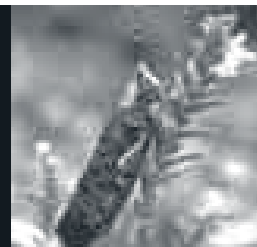


7 Management and accountability



Corporate governance

Ministerial directions

Funding

Planning documents

Executive management

Boards of management and advisory committees

Other consultative mechanisms

Control arrangements

External review

Figure 7: Risk management benchmarking scores for the Director of National Parks in 2006–07 compared to the average for 125 Australian Government agencies

Human resource management

Staffing profile

Occupational health and safety

Table 10: Staffing profile for 2006–07

Table 11: Safety incident records for terrestrial reserves

Compliance and enforcement under the EPBC Act

Table 12: Compliance and enforcement in terrestrial reserves during 2006–07

Ecologically sustainable development and environmental performance

Commonwealth Disability Strategy

Freedom of information

Corporate governance

The Director of National Parks is responsible, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), for the management of Commonwealth reserves established over Commonwealth-owned land, Commonwealth marine areas and certain areas of Aboriginal land leased to the Director. The Director of National Parks corporation is a Commonwealth authority and is subject to the *Commonwealth Authorities and Companies Act 1997* (CAC Act). The Director is a corporation sole constituted by the person who holds the office that is also named the Director of National Parks.

The Director is responsible to the Minister for the Environment and Water Resources, the Hon Malcolm Turnbull MP. Ministerial responsibilities in relation to the Director have been allocated to the Assistant Minister, the Hon John Cobb MP, with the exception of Commonwealth marine reserves and overall responsibility for the appointment, remuneration and performance aspects of the position of Director of National Parks which have been retained by Mr Turnbull.

Ministerial directions

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.

The Minister may also notify the Director under the CAC Act of general policies of the Government that are to apply to the Director.

During 2006–07 no Ministerial directions were issued and there were no directions continuing from previous years.

The Director is subject to directions given by the Minister for Finance and Administration in December 2004 under section 47A of the CAC Act in relation to the application of the Commonwealth Procurement Guidelines.

Funding

The EPBC Act makes provision for funding the Director of National Parks. The Department of the Environment and Water Resources 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 an arrangement to provide corporate services to the Director. The Department's Parks Australia Division supports the Director's work.

During 2006–07 the Department provided \$43.0 million to the Director of National Parks under the purchaser-provider arrangement (see the audited financial statements at Chapter 8 of this annual report). This arrangement was effective, providing the resources that enabled the Director to meet the targets set in the Portfolio Budget Statements 2006–07 Environment and Heritage Portfolio.

Planning documents

For information about the strategic planning and performance assessment framework, see Chapter 5 of this report.

Executive management

The holder of the office of Director of National Parks and three senior executives provide leadership in Parks Australia (see Chapter 3 of this report). Weekly meetings of the executive team provide the primary management forum for developing and reviewing park policy and strategic and corporate goals.

In addition to the Parks Australia executive team, one senior executive in the Department's Marine and Biodiversity Division is responsible, under delegation from the Director of National Parks, for management of 13 Commonwealth marine reserves and the Director of the Australian Antarctic Division is responsible for management of one marine reserve.

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 and the executive team is vital.



Participants in the November 2006 Parks Australia Forum, held at Chowder Bay, Sydney NSW included representatives from the New Zealand Department of Conservation, NSW Department of Environment and Conservation and Parks Canada. The theme of the meeting was 'protected areas management in a time of change'

Key communication activities include regular phone link-ups and the regular Parks Australia 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 Aboriginal owners in accordance with the EPBC Act. Each park has a board of management established under the Act, with a majority of members being Indigenous people nominated by the traditional owners of land in the park. Membership of the boards also includes the Director, nominees of the Northern Territory government (for Kakadu and Uluru–Kata Tjuṯa National Parks) and members representing special interest groups or with particular skills relevant to managing the park (see Chapter 3 of this report for board members).

The functions of a Commonwealth reserve board of management are to make decisions relating to the management of the reserve that are consistent with the management plan for the reserve. A board, in conjunction with the Director, is also responsible for preparing management plans, monitoring management of the reserve and advising 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

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.

For Commonwealth reserves that include Aboriginal-owned land 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 chair 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 land council chair must be specifically invited to comment on the preparation of management plans.

Additional consultation with traditional Aboriginal owners of Kakadu, Uluru–Kata Tjuṯa and Booderee National Parks takes place through cultural advisers, Aboriginal staff, community liaison officers, Aboriginal organisations, and special consultative committees.

The EPBC Act also requires the Northern Territory Government to be consulted in relation to the performance of the Director's functions and the exercise of the Director's powers in relation to Kakadu and Uluru–Kata Tjuta National Parks and to be invited to comment on the preparation of management plans for those parks.

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

Director of National Parks Chief Executive Instructions

The Chief Executive Instructions guide Parks Australia staff in assisting the Director to carry out the Director's functions and meet the Director's statutory obligations. Policies and procedures sit under the Chief Executive Instructions and are subject to regular review.

Audit

An Audit Committee is established for the Director of National Parks in accordance with the CAC Act. During the year the Audit Committee met four times and addressed corporate governance issues including risk management and financial management.

During 2006–07 internal audits were undertaken of the Christmas Island National Park operations, Memoranda of Understanding between the Director of National Parks and other parties, procurement and contract management and administration of leave and attendance.

The committee endorsed the process for preparation of the 2006–07 financial statements and the audit plan for 2007–08.

Members of the committee during 2006–07 were:

- Mr Gary Potts, independent member and Chair
- Ms Glenys Roper, independent member (until March 2007)
- Mr Brian Gilligan, independent member
- Mr Peter Hoefler, independent member (from June 2007)
- Mr Con Boekel, Assistant Secretary, Parks Australia South
- Ms Anne-Marie Delahunt, Assistant Secretary, Parks Australia North.

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

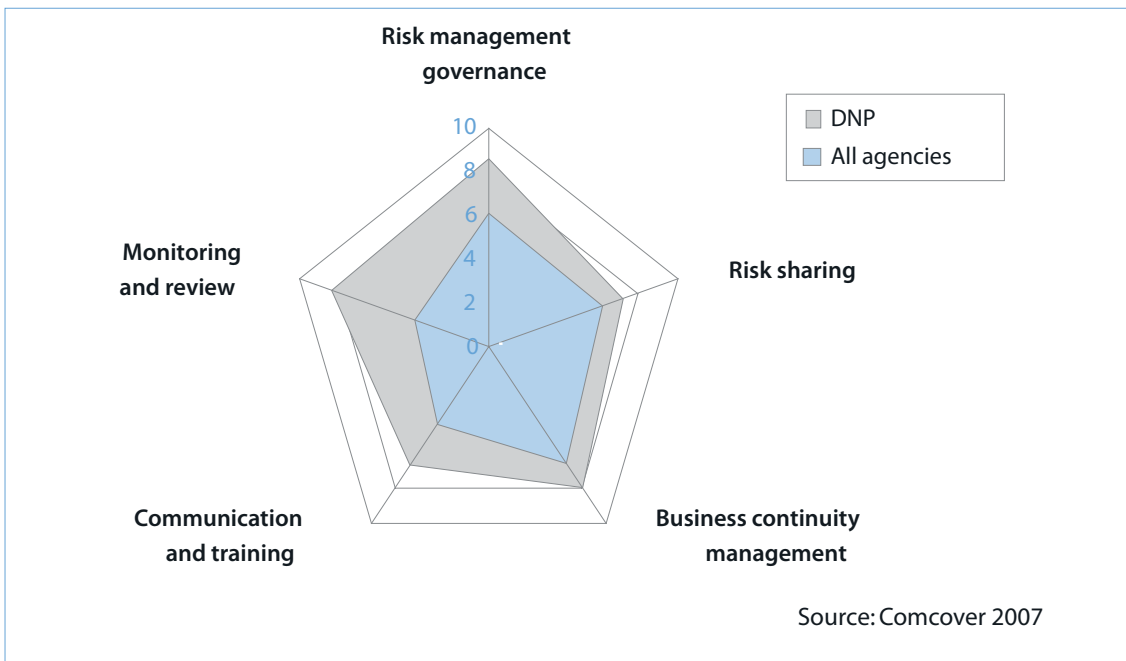


Risk management

Risk watch lists for each park or business unit are regularly reviewed in accordance with the Director’s Risk Management Policy. Incidents in all workplaces, categorised under the key result areas, are reported monthly to the executive team.

The Director has participated in the Comcover Risk Management Benchmarking scheme since 2003. The Director’s risk management system was rated average in 2003 and has risen consistently since then. In 2007 the Director scored 7.9 out of a possible 10; for the last two years the Director has consistently scored 2.4 above the average for similar-sized Australian Government agencies.

Figure 7: Risk management benchmarking scores for the Director of National Parks in 2006–07 compared to the average for 125 Australian Government agencies



One element of risk management is a business continuity plan for all Parks Australia sites. The plan was successfully used several times, including following a severe hail storm at the ANBG in February 2007.

Indemnities and insurance

In 2006–07 the Director maintained comprehensive insurance cover under the Comcover scheme for his business operations, including professional indemnity and directors’ and officers’ insurance (covering the 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). The impact of Cyclone Monica in 2006 on Kakadu National Park and the Director’s assets

in the township of Jabiru resulted in the largest insurance claim by the Director in recent years (estimated at \$1 million). The impacts of storm damage to the Australian National Botanic Gardens in February 2007 and from Cyclone George in Kakadu in March 2007 has also resulted in significant insurance claims.

The Director also manages risk by requiring all commercial operators, contractors, and scientific researchers in Commonwealth reserves to indemnify the Director and the Commonwealth and maintain appropriate levels of insurance for their activities.

External review

Judicial decisions and decisions of administrative tribunals

There were no judicial decisions or decisions of administrative tribunals during the year that had, or may have, a significant impact on the operations of the Director.

Reports by the Auditor-General

The Auditor-General issued an unqualified audit report for the 2006–07 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. Detailed information on the management of human resources, employment conditions and remuneration is contained in the Department's annual report for 2006-07.

Staffing profile

The Director of National Parks employed an average of 271 staff during 2006–07. The majority of staff work in Booderee, Kakadu and Uluru–Kata Tjuta National Parks and the ANBG. There are also small offices in remote locations including Norfolk Island in the South Pacific Ocean and Christmas Island and the Cocos (Keeling) Islands in the Indian Ocean.

Twelve graduate employees were engaged for three-month placements under the Department's graduate recruitment programme.

Six Indigenous trainees and cadets were employed across the parks. Trainee programmes aim to improve 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 and natural resource management.



Table 10: Staffing profile for 2006–07

		Executive	Park managers/ section heads	Operational, policy and planning management	Technical and other field staff	Rangers	Total
Parks South	Male	1	2	13	41	4	61
	Female	0	1	9	27	1	38
	Total	1	3	22	68	5	99
Parks North	Male	0	4	16	24	46	90
	Female	1	1	27	13	17	59
	Total	1	5	43	37	63	149
Head Office	Male	2	2	7	0	0	11
	Female	0	1	11	0	0	12
	Total	2	3	18	0	0	23
Totals	Male	3	8	36	65	50	162
	Female	1	3	47	40	18	109
	Total	4	11	83	105	68	271

Four Bininj students were among seven Kakadu rangers who became the first to gain formal qualifications in a new workplace land management course. Developed by Kakadu and Charles Darwin University, this innovative course begins by evaluating and accrediting practical skills in the field. The onground testing identifies the



Uluru-Kata Tjuta National Park trainees Wayne Curtis and Phillip Driffen are currently completing formal traineeships in Conservation and Land Management as well as Certificates in Written and Spoken English. They are pictured here undertaking infrastructure maintenance and they also work with the park's Natural and Cultural Resources team as part of their training

knowledge gaps that rangers need to fill for each work level, such as numeracy, formal mapping training or computer skills. Three rangers are going on to further study, an inspiration to young Bininj and Mungguy people.

Occupational health and safety

This section is presented in accordance with the requirements of section 74 of the *Occupational Health and Safety Act 1991*.

The Director of National Parks continued to maintain a strong commitment to the health, safety and welfare of Parks Australia staff. Parks Australia was an active participant on the Department's Occupational Health and Safety Committee. Occupational health and safety committees in the three mainland national parks and at the ANBG addressed local issues. The Department's annual report contains detailed occupational health and safety information.

Parks Australia, by the nature of its work, faces a more diverse range of hazards than other divisions of the Department. The main hazards include fieldwork in remote and arduous locations, plant and machinery, chemicals and hazardous substances, handling unpredictable wildlife, manual handling, driving vehicles and static posture injuries from using desktop equipment.

ParkSafe, Parks Australia's integrated occupational health and safety management system, is designed to provide a safe and healthy workplace for all employees and contractors working for Parks Australia. All relevant policy and procedural information is available electronically. ParkSafe has been in place since 2004, and this year a major revision of the system was undertaken including a review of hazards faced by field staff and an upgrade of all job safety analyses. ParkSafe is also used for field operations by other divisions of the Department.

This year ParkSafe training was presented to Cocos (Keeling) Islands and Christmas Island staff. In addition to ParkSafe training, almost all staff members have completed an online SafeTrac occupational health and safety course developed for the Department.

During 2006–07 Parks Australia recorded 207 occupational health and safety accidents or incidents (see Table 11). This was a reduction of 13 per cent in total recorded incidents compared with the previous two years.

Comcare issued an improvement notice under section 47 of the Act in November 2006 (relating to a vehicle incident in Kakadu National Park) and investigated this incident. There were no matters to report under sections 45 or 46 of the Act.



Table 11: Safety incident records for terrestrial reserves

	2004–05	2005–06	2006–07
Staff, volunteers and contractors			
Minor injury or near miss ^a	76	68	77
Moderate injury ^b	18	22	12
Major injury ^c	2	2	0
Total	96	92	89
Visitors, permit holders and residents			
Minor injury or near miss ^a	87	88	80
Moderate injury ^b	40	46	35
Major injury ^c	14	10	3
Deaths	1	1	0
Total	142	145	118

(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/hospital

(c) Major injury includes significant hospitalisation (more than 2 days)

Compliance and enforcement under the EPBC Act

Wardens and rangers are appointed under the EPBC Act to exercise enforcement powers under the Act and its Regulations in relation to Commonwealth reserves (members of the Australian Federal Police and, from 19 February 2007, officers of the Australian Customs Service are ex officio wardens by force of the Act). All law enforcement officers are required by the Commonwealth Fraud Control Guidelines to hold statements of attainment in relevant modules of the Diploma in Government (Fraud Control-Investigations).

A whole-of-government approach is taken to compliance and enforcement in Commonwealth marine reserves. Australian Federal Police and Customs officers are ex officio wardens. Officers from other agencies, including the Australian Fisheries Management Authority, state and territory police, and fisheries and conservation agencies, can be appointed wardens under the EPBC Act after the required training. These arrangements greatly improve the Director's ability to enforce the EPBC Act in remote and infrequently visited Commonwealth reserves.

The following enforcement matters were determined by courts during 2006–07:

- On 30 May 2007 a person was convicted of commercial fishing and other offences committed in Kakadu National Park on 5 November 2006 and was fined \$1,500 for each of three charges relating to commercial fishing and \$750 for each of four other EPBC Act offences.
- On 27 April 2007 the Federal Court ordered a person to pay a civil pecuniary penalty of \$25,000 (plus legal costs of \$27,500) for contravention of the EPBC Act arising from unauthorised commercial fishing in Mermaid Reef Marine National Nature Reserve on 26 and 27 January 2005.
- On 14 December 2006 two persons were convicted on two counts each for taking squid in Booderee National Park on 28 March 2006 in excess of the daily recreational limit. They were each fined \$500 on each count.
- On 14 December 2006 another two persons were convicted of taking squid in Booderee National Park on 8 November 2006 in excess of the daily recreational limit and were each fined \$750. These persons were previously convicted on 12 October 2006 on two counts each of taking squid in the Park on 6 December 2005 and 23 March 2006 in excess of the daily recreational limit. On the first count both were convicted and released on 12 months (\$500) good behaviour bonds; on the second count both were fined \$500.

Table 12: Compliance and enforcement in terrestrial reserves during 2006–07

	Members of the public	Tourism operators	Other commercial operators
EPBC Act incidents detected	350	16	6
Offenders unknown	35	3	3
Verbal cautions issued	256	7	2
Warning letters issued	15	6	1
Infringement notices issued	38	0	0
Continuing investigations	1	0	0
Permit suspensions	0	0	0
Court cases pending	4	0	0
Cases taken to court	17	0	0
Convictions	13	0	0



Ecologically sustainable development and environmental performance

All of the Director's activities have an impact on ecologically sustainable development. Commonwealth reserves 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 Commonwealth 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, in particular in Chapters 5 and 6 and in the Department's sustainability report for 2006–07.

Commonwealth Disability Strategy

The Department is currently reviewing its Disability Action Plan 2004–2006 to meet the needs of people with disabilities in accordance with the roles identified by the Commonwealth Disability Strategy. Information on the strategy is contained in the Department's annual report for 2006–07.

Provision of access to Commonwealth reserves for tourism and recreation is a significant part of the Director's responsibilities. As reserve managers, Parks Australia, the Marine and Biodiversity Division 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—and the ANBG 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's website at www.environment.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 A.