional Property Owners. More information about native title over these areas can be found by reading about the Warul Kawa and Buru native title determination at:

<http://www.austlii.edu.au/au/cases/Cth/FCA/2005/1118.html>

The determination includes Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay which together are the **Ugul Malu Kawal Indigenous Protected Area**. Buru Cay is also part of the determination, but not within the IPA.

These most sacred, highly culturally significant places are generally located to the southwest of Boigu, Dauan and Saibai, and to the northwest of Mabuyag and Badu. They, and their surrounding reefs and seas, are important ceremonial, hunting and fishing grounds for Guda Maluilgal and Maluilgal Traditional Property Owners.

Given the deep and abiding spiritual and cultural significance that these places have for our peoples, and their biodiversity importance to nesting warul (marine turtles) and migratory seabirds, Warul Kawa / Leberen was first declared an Indigenous Protected Area (IPA) in February 2001. The Warul Kawa IPA includes the island of Warul Kawa / Leberen and its surrounding reef platform, an area of some 3500ha. Our IPA is managed by the Mabuygiw Rangers, the Malu Ki'ai Rangers, the Mura Badhulgau Rangers, the Mura Buway Rangers and the Simakal Rangers.

When visiting Guda Maluilgal and Maluilgal Traditional Lands and Waters within the Ugul Malu Kawal IPA we ask that you respect and closely adhere to the following:

1. Well in advance of any visit, the Maluilgal RNTBC must be made aware of your intentions, and must give their written consent, to access to our Lands or Waters.
2. **Do not enter our Lands or Waters without permission.** This includes beaches, reef platforms and edges – these are owned under our traditional land systems.
3. Access is restricted to small numbers of people visiting for short periods of time only with senior Traditional Property Owners who have been duly nominated through the Maluilgal RNTBC.
4. Do not collect, use or remove **anything** from our waters, reef platforms, reef edges, beaches or forests without permission. This includes the harvesting of wildlife or turtle eggs.
5. Do not cut branches from or damage vegetation. The dhani tree (big fig tree) is particularly sacred and must not be damaged.
6. We prefer that visitors travel on foot around the islands. Please do not wander around unaccompanied unless Maluilgal RNTBC has granted you special permission to do so.
7. Always seek permission and agreement before photographing or recording any site of cultural significance, person, artwork, song and dance. Please give special consideration to images that are potentially culturally sensitive, such as hunting or other traditional practices. It is essential that permission from the appropriate people is sought prior to taking images, and agreement met on the use of those images.

If you intend to use images for anything other than personal use then you must seek permission in writing by way of a release form from the Maluilgal RNTBC. A fee for this service may be sought from the individual or clan group for the reproduction of some types of images.

8. **DO NOT** visit the islands of Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan and NorWes Sandbank / Turu Cay without **EXPRESS PERMISSION** from the Maluilgal RNTBC. This must be obtained by contacting the Maluilgal RNTBC. All places within the IPA are of extreme cultural significance to all Badulgal, Boigulgal, Dauanalgal, Goemulgal and Saibailgal Traditional Property Owners. You must have the appropriate guides, nominated prior to your visit through the designated Maluilgal RNTBC representatives, accompany you if you wish to visit the IPA. A Fee for Service will be charged, with a Schedule for Fees and Services available from the RNTBC.
9. A high standard of appropriate and respectful behaviour is expected when you visit Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan and/or NorWest Sandbank (Turu Cay).
10. You must not engage in any behaviour that may be construed as offensive. This includes:
 - Making too much noise
 - Damaging plants or trees
 - Dressing inappropriately
 - No drugs or alcohol
 - No rubbish left

Other Considerations:

Visitors to our IPA must have their visit announced to Ancestors/Spirits in the right way to ensure their own safety, and the safety of others, during any visit.

Particular requirements apply in this regard. These will include set requirements for the proper conduct of visitor inductions by nominated senior Traditional Property Owners, both before departing for any place within the IPA and before stepping ashore at any IPA location, and the roles of Rangers during your visit. You will be informed of these by the RNTBC, in association with the five Ranger groups who manage the Ugul Malu Kawal IPA.

Procedure for All Visitor Approvals

1. The Maluilgal RNTBC is the first point of contact for any proposed visit. Contact details for the Maluilgal RNTBC are provided below.
2. You should endeavour to provide at least two weeks notice of your visit in writing.
3. Contact should preferably be made by a single group email to the RNTBC's Directors who will consider your request for access and supporting information.
4. You should advise the Maluilgal RNTBC of the reason for your visit and what the benefits to Guda Maluilgal and Maluilgal Traditional Property Owners will be. We reserve the right to refuse your visit if we do not think there is a need for you to visit, or we think your presence may offend others. In some cases, a meeting with the Maluilgal RNTBC may need to be held to discuss your visit. Please bear this in mind when you are seeking permission to visit as this may impact on your intended travel plans.
5. Please be aware that certain local or regional events may mean that you will need to postpone your visit, or that Guda Maluilgal and Maluilgal Traditional Property Owners may be unable to provide assistance or meet with you. We will do our best to advise you of these circumstances.
6. You will receive a response to your written request from the Goemulgal Director and/or the Boigulgal Director, or their designated alternative Director.

Contact Details for Maluilgal (TSI) Corporation RNTBC

PO Box 164 Badu Island, Queensland 4875

Traditional Property Owners of these areas: please speak with to your Maluilgal RNTBC Director.

For any other persons seeking permission to visit Maluilgal native title determination areas including Warul Kawa / Leberen, Awaial Kawa / Kiss Ilan, Norwes Sandbank / Turu Cay or Buru Island:

Please email a written request for visitor access permission – clearly detailing your intended purposes and activities, anticipated arrival date/s and anticipated departure date/s – to the following Maluilgal RNTBC Directors, in a single group email message.

Mr Maluwap Ali Nona, Chairperson, Badulgal Director

Mr Keith Pabai, Boigulgal Director kpaba1@eq.edu.au

Mr Thomas Mooka, Dauanalgal Director zemeroo.bala@gmail.com

Mr Terrence Whap, Goemulgal Director Terrence.WHAP@tsra.gov.au

Mr Paul Kabai, Saibailgal Director saibai-pbc@hotmail.com

Note: Separate processes apply for IPA management.

Acronyms

Acronyms

AFMA	Australian Fisheries Management Authority
DEHP	Department of Environment & Heritage Protection (Queensland Government)
DNRM	Department of Natural Resources & Mines (Queensland Government)
DPMC	Department of Prime Minister & Cabinet (Australian Government)
GPS	Global Positioning System
IPA	Indigenous Protected Areas
IUCN	International Union for the Conservation of Nature
KKY	Kala Kawaw Ya - dialect of KLY used by Boigulgal, Dauanalgal and Saibailgal
KLY	Kala Lagaw Ya - language of western Torres Strait, used by Badulgal and Goemulgiw
LMS	London Missionary Society
LMSU	Land and Sea Management Unit
RNTBC	Registered Native Title Body Corporate
TSI	Torres Strait Islanders
TSRA	Torres Strait Regional Authority
UNESCO	United Nations Educational, Scientific and Cultural Organisation

Appendixes

Appendixes

Appendix A - 2001 Warul Kawa Dedication Gazette Notice

Appendix B - Animals recorded in our IPA

Appendix B1 - Historical and Recent Marine Turtle IPA Data

Appendix B2 - Rat Bait Station Trials 2016-2017

Appendix C - Birds recorded in our IPA




Appendix D - Culturally Significant Plants

Appendix E - Legislation relevant to the Ugul Malu Kawal IPA and Traditional Property Owners

Appendix F - IUCN Protected Area Category VI (6)

Appendix A - Declaration of Warul Kawa Indigenous Protected Area 2001

23 Feb. - 1 March, 2001

DECLARATION OF WARUL KAWA INDIGENOUS PROTECTED AREA

A successful pilot project aimed at establishing an Indigenous Protected Area over Warul Kawa (Deliverance Island), begun in 1995, has now culminated in this declaration of the island as the Warul Kawa Indigenous Protected Area (IPA). Warul Kawa ('island of turtles'), also known as Leberen, is located on marine charts as Deliverance Island.

The Project was carried out by the Torres Strait Regional Authority (TSRA), Torres Strait Island Co-ordinating Council (ICC), and Boigu Island Community representatives in conjunction with Environment Australia. It was funded through the Commonwealth Natural Heritage Trust.

The TSRA, ICC and Traditional Owners have embarked on a documentation process in respect of the traditional, cultural and conservation values of Warul Kawa. Management of the area is directed at preserving the natural and cultural integrity of the island and surrounding reef. This is to ensure that the resources and traditional knowledge associated with this site are sustainable for future generations.

Other Torres Strait communities with Native Title interests in Warul Kawa have been aware of the process and support this declaration. These communities are Badu, Mabuiag, Saibai and Dauan Islands.

Warul Kawa IPA consists of a tropical cay composed of white carbonate sands surrounded by extensive intertidal sand flats. The island and reef is approximately 35 square kilometres with the long axis of both the reef and island laying north-east to south-west. The island is surrounded by a shallow reef platform. The island ecosystem supports significant marine and terrestrial species of conservation importance and is home to sites of cultural and historical significance to the Traditional Owners.

The pilot project has now progressed to an agreement between the abovementioned parties for the declaration of Warul Kawa Indigenous Protected Area, which is to be managed by a joint committee made up of representatives from the five island communities with traditional interests in Warul Kawa. This agreement is made under the *Natural Heritage Trust Act 1997*, the National Reserve System, which is specified for the purpose of Reserve established under Section 4 of that Act.

The primary Objective of this Agreement is to manage the Warul Kawa Indigenous Protected Area in accordance with the ICC and TSRA Plan of Management and the International Union for Nature Conservation Categories (IUCN Categories).

NAME OF THE AREA: Warul Kawa or Deliverance Island

LOCATION: Warul Kawa is situated approximately 16 NM from the Papua New Guinea coast, 40 NM from the Indonesian border and 75 NM north west of Thursday Island, 09.32'S, 141.31'E. See attached map.


AREA: Warul Kawa IPA includes the surrounding shallow reef platform as well as the island. The total area of land and sea included in this IPA is approximately 35 square kilometres.

DATE OF DECLARATION: 15th February 2001

IUCN CATEGORY: Category VI


ACKNOWLEDGEMENT OF NHT ASSISTANCE: Funding assistance for this project is from the Commonwealth Natural Heritage Trust.

For further information regarding this matter please contact Vic McGrath, Thursday Island on telephone (07)4069 2001.




Terry Wain
Chairman Torres Strait Regional Authority

Date 11/01/01



Henry P. [unclear]
Chairman Torres Strait Island Co-ordinating Council



Edward Das
Chairman Boigu Island Council

Date 10/01/01

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Appendix B - Animals recorded in our IPA

SPECIES	Language Name	Scientific Name	Warul Kawa Leberen	Awaial Kawa Kiss Ilan
Mammals				
Dugongidae				
Dugong	DHANGAL	<i>Dugong dugon</i>	X	X
Pteropidae				
Black Flying-fox	SAPUR	<i>Pteropus alecto</i>	X	
Common Bent-wing Bat	AP (KLY)	<i>Miniopterus schreibersii</i>	probable - from 2012 survey work	
Berccari's Free-tailed bat	AP (KLY)	<i>Mormopterus beccari</i>	probable - from 2012 survey work	
Muridae				
Black Rat	MAKAS - general name for rat / rodent.	<i>Rattus rattus</i>	X	
Reptiles				
Cheloniidae				
Green Turtle	WARU	<i>Chelonia mydas</i>	X	X
Hawksbill Turtle	UNAWA	<i>Eretmochelys imbricata</i>	X	X
Flatback Turtle	U / WANEH	<i>Natator depressus</i>	X	X
Crocodylidae				
Saltwater Crocodile	KOEDAL	<i>Crocodylus porosus</i>	X	
Gekkonidae				
Dubious Gecko / Dubious Dtella	SIS SISI (KKY)	<i>Gehyra dubia</i>	X	
Asian House Gecko	SIS SISI (KKY)	<i>Hemidactylus frenatus</i>	X	
Scincidae				
Six-toothed Rainbow-Skink	MOEGA / MOGAY BOEYMOGO (KKY - Dauan)	<i>Carlia sexdentata</i>	X	

Appendix B1 - Historical and Recent Marine Turtle IPA Data

SEA TURTLE, NUMBERS (ALSO TRACKS) NESTING AND HATCHLING RATES BY TYPES: ALL CAYS IN THE IPA					
What kind (species)	numbers	nesting rates	hatch rates	month year	where
FLATBACK TURTLE	40 tracks			Feb. 1984	Warul Kawa / Leberen
	12 tracks			Feb. 1984	Awaial Kawa / Kiss Ilan
	52 tracks	60.5 % of turtles nesting		Feb. 1987	Warul Kawa / Leberen
	69 tracks			Feb. 1987	Warul Kawa / Leberen
		low density		July 1987	Warul Kawa / Leberen
		low density		July 1987	NorWes Sandbank
		3%	44%	August 1987	Warul Kawa / Leberen
		low density		August 1987	NorWes Sandbank
	01-10 / night			Sept. 1987	Warul Kawa / Leberen
		low density		Sept. 1987	Awaial Kawa / Kiss Ilan
	01-10 / night			Oct. 1987	Warul Kawa / Leberen
		low density		Oct. 1987	Awaial Kawa / Kiss Ilan
	11			Dec. 2011	Warul Kawa / Leberen
	1 track			Dec. 2011	Warul Kawa / Leberen
		0.67%		Sept. 2012	Warul Kawa / Leberen
		6.67%	85%	Feb. 2013	
		10.33%	83.87	March 2014	
		31.75%	87.94	Feb. 2016	
		18.75%	60.75	May 2016	
		34.4%	77.11%	March 2017	
GREEN TURTLE	1 track			Dec. 1978	Awaial Kawa / Kiss Ilan
	7 tracks			Dec. 1978	NorWes Sandbank
	11			Dec. 2011	Warul Kawa / Leberen
	184 tagged			2016	Warul Kawa / Leberen
	176 tagged			2017	Warul Kawa / Leberen
HAWKSBILL		sporadic		July 1987	Warul Kawa / Leberen
		sporadic		August 1987	Warul Kawa / Leberen
	1			Sept. 1987	NorWes Sandbank
	1			Oct. 1987	NorWes Sandbank
	1	eggs in nest		Dec. 2011	Warul Kawa / Leberen
	2 nesting	nesting		2017	Warul Kawa / Leberen
TURTLE SPECIES NOT CLEAR	"one great nest of turtles" [Meek (1913) in Groom]				NorWes Sandbank
	0-10 Flatback and Green turtles				within the IPA
	1 Flatback or Green track				Warul Kawa / Leberen

Appendix B2 - Rat Bait Station Trials 2016-2017 (data: our Rangers and TSRA LSMU Land Team)

2016-2017 SUMMARY OF BLACK RAT BAIT STATION TRIALS - WARUL KAWA / LEBEREN						
Objectives	2016 Methods	Numbers	Results	2017 Methods	Numbers	Results
Determine bait station design which provides best bait delivery method for future Black Rat control	Non-toxic baits using rolled oats, vegetable oil, molasses and peanut paste for use in Elliot traps and in trial bait stations	Baits placed in baiting stations <i>Checked over the 5 night survey period</i>	27 Black rats 8 adult females 6 adult males 1 sub adult female 9 juvenile females 3 juvenile males	Non-toxic baits using rolled oats, vegetable oil, molasses and peanut paste for use in bait stations <i>Commercial bait types also trialled</i>	Baits placed in baiting stations and checked over the entire duration of IPA management visit (2 - 7 March 2017)	Large numbers of black rats , regularly accessing the more effective bait station designs
	Bait stations	12 stations (1 design)		Bait stations <i>situated in natural clearings</i>	11 stations (4 designs)	
	Infra-red motion-sensing cameras	12 one at each bait station		2 types of infra-red motion-sensing cameras	11 one at each bait station	
Determine presence/absence of feral cats	Non-toxic baits (rolled oats, vegetable oil, molasses, peanut paste, tinned cat food and sardines)	baits at bait stations 12 cameras 20 person hours sign searching 11 person hours spot-lighting	Nil (0) cat/s seen or heard Nil (0) evidence of any cat/s seen (30% of island surveyed)	Non-toxic baits chicken wing attractant baits Cat callers	6 Cat callers installed and baited <i>one at each of 6 rat bait stations, all of which also had cameras</i> 15 person hours spot-lighting	Nil (0) cat/s seen or heard Nil (0) evidence of any cat/s seen
Incidental fauna (animal) surveys	Elliot trapping along 4 trap line transects	100 Elliot traps set and checked over 5 nights (total trap nights 401 out of possible 500)				
Incidental flora (plant) surveys and photograph fruiting or flowering plants - <i>completed by Rangers and LSMU staff during every survey visit conducted during 2016-2017</i>		100 Elliot traps set and checked over 5 nights (total trap nights 401 out of possible 500)				
				Black Rat bait station designs trialled at Warul Kawa / Leberen (Warul Kawa IPA) during 2016 and 2017. Preliminary indications are that tree-mounted bait station designs (to the right above) may be relatively more easily accessible to the invasive Black Rat. <i>Image © Maluilgal (TSI) RNTBC and TSRA LSMU 2017</i>		

Appendix C - Birds recorded in our IPA

SPECIES	Language Name	Scientific Name	Warul Kawa Leberen	Awaial Kawa Kiss Ilan
Megapodiidae				
Orange footed Scrubfowl	SURKA	<i>Megapodius reinwardt</i>	X	
Anatidae				
Pacific Black Duck	BENGER (BUEGER)	<i>Anas superciliosa</i>	X	
Anseranatidae				
Magpie Goose		<i>Anseranas semipalmata</i>	X	
Columbidae				
Emerald Dove		<i>Chalcophaps indica</i>	X	
Bar-shouldered Dove	KUDULUK	<i>Geopelia humeralis</i>	X	
Rose-crowned fruit Dove	WABA WEIBA	<i>Ptilinopus regina</i>	X	
Collared Imperial-Pigeon	WAU GOENAW	<i>Ducula mullerii</i>	X	
Pied Imperial-Pigeon	GOENAW	<i>Ducula bicolor</i>	X	X
Caprimulgidae				
Large-tailed Nightjar	GUGU	<i>Caprimulgus macrurus</i>	X	
Apodidae				
Fork Tailed Swift	KUT	<i>Apus pacificus</i>	X	
Fregatidae				
Lesser Frigatebird	WAUMER	<i>Fregata ariel</i>	X	X
Great Frigatebird	WAUMER	<i>Fregata minor</i>	X	X
Sulidae				
Brown Booby	DABAY	<i>Sula leucogaster</i>	X	X
Anhingidae				
Australasian Darter	GAMI	<i>Anbinga novaebollandiae</i>	X	X
Phalacrocoracidae				
Little Black Cormorant	GULU-GAMAI	<i>Phalacrocorax sulcirostris</i>	X	
Little Pied Cormorant	GAMI	<i>Microcarbo melanoeucos</i>	X	X
Great Cormorant		<i>Phalacrocorax Carbo</i>	X	X
Pied Cormorant	TULUGAMAY	<i>Phalacrocorax varius</i>	X	X
Pelecanidae				
Australian Pelican	AWAY	<i>Pelecanus conspicillatus</i>	X	X
Ardeidae				
Intermediate Egret	KARBAI TOOLOO KARBAI	<i>Ardea intermedia</i>	X	
Striated Heron	GAWT	<i>Butorides striata</i>	X	X
Little Egret	KARBAI	<i>Egretta garzetta</i>	X	
Eastern Reef Egret	KARBAI	<i>Egretta sacra</i>	X	X
Nankeen Night-Heron	WARUL KAWA GAWT	<i>Nycticorax caledonicus</i>	X	X

SPECIES	Language Name	Scientific Name	Warul Kawa Leberen	Awaial Kawa Kiss Ilan
Threskiornithidae				
Royal Spoonbill	TARPU	<i>Platalea regia</i>	X	
Australian White Ibis	BUKIRI	<i>Threskiornis molucca</i>	X	
Accipitridae				
White-bellied Sea-Eagle	NGAGALAIG	<i>Haliaeetus leucogaster</i>	X	X
Pacific Baza		<i>Aviceda subcristata</i>	X	
Rallidae				
Buff-Banded Rail	BEUGI	<i>Gallirallus philippensis</i>	X	X
Burhinidae				
Beach Stone-curlew	KARAWAGI (KKY) KOKOBE (KLY Badu)	<i>Esacus magnirostris</i>	X	
Haematopodidae				
Australian Pied Oystercatcher		<i>Haematopus longirostris</i>	X	X
Recurvirostridae				
White-headed Stilt		<i>Himantopus leucocephalus</i>	X	
Charadriidae				
Grey Plover	SUI	<i>Pluvialis squatarola</i>	X	X
Pacific Golden Plover	SUI	<i>Pluvialis fulva</i>	X	X
Lesser Sand Plover	SUI	<i>Charadrius mongolus</i>	X	X
Greater Sand Plover	SUI	<i>Charadrius leschenaultii</i>	X	X
Masked Lapwing	PUITERETERE	<i>Vanellus miles</i>	X	X
Scolopacidae				
Whimbrel	WHOY	<i>Numenius phaeopus</i>	X	X
Common Sandpiper	SUI	<i>Actitis hypoleucos</i>	X	
Sharp-tailed Sandpiper		<i>Calidris acuminata</i>	X	
Curlew Sandpiper		<i>Caladris ferruginea</i>	X	X
Common Greenshank	KALU	<i>Tringa nebularia</i>	X	X
Ruddy Turnstone	SUI	<i>Arenaria interpres</i>	X	X
Great Knot	KALU	<i>Calidris tenuirostris</i>	X	X
Red-necked Stint	SUI	<i>Calidris ruficollis</i>	X	X
Grey-Tailed Tattler		<i>Tringa brevipes</i>	X	X
Wandering Tattler		<i>Tringa incana</i>	X	
Bar Tailed Godwit		<i>Limosa lapponica</i>	X	X
Eastern Curlew	KARAWAGE SUWEH (KLY)	<i>Numenius madagascariensis</i>	X	
Sanderling	SUI	<i>Calidris alba</i>	X	
Terek Sandpiper	SUI	<i>Xenus cinereus</i>	X	

SPECIES	Language Name	Scientific Name	Warul Kawa Leberen	Awaial Kawa Kiss Ilan
Laridae				
Little Tern	KEH KEH (KLY - Badu) KIAI SARA / KANGAN (KKY -	<i>Sternula albifrons</i>	X	X
Sooty Tern	DUA	<i>Onychoprion fuscata</i>	X	X
Black Noddy	DUA	<i>Anous minutus</i>	X	X
Common Noddy		<i>Anous stolidus</i>	X	X
Black-naped Tern	SARA	<i>Sterna sumatrana</i>	X	X
Crested Tern	MALU KIAI	<i>Thalasseus bergii</i>	X	X
Silver Gull	KIPURU	<i>Chroicocephalus novaehollandiae</i>	X	X
Gull-Billed Tern	SARA	<i>Gelochelidon nilotica</i>	X	
Common Tern	SARA	<i>Sterna hirundo</i>	X	
Cuculidae				
Channel Billed Cuckoo	GORA	<i>Scythrops novaehollandiae</i>	X	
Pheasant Coucal	PALPUL	<i>Centropus phasianimus</i>	X	
Eastern Koel	GORA	<i>Eudynamis orientalis</i>	X	
Brush Cuckoo		<i>Cacomantis variolosus</i>	X	
Horsefield's Bronze Cuckoo		<i>Chalcites basalis</i>	X	
Pallid Cuckoo		<i>Cacomantis pallidus</i>		X
Meropidae				
Rainbow Bee-eater	BIRUBIRU	<i>Merops ornatus</i>	X	
Halcyonidae				
Sacred King Fisher	BUINEE (BIUNI)	<i>Todiramphus sanctus</i>	X	X
Forest Kingfisher	KEW	<i>Todiramphus macleayii</i>	X	X
Pachycephalidae				
Mangrove Golden Whistler	MANGARO	<i>Pachycephala melanura</i>	X	
Dicruridae				
Spangled Drongo	SANSUSU	<i>Dicrurus bracteatus</i>	X	
Coraciidae				
Dollarbird	KER KER	<i>Eurystomus orientalis</i>	X	
Meliphagidae				
Red-headed Honeyeater	KULKA GAMUL MUTH	<i>Myzomela erythrocephala</i>	X	X
Brown Honeyeater	WILI	<i>Lichmera indistincta</i>	X	
Varied Honeyeater	KUBUKE	<i>Lichenostomus versicolor</i>	X	
Artamidae				
White-breasted Woodswallow	EGUB	<i>Artamus leucorhynchus</i>	X	
Rhipiduridae				
Rufous Fantail	KUPGIG	<i>Rhipidura rufifrons</i>	X	

SPECIES	Language Name	Scientific Name	Warul Kawa Leberen	Awaial Kawa Kiss Ilan
Monarchidae				
Satin Flycatcher	SISARI	<i>Myiagra cyanoleuca</i>	X	
Leaden Flycatcher	YETAMU	<i>Myiagra rubecula</i>	X	
Paperbark (Restless) Flycatcher		<i>Myiagra nana</i>	X	
Black Faced Monarch	SISARI	<i>Monarcha melanopsis</i>	X	
Broad Billed Flycatcher	SISARI	<i>Myiagra ruficollis</i>	X	
Timaliidae				
Pale White-eye	PISUM	<i>Zosterops citronella</i>	X	
Yellow White-eye	PISUM	<i>Zosterops luteus</i>	X	
Hirundinidae				
Welcome Swallow		<i>Hirundo neoxena</i>	X	
Tree Martin		<i>Petrochelidon nigricans</i>	X	
Nectariniidae				
Olive-backed Sunbird	MUT	<i>Nectarinia jugularis</i>	X	X
Motacillidae				
Eastern Yellow Wagtail	MUT	<i>Motacilla (flava) tschutschensis</i>	X	



Top left: Broad-billed Flycatcher, Warul Kawa / Leberen

Top right: Red-headed Honeyeater, Warul Kawa / Leberen

SOME BIRDS OF THE UGUL MALU KAWAL INDIGENOUS PROTECTED AREA

Bottom left: Pelican fledglings, Awaial Kawa / Kiss Ilan

Bottom right: Crested Terns, Warul Kawa / Leberen



(all images other than Pelicans courtesy of Matt Dunn, Pelican image courtesy of Maluilgal RNTBC and TSRA LSMU)

Appendix D - Culturally Significant Plants²⁵ from our IPA

Plant Family Name	Language Name Common Name	Scientific Name	Cultural Uses	recorded at Warul Kawa Leberen	recorded at Awaial Kawa Kiss Ilan
Angiosperms					
Aizoaceae	GURRAWADH Sea Purslane	<i>Sesuvium portulacastrum</i>	Material	X	X
Apocynaceae		<i>Carissa laxiflora</i>	Food	X	
Arecaceae	URAB Coconut	<i>Cocos nucifera</i> *	Food, material	X	X
Boraginaceae	[Octopus Bush]	<i>Argusia argentea</i>		X	
	[Kerosene Tree]	<i>Cordia subcordata</i>		X	
Caesalpiniaceae	ZEGER ZEGER Nicker Nut	<i>Caesalpineia bonduc</i>	Material	X	X
Capparaceae	[Wild Orange]	<i>Capparis sepiaria</i>	Food	X	
Combretaceae	MEKAY Beach Almond	<i>Terminalia catappa</i>	Food	X	X
Convolvulaceae	PULLA Goats foot Convolvulus	<i>Ipomoea pes-caprae subsp. brasiliensis</i>	Material, medicinal	X	X
Dioscoreaceae	SEGE [Long Yam]	<i>Dioscorea transversa</i>	Food	X	
	BUD [Cheeky Yam]	<i>Dioscorea bulbifera subsp. bulbifera</i>	Food	X	
Dracaenaceae	[Native Dracaena]	<i>Pleomele angustifolia</i>	Medicinal	X	
Euphorbiaceae	[Milky Mangrove]	<i>Excoecaria agallocha</i>	Material	X	
Fabaceae	[Gidee Gidee]	<i>Abrus precatorius subsp. precatorius</i>	Material	X	
	[Derris]	<i>Derris trifoliata</i>	Material	X	
	[Coral Tree]	<i>Erythrina insularis</i>	Material	X	
Fabaceae	KARDHAI Indian Beech	<i>Millettia pinnata</i>	Material	X	X
	[Silver Bush]	<i>Sophora tomentosa subsp. australis</i>	Material	X	
	PULLA Sea Bean	<i>Vigna marina</i>	Material	X	X
Flagellariaceae	[Whip Vine, Supplejack]	<i>Flagellaria indica</i>	Material	X	

²⁵ Preliminary list only as at 2017. Adapted from Fell (2012) Appendix D and Fell, McLean and Leahy (2017) Appendix C. Language names from Guda Maluilgal and Maluilgal Traditional Property Owners and from Edwards (2001). Cultural uses from Fell (2012) and Fell, McLean and Leahy (2017) - based on limited field recording and supplemented by uses recorded on Boigu Island with Boigu Island Rangers. Common names from Fell (2012) and Fell, McLean and Leahy (2017), with bracketed common names from the Atlas of Living Australia and Beasley (2006 and 2009).

*Naturalised plants = plants that first came from elsewhere but are now growing wild within our IPA.

Plant Family Name	Language Name Common Name	Scientific Name	Cultural Uses	recorded at Warul Kawa Leberen	recorded at Awaial Kawa Kiss Ilan
Goodeniaceae	DELL Sea Cabbage	<i>Scaevola taccada</i>	Cultural	X	X
Hernandiaceae	[Lantern Tree]	<i>Hernandia nymphaeifolia</i>		X	
Lamiaceae	BOI BOI Clerodendrum	<i>Clerodendrum inerme</i>	Material	X	X
	KOMAK Beach Premna	<i>Premna serratifolia</i>	Material	X	X
Lauraceae	NGUZZARUGH Dodder Laurel	<i>Cassytha filiformis</i>	Food	X	X
Lythraceae	[Digging Stick Tree]	<i>Pemphis acidula</i>	Material	X	
Malvaceae	TEME WARAKARR Beach Hibiscus	<i>Hibiscus tiliaceus</i>	Material	X	X
	[Northern Cottonwood]	<i>Thespesia populneoides</i>	Material	X	
Mimosaceae	[Black Wattle]	<i>Acacia auruciliformis</i>	Material	X	
Moraceae	[Fig]	<i>Ficus drupacea</i> var. <i>drupacea</i>	Cultural	X	
	[Small-leaved Fig]	<i>Ficus obliqua</i> var. <i>petiolaris</i>	Cultural	X	
	[White Fig]	<i>Ficus virens</i> var. <i>sublanceolata</i>	Cultural	X	
Nyctaginaceae	PINNERRK Bird Lime or Lettuce Tree	<i>Pisonia grandis</i>	Material	X	
Olacaceae	[Yellow Plum]	<i>Ximenia americana</i>	Food	X	
Pandanaceae	KOWSAR Screw Pine	<i>Pandanus tectorius</i>	Material, Food	X	X
Passifloraceae	[Wild Passionfruit]	<i>Passiflora foetida</i> *	Food	X	
Poaceae	[Blady Grass]	<i>Imperata cylindrica</i>	Material	X	
Rhamnaceae	[Beach Berry Bush]	<i>Colubrina asiatica</i>	Material	X	
Rubiaceae	[Sea Randa]	<i>Guettarda speciosa</i>	Material	X	
Santalaceae	[Mistletoe Tree, Doughboy]	<i>Exocarpos latifolius</i>	Food	X	
Sapotaceae	WONGAI [Matchstick Bean]	<i>Manilkara kauki</i>	Food, Material	X	
	[Red Condoo, Mimusops]	<i>Mimusops elengii</i>	Food	X	
Taccaceae	[Arrowroot]	<i>Tacca leontopetaloides</i>	Food	X	

Appendix E - Relevant International, Federal and State Laws and Conventions

Historical Acts - Queensland (Qld) - Relevant state laws made by the Queensland Parliament

- *Queensland Fisheries Act 1877*
- *Pearl-shell and Beche-de-mer Fisheries Act 1881 (Qld)*
- *Oyster Act 1886 (Qld)*
- *The Queensland Fisheries Act 1887 (Qld)*
- *The Pearl-shell and Beche-de-mer Fisheries (Extra-territorial) Act 1888 (Qld)*
- *Pearl-shell and Beche-de-mer Fisheries Amendment Act 1891 (Qld)*
- *The Fish and Oyster Act 1914 (Qld)*
- *Torres Strait Islanders Act 1939 (Qld)* providing the first common law recognition of Torres Strait Islanders as a separate people
- *Fish and Oyster Acts Amendment Act 1955 (Qld)*
- *Fisheries Acts - 1957, 1967 and 1976 (Qld)*
- *Aborigines and Torres Strait Islander Affairs Act 1965 (Qld)*, which removed voting prohibitions for our peoples
- *Torres Strait Islander Act 1971 (Qld)*
- *Fisheries Amendment Act 1981 (Qld)*
- *Fishing Industry Organisation and Marketing Act 1982 (Qld)*
- *Community Services (Torres Strait) Act 1984 (Qld)*
- *Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (Qld)* - legal creation of “Katter-leases” on Deed of Grant in Trust (DOGIT) lands
- *Coastal Protection and Management Act 1995*

Historical Acts - Commonwealth (Cth) - Relevant federal laws made by the Australian Parliament

- *Pearl Fisheries Act 1952 (Cth)* and *Pearl Fisheries Act (No.2) 1953 (Cth)*
- *Fisheries Act 1952, 1967, 1968 and 1973 (Cth)*
- *Electoral Act 1962 (Cth)*
- *Continental Shelf (Living Natural Resources) Act 1968 (Cth)*
- *Sea and Submerged Lands Act 1973 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*
- *Fisheries Amendment Act 1978, 1980 (Cth)*
- *Torres Strait Fisheries Act 1984 (Cth)*
- *Fisheries Legislation Amendment Act 1984, 1985, 1987 (Cth)*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)*
- *Human Rights and Equal Opportunity Commission Act 1986 (Cth)*
- *Aboriginal and Torres Strait Islander Commission Act 1989 (Cth)* to set up the Torres Strait Regional Authority (TSRA) in 1994, now replaced by amended 2005 Commonwealth laws (see below)
- *Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989 (Cth)* to set up the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) in Canberra

Recent Commonwealth (Cth) and Queensland (Qld) Laws (Legislation) and Policies

- *Fisheries Management Act 1991 (Cth)*
- *Fisheries Legislation (Consequential Provisions) Act 1991 (Cth)*
- *Torres Strait Islander Land Act 1991 (Qld)*
- *Nature Conservation Act 1992 (Qld NCA Act)*
- *Native Title Act 1993 (Cth)*
- *Native Title (Queensland) Act 1993 (Qld)*
- *Fisheries Act 1994 (Qld)*
- *Land Act 1994 (Qld)*
- *Environmental Protection Act 1994 (Qld)*
- *Natural Heritage Trust of Australia Act 1997 (Cth)*
- *Guidelines for Establishing the National Representative System of Marine Protected Areas 1998 (Cth)*
- *Environment Protection and Biodiversity Conservation Act 1999 (Cth EPBC Act)*
- *Torres Strait Islander Cultural Heritage Act 2003 (Qld)*
- *Aboriginal and Torres Strait Islander Act 2005 (Cth)*
- *Australia's Strategy for the National Reserve System 2009–2030 (Cth)*
- *Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld)*
- *Akiba on behalf of the Torres Strait Regional Sea Claim Group v Commonwealth of Australia [2013] HCA33 (Akiba)*

Relevant International Agreements and Conventions

- 1948 Universal Declaration of Human Rights (United Nations)
- 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- 1978 Torres Strait Treaty
- 1982 United Nations Convention on the Law of the Sea (UNCLOS)
- 1992 Rio Declaration on Environment and Development
- 1992 United Nations Framework Convention on Climate Change (UNFCCC) and 1998 Kyoto Protocol to the UNFCCC
- 1993 Convention on Biological Diversity (CBD)
- 1997 International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries
- 2009 United Nations Declaration on the Rights of Indigenous Peoples (2007)

Appendix F - IUCN Protected Area Category VI (6)

Definition of Protected Areas Category VI (category 6) of the International Union for the Conservation of Nature (IUCN) criteria, the criteria under which the Ugul Malu Kawal Indigenous Protected Area is recognised and managed.

Category VI: Protected area with sustainable use of natural resources

Protected areas that conserve ecosystems and habitats, together with associated cultural values and traditional natural resource management systems. They are generally large, with most of the area in a natural condition, where a proportion is under sustainable natural resource management and where low-level non-industrial use of natural resources compatible with nature conservation is seen as one of the main aims of the area.

Primary objective

To protect natural ecosystems and use natural resources sustainably, when conservation and sustainable use can be mutually beneficial.

Other objectives

- ▶ To promote sustainable use of natural resources, considering ecological, economic and social dimensions;
- ▶ To promote social and economic benefits to local communities where relevant;
- ▶ To facilitate inter-generational security for local communities' livelihoods – therefore ensuring that such livelihoods are sustainable;
- ▶ To integrate other cultural approaches, belief systems and world-views within a range of social and economic approaches to nature conservation;
- ▶ To contribute to developing and/or maintaining a more balanced relationship between humans and the rest of nature;
- ▶ To contribute to sustainable development at national, regional and local level (in the last case mainly to local communities and/or indigenous peoples depending on the protected natural resources);
- ▶ To facilitate scientific research and environmental monitoring, mainly related to the conservation and sustainable use of natural resources;
- ▶ To collaborate in the delivery of benefits to people, mostly local communities, living in or near to the designated protected area;
- ▶ To facilitate recreation and appropriate small-scale tourism.

Distinguishing features

- ▶ Category VI protected areas, uniquely amongst the IUCN categories system, have the sustainable use of natural resources as a *means* to achieve nature conservation, together and in synergy with other actions more common to the other categories, such as protection.
- ▶ Category VI protected areas aim to conserve ecosystems and habitats, together with associated cultural values and natural resource management systems. Therefore, this category of protected areas tends to be relatively large (although this is not obligatory).
- ▶ The category is not designed to accommodate large-scale industrial harvest.
- ▶ In general, IUCN recommends that a proportion of the area is retained in a natural condition, which in some cases might imply its definition as a no-take management zone. Some countries have set this as two-thirds; IUCN recommends that decisions need to be made at a national level and sometimes even at the level of individual protected areas.

Role in the landscape/seascape

- ▶ Category VI protected areas are particularly adapted to the application of landscape approaches.
- ▶ This is an appropriate category for large natural areas, such as tropical forests, deserts and other arid lands, complex wetland systems, coastal and high seas, boreal forests etc. – not only by establishing large protected areas, but also by linking with groups of protected areas, corridors or ecological networks.
- ▶ Category VI protected areas may also be particularly appropriate to the conservation of natural ecosystems when there are few or no areas without use or occupation and where those uses and occupations are mostly traditional and low-impact practices, which have not substantially affected the natural state of the ecosystem.

Issues for consideration

Protection of natural ecosystems and promotion of sustainable use must be integrated and mutually beneficial; category VI can potentially demonstrate best management practices that can be more widely used.

New skills and tools need to be developed by management authorities to address the new challenges that emerge from planning, monitoring and managing sustainable use areas.

There is also need for development of appropriate forms of governance suitable for category VI protected areas and the multiple stakeholders that are often involved. Landscape-scale conservation inevitably includes a diverse stakeholder group, demanding careful institutional arrangements and approaches to innovative governance.

(This extract was sourced from the IUCN Category VI website - <https://www.iucn.org/theme/protected-areas/about/protected-areas-categories/category-vi-protected-area-sustainable-use-natural-resources>)

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