

8. Business management

Management of the Park needs to be done in ways to minimise impacts on Park values, in accordance with relevant legislation and in ways that protect Bininj interests. Park staff need to be sufficiently trained to respond to incidents such as search and rescue, and to carry out law enforcement activities. It is important that new proposals in the Park are properly assessed to make sure they don't have unacceptable impacts on Park values, Bininj interests and other issues like visitor safety and enjoyment. It is also important that Park management activities are monitored regularly to know whether we are getting the results we want.

8.1 Capital works and infrastructure

Our aim

Capital works and infrastructure are safe, functional and cost effective to construct and maintain and are developed and maintained in a manner that protects Park values.

Measuring how well we are meeting our aim

- Extent to which impacts from infrastructure on the Park environment are within acceptable levels
- Degree to which the asset maintenance system demonstrates cost effective asset management

Background

Capital works and infrastructure within the Park include Park management facilities (such as access roads and tracks, staff housing, bores, radio repeaters, district ranger stations, workshops and Park Headquarters) and visitor facilities (such as roads, walking tracks, campgrounds, signs, boat ramps, day use areas, the Bowali Visitor Centre and the Warradjan Aboriginal Cultural Centre).

Most of the capital works and infrastructure developments during the life of the previous (4th) Management Plan were associated with upgrading, maintaining or replacing these facilities. The Park's UHF radio network was replaced with a VHF network to improve performance and reliability, and emergency contact devices were installed at a number of remote visitor sites. The new Garnamarr campground was also established at Jim Jim Falls.

Capital works and infrastructure are established and maintained by government agencies, Aboriginal associations, and businesses at Jabiru.

Section 354(1) of the EPBC Act prohibits the Director and other persons carrying on an excavation, erecting a building or other structure, or carrying out works in the Park except in accordance with this Plan. Regulation 12.11 of the EPBC Regulations, which applies to works by third parties, operates subject to s.354(1) of the Act and this Plan.

Issues

- It is important to ensure that residents, staff and visitors are provided with safe, comfortable and functional facilities.
- Capital works and infrastructure need to be established and maintained in accordance with Australian Standards and with minimal levels of impact on Park values.

- Management programs and maintenance schedules need to be undertaken in a cost effective manner.

What we are going to do

Policies

- 8.1.2 The Director may carry on an excavation, erect a building or other structure, or carry out works in the Park, including in relation to capital works and infrastructure.
- 8.1.3 Third parties may carry on an excavation, erect a building or other structure, or carry out works in the Park to develop and maintain capital works and infrastructure in accordance with Section 8.1 of this Plan, and:
- in accordance with a lease, sublease or licence granted by the Director (see Section 8.5)
 - in connection with Jabiru (see Section 7.1)
 - in connection with Bininj living areas (see Section 4.4)
- or
- in accordance with a permit or approval issued by the Director.
- 8.1.4 Decisions about capital works and infrastructure and other works will be made in accordance with Section 4.1, Making decisions and working together, and Section 8.3, Assessment of proposals.
- 8.1.5 New capital works and infrastructure, and alterations, renovations or significant repairs to existing capital works and infrastructure, must:
- as far as practicable incorporate good, cost effective environmental design, including efficient resource use
 - as far as practicable, use low maintenance designs and materials
 - comply with all relevant laws, standards, and codes of practice
 - as far as practicable provide access for all members of the public, including the physically impaired.
- 8.1.6 As far as practicable, new capital works and infrastructure will use existing roads and tracks.
- 8.1.7 Third parties who undertake capital works and infrastructure development and other works must meet the costs of any rehabilitation required as a result of the works.
- 8.1.8 Timber, including preservative treated pine, may be brought into the Park and used for construction purposes.
- 8.1.9 Unless replaced by a more effective network, the Park's VHF radio network will be maintained to a standard that provides reliable Park-wide radio coverage.
- 8.1.10 Existing emergency communication devices will be maintained at current visitor sites.
- 8.1.11 Additional emergency communications systems may be installed at other visitor sites if considered necessary and reasonably practicable to do so following risk and cost assessments.

Actions

- 8.1.12 Develop and implement a capital works and infrastructure management and maintenance system. The system will aim to extend the cost effective life of assets, improve and maintain asset performance, and maintain infrastructure assets to a reasonable and safe standard.

8.2 Compliance and enforcement

Our aim

There is maximum compliance with relevant legislation as a result of effective education and enforcement programs.

Measuring how well we are meeting our aim

- Trends in the number, severity and type of non-compliance incidents detected and reported
- Number of staff appropriately trained in compliance and enforcement

Background

Encouraging compliance with relevant legislation is an important strategy for the protection of Park values, Park infrastructure, people's safety and the interests of Bininj. In particular, the Director is required to comply with provisions of the EPBC Act, this Plan, other relevant legislation and government policies, and the leases of Aboriginal land in the Park. In 2003, the Director endorsed the Parks Australia Compliance and Enforcement Manual, which sets out the broad guidelines and procedures for managing compliance issues in Commonwealth reserves.

Staff may be appointed by the Minister under the EPBC Act as rangers or wardens, and exercise the powers and functions conferred on them by the Act and the Regulations. In addition, all members and special members of the Australian Federal Police are *ex officio* wardens, and officers or employees of other Australian, state or territory government agencies may be appointed by the Minister as rangers or wardens. The Australian Government requires that investigating officers be trained to standards prescribed in the Commonwealth Fraud Control Guidelines. Rangers and wardens conduct monitoring and enforcement operations while on routine patrols and during specific, targeted programs. Park staff not appointed as wardens and rangers cannot exercise these powers but can encourage compliance with legislation through education to raise public awareness of appropriate behaviour.

Part 17 of the EPBC Regulations provides for permits to be issued, subject to conditions, for activities that are otherwise prohibited.

Northern Territory laws apply in the Park to the extent they can operate concurrently with the EPBC Act and Regulations and this Plan.

Issues

- Effective compliance and enforcement requires appropriate resources and a strategic approach based on risk management principles.
- Exercise of enforcement powers by Park staff must comply with Australian Government policies, standards and guidelines.
- Wardens and rangers should be provided with ongoing training.
- Establishing and maintaining working relationships with other relevant compliance agencies can improve management of compliance issues that are of shared concern.

What we are going to do

Actions

- 8.2.1 The Director and the Board will monitor the effectiveness of the EPBC Act and Regulations in relation to the Park and may recommend amendments to the Minister.

- 8.2.2 Provide ongoing compliance and law enforcement skills assessment and development for staff appointed, or likely to be appointed, as rangers and wardens.
- 8.2.3 Provide staff, interested Bininj and stakeholders with appropriate information about compliance and enforcement issues.
- 8.2.4 Develop and implement compliance and enforcement strategies and procedures for managing specific Park compliance issues. Strategies and procedures will be based on the Parks Australia Compliance and Enforcement Manual, other Parks Australia policies, Australian Government standards, legal requirements, risk management principles, and Board priorities.
- 8.2.5 Liaise and, where appropriate, work with other relevant agencies involved in compliance and enforcement. This may include entering into agreements, and making arrangements for wardens to be appointed as law enforcement officers under relevant Northern Territory legislation, and for Northern Territory Government officers to be appointed as wardens or rangers under the EPBC Act.

8.3 Assessment of proposals

Our aim

The likely impacts of proposed actions on Park values and Bininj interests are properly considered before decisions are made.

Measuring how well we are meeting our aim

- Extent to which Park values and Bininj interests are protected from adverse impacts of approved actions
- Level of Bininj and proponent satisfaction with timeliness of assessment process

Background

Many activities proposed to be undertaken in the Park by the Director, Bininj and external stakeholders such as the tourism industry and business people need to have their potential impacts assessed before a decision can be made on whether the activity should go ahead. Impacts that need to be considered include impacts on the Park's natural and cultural values, and on Bininj.

Some activities proposed to be undertaken in the Park may be 'controlled actions' (see Section 2.4, Legislative context) and require assessment and approval by the Minister under the EPBC Act because they are likely to have a significant impact on a matter of national environmental significance (such as the Park's World Heritage values or Ramsar wetlands) or the environment generally. The EPBC Act defines the 'environment' as including:

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas; and
- (d) heritage values of places; and
- (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b) or (c).

Proposed actions that do not trigger the assessment and approval provisions of the EPBC Act may still have impacts that require assessment before a decision can be made on whether the action should go ahead. Proposed actions of a routine nature that are authorised by or under prescriptions (ie policies and actions) in this Plan generally do not require impact assessment.

The Director and the Board make decisions on whether or not proposals should be approved using the Park's environmental impact assessment process. Decisions regarding proposals and

activities in the Park are also subject to the process outlined in Section 4.1, Making decisions and working together.

Issues

- If not properly assessed and managed, proposed actions may cause significant local environmental and cultural impacts and affect the interests of Bininj.
- Up-to-date, clear and consistent guidelines and procedures are needed for assessing proposals.
- Assessment of proposals by Park staff can require significant resources.

What we are going to do

Policies

8.3.1 The potential impacts of all proposed actions under this Plan will be considered, and where necessary assessed, in accordance with Table 2, the assessment matters and considerations outlined in Table 3 and the following prescriptions. Where a proposed action requires approval or advice from the Board of Management the Board will be advised of the outcome of that consideration and any assessment.

Table 2 – Impact assessment procedures

Category	Example	Impact assessment requirements
<p>Category 1</p> <p>Actions considered likely to have no impact, or no more than a negligible impact, on the Park’s environment and natural and cultural values, and on Bininj</p>	<ul style="list-style-type: none"> • Minor capital works eg maintenance, replacement, repairing or improving existing infrastructure in its present form • Regular/routine ongoing operations to implement prescriptions in this Plan eg patrols/weed control/fire management • Seasonal opening/closing of visitor areas • Issuing permits for regular activities in accordance with this Plan eg land-based tours, camping, research 	<ul style="list-style-type: none"> • No assessment required • Use minimal impact work practices when implementing actions
<p>Category 2</p> <p>Actions considered likely to have more than a negligible impact, but not a significant impact, on the Park’s environment and natural and cultural values, and on Bininj</p>	<ul style="list-style-type: none"> • Moderate capital works eg new infrastructure or moderate expansion/upgrade of existing infrastructure • Rehabilitation of heavily eroded sites • Developments for approved existing tourism activities that do not require major works eg small safari camps • Minor new operations or developments to implement prescriptions in this Plan • Tour operator accreditation system 	<ul style="list-style-type: none"> • Assessment by Park staff, proponent, or independent expert • Assessment in accordance with procedures outlined in Table 3 and approved by Director and Board
<p>Category 3</p> <p>Actions considered likely to have a significant impact on the Park’s environment and natural and cultural values, and on Bininj</p>	<ul style="list-style-type: none"> • Major capital works eg new major infrastructure or major expansion/upgrade of existing infrastructure • Major new operations or developments to implement prescriptions in this Plan • Major/long-term changes to existing visitor access arrangements • Large-scale mine rehabilitation • Expansion of the Jabiru township • New types of commercial activities • New or major expansion of Bininj living areas 	<ul style="list-style-type: none"> • Director will consider whether action should be referred for consideration as a ‘controlled action’ under the EPBC Act • If action referred and Minister decides it is a controlled action no assessment required by Park staff • If action not referred, or referred and Minister decides it is not a controlled action, assessment as for Category 2

Table 3 – Environmental Impact Assessment matters and considerations

Matters for assessment	Considerations include, but not limited to
<p>1. Environmental context</p> <p>(a) What are the components or features of the environment in the area where the action will take place?</p> <p>(b) Which components or features of the environment are likely to be impacted?</p> <p>(c) Is the environment which is likely to be impacted, or are elements of it, sensitive or vulnerable to impacts?</p> <p>(d) What is the history, current use and condition of the environment which is likely to be impacted?</p>	<ul style="list-style-type: none"> • species, ecological communities in the park-wide and regional context, • matters of national environmental significance, • cultural features, • heritage features, • socio-economic values including Bininj uses and interests • tourism and recreational values • aesthetic/landscape values • scientific reference areas • Short and long-term impacts on and off-site • species, ecological communities, • matters of national environmental significance, • cultural values (including sacred sites) • heritage values; • Tourism and visitor experience • Bininj interests, in particular relevant lease conditions • cumulative impacts from a range of activities across the park on the environment or its elements • uniqueness of elements within the park-wide and regional context • comparison with condition of similar sites elsewhere in the park
<p>2. Potential impacts</p> <p>(a) What are the components of the action?</p> <p>(b) What are the predicted adverse impacts associated with the action including indirect consequences?</p> <p>(c) How severe are the potential impacts?</p> <p>(d) What is the extent of uncertainty about potential impacts</p>	<ul style="list-style-type: none"> • include associated infrastructure and stages • include indirect and off-site impacts • consider scale, intensity, timing, duration and frequency
<p>3. Impact avoidance and mitigation</p> <p>Will any measures to avoid or mitigate impacts ensure, with a high degree of certainty, that impacts are not significant?</p>	<ul style="list-style-type: none"> • Include whether any alternative sites for proposal
<p>4. Significance of impacts</p> <p>Considering all the matters above, is the action likely to have a significant impact on the environment?</p>	<p>If yes, the Director will consider whether action should be referred for Ministerial consideration under the EPBC Act</p>

(Note: this is a guide only – the detailed EIA process is included in the Manual of Procedures.)

- 8.3.2 Proposed actions that are considered likely to have more than a negligible impact but are not controlled actions under the EPBC Act will be assessed in accordance with the Park's impact assessment procedures.
- 8.3.3 Assessment of proposed activities that are not controlled actions may be carried out by Park staff, proponents of the proposed activity, or independent experts.
- 8.3.4 Subject to the EPBC Act, the Director may recover from proponents the costs associated with administering, assessing and managing proposals.
- 8.3.5 A high priority will be placed on assessment of Bininj proposals.
- 8.3.6 The Board will decide on a case by case basis when proposals will be open to public comment.

Action

- 8.3.7 Review and update procedures for assessing proposals to ensure consistency with best practice.

8.4 Incident management

Our aim

Incidents and emergencies in the Park are responded to promptly, effectively and safely.

Measuring how well we are meeting our aim

- Adequacy of response to incidents in the Park
- Number of staff who have received training in incident management

Background

Incidents may occur in the Park that affect life, property and the environment, including car accidents, accidents in remote areas that need search and rescue operations, bushfires and chemical spills.

As noted elsewhere in this Plan the Director has the function under the EPBC Act of administering, managing and controlling the Park. This gives the Director responsibility in relation to incidents in the Park. Also, the Director has a duty of reasonable care for Park visitors and staff, and a duty under the *Occupational Health and Safety (Commonwealth Employment) Act 1991* to take reasonably practicable steps to protect employees and Park visitors from risks to their health and safety.

The Northern Territory Fire and Rescue Service (NTFRS) has the role under the *Fire and Emergency Act (NT)* of responding to fires and emergencies in an emergency response area. At the time of preparing this Plan an emergency response area is established for the Jabiru township. The NTFRS may also contribute to extinguishing or controlling fires or dealing with emergencies in other areas of the Park if requested by the Director or the Police. Jabiru members of the NTFRS respond to hazardous materials spills and road accident rescues along the Arnhem and Kakadu highways.

In relation to bushfires, the *Bushfires Act (NT)* is also relevant (see Section 5.7).

Police do not have a statutory role in relation to incidents of the type referred to in this Section (unless an incident is a disaster or emergency, requiring counter disaster measures, under the *Disaster Act (NT)*). However, under an intergovernmental agreement police forces are responsible for marine search and rescue operations for persons or ships in waters within

the limits of ports of the state/territory and in respect of pleasure craft and fishing vessels; provision and coordination of land searches for missing civil aircraft; and overall coordination of searches for hikers and land vehicles. Under the agreement, in complex rescues the Police Officer-in-Charge controls the incident in liaison with representatives from each agency involved, including Parks Australia, fire and rescue and emergency services. The Police Officer-in-Charge has powers to draw on available resources, wherever they are and whoever controls them.

Given the location and size of the Park, there is also a need to be prepared to respond to potential large-scale incidents such as diseases which may be transmitted by wildlife or feral animal populations. In these instances, Park staff would cooperate with relevant Northern Territory and Australian Government agencies.

When incidents occur in the Park anywhere other than in or near Jabiru, Park staff often reach the site before other emergency response agencies. Park staff are also often more familiar with remote areas of the Park and may have more experience in responding to some types of incidents. As a consequence, Park staff often have important incident management roles. To help manage incidents, a Park Emergency Contingency Plan and incident management procedures have been developed.

Responding to incidents can be costly, although until now the Director has not sought reimbursement or contributions toward costs from persons involved in incidents eg for search and rescue operations.

Issues

- There is a need for appropriate numbers of properly trained and resourced personnel to provide effective incident response.
- There can be significant costs involved in providing incident response services.
- Incidents in the Park often attract media attention. It is important that the media is provided with accurate and consistent information when incidents occur.
- Uncertainty about the future of Jabiru and the maintenance of government and other services could have implications for incident response capability.

What we are going to do

Policies

- 8.4.1 The Director will take all reasonable steps to ensure sufficient numbers of properly trained and resourced personnel are available to provide incident response services in the Park.
- 8.4.2 The Director will liaise with the Police, NTFRS, and other relevant agencies about incident response procedures, including responsibilities, personnel, training and resources.
- 8.4.3 Appropriate and accurate information about incidents will be provided to the media.
- 8.4.4 Subject to legal requirements and Board approval, the Director may seek reimbursement or contributions for the cost of responding to incidents, in particular search and rescue operations.

Actions

- 8.4.5 Review and implement incident management procedures, addressing:
- the roles and responsibilities of the Director and other emergency response agencies
 - procedures for managing common and potential incidents that may affect life, property and the environment, including hazardous spills

- legislative, training, reporting, record keeping, debriefing and counselling requirements.

8.5 Leases, licences and associated occupancy issues

Our aim

Leases, subleases or licences, and the management of associated occupancy issues, are provided for appropriately.

Measuring how well we are meeting our aim

- Extent to which the Director's legislative obligations, including the requirements of this Plan, are met

Background

As noted elsewhere in this Plan, at the time of preparation about half of the Park is Aboriginal owned land under the Land Rights Act that is leased to the Director. The remaining land, which is vested in the Director, is under claim under the Land Rights Act (with the exception of the Jabiru township).

A limited number of leases, subleases and licences have been granted by the Director in relation to land in the Park. Section 7.1 of this Plan addresses the Jabiru township lease. The site currently known as Aurora Kakadu near the South Alligator River has been leased for many years for visitor accommodation facilities. The Warradjan Cultural Centre is subleased to the Gagadju Association Inc to operate, and the Djabulugku Association subleases space in the Bowali Visitor Centre for a café and art gallery. Licences have been granted for essential services infrastructure and a seismic monitoring station.

Bininj reside at a number of living areas established in the Park (see Section 4.4). In addition, two families have occupied land in the west of the Park for many years although they have not been granted any formal occupation rights by the Director. At the time of preparing this Plan decisions about ongoing use and occupation of these two areas are awaiting the outcome of the land claim over this part of the Park.

Section 358(2) of the EPBC Act allows the Director to grant a lease, sublease, or licence relating to land in the Park provided it is in accordance with a management plan. In addition, the Director's leases of Aboriginal land in the Park require the Director to have the agreement of the relevant Aboriginal Land Trust before granting any sublease or licence. However, in relation to land that is under claim, the Land Rights Act (section 67A) precludes the Director granting a lease, licence or other interest in relation to the land until the claim has been dealt with.

Cooinda and the Border Store are located on land that was excluded from the original Park proclamation in 1979. Cooinda is leased from the Australian Government. Border Store is an old mining tenement under the *Mining Act* (NT). One other mining tenement excluded from the Park is used for residential purposes.

Issues

- Leases, subleases, licences and other occupancies (including those in areas excluded from the Park) need to be established and maintained to appropriate standards, including minimising impacts on Park values.
- In order to help support Bininj interests (and minimise impacts on the Park) rights to occupy and use land in the Park should be formalised as far as possible.

What we are going to do

Policies

- 8.5.1 The Director may, with the approval of the Board, grant leases, subleases and licences relating to land in the Park.
- 8.5.2 Occupation and use of land for Bininj living areas will be managed in accordance with Section 4.4 of this Plan.
- 8.5.3 Occupation and use of land in relation to Jabiru will be managed in accordance with Section 7.1 of this Plan.
- 8.5.4 Decisions about leases, subleases and licences will be made in accordance with Section 4.1, Making decisions and working together, including taking into account the impact assessment of the proposal under Section 8.3, Assessment of proposals.
- 8.5.5 The Director, in consultation with the Board, may determine the rent/occupation fee for each lessee, sublessee or licensee and the length of any lease or licence.

Actions

- 8.5.6 As far as practicable, resolve ongoing rights to occupy and use areas being used and occupied in the Park but for which no formal tenure exists.
- 8.5.7 Monitor and take appropriate action to ensure that occupation and use of land in the Park, and those areas within but excluded from the Park, have minimal impact on Park values.

8.6 Research and monitoring

Our aim

Research and monitoring activities in the Park:

- lead to a better understanding of the biodiversity and natural and cultural heritage values
- effectively involve Bininj and traditional skills and knowledge
- identify changes to the environment in the Park
- contribute to effective management of the Park and the region
- indicate the effectiveness of management actions in protecting Park values.

Measuring how well we are meeting our aim

- Extent to which research and monitoring increases understanding of Park values and Park use
- Extent to which research and monitoring informs decision-making and assessing effectiveness of management actions
- Level of Bininj satisfaction with extent of involvement in planning and management of research and monitoring activities

Background

Effective research and monitoring by the Director provides essential information to assist the Director and the Board, and the Australian Government, to make decisions about management of the Park. This work may be carried out by Park staff or consultants engaged by the Director. It may also be carried out in collaboration with other government agencies, organisations and individuals.

Other government agencies, organisations and individuals may also wish to carry out research and monitoring activities for their own purposes, independently of the Director; and may want to do so for either non-commercial or commercial purposes.

The Supervising Scientist for the Alligator Rivers Region (the Supervising Scientist) and the Alligator Rivers Region Research Institute, known as the Environmental Research Institute of the Supervising Scientist (eriss), have research and monitoring functions to perform in the Park under the *Environment Protection (Alligator Rivers Region) Act 1978* (EPARR Act). These functions relate to uranium mining operations in the Alligator Rivers Region and general mining operations in areas that were included in the Kakadu Conservation Zone that existed in the south of the Park between 1987 and 1991. ERISS has an additional function to conduct research on environmental matters for other persons on a commercial basis. During the life of the previous (4th) Management Plan the Director and the Supervising Scientist reached agreement on protocols for the Supervising Scientist and ERISS to carry out their functions.

As noted in Section 4.1, the KRAC provides advice to the Board on research issues and priorities for the Park.

Projects related to researching and monitoring the natural and cultural heritage of the Park that had been, or were being, conducted prior to commencement of this Plan included monitoring the impacts of cane toads on northern quolls and selected goanna species; ongoing monitoring of the status of marine turtles; public rock art site monitoring; monitoring of landscape change; ongoing fire plot monitoring; and a collaborative marine biodiversity survey conducted with the National Oceans Office, Northern Territory Government and the NLC. Where possible all research and monitoring projects conducted in the Park involve Bininj and incorporate their knowledge of country.

Annual Park visitor numbers have been monitored since 1982. Major Park visitor surveys were conducted in 1993 and in 2000–2001. These surveys focused on demographics, satisfaction levels, mode of transport, visitor activities and site-specific issues. The 2001–2002 survey also included a traffic counter program. The commercial tour operator permit system provides information that helps with monitoring tour operator activities in the Park. Visitor research, surveys and monitoring provide useful information on tourism trends, market segments, visitor use and satisfaction, requirements for planning and developing visitor facilities and new visitor opportunities, and the economic impacts and benefits of tourism. This information is useful for both the Park and tourism agencies and operators.

Under r.12.10 of the EPBC Regulations research may not be undertaken in the Park unless it is provided for by, and carried out in accordance with, a management plan in force for the Park; or is authorised by a permit, or under certain other conditions (r.12.06). Research which involves taking, keeping, moving, etc, native species, or is undertaken for commercial purposes, will be prohibited by s.354(1)(a) of the Act except where undertaken in accordance with this Plan.

Research which involves actions that affect members of species that are protected under Part 13 of the Act ie listed threatened species, ecological communities, migratory species, marine species, or cetaceans, must also comply with the provisions of Part 13.

Research in the Park may involve ‘access to biological resources’ ie taking biological resources of native species for research and development on any genetic resources, or biochemical compounds, comprising or contained in the biological resources. Part 8A of the EPBC Regulations (made under s.301 of the Act) controls access to biological resources in Commonwealth areas, including Kakadu (see Section 5.9, Bioprospecting).

Issues

- Research and monitoring needs to be prioritised and planned in order to be effective.
- Research and monitoring activities should provide information that contributes to the effective management of the Park and this information needs to be clearly communicated to Park staff and Bininj.
- Bininj interests and traditional knowledge play a fundamental part in understanding changes in and condition of the natural and cultural values of the Park.
- Effective methods for storing and retrieving data are required.
- Research and monitoring by the Director should take account of the Park's regional context.
- Effective working relationships are required with the Supervising Scientist and ERISS.
- Some issues such as causes of climate change are beyond management control and may have a significant impact on Park values.

What we are going to do

Policies

- 8.6.1 The Director will carry out, take part in, and contribute to research and monitoring that is consistent with this Plan and helps to improve the management of the Park.
- 8.6.2 The Director may carry out research and monitoring that involves actions covered by s.354(1)(a) of the EPBC Act in relation to members of native species eg taking, keeping, moving.
- 8.6.3 The Supervising Scientist and ERISS may carry out research and monitoring, including actions covered by s.354(1)(a) of the EPBC Act, in accordance with protocols agreed with the Director and approved by the Board.
- 8.6.4 Organisations and individuals may carry out research and monitoring, including actions covered by s.354(1)(a) of the EPBC Act:
- in collaboration with the Director, under an agreement or
 - in accordance with a permit issued by the Director under the EPBC Regulations.
- 8.6.5 Research and monitoring may only be carried out for commercial purposes if approved by the Board (generally, or in relation to a particular research and monitoring activity or class of activities).
- 8.6.6 Permits authorising research and monitoring may be issued if:
- the activity will not threaten the conservation status of a species or ecological community
 - the activity will not adversely impact on any cultural site or its values
 - the activity cannot reasonably be done outside the Park
 - the proposed permit holder has satisfactorily addressed Bininj concerns about the use of any Bininj traditional or cultural knowledge.
- 8.6.7 Research and monitoring that involves access to biological resources within the meaning of Part 8A of the EPBC Regulations must comply with those Regulations, in addition to the requirements of this Section of the Plan (see also Section 5.9, Bioprospecting).
- 8.6.8 Research activities will be managed in accordance with the guidelines developed and reviewed from time to time in consultation with the KRAC and approved by the Board.
- 8.6.9 Unless otherwise identified in guidelines approved by the Board, Bininj will be consulted about all proposed research and monitoring activities, including the

potential benefits and impacts of the research and/or monitoring for the Park and Bininj.

- 8.6.10 Persons carrying out research and monitoring under agreement with, or a permit from, the Director will be required to provide reports to the Director (including progress reports for longer-term research and monitoring), in hard copy and electronic format and including plain English summaries and appropriate summaries for Bininj.
- 8.6.11 Park management actions should as far as practicable be monitored, regularly and in relation to specific projects, to assess effectiveness.
- 8.6.12 Research and monitoring activities should use standard methodologies as far as practicable.
- 8.6.13 The Director and the Board will consult and seek advice from the KRAC as necessary (see also Section 4.1 of this Plan).

Actions

- 8.6.14 In consultation with Bininj, the KRAC, the tourism industry and the Board, undertake a long-term research and monitoring program consistent with the following proposed research and monitoring priorities, and other priorities as determined by the Board. Proposed research and monitoring priorities include:
- cultural heritage resources according to priorities determined by the Board
 - location and extent of potential sea level rises, channel changes and areas subject to undesirable salt water intrusion within the Park, and the factors that cause or accelerate such changes
 - ongoing Park visitor surveying and monitoring, including at least one major visitor-wide survey and ongoing monitoring of visitor numbers, visitor use patterns and satisfaction, visitor impacts and tour operator activity
 - tourism trends, market segments, gaps in visitor experiences and social and economic benefits and impacts
 - baseline surveys and ongoing monitoring of the distribution and abundance of listed species and communities including EPBC Act and Northern Territory listed species
 - status of native wildlife populations and their interactions with fire and other environmental and climatic factors, including the use of established long-term fauna and vegetation sites
 - species declines including, for example, small mammals and granivorous birds
 - distribution and abundance of marine species, communities and habitats in collaboration with Northern Territory Government and other agencies
 - assessment of the natural and cultural values of the West Alligator River
 - monitoring recreational fishing and boating activities (such as collection of fish catch) in Parks waterways including the Wildman River.
 - impact of fire on habitats and native species including the effects of weeds on fire and of fire on weed distribution, and the effectiveness of wet season burning as a habitat management tool
 - impacts of feral animals and weeds on Park values, and improved survey and control
 - impacts of chemicals used for weed management on the environment
 - development of a 1:25 000 habitat map of the Park with priority on sandstone communities
 - monitoring of water quality at Park facilities and visitor sites, including water bodies where visitors swim and those that may be used for boating

- causes and effects of landscape change, including feral animal damage, weeds, fires, tidal deposition, floods, salt water intrusion, river channel changes and changes in vegetation boundaries. Research will include how these processes interact and how the effects vary across different landscape types and vegetation communities.

8.6.15 As far as practicable, develop and maintain systems for collecting and storing research and monitoring data using the most up-to-date technology possible.

8.6.16 Maintain and, as needed, update the protocols agreed with the Supervising Scientist regarding the conduct of research activities in the Park by the Supervising Scientist and ERISS.

8.7 Resource use in Park operations

Our aim

Reduce the Park's ecological footprint through the use of best environmental practices in relation to use of resources.

Measuring how well we are meeting our aim

- Level of resource use and waste in the Park
- Number and type of safety incidents related to waste management practices

Background

The Director supports environmental best practice principles in regard to the use of resources and management of waste products in the Park. Examples where these principles are applied include the use of solar power for hot water heating in Park houses and powering of bores, building designs that minimise energy use for cooling and investigations (at the time of writing this plan) into the use of hybrid solar/diesel power generators for Park infrastructure.

Environmental best practice principles are consistent with the need for conserving the Park's natural and cultural resources and Kakadu's status as a World Heritage area, and minimising the potential impacts associated with waste management practices.

Issues

- Within the Park and the Kakadu region, there is potential to improve waste management practices and the environmentally responsible use of resources.
- The disposal of some substances in the Park may be hazardous to the health of people and wildlife.

What we are going to do

Policy

8.7.1 Recycled and renewable resources and technologies that reduce environmental impacts and energy use will be used within the Park where possible.

Action

8.7.2 Work with other organisations, suppliers, contractors and other relevant people to take a regional approach to:

- investigate, and where cost effective, implement strategies and technologies (such as energy reduction and alternative energy sources) for reducing the Park's output of greenhouse gases.
- promote best practice environmental work practices and activities in the Park

- promote best practice environmental standards relating to manufactured resource use in the Park and the Kakadu region
- audit the environmental performance and resource use in the Park
- investigate and, where possible and cost effective, implement alternatives to dumping waste materials in the Park
- comply with internal environmental management plans and relevant government policy and legislation, including toxic and hazardous waste disposal requirements.

8.8 New activities not otherwise specified in this Plan

Our aim

The Director and the Board are able to respond to new issues and proposals consistent with this Plan and the EPBC Act and Regulations.

Measuring how well we are meeting our aim

- New issues are dealt with effectively and consistent with the principles and policies set out in this Plan

Background

This Plan sets out how the Park will be managed for a period of seven years. During that time, circumstances may arise or proposals be brought forward for actions which were not known at the time the Plan was prepared and which require the Director to take actions that are not covered by specific prescriptions in this Plan. As noted in Section 2.4, Legislative context, under s.354(1) of the EPBC Act certain types of actions can only be taken if they are authorised by this Plan (including acts in relation to native species, works, and actions for commercial purposes). The Director is required by the Act (s.362) to exercise the Director's powers eg to issue permits and to perform the Director's functions so as to give effect to the Plan.

Issues

- This Plan needs to enable appropriate actions to be taken and authorised that are not specified by other prescriptions in the Plan because they were not foreseen at the time of writing this Plan.

What we are going to do

Policies

- 8.8.1 The Director may take actions that are not covered by specific prescriptions in this Plan, including actions covered by s.354(1) of the EPBC Act.
- 8.8.2 The Director may, with the approval of the Board, authorise (whether by permit, contract, lease or licence) actions by other persons that are not covered by specific prescriptions in this Plan, including actions covered by s.354(1) of the EPBC Act.
- 8.8.3 Except in cases of emergency, the decision-making and impact assessment processes prescribed in Sections 4.1 and 8.3 of this Plan apply to actions under this Section.

8.9 Management Plan implementation and evaluation

Our aim

This Plan is effectively implemented.

Measuring how well we are meeting our aim

- Degree to which this Plan is implemented and meets its aims

Background

One of the main functions of the Board is to make decisions relating to the management of the Park consistent with this Plan and, in conjunction with the Director, to monitor the management of the Park. Parks Australia's Strategic Planning and Performance Assessment Framework is used to help monitor and improve the management of Commonwealth reserves. A full description of this framework and the Key Result Areas (KRA) and outcomes relevant to this Plan is in Section 1.2, Structure of this Management Plan, and in Appendix C.

The prescriptions contained in this Plan are based on achieving KRA outcomes and government legislative requirements (including the EPBC Act and the Director's lease obligations) that deal with specific attributes and issues related to the management of the Park.

It is the responsibility of the Director under s.514B of the EPBC Act to administer, control, protect, conserve and manage biodiversity in Commonwealth reserves. Funds for the management of the Park are allocated from the Australian National Parks Fund under the EPBC Act. The principal sources of the fund's money are prescribed by s.514S of the EPBC Act. Under s.356A of the EPBC Act the Director may collect charges for activities undertaken in Commonwealth reserves, subject to the approval of the Minister. As an authority for the purposes of the *Commonwealth Authorities and Companies Act 1997*, the Director is also subject to the requirements of that Act as well as other relevant legislative requirements and government policies. These policies include the Department of the Environment and Heritage's risk watch list, which is used to identify and help manage Departmental risk management issues.

As stated above, funds for management of the Park come from the Australian National Parks Fund and the sources of the fund's money are prescribed by s.514S of the EPBC Act. They are money appropriated by the Commonwealth Parliament for the purposes of the Department of the Environment and Heritage and allocated by the Secretary for the management of Commonwealth reserves; amounts paid to the Director in respect of leases, licences and permits granted or issued by the Director; and charges determined and imposed by the Director under s.356A of the EPBC Act for entering or using a Commonwealth reserve or part of a Commonwealth reserve and using services or facilities provided by the Director.

Park staff are responsible for the management of the Park's budget in accordance with the Chief Executive Instructions and policies of the Director. In accordance with Australian Government policy, accounts are maintained on an accrual accounting basis and decisions regarding capital works and infrastructure must consider total life cycle costings. Section 514T of the EPBC Act prescribes how the Director may apply the money of the Australian National Parks Fund. Principally, the money must be used in payment or discharge of the costs, expenses and other obligations incurred by the Director in the performance of the Director's functions.

Park staff are currently employed by the Department of the Environment and Heritage. The Department requires each staff member to have an individual performance and development plan that links their work output to agreed work plans. For Park staff, these relate directly to the implementation of the Management Plan. The Department is required to provide learning and development opportunities for staff related to their agreed work plans and career development.

In the life of the previous (4th) Management Plan, a Manual of Procedures, which provides guidance on how certain management activities will be undertaken across the Park, was developed and updated.

Issues

- For the Board to effectively monitor, evaluate and make informed decisions about the allocation of funding and resources there is a need for clear, accurate and regular information regarding the implementation of this Plan.
- To effectively and responsibly implement this Plan work policies, procedures and programs must be consistent with the Plan, the priorities of the Board and with relevant government policies.

What we are going to do

Policies

- 8.9.1 Priorities for implementation of the actions in this Plan will be determined by the need to:
- protect and promote World Heritage and other Park values
 - ensure visitor safety
 - provide benefits to Bininj and respect Bininj aspirations
 - ensure cost effectiveness.
- 8.9.2 Park work programs, expenditure, staff learning and development plans, staff training and activities will be linked to implementing this Plan and any other priorities as determined by the Board.
- 8.9.3 Park management activities will be carried out in accordance with the Park's Manual of Procedures.
- 8.9.4 An annual review of the implementation of this management plan will be provided through the Director's Annual Report.

Actions

- 8.9.5 The Park Manager will report quarterly to the Board on the implementation of this Plan and Park expenditure in a manner requested by the Board and consistent with any government requirements.
- 8.9.6 Develop an implementation schedule for this Plan. Based on the schedule, develop and implement annual priorities and work plans.
- 8.9.7 Develop a business plan to effectively and responsibly assist with the implementation of this Plan. Include in the business plan a review of charges collected by the Director. Where considered appropriate, approval for charges may be sought from the Minister.
- 8.9.8 Following consultation with relevant stakeholders, develop and/or review Park policies and operational procedures and present them to the Board for consideration.
- 8.9.9 Prior to the preparation of the next management plan, prepare and present to the Board a technical audit of this Plan. The audit will include, but may not be limited to, the following terms of reference:
- consideration of each prescribed management policy and action and whether or not it was successfully implemented
 - evaluation of the performance of each prescribed policy and action in relation to the Section aim(s) that it was intended to achieve
 - in the case of any prescribed policy and action that was not implemented, or which failed to achieve the desired aim(s), determination of the cause

- recommendations to the Board and Director regarding any changes to aims, policies and actions that should be considered during the preparation of the next plan.

8.9.10 Investigate and, subject to Board and other relevant approvals, implement measures to seek new sources of revenue to help implement this Plan.