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The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) makes the Director responsible for the management of Commonwealth reserves established over Commonwealth owned land, Australian Government marine areas, and certain areas of Aboriginal land leased to the Director. The Director of National Parks is a Commonwealth authority and is subject to the *Commonwealth Authorities and Companies Act 1997*.

Ministerial directions

The Director is responsible to the Minister for the Environment and Heritage, and the EPBC Act requires the Director to perform functions and exercise powers in accordance with any directions given by the Minister, unless the EPBC Act provides otherwise.

During 2003–04, no directions were issued by the Minister nor were there any relevant directions continuing from previous years.

Funding

The EPBC Act makes provision for the Director of National Parks. The Department of the Environment and Heritage receives the appropriation for the Director of National Parks. In effect, the Department purchases park management services from the Director to contribute to the Department's Outcome 1 – the Director is the sole provider of statutory functions and powers for establishing and managing Commonwealth reserves.

The Department also has a cross-agency arrangement with the Director whereby the Department provides corporate services to the Director. The Department's Parks Australia Division supports the Director's work.

During 2003–04, the Department provided \$3.1 million to the Director of National Parks under the purchaser-provider arrangement (please refer to the audited financial statements in this annual report). This arrangement was effective, providing corporate services that assisted the Director to meet the targets set in the *Portfolio Budget Statements 2003-04 Environment and Heritage Portfolio*.

Management of all Commonwealth reserves was carried out in accordance with the requirements of the EPBC Act and the Director's statutory and legal responsibilities were met. The Director and Parks Australia continued to strive to meet best practice management standards. Implementation and reporting systems were further enhanced.

At 30 June 2004:

- 17 of the 20 parks and reserves proclaimed under the EPBC Act had management plans in effect
- one new plan was completed and came into effect during the year
- implementation schedules had been completed for 17 of the 20 parks and reserves.

The Director and staff of Parks Australia continued to represent the Australian Government in international and national forums, work closely with traditional owners of the Australian Government parks to further develop joint management arrangements and actively encourage community participation in the development of management plans for Commonwealth reserves.

Planning documents

For information about the comprehensive planning and reporting framework, see the 'Report on performance' section in this report.

Management

The Director and two senior executive branch heads provide leadership in Parks Australia. Weekly meetings of the Executive provide the primary management forum for developing and reviewing parks policy, and strategic and corporate goals.

Parks administration faces a number of specific challenges, including widely distributed workplaces in remote areas, many in a cross-cultural environment. Coordination between area managers, Canberra-based managers, the Parks Business Management Section and the Parks Strategic Development Section is vital. Key communication activities include regular phone link-ups and the twice-yearly Parks Forum, involving all senior managers.

Staff participation through consultative committees, both regional and Canberra-based, supports the internal management of Parks Australia.

Boards of management and advisory committees

Kakadu, Uluru-Kata Tjuṯa and Booderee national parks are managed jointly by the Director and the traditional owners in accordance with the EPBC Act.

Each park has a board of management established under the EPBC Act, with a majority of members being Indigenous and nominated by the traditional Aboriginal owners of land in the park. The boards' membership also includes the Director and members representing special interest groups or with particular skills relevant to managing the park (see Tables 7, 8 and 9 for a list of board members for each park).

The functions of a board of management for a Commonwealth reserve are to make decisions relating to the management of the reserve. These decisions must be consistent with the management plan for the reserve. The board, in conjunction with the Director, must also prepare management plans, monitor the management of the reserve, and advise the Minister on future development of the reserve.

Norfolk Island, Christmas Island and Pulu Keeling national parks have non-statutory advisory or consultative bodies, which include community representatives and representatives of the Director.

Other consultative mechanisms

Public participation in the management of Commonwealth reserves under the EPBC Act is facilitated through a number of consultative mechanisms to involve the community and user groups in the development of planning and management instruments.

The EPBC Act requires public consultation prior to the declaration of a Commonwealth reserve and in the preparation of management plans for reserves that have been established under the EPBC Act.

Public comments must be invited by the Director of National Parks on a proposal to declare a reserve; a proposal to prepare a draft management plan for a reserve; and on a draft management plan for a reserve. At least one month must be allowed for this process.

Public comments are sought through notices in the Commonwealth Government Gazette and newspaper advertisements. When a management plan has been made it must be tabled in Parliament and is subject to disallowance by either House on a notice of motion brought within 15 sitting days of tabling.

For Commonwealth reserves on Aboriginal-owned land – Kakadu, Uluru-Kata Tjuta and Booderee national parks – the EPBC Act provides for both consultation with, and involvement of, representatives of the Aboriginal landowners in relation to management of the reserve. The Director must consult and have regard to the views of the chairperson of the relevant land council in relation to the performance of the Director's functions and the exercise of the Director's powers in relation to the reserve. The chairperson must be specifically invited to comment on the preparation of management plans.

Additional consultation with traditional Aboriginal owners of Kakadu, Uluru-Kata Tjuta and Booderee national parks takes place through cultural advisers, Aboriginal staff, community liaison officers, contact with Aboriginal organisations, and through the establishment of special consultative committees. All traditional Aboriginal owners of Kakadu are consulted individually during the development of the new management plan.

Tourism industry interests are consulted through tourism consultative committees of the Kakadu and Uluru-Kata Tjuta boards of management and other ad hoc working groups.

Control arrangements

Audit

During the year, the Director of National Parks Audit Committee met on four occasions and focused on corporate governance issues, including risk management and financial management issues.

As part of an overall strategy to build and improve financial management practices within Parks Australia, the committee considered a timetable of policies and procedures to be implemented. The committee noted the progress made regarding the implementation of the policies that form part of the Director of National Parks Chief Executive Instructions.

The committee was satisfied with improvements made to the financial system framework during the year. This was a result of implementing recommendations found in internal and external audits. The Australian National Audit Office interim letter on the 2003–04 financial statements was also noted.

The committee endorsed the process for preparation of the 2003–04 financial statements and a 2003–04 strategic audit plan.

Members of the committee during 2003–04 were:

- Mr Len Early, independent member and Chair
- Ms Glenys Roper, independent member
- Mr Brian Gilligan, independent member (from March 2004)
- Mr Con Boekel, Assistant Secretary, Parks Australia South (from July 2003)
- Mr Peter Wellings, Assistant Secretary, Parks Australia North.

The Director of National Parks and the Director of the Parks Business Management Section, were also invited to attend meetings of the committee. Staff from the Australian National Audit Office, the Department of the Environment Heritage Finance Branch and Walter Turnbull – the internal audit service provider – also attended meetings as observers.

Indemnities and insurance

In 2003–04, the Director held a professional indemnity and directors' and officers' insurance policy provided by Comcover. The policy covered the legal liability of the Director and officers for losses caused by the execution or breach of a duty arising from the Director's operations or business, and for a wrongful act by the Director or an officer.

External review

Judicial decisions and decisions of administrative tribunals

Newcrest Mining (Western Australia) Limited and BHP Minerals Limited v Commonwealth of Australia and the Director of National Parks

In August 1997, the High Court of Australia found that the declarations of Stage 3 Kakadu National Park in 1987, 1989 and 1991 were technically invalid with respect to 23 small areas in the south-east of the park covered by existing mineral leases held by one of the Newcrest group of companies. The reason for this decision was that the declaration over these areas had, with the absolute prohibition on mining activities in Kakadu National Park under the *National Parks and Wildlife Conservation Act 1975*, effected an acquisition of property without payment of just terms compensation, as required by the Australian constitution.

The Minister for the Environment and Heritage indicated that the lease areas should be incorporated within the park and that the Australian Government will address the issue of appropriate compensation. The Government has entered a dialogue with mining company representatives about the matter. The process was continuing as at 30 June 2004.

Reports by the Auditor-General

The Auditor-General issued an unqualified audit report for the 2003–04 financial statements of the Director of National Parks.

Human resource management

Human resources and related corporate services were provided to the Director through a purchaser-provider arrangement with the Department of the Environment and Heritage. Detailed information on the management of human resources, employment conditions and remuneration is contained in the Department of the Environment and Heritage annual report for 2003–04.

Staffing profile

The Director of National Parks employed a total of 288 staff as at 30 June 2004. The majority of staff work in Booderee, Kakadu and Uluru-Kata Tjuta national parks, and the Australian National Botanic Gardens. There are also small offices in remote locations, including in the Norfolk Island National Park and in the Christmas Island and Pulu Keeling national parks located in the Indian Ocean.

Table 15: Staffing profile

Title	Parks North	Parks South	Head Office	Marine	Total
Executive	1	1	1		3
Parks managers/section heads	3	3	2	1	9
Operational, policy and planning management	27	34	15	8	83
Technical staff	26	24		3	53
Rangers	87	42			129
Trainees and cadetships	5	5			10
Total staff	149	109	17	12	288



Trainee ranger Selissa Armstrong, Uluru-Kata Tjuta National Park, with Northern Territory Chief Minister Clare Martin and MLA Marion Scrymgour at the Northern Territory Youth Round Table Conference, March 2003.

The Director of National Parks encourages skills development and training. Three graduate employees were engaged for three-month placements during the year. Julien Colomer prepared a paper on research and monitoring for Booderee National Park. Sarah Yip categorised the level of maintenance and visitor safety risk of formal walking trails in Kakadu National Park. Claire Watt revised the Development Planning Guide for the Australian National Botanic Gardens.

Ten Indigenous trainees and cadets were employed across the parks. The trainee programmes are aimed at improving the skills of local people, particularly in the area of conservation and land management. Trainees are required to complete nationally accredited certificates and are provided with on-the-job experience such as assisting with ranger duties, natural resource management and botanical work.

Occupational health and safety

This section is presented in accordance with the requirements of section 74 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (OH&S Act).

The Director for National Parks continued to maintain a strong commitment to the health, safety and welfare of its staff, including any other persons at or near the agency's sites. It achieved this through the promotion of its health, safety and welfare programmes.

Parks Australia was an active participant on the Department of the Environment and Heritage's Occupational Health and Safety Committee, which met regularly and addressed a wide range of issues. There were also occupational health and safety committees in the mainland national parks and at the Australian National Botanic Gardens, which addressed local issues.

Detailed information on occupational health and safety policies and initiatives implemented during the year is contained in the Department of the Environment and Heritage annual report.

During 2003–04, Parks Australia reported 35 accidents or incidents under section 68 of the OH&S Act. Comcare conducted no investigations into incidents.

There were no matters to report under sections 45, 46 or 47 of the Act.

Table 16: Safety incident records for the terrestrial parks

	2002–03	2003–04
Staff, volunteers and contractors		
Minor injury or near miss ^a	64	60
Moderate injury ^b	22	15
Major injury ^c	7	6
Total	93	81
Visitors, permittees and residents		
Minor injury or near miss ^a	66	79
Moderate injury ^b	34	32
Major injury ^c	15	17
Deaths	4	1
Total	119	129

^a Minor injury includes near misses, no injury or first aid treatment only.

^b Moderate injury includes treatment by paramedics or at a medical centre.

^c Major injury includes hospitalisation.

Consultancy services

The total number of consultants engaged by the Director was 57. The total expenditure on consultancy services during the year was \$1 316 924.

The most common reasons to engage consultants were for specialised, technical and professional skills or knowledge, and the need for work to be conducted independently. The design of facilities and infrastructure, feasibility studies, production of technical reports, and data collection and analysis were among the tasks for which consultants were engaged during the year.

Advertising and market research

A total of \$5967 was paid to HMA Blaze Pty Ltd for media advertising.

Purchasing and assets management

The purchasing policies of the Director of National Parks are consistent with the Commonwealth Procurement Guidelines. These guidelines are included in the Director of National Parks Chief Executive Instructions and purchasing procedures. Audit recommendations from Walter Turnball in relation to procurement practices have been implemented to the satisfaction of the auditors.

Assets comprised the most significant part of the Director of National Parks' balance sheet. Replacement and maintenance of these assets continued to prove challenging. The asset base is complex and diverse. A capital infrastructure plan drafted for the first time in 2003–04 indicates some significant maintenance and replacement issues in relation to the ageing infrastructure. Significant reprioritising of funding will also be needed to adequately maintain the base to a suitable condition.

Ecologically sustainable development and environmental performance

Section 516A of the EPBC Act requires Australian Government organisations to include in their annual reports details of the environmental performance of the organisation and the organisation's contribution to ecologically sustainable development.

Section 516A aims to promote the development of a framework within which Australian Government organisations properly integrate environmental, economic and social considerations. The identification, monitoring and reporting of environmental issues within such a framework will help Australian Government organisations improve their environmental and ecologically sustainable development performance.

Section 516A also aims to encourage Australian Government agencies to adopt best practice in the public reporting of information relevant to their environmental performance and the promotion of ecologically sustainable development.

All of the activities of the Director have an impact on ecologically sustainable development. Australian Government protected areas are managed to conserve and enhance their natural and cultural values for current and future generations. Only development activities that are consistent with the primary management objectives may be permitted.

The provisions of the EPBC Act ensure that management plans for Australian Government reserves properly integrate environmental, economic and social considerations, and that appropriate environmental monitoring and reporting regimes are in place.

The effects of park management activities on the environment are discussed throughout the report and in particular detail in the 'Report on performance' and 'State of the parks report' sections. The reporting requirements of Section 516A are therefore addressed by these representative examples of how the Director's activities and administration of legislation accord with the principles of ecologically sustainable development.

Commonwealth Disability Strategy

The Department of the Environment and Heritage has developed a draft Disability Action Plan to meet the needs of people with disabilities in accordance with the roles identified by the Commonwealth Disability Strategy.

Provision of access to Commonwealth reserves for tourism and recreation is a significant part of the responsibility of the Director of National Parks. As managers of reserves, Parks Australia, the Land, Water and Coasts Division (from 10 May 2004) and the Australian Antarctic Division come under the 'provider' role of the Commonwealth Disability Strategy.

Given the locations and nature of the terrain, access for people with a disability to the reserves varies. Some marine reserves are very remote and without facilities, whereas a number of the major tourist destinations in the three mainland national parks – Kakadu, Uluru-Kata Tjuta and Booderee – are accessible by wheelchair. Management plans developed through a consultative process address current and proposed levels of accessibility.

Information about access to reserves is available on the Department of the Environment and Heritage's web site at www.deh.gov.au/parks/index.html

Freedom of information

No applications were received relating to the Director's statutory functions under the *Freedom of Information Act 1982*. The Director's statement under section 8 of the Act is at Appendix 1.