



WET TROPICS MANAGEMENT AUTHORITY

21 March 2006

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TO WHOM IT MAY CONCERN

Re: Inquiry into Australia's national parks, conservation reserves and marine protected areas

Thank you for the opportunity to comment on the funding and resources available to meet the objectives of Australia's national parks, other conservation reserves and marine protected areas.

This submission by the Wet Tropics Management Authority focuses primarily on the funding and resources provided for Australian World Heritage Areas, in particular the Wet Tropics of Queensland World Heritage Area (WTQWHA).

The Wet Tropics Management Authority was set up to ensure Australia's obligations under the World Heritage Convention are met in relation to the WTQWHA. The Authority is a body corporate with statutory powers defined under the *Wet Tropics Protection and Management Act 1993 (Qld)*. It is recognised as a world leader in World Heritage management and works in partnership with government agencies, Rainforest Aboriginal people, local councils, the tourism industry, the conservation sector and other community groups to manage the WTQWHA.

Australia's sixteen World Heritage Areas are internationally recognised for the significance of their natural and cultural values. These Areas are governed under a variety of legislative regimes. On-ground management may be the responsibility of Australian or state/territory government agencies, local government or, in some cases, private landholders. There are significant differences in the resources and funding provided for World Heritage Areas throughout Australia.

Governance arrangements for the management of World Heritage Areas throughout Australia are currently under review by the Environment Protection and Heritage Council (EPHC). In September 2005, the Wet Tropics Ministerial Council resolved to undertake a review of the WTQWHA Intergovernmental Agreement, which sets out broad structural and funding arrangements for the management of the Area. This review is to take place in the context of a review of governance and funding arrangements for the management of all Queensland World Heritage properties. Critical to these reviews, is the need to clearly define the roles and responsibilities of Australian and State

governments with regard to the management of World Heritage properties. Such clarification is necessary to guide resourcing arrangements, including funding agreements, between Australian and State governments.

The Authority's major recommendations regarding management and funding of World Heritage Areas and the WTQWHA are outlined below. The Inquiry's five terms of reference are then addressed in more detail with particular reference to the WTQWHA.

Yours sincerely

A handwritten signature in cursive script that reads "John Grey".

Lt Gen John Grey AC (Retd)
Chair
Wet Tropics Management Authority

WET TROPICS MANAGEMENT AUTHORITY
SENATE INQUIRY SUBMISSION INTO AUSTRALIA'S NATIONAL PARKS,
CONSERVATION RESERVES AND MARINE PROTECTED AREAS

Key Recommendations

Australia's World Heritage Areas

- i. The responsibilities of the Australian government, state governments and territories in the management and resourcing of World Heritage Areas (WHA) need to be clearly defined. The EPHC review of WHA management should aim to achieve a greater level of certainty and consistency in management and funding regimes for WHAs throughout Australia. Such arrangements must recognise that not all WHAs are similar in terms of management needs and resourcing must be commensurate with the level of management effort required to meet Australia's obligations under the World Heritage convention.
- ii. WHAs should fulfil a role in the life of the community, both locally and nationally. This community role should include provision of ecosystem goods and services, community use of the Areas and community engagement in decision-making.
- iii. WHA management, and protected area management in general, should be considered in a community context. Holistic conservation management of natural and cultural values should extend beyond the boundaries of the Area and incorporate cooperative conservation in surrounding communities. This is particularly important to prevent and mitigate threats to World Heritage values.
- iv. The management of Australia's WHAs should reflect the importance of their Aboriginal cultural values and incorporate Aboriginal participation in management where appropriate. This is fundamental to adopting a holistic approach to managing our natural and cultural landscape. It is a particular issue for WHAs, which are listed solely for their natural values and where there may be no legislative regime or funding support to incorporate Aboriginal culture into management regimes.
- v. Resourcing of WHAs should reflect the cost of maintaining natural and cultural assets to the highest standard in the light of their international significance. Within an Australian context, resourcing should:
 - accommodate the needs of Aboriginal Traditional Owners to exercise their Native Title rights or rights negotiated through agreements, such as living on country; and
 - reflect the need for community involvement in management and the community benefits provided by WHAs.

There is a need to research the true socio-economic values of natural assets in protected areas and the cost of maintaining or rehabilitating these values.

- vi. Resourcing arrangements for World Heritage Areas, should comprise two components:
 - base level funding commensurate with the lands tenure and/or protected area category, noting for some properties, such as the WTQWHA, this may be a combination of tenures and base line funding may be the responsibility of state agencies, local government authorities or private landholders; and
 - a World Heritage funding allocation, recognising the international significance of these assets and the need for the highest standard of protection and management. Such an allocation should be shared between the Australian and state (or territory) governments. It should be based on agreed levels of responsibility for meeting obligations under the World Heritage convention and consider benefits accrued from such properties.

The WTQWHA

- vii. The Intergovernmental Agreement for the WTQWHA, which sets out the broad structural and funding arrangements for the management of the Area, requires review to clarify the responsibilities of the Australian and Queensland Governments. There is a commitment by the Wet Tropics Ministerial Council to undertake this review as part of a broader review of World Heritage governance and funding arrangements for all Queensland properties. It is anticipated that the outcomes of the EPHC review on World Heritage governance arrangements for Australian properties will guide both the Queensland and WTQWHA reviews.
- viii. At an operational level, the Authority believes that WTQWHA management arrangements—which provide for a regionally based independent Board, statutory advisory groups and statutory management plans—should act as a model for World Heritage management in Queensland.
- ix. There is a need for formal recognition of the significant cultural values of the WTQWHA within World Heritage management arrangements. Australian and Queensland governments have agreed to seek the inclusion of the WTQWHA on the National Heritage list for its cultural and natural values. If successful, there is a further commitment to investigate the case for and options to resource a nomination for Rainforest Aboriginal cultural values on the World Heritage List.
- x. Resources for management of the WTQWHA should reflect the cost of maintaining its natural and cultural assets and infrastructure in the light of increasing pressures on the Area, the need to meet its obligation to ‘present’ the area, and ensure the area has an active role in the life of the community. Resourcing needs to be at a level necessary to support management arrangements for meaningful community engagement in management processes including decision-making. As noted above, it is recommended that resourcing of World Heritage properties comprise a baseline operational component and a World Heritage funding allocation to ensure these areas are managed to the highest standards.

- xi. A user pays system for the WTQWHA should be investigated in order to supplement funding for research and on-ground management to fulfil community needs, visitor expectations and address the growing impact of threatening processes.

Terms of reference

a) Values and objectives for the WTQWHA

Australia's World Heritage Areas have been listed because their natural and cultural values are of international significance. The World Heritage Convention states that the Primary Goal for World Heritage management is '*to protect, conserve, rehabilitate, present and transmit World Heritage Areas for future generations*'. Article 5 of the World Heritage Convention states that World Heritage Areas should also be given '*a role in the life of the community*' (as distinct from charters for some National Parks).

The WTQWHA is listed for all four natural criteria – in short, its biodiversity, terrestrial and aquatic ecosystems, threatened and endemic species, evolutionary significance and scenic beauty. For instance, the WTQWHA has 42% of Australia's freshwater fish species 58% of its butterfly species and 65% of its fern species. Over 700 of its 2,800 plant species are endemic. More than 350 plant species are considered threatened and 98 of its animal species are listed as threatened.

However, in addition to protecting, conserving and rehabilitating the natural biodiversity of the WTQWHA, the Authority has placed a high priority on conserving and fostering other cultural and socio-economic values associated with the WTQWHA. Many of these are inherently interlinked with its natural values.

The WTQWHA is significant for its Aboriginal cultural values. Eighteen tribal groups maintain a connection with the Area and assert Native Title rights to parts of the Area. While the WTQWHA is not listed for its cultural values, they are well recognised by the Authority and a Wet Tropics Regional Agreement has recently been signed that recognises the WTQWHA as a living cultural landscape and which sets out a process to ensure the participation of Rainforest Aboriginal people in management decisions and processes for the Area.

The socio-economic values of the WTQWHA include a range of products and services which derive from the health of its ecosystems and community use of the Area. They include tourism and recreation, a clean and plentiful water supply, soil fertility, diverse genetic resources, cultural integrity, scenic beauty and spiritual and educational benefits.

The WTQWHA also has immense historical importance for many in the local community, having been central in the past to industries such as logging, road building, railway construction, and mining. Conservationists also have a spiritual connection to the Area and are proud of the success of the campaign for its listing.

Recommendations (values and objectives)

- i. WHAs should fulfil a role in the life of the community, locally, nationally and internationally. This community role should include provision of ecosystem goods and services, community use of the Areas and engagement in decision-making.
- ii. The management of Australia's WHAs should reflect the importance of their Aboriginal cultural values and incorporate Aboriginal participation in management where appropriate. This is a particular issue for WHAs which are not listed for their cultural values, but where there is a strong connection by Aboriginal people to the landscape, and where there may be no legislative regime or funding support to incorporate Aboriginal culture into management regimes. WHA's should contribute to the protection of cultural values and to opportunities for socio-economic improvement of the most disadvantaged Australians.
- iii. There is a need to fund research to establish the true socio-economic values of natural assets in protected areas of protected areas and the cost of maintaining these values.

b) Resources for WTQWHA management

The Authority was established to ensure Australia's obligation under the World Heritage Convention in relation to the wet tropics area is met. *The Wet Tropics World Heritage Protection and Management Act 1993*, states that '*the area should be established and maintained as a world heritage area of the highest standard*'.

An Intergovernmental Agreement, made by the Australian and Queensland Governments in 1990, sets out the basis for management and funding arrangements for the WTQWHA. The agreement was updated in 1995 to reflect new legislative provisions¹, staffing² and funding arrangements. The agreement states '*funding arrangements will continue under an exchange of letters by the State and Commonwealth Environment Ministers until such time that the new Financial Agreement has been signed*'. The last formal exchange of letters took place in 1995. In November 1996, Ministerial Council established a joint Commonwealth and Queensland working committee to develop a new financial agreement. However, agencies were not able to reach consensus on forward financial commitments and, in June 2001, Ministerial Council decided not to proceed with a new financial agreement.

A number of significant changes have taken place to the landscape within which the Authority operates since the signing of the 1995 Intergovernmental Agreement. A statutory management plan for the WTQWHA was gazetted in September 1998. Under the *Wet Tropics Management Plan 1998*, the Authority is responsible for regulating all activities within the WTQWHA with the

¹ Namely the commencement of the *Wet Tropics World Heritage Protection and Management Act 1993 (Qld)* and the *Wet Tropics of Queensland World Heritage Area Conservation Act 1994 (Cwlth)*

² The agreement states staff of the Authority are employed under Queensland legislation. The agreement states that they '*will be designated as staff of the Authority, and not staff of any other Government body.*'

potential to disturb vegetation, earth, water or impact on the Areas scenic values. Tenure arrangements within the WTQWHA are now less complex, however, the need for essential community infrastructure and growing visitor numbers has placed increasing demands on Authority resources. A number of legislative changes, particularly with respect to the assessment of development proposals and vegetation, weed and feral animal management have meant that the Authority's role in coordinating management efforts of the three tiers of government across the WTQWHA has become more, not less critical.

Institutional changes include the establishment of natural resource management (NRM) bodies, changes to research provider organisations, including the newly created Marine and Tropical Science Research Facility, and establishment and participation of a greater number of not-for-profit private sector organisations in natural resource management. Associated with these changes are more complex funding arrangements, with a greater reliance on resourcing through the provision of project specific grants. Once again, these changes have resulted in a greater need for the Authority to commit resources to working with and coordinating projects across a range of community, public and private organisations.

The Authority already participates in various private sector partnerships with local media, infrastructure providers and the tourism industry. However, an analysis of the potential for further private sector partnerships, at the request of the Wet Tropics Ministerial Council, showed that such an approach was unlikely to generate significant resources for WTQWHA management at this time.

Under s.64 of the *Wet Tropics World Heritage Protection and Management Act 1993*, the Authority must prepare a draft budget for Ministerial Council endorsement for each financial year showing estimated receipts and purpose of estimated expenditure for the year.

Under current arrangements both the Australian and Queensland governments provide funding for the management of the WTQWHA. The Australian government allocation is used to fund the Authority's running costs, including salaries and other operational costs. The Queensland government allocation is required to be returned directly from the Authority to the Queensland Parks and Wildlife Service for on-ground management of the protected area estate within the WTQWHA.

The Australian and Queensland governments have indicated that future funding arrangements for the WTQWHA will be need to be examined in the light of outcomes of the EPHC review of World Heritage governance arrangements. The Authority is seeking greater surety with respect to long term resourcing and Australian/State government budget allocations as part of this process.

Recommendations (resourcing)

- i. Resources for management of the WTQWHA should reflect the cost of maintaining its natural and cultural assets, and infrastructure to the highest standard in the light of it's international significance and increasing pressures on the Area.

- ii. Resources for management of the WTQWHA should accommodate the needs of Aboriginal Traditional Owners to exercise their Native Title rights and other agreed rights and interests, such as living on and managing country and participating in decision-making.
- iii. Resources for management of the WTQWHA should reflect the need to maintain existing community involvement in management and the community benefits provided by the WTQWHA.
- iv. Resourcing arrangements for WHAs, should comprise two components:
 - base level funding commensurate with the lands tenure and/or protected area category, noting for some properties, such as the WTQWHA, this may be a combination of tenures and base line funding may be the responsibility of state agencies, local government authorities or private landholders; and
 - a World Heritage funding allocation, recognising the international significance of these assets and the need for the highest standard of protection and management. Such an allocation should be shared between the Australian and state (or territory) governments. It should be based on agreed levels of responsibility for meeting obligations under the World Heritage convention and consider benefits accrued from such properties.
- v. A user pays system for the WTQWHA should be investigated in order to supplement funding for research and on-ground management to fulfil community needs, visitor expectations and address the growing impact of threatening processes.

c) Threats to the objectives and management of the WTQWHA

The objectives of the WTQWHA management include conservation of the Area's ecosystem processes and biodiversity, presentation and education about the Area's values, and giving the Area a role in the life of the community.

The predominant threats to the conservation of the WTQWHA include climate change, urban and agricultural development internal and external fragmentation, weeds, feral animals, introduced pathogens, altered fire regimes and altered water flows and water quality. Mitigation of these pressures requires extensive research into threatening processes and resources for on-ground actions such as habitat rehabilitation or weed eradication. The cost of threat prevention and mitigation can be minimised if the community is educated about such threats and works together to tackle impacts.

A fundamental tenant to World Heritage management is ensuring that listed properties play a vital role in the life of the community. The community is a source of great local knowledge and a store of long-term memory about the changes that have occurred in a landscape over the years. Participatory management may often require additional resources, but it also increases the benefits derived from community conservation. Holistic conservation management of natural and cultural values should extend beyond the boundaries of the Area and incorporate cooperative conservation in surrounding communities. For instance, cassowary conservation in Far North Queensland requires the

cooperation of local communities to maintain and rehabilitate habitat connectivity and to minimise other threats such as wild dogs and road-kills.

Recommendations (threats)

- i. Management of the WTQWHA, and protected area management in general, should be considered in a community context. Holistic conservation management of natural and cultural values should extend beyond the boundaries of the Area and incorporate cooperative conservation in surrounding communities. This is particularly important to prevent and mitigate threats to World Heritage values.
- ii. Effective mitigation of threats to the WTQWHA requires a coordinated approach across Australian and Queensland government agencies, local government authorities, Rainforest Aboriginal people and the broader community including private sector interests.

d) Long term responsibility for creation and management of the WTQWHA, and the record of government with regard to creation and management of the WHAs

Creation of the WTQWHA

The WTQWHA was created in a climate of political conflict over its listing. The existing boundaries were often based on cadastral information and do not always ensure ecosystem integrity and connectivity. The WTQWHA is inherently fragmented, having numerous outlying sections separated from the main Area, and several narrow junctures or gaps dividing the main Area. A variety of areas outside the WTQWHA have comparatively rich biodiversity values and should be managed for conservation and habitat connectivity.

The WTQWHA was not listed for its cultural values, although these were originally acknowledged in the nomination and have since been further researched and documented. The Australian and Queensland governments, as parties to the Wet Tropics Regional Agreement with Rainforest Aboriginal people, have agreed to seek listing of the WTQWHA's natural and cultural values on the National Heritage List. If successful, there is a further commitment to investigate the case for and options to resource a nomination for Rainforest Aboriginal cultural values on the World Heritage List.

Management of the WTQWHA

The Wet Tropics Ministerial Council, comprising two Ministerial representatives each from the Australian Government and the Queensland Government, governs the WTQWHA. The Authority has an independent regionally based Board, which reports to the Wet Tropics Ministerial Council. An Intergovernmental Agreement details the management arrangements between the Australian and State governments. The current Agreement was last reviewed in 1995. As noted previously, there is a need to review the WTQWHA Intergovernmental Agreement in the light of a number of legislative and institutional changes within the Authority's operating landscape and to deal with a number of governance and resourcing matters at a Australian/Queensland government level (refer b) above).

Despite the need to resolve governance and resourcing arrangements at an Australian/State government level, the Wet Tropics Management Authority remains a recognised world leader in World Heritage management. At an operational level, its legislation, administrative structure and policies are considered a potential model for other Queensland World Heritage Areas and assistance has been sought by, and provided to, international governments.

The WTQWHA has a legislative management plan which regulates activities in the Area under a zoning scheme and a permit system. It regulates all activities with the potential to disturb vegetation, earth, water or impact on the Area's scenic amenity. The management plan is 'tenure blind' with statutory provisions applying equally to protected area estate, local government reserves and freehold land. The WTQWHA comprises over 730 parcels of land.

Provisions within the management plan prevail over provisions in local government planning schemes to the extent of any inconsistency. There are over 300 km of electricity transmission lines, three hydroelectric power stations, 3,700 km of roads and a number of water supply impoundments within the Area. The WTQWHA's management plan includes provision for essential community infrastructure, consistent with the goal to protect, present and rehabilitate the Area.

Statutory provisions require the Authority to consult with specially appointed advisory groups which provide expert advice on matters of science, Rainforest Aboriginal culture and community views. The Authority also consults regularly with advisory groups on tourism and conservation. The Authority also works closely with on-ground land managers—primarily the Queensland Parks and Wildlife Service as well as other State agencies, local governments and private landholders—and other stakeholder such as the Wet Tropics NRM Board, researcher organisations, Native Title representative bodies and community groups.

Strategies have been developed for the holistic management of conservation and tourism in the Wet Tropics region with the participation of community groups. A Regional Agreement has recently been signed with the 18 Rainforest Aboriginal tribal groups with traditional lands within the WTQWHA. The Regional Agreement outlines processes for involvement of Rainforest Aboriginal people in decision-making and management of the Area. Given the complexity of jurisdictional and legislative provisions, which affect WTQWHA management, there is a need for strongly coordinated management efforts across all levels of government and the community.

Recommendations (creation and management of WHAs)

- i. The WTQWHA should be nominated for inclusion on the National Heritage list for its cultural values. The Australian and Queensland governments are currently pursuing nomination in accordance with commitments made under the Wet Tropics Regional Agreement with Rainforest Aboriginal people.

- ii. The roles and responsibilities of both the Australian and State governments with respect to WHA management require clarification. It is hoped that the current review of World Heritage governance arrangements by the Environment Protection and Heritage Council will provide greater certainty and direction regarding long-term management and resourcing arrangements for WHAs across Australia including the WTQWHA.
- iii. At an operational level, the WTQWHA management arrangements, which provide for an independent regionally based Board, statutory advisory groups and statutory management plan, should be examined as a potential model for other World Heritage properties. Such regionally based arrangements set the foundation for strong coordinated working relationships between government, community and industry.