



Australian Government

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# TORRES STRAIT REGIONAL AUTHORITY



The Hon. Glenn Sterle  
Chairperson  
Senate Standing Committee on Rural and Regional Affairs and Transport  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

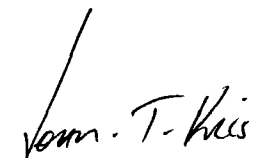
Attention: Ms Jeanette Radcliffe  
Committee Secretary

Dear Sir

**SUBMISSION TO THE SENATE STANDING COMMITTEE  
ON  
RURAL AND REGIONAL AFFAIRS AND TRANSPORT  
NATURAL RESOURCE MANAGEMENT AND CONSERVATION CHALLENGES**

Please find attached Torres Strait Regional Authority's (TSRA) submission to the Senate Standing Committee on Rural and Regional Affairs and Transport Natural Resource Management and Conservation Challenges for your attention.

Yours sincerely

  
Mr John T. Kris  
Chairperson



**Submission to the  
Senate Standing Committee on  
Rural & Regional Affairs & Transport –  
NATURAL RESOURCE MANAGEMENT  
& CONSERVATION CHALLENGES**

**September 2008**

The Torres Strait Regional Authority (TSRA) is pleased to have the opportunity to make a submission to the Senate Standing Committee on Rural & Regional Affairs & Transport in regard to matters relating to Commonwealth investment in natural resource management and conservation initiatives.

This submission responds to the relevant terms of reference for the inquiry, and includes background information on the structure and functions of the submitting organisation, and its role in delivering natural resource management programs in the region.

## **Response to Terms of Reference**

- (i) *the lessons learned from the successes and failures of three decades of Commonwealth investment in resource management, including Landcare, the Natural Heritage Trust, the National Action Plan on Salinity and Water Quality, and other national programs*
  - a bio-regional approach to the delivery of natural resource management programs, with regional boundaries based on river catchment areas or other geographically relevant features, has many merits from a social and ecological perspective
  - there is a need for NRM program delivery mechanisms, institutions and land management initiatives to also be cognisant of native title and traditional land tenure systems and cultural associations and boundaries
  - the scope of initiatives covered under the Federal Government's most significant environment program should encompass the whole gamut of 'green' and 'brown' issues, including climate change and peri-urban issues, rather than dealing with ecological restoration and land management issues in isolation from factors creating pressure on Australia's ecosystems

- a short-term, competitive, contractual approach to delivering environmental programs, (funded by the sale of public assets) is not the best way of achieving coordinated, strategic, long-term and sustainable outcomes for the environment, or regional communities
- a 'one size fits all' model for the delivery of environmental programs is not appropriate
- programs need to be tailored to address regional issues, taking into account strengths and weakness of existing regional organisations
- ongoing adaptive planning is an important aspect of NRM program delivery
- improved linkages with regional data management and science and research programs can significantly improve management approaches
- it is important for NRM programs to ensure that funding delivery mechanisms and funding amounts are appropriately aligned with the scale and significance of the issues they are targeting
- there is now broader recognition that community groups can't solve national scale problems, and a coordinated, cooperative approach is warranted to address such issues
- most regional NRM bodies are not well equipped to deal with marine issues in terms of the composition of boards and their technical expertise
- the elements of successful NRM program delivery include planning, science and data management, major works, community works, and community engagement and educational approaches
- a cooperative, integrated Federal approach to environmental program delivery is necessary to avoid duplicity between the tiers of government, and highly bureaucratized arrangements for the delivery of environmental programs
- Indigenous communities, and regions that are remote or do not have a strong agricultural sector, tended to fare poorly in the division of funding under these national programs
- these programs did not effectively target coastal or marine, or Indigenous cultural resource management priorities in a coordinated, strategic way
- the Torres Strait region did not receive any funding under NHT 1, and its participation in NHT 2 was delayed due to a failure in the original institutional arrangements established with the support of the Queensland Government
- difficulties in attracting and retaining competent staff, particularly in remote regions, on short-term funding contracts, was a critical problem under the NHT that should be addressed under any new Federal environment program
- there is an ethical requirement of government to facilitate meaningful Indigenous involvement in program conception, development and delivery in order to support self-determination in natural and cultural resource management.

(ii) *how we can best build on the knowledge and experience gained from these programs to capitalise on existing networks and projects, and maintain commitment and momentum among landholders*

#### Continuity of Funding

- there needs to be a long-term focus and a rationale for environmental programs that align with community, cultural and regional priorities
- due to the considerable investment of time and energy required to design and implement projects, particularly in remote Indigenous regions where complex

logistical and cross-cultural factors need to be taken into consideration, continuity of approach and personnel is very important

- without sustainable regional institutions and staff with security of tenure, it will be extremely difficult to achieve meaningful, long-term attitudinal and behavioural change and ecologically sustainable outcomes
- short-term projects can often lead to disenfranchisement of regional stakeholders if they don't lead to longer-term opportunities for meaningful change to occur

#### Regional Employment Opportunities

- funding the employment of out-posted, regional environmental staff, can significantly enhance the effective design, implementation and monitoring of national environmental programs, and facilitate engagement of necessary regional partners, communities and stakeholders
- meaningful employment opportunities for Indigenous people in cultural and natural resource management are critical to achieve long term sustainability goals and to address socio-economic issues in Indigenous communities
- Indigenous employment opportunities to date have often been reliant on CDEP wages or CDEP top-up arrangements for delivery of NRM projects
- employment for Indigenous Australians under future NRM programs needs to occur without reliance on CDEP
- Indigenous communities should be supported to establish sustainable enterprises and income-streams based on their contribution to the sustainable management of country, including in some of the nation's most valuable areas from a biodiversity perspective.

#### Sustainable, Staged Approach

- the foundational stages of environmental projects, particularly consultation, planning, capacity-building, forming partnerships, and engaging with communities to ensure ongoing participation and ownership, are very important if projects are to have long-term, sustainable outcomes
- many of the NHT and NLP projects so far conducted in Torres Strait over the previous two (2) years have been foundational in nature, and directed towards planning and community-capacity building
- future projects under the Caring for our Country program need to build on this initial investment and the foundations laid, and provide ongoing support for participating communities to now implement plans developed and continue managing their local environments

(iii) *the overall costs and benefits of a regional approach to planning and management of Australia's catchments, coasts and other natural resources*

- sustainable planning for, and management of, Australia's environment is ideally best achieved through directing effort and investment at a regional level as far as on-ground land management and ecological restoration projects are concerned
- regional scale delivery needs to take into account strengths and weakness of existing regional organisations in order to utilise opportunities and avoid duplication

- there are certain environmental issues that have very significant national and international consequences (eg. climate change), that require strong national leadership and a legislative approach that is consistent across all Australian States and Territories
- regions should be managed by regional communities in line with these overarching national priorities and legislative requirements, but the mechanisms for achieving these objectives may occasionally vary between regions
- there are vast ecological, social and economic differences between regions in Queensland, and without a regional approach to planning and management, environmental issues could not be dealt with at an appropriate scale to be effective
- there should be strong national coordination of program priorities, a centralised approach to financial administration, and minimum involvement of the States and Territories in terms of ensuring effective contributions and participation by State and Territory agencies to initiatives at the national and regional levels
- a more comprehensive and holistic approach needs to be taken to coastal and marine issues in line with coastal zone management principles.
- such an approach needs to build on existing coastal/marine programs which are delivered differently in each State/Territory
- funding of coastal and marine initiatives needs to be broadened to address erosion, inundation and climate change issues within a policy framework that provides for protection of environmental, social and cultural values

(iv) *the need for a long term strategic approach to natural resource management (NRM) at the national level*

- the environmental issues facing Australia are too significant to leave to an ad hoc, competitive process, utilising short-term project funds
- an incentive-based, voluntary approach to environmental regulation will only go so far towards achieving necessary social and behavioural change for sustainability, and the timeframes for effecting necessary change may be too slow to prevent irreversible ecological damage occurring
- certain environmentally harmful practices need to be prohibited, and other necessary activities mandated, under strong national legislation, coupled with dedicated public education and enforcement measures
- the Federal and State and Territory Governments should convene a special meeting to revisit and review the *Intergovernmental Agreement on the Environment 1992*, and update it in line with relevant legislative amendments and national environmental priorities
- the outcome of this bilateral process should be a strong national strategy for managing the Australian environment sustainably, with objectives, targets and principles that apply immediately, and over a long time horizon
- this strategy should then set the framework for national, State and Territory, and regional efforts to plan for and deliver sustainable natural resource management outcomes

(v) *the capacity of regional NRM groups, catchment management organisations and other national conservation networks to engage land managers, resource users and the wider community to deliver on the ground NRM outcomes as a result of the recent changes to funding arrangements under the new Caring for our Country program*

- in the majority of regions in Queensland, with the exception of Torres Strait and Cape York, there are dedicated regional NRM groups that have been established and incorporated specifically to develop NRM plans and coordinate and deliver regional NRM programs and projects
- with the recent changes to the funding arrangements under the Caring for our Country program, many of these regional bodies are now facing an uncertain future post June 2009, when transitional funding will run out
- there is currently no certainty and minimal understanding on the part of regional bodies as to the mechanisms or principles for the allocation of future funding under Caring for our Country to meet the requirements of the proposed Business Plan
- the consequence of this uncertainty is that the capacity of regional bodies to coordinate and deliver projects, and leverage additional funding from other stakeholders and investors, is compromised
- it is also difficult for regional bodies facing this uncertainty to engage partners and communities in any meaningful, long-term efforts to address critical and ongoing natural resource management issues as these processes take time and require confidence in processes, and knowledge of long-term implications and outcomes on the part of regional body staff
- the costs of attracting and retaining staff in remote regions such as Torres Strait, are significant
- the TSRA intends to maintain the operations of the Land & Sea Management Unit with ongoing funding under the TSRA budget appropriation for staffing and operating costs in the near future
- this structural arrangement will provide greater certainty and longevity around the region's capacity to coordinate program delivery in future, and enable the staff in the Unit to focus on projects and community capacity-building efforts, rather than constantly applying for external funding to meet core staffing and operational requirements
- ongoing, dedicated funding for core staffing and operational costs for all regional NRM bodies is crucial if they are to have the necessary capacity to effectively deliver NRM programs in the future

(vi) *the extent to which the Caring for our Country program represents a comprehensive approach to meeting Australia's future NRM needs*

- the six national priorities under the Caring for our Country program more holistically address the key issues and aspirations of Indigenous Australians, particularly in remote northern regions
- this is a significant improvement from the NHT era
- however, there were certain refinements and additional priorities and cross-cutting themes proposed under NHT 3 that warrant consideration in terms of their potential application under the Caring for our Country program

- the inclusion of climate change and peri-urban issues in the scope of initiatives that could be funded under Caring for our Country would address some key gaps in the program's coverage
- there are also benefits in funding key positions to be based in all regions across the country to assist in promoting national environmental priorities and programs in a strategic and integrated way
- better linkages should be made between the 'green' and 'brown' environmental issues, to ensure that impacts on the natural environment stemming from urban development and polluting activities, are effectively tackled 'at the source'
- better linkages to and alignment with social and cultural goals for Indigenous communities are necessary
- the Caring for our Country program, and regional delivery arrangements, should be part of our national approach towards implementing the adaptive responses necessary to tackle climate change
- an inherently unsustainable approach to program delivery cannot lead to sustainable environmental outcomes
- an ongoing program, guaranteeing certainty of funding for environmental programs, and allowing for sustainable institutional and social approaches to achieving necessary attitudinal and behavioural change over the long-term, is essential for Australia's future environmental health
- the Working on Country program within the overall Caring for our Country program, is designed to remunerate Indigenous rangers to fulfil the nation's NRM obligations and priorities
- while this is an excellent initiative that represents a significant improvement from the NHT approach to Indigenous engagement in NRM, considerable improvements could be made to the way in which the Working on Country program is delivered, including through ensuring that Indigenous priorities for cultural and natural resource management determine project milestones and objectives, and that ongoing, full-time ranger employment opportunities are generated, and that contractual and reporting obligations are simplified and made less onerous.

## **Background**

### *The Structure & Functions of TSRA*

The TSRA is a Commonwealth statutory authority established in 1994, and now operating under the *Aboriginal & Torres Strait Islander Act 2005 (Cth)* (ATSI Act). The TSRA consists of an elected arm and an administrative arm. The elected arm is comprised of the twenty elected representatives who are Torres Strait Islander and Aboriginal people living in the region.

The functions of TSRA as outlined in the ATSI Act include to "recognise and maintain the special and unique Ailan Kastom of Torres Strait Islanders living in the Torres Strait area" and "to formulate and implement programs for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area". TSRA is also charged with responsibility for advising the Minister on "the coordination of the activities of other Commonwealth bodies that affect Torres Strait Islanders, or Aboriginal persons, living in the Torres Strait area". The TSRA has the power to,

amongst other things, “negotiate and cooperate with other Commonwealth bodies and with State, Territory and local government bodies” and to enter into agreements with a State or Territory.

The TSRA is well-placed to play a program and policy coordination role in the Torres Strait region in respect to the broad issues and opportunities that are now emerging for Indigenous Australians regarding natural and cultural resource management.

#### *TSRA’s Role in Delivering NRM Programs*

In July 2005, the TSRA was invited by Commonwealth and Queensland Government Ministers to manage the delivery of the Natural Heritage Trust (NHT) and National Landcare Program (NLP) in the Torres Strait region. The aim of the NHT was to promote biodiversity conservation, the sustainable use of natural resources, community capacity-building and institutional change.

*A Land & Sea Management Strategy for Torres Strait* was developed and endorsed by the TSRA Board and Ministers in December 2005 to guide the delivery of the NHT and other natural resource management initiatives in the region. The Strategy provides an overview of the key environmental assets in the region, issues affecting those assets, and possible initiatives to maintain the region’s assets.

With funding available under the NHT, a Land & Sea Management Unit (LSMU) was established within TSRA in June 2006. The Unit’s primary role is to coordinate the implementation of natural resource management programs under the Strategy, and to support sustainable management of land and seas in the Torres Strait region. The Unit works in collaboration with communities, native title holding entities, research organisations, education and training institutions, funding bodies, other stakeholders, and all levels of government in undertaking this role.

The Unit now comprises nine (9) full-time staff, including a Manager, Policy Adviser, Senior Land Management Officer, Land Management Field Officer, Dugong & Turtle Project Facilitator, Turtle and Dugong Liaison Officer, Community Liaison Officer, Coastal Management Officer and an Administration Officer.

The Unit is fully integrated within TSRA. The TSRA Board approved of the Unit’s functions in 2007/2008 against the *Torres Strait Development Plan 2005-2009*. Performance indicators aligned with Partnerships Queensland and National Key Indicators for overcoming Indigenous disadvantage are under development under a dedicated output category for land and sea management, in accordance with the Minister’s Statement of Intent for TSRA. The Unit also has an operational plan in place.

The Unit is delivering a range of initiatives at a cross-regional, regional and local scale. There are currently over twenty funding agreements in place in relation to NHT, NLP and Marine & Tropical Science Research Facility (MTSRF) projects that the LSMU is responsible for coordinating. The LSMU has also entered into numerous consultancy contracts with other regional bodies, government departments, and research entities, for the delivery of projects within the region.



A Technical Advisory Group has been established and continues to support the efforts of the LSMU and to encourage alignment of research and agency effort with the priorities identified in the Strategy. The group is currently comprised of experts based within and outside of the Torres Strait who have a long-standing association with the region, and expertise in a broad range of fields of relevance to the Torres Strait cultural and biophysical environment.

To promote greater coordination and ensure that research for the region is supportive of community and regional priorities and information needs, the Manager of the Unit chairs the MTSRF Steering Committee. The Unit has also played a key role in establishing and supporting the Torres Strait Coastal Management Committee, which aims to promote a coordinated, whole-of-government response to the range of coastal issues facing the region, including climate change and rising sea levels, coastal erosion and tidal inundation.

The Unit is involved in Protected Zone Joint Authority and fisheries regulatory arrangements as well as Torres Strait Treaty mechanisms designed to support improved bilateral natural resource management outcomes over the Torres Strait Protected Zone, including inter-sessional work of the Environmental Management Committee.

The TSRA has recently submitted a Regional Investment Strategy (RIS) to the relevant Queensland and Australian Government Ministers for ongoing funding for land and sea management under the Caring for our Country program. The RIS will guide investments in on-ground and capacity-building initiatives over the period 2008-09, and enable the Unit to build on its significant achievements over the previous two years. Further funding will also be sought under the Caring for our Country program in subsequent years.

The ongoing operations of the Land & Sea Management Unit may also be supported through the TSRA appropriation in the future. This would enable the Unit to be retained as a permanent section of the TSRA responsible for meeting dedicated outputs under the new Development Plan relating to land and sea management. Additional, external project funds and further investments of funding and technical support will be sourced by Unit staff to facilitate the expansion of the land and sea management program throughout the region's communities.