



Ningaloo Coast

STRATEGIC MANAGEMENT FRAMEWORK



MINISTERS' MESSAGE

The Ningaloo Coast, located on the west coast of Australia, is an outstanding coral reef and limestone system of superlative natural beauty. The waters of Ningaloo Reef contain one of the best nearshore reefs in the world, 300 kilometres of spectacular wave-swept ramparts, patch reefs and fringing reefs off a rugged limestone peninsula. The Cape Range peninsula is an evolutionary laboratory which gradually emerged from under the sea over the last 26 million years, built from the skeletons of ancient marine creatures. Its limestone caves and crevices shelter a remarkable subterranean fauna.

As the State Party to the World Heritage Convention, the Australian Government ensures that effective and active measures are taken to protect, conserve, present and share the heritage values of our World Heritage properties. In Australia these obligations are met through co-operative and legislative arrangements between the Australian Government, state and territory governments, local government agencies, property owners/site managers and traditional custodians.

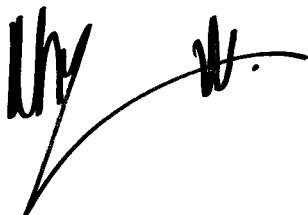
The Western Australian Government is committed in its responsibility for the day-to-day management of the Ningaloo Coast, with traditional owners, local government and community partners. Western Australia's comprehensive suite of legislation, policies and programs support the obligations that come with being recognised as a World Heritage property.

The Australian Government, together with the Government of Western Australia, will work together and with the community to ensure the integrity of the Ningaloo Coast heritage values are protected and conserved so future generations can enjoy them.

The Ningaloo Coast *Strategic Management Framework* (the *Framework*) is a key part of the co-operative management by two governments to protect, conserve and present the Ningaloo Coast. It recognises the important role existing statutory regimes have in protecting all parts of the Ningaloo Coast and defines strategies for developing a common appreciation and protection of their World Heritage values across the community.

The *Framework* is based on a tiered model of responsibility in accordance with existing governance at the local, state and national level. At the peak level, the Environment Protection and Heritage Council (EPHC) plays an important strategic role in protecting the World Heritage values of sites in Australia and New Zealand. The EPHC was established in June 2001 by the Council of Australian Governments and includes relevant Ministers from all states and territories. The EPHC addresses broad national policy issues relating to environmental protection. The EPHC also addresses natural, Indigenous and historic heritage issues.

Our endorsement of the *Framework* demonstrates the strong commitment by our governments to the cooperative management of the Ningaloo Coast in the years to come.



The Hon Peter Garrett AM MP

Australian Government Minister for the Environment,
Heritage and the Arts
on behalf of the Australian Government



The Hon Donna Faragher MLC

Western Australian Minister for Environment;
Youth on behalf of the Western Australian Government



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】 **PREVIOUS PAGE** Photograph Phil Hartell © Western Australian Department of Environment and Conservation



INTRODUCTION

The Ningaloo Coast comprises a coral reef, limestone range and coastal plain within the State of Western Australia. A large part of the nominated property is made up of Ningaloo Marine Park and Cape Range National Park which have a high level of statutory protection as part of Western Australia's conservation reserves system. The Ningaloo Coast is also included in the Australian Government's National Heritage List, which recognises places of outstanding heritage value to the nation. As a national heritage place, the Ningaloo Coast is considered to be a matter of national environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999*, one of the strongest environmental laws in the world.

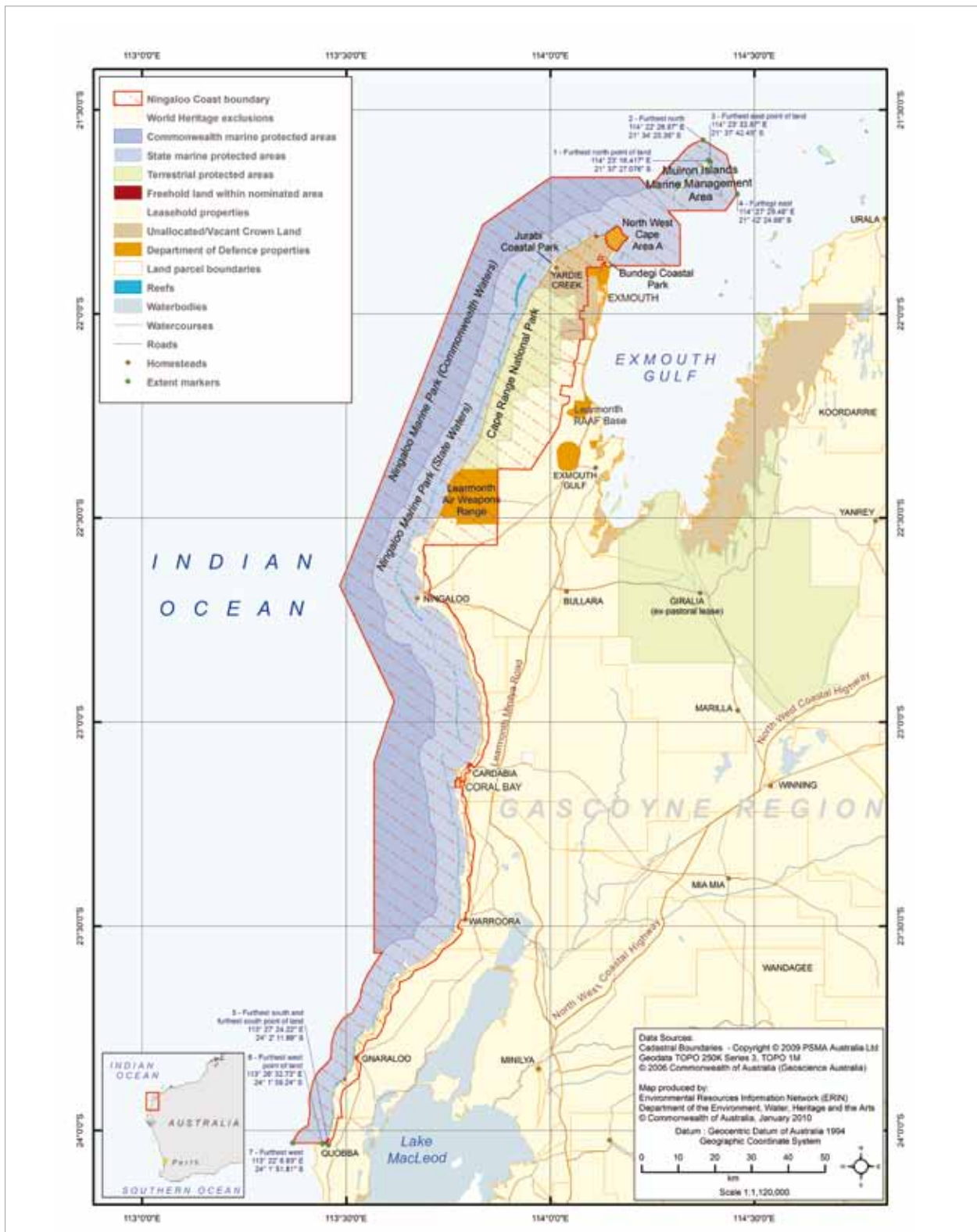
World Heritage listing is the highest level of international recognition that may be afforded to a place, acknowledging its outstanding universal values and importance to all humankind. In nominating the Ningaloo Coast for listing, the Australian Government, on behalf of the Australian people, accepts its obligation to identify, protect, conserve and present the possible World Heritage values of the property to current and future generations. The Australian Government and the Western Australian Government have overarching responsibility for the legislative framework and governance arrangements for the Ningaloo Coast. The day-to-day management of the various parts of the site continues to be the responsibility of the existing owners/managers. The traditional custodians, local community and visitors also play an important role in stewardship for the Ningaloo Coast.

PURPOSE OF THE FRAMEWORK

The *Framework* has been prepared to complement existing legislative structures and other regimes to address Australia's international responsibilities under the *Convention Concerning the Protection of the World Cultural and Natural Heritage* (the *World Heritage Convention*). It will ensure the appropriate suite of complementary and cooperative arrangements for the ongoing protection, management and presentation of the sites within national and state institutional frameworks. The *Framework* describes how the management system for the Ningaloo Coast, as described in the World Heritage nomination dossier, will be delivered. The management and governance arrangements in the dossier provide the foundation to this *Framework*. The *Framework* charts the commitment of managers to the long-term management, presentation and transmission of the World Heritage values of the Ningaloo Coast. The *Framework* presents the overall planning for the Ningaloo Coast and does not contain detailed management policies for the individual places as these are included in the individual management plans for the area.

The Australian and Western Australian Governments will work cooperatively to share information and develop appropriate strategies for the benefit of the Ningaloo Coast. Government agencies will work together to develop complementary visitor activities, common interpretative resources, research and information exchange and share expertise and resources for conservation. The aim is to foster a better appreciation of the Ningaloo Coast's World Heritage values and further enhance strategies for their protection.

Under this *Framework*, the Western Australian Government and the various owners and managers will continue to undertake regulatory and day-to-day management. By agreeing to the content of this document, the Australian Government and the Western Australian Government have made a commitment to abide by its principles and to implement the strategies outlined. These will be put into effect by the relevant governments through decisions made by the EPHC, government policies, statutory plans and other planning instruments.



MAP 1 The Ningaloo Coast boundary and associated land tenure

WORLD HERITAGE

WORLD HERITAGE CONVENTION

The *World Heritage Convention* was established under the auspices of the United Nations in 1972. It aims to promote cooperation among nations to protect the world's natural and cultural heritage. Australia's ratification of the Convention in 1974 made it one of the first countries to commit to identifying, protecting, conserving, presenting and transmitting the values of World Heritage sites.

The Convention is administered by the World Heritage Committee, which is made up of 21 nations elected from the signatories to the Convention. In October 2007 the Australian Government was elected to the Committee for a four-year term. Under the Convention a list of properties having outstanding universal value has been established. Only the national government of a country party to the Convention (the State Party) may nominate an area or site within its area of jurisdiction for World Heritage listing. The Australian Government works in close co-operation with state and territory governments to ensure it meets its international obligations.

A nominated area or site must be of outstanding universal value and meet at least one of the ten specified criteria (see <http://whc.unesco.org/en/criteria/>) to be included on the World Heritage List. The Ningaloo Coast has been nominated under criteria (vii), (viii) and (x) of the *World Heritage Convention* (see possible World Heritage values below). There are 17 World Heritage areas in Australia and 890 throughout the world at the time of publication of this document.

OWNERSHIP AND CONTROL

World Heritage listing does not affect ownership rights or control of the Ningaloo Coast. The various land tenures of the nominated property will remain under the control of the Western Australian Government and Australian Government jurisdictions, the Shires of Exmouth and Carnarvon as well as private land and lease holders (see also Management Context). The Australian Government will have an international obligation to protect, conserve, present and transmit to future generations the World Heritage values of the property, in the event that it is inscribed on the World Heritage List. The responsible Australian Government agency is the Department of the Environment, Water, Heritage and the Arts. The Western Australian Government agency with primary responsibility is the Department of Environment and Conservation on behalf of the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority (MPRA). The Conservation Commission and MPRA are statutory authorities under the *Conservation and Land Management Act 1984 (CALM Act)* in which the care, control and management of parks and reserves may be placed.

MANAGEMENT OBLIGATIONS FOR WORLD HERITAGE PROPERTIES

The Australian Government, with its state and territory government partners, manages World Heritage properties in accordance with the duties and obligations of States parties. Article 5 of the *World Heritage Convention* stipulates that:

To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each State Party to this Convention shall endeavour, in so far as possible, and as appropriate for each country:

- *to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;*

- to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;
- to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;
- to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and
- to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

While UNESCO does not determine the management of listed properties, it does require periodic reporting about the state of conservation of World Heritage properties and can liaise with State Parties regarding possible concerns.

WORLD HERITAGE VALUES

The Ningaloo Coast has been nominated for inscription on the *World Heritage List* under criteria (vii), (viii) and (x). The potential World Heritage values are outlined below.

Criterion (vii) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance

The Ningaloo Coast has:

- the best opportunity in the world to encounter whale sharks (*Rhincodon typus*), the world's largest fish, together with globally significant populations of iconic marine megafauna, including manta rays, dugongs, marine turtles, humpbacks, other cetaceans, rays and sharks;

- a superlative setting with outstanding underwater scenery, including coral reefs, marine invertebrates and marine megafauna, contrasting with a remote, arid terrestrial landscape.

Criterion (viii) to be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features

The Ningaloo Coast is:

- an outstanding example representing major biogeographic events in the history of life: increasing biological isolation, drifting continents and the record of climate change over time.

Criterion (x) to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation

The Ningaloo Coast has:

- outstanding biological diversity, with an internationally significant role in the protection of many important species including the exceptional whale shark, which is a flagship for the health of the oceans;
- highly significant subterranean and terrestrial ecosystems housing unique fauna, which have outstanding universal value from the point of view of science.

MANAGEMENT CONTEXT

LEGISLATION

Australia is one of only a few countries worldwide that has enacted legislation to implement its obligations under the *World Heritage Convention*. The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) came into effect in 2000 and provides a direct link to Australia's obligations under the *World Heritage Convention*. The *Environment Protection and Biodiversity Conservation Regulations 2000* (the Regulations) prescribe the Australian World Heritage management principles, which the Australian Government and its agencies must take all reasonable steps to comply with (see Appendix 1).

World Heritage listing means the property will be protected as a matter of national environmental significance under the EPBC Act. In managing the property, owners and managers are obliged to take into account the World Heritage values of the property and must seek approval under the EPBC Act when making decisions that may significantly affect those values.

The EPBC Act applies to the Ningaloo Coast through National Heritage listing, Commonwealth areas, and migratory and threatened species that occur there. The Act will have further application to the Ningaloo Coast should it be inscribed on the *World Heritage List*. Under the EPBC Act a proposal that has, will have or is likely to have a significant impact on the World Heritage values of a property must be referred to the Australian Government Minister for the Environment, Heritage and the Arts, for a decision on whether or not approval is required. The EPBC Act places the responsibility on the person who takes or is considering taking an action to ensure it will not have a significant impact on the World Heritage values. Substantial civil and criminal penalties apply for breaches of the EPBC Act.

The nominated World Heritage values of the Ningaloo Coast are safeguarded through a robust protection and management system. The area is subject to a range of Western Australian Government and Australian Government protection and legislation including regional planning controls. There are also a number of planning mechanisms in place that provide protection at the local level.

An outline of the primary legislative context that applies to the Ningaloo Coast is presented in Figure 1.

LEGISLATIVE CONTEXT										
The Ningaloo Coast	Ningaloo Marine Park (Commonwealth waters)	Ningaloo Marine Park (State Waters)	Muiron Islands Marine Management Area	Cape Range National Park	Muiron Islands Nature Reserve	Bundegi and Jurabi Coastal Parks	Unallocated Crown land	Proposed conservation and recreation areas *	Leasehold & freehold land incl. pastoral leases	Learmonth Air Weapons Range
	<i>Marine Park Established 1987</i>	<i>Established 1987</i> <i>Expanded 2004</i>	<i>Established 2004</i>	<i>Established 1964</i> <i>Expanded 1969</i>	<i>Established 1973</i>	<i>Established 1988</i>				
National legislation	<i>Environment Protection and Biodiversity Conservation Act 1999</i>									
State of Western Australia (provincial) legislation					<i>Wildlife Conservation Act 1950</i>					<i>Defence Act 1903</i>
						<i>Planning and Development Act 2005</i>				
					<i>Environmental Protection Act 1986</i>					
					<i>Land Administration Act 1997</i>					
					<i>Heritage of Western Australia Act 1990</i>					
Local legislation					<i>Aboriginal Heritage Act 1972</i>					
					<i>Rights in Water and Irrigation Act 1914</i>					
					<i>Conservation and Land Management Act (CALM) 1984</i>		<i>CALM Act¹</i>	<i>CALM Act (proposed)²</i>		
					<i>Western Australian Marine Act 1982</i>					
				<i>Fish Resources Management Act 1994</i>						
				<i>Local Government Act 1995</i>						<i>Local Government Act 1995</i>

FIGURE 1 Legislative context – National, state and local legislation for the Ningaloo Coast

* The proposed conservation and recreation areas do not include homestead and other improvement areas which are negotiated to remain in or associated with ongoing pastoral leases.

STATE AND NATIONAL HERITAGE REGISTERS AND LISTS

The Ningaloo Coast is listed on the Australian Government's statutory National Heritage List. Sites within the property are also listed on several heritage statutory and non-statutory registers and lists including:

- Commonwealth Heritage List (Australian Government, EPBC Act)
- *Heritage Council of Western Australia Register of Heritage Places* (Western Australian Government, *Heritage of Western Australia Act 1990*)
- *Register of Aboriginal Sites* (Western Australian Government, *Aboriginal Heritage Act 1972*)

PLANNING APPROACH

This *Framework* presents the overall planning regime for the Ningaloo Coast. It seeks to ensure management of all parts of the property included in the listing is consistent, coordinated and complementary. It provides direction and guidance to the managing agencies/owners in the formulation of their policies and in the development of other planning instruments. It also provides a commitment by all parties to manage and protect the World Heritage values to meet Australia's obligations under the *World Heritage Convention*.

The Australian Government, in conjunction with state and territory governments, is in the process of reviewing governance arrangements for World Heritage properties under the auspices of the EPHC. This body is refining mechanisms for the most effective governance arrangements for Australia's World Heritage properties, including a model for cooperative funding arrangements. Funding arrangements for Australia's World Heritage properties will take into account the respective obligations of the Australian and state and territory governments, and the social and economic impacts of World Heritage properties on regional, state and national economies.

Preparation of the *Framework* has been guided by information in the documents prepared for the Ningaloo Coast World Heritage nomination, existing management arrangements and government policies and consultation with management agencies/owners and the community. Consultations with local communities were conducted during the development of the nomination. In addition, a number of experts and planning officials were consulted on the nomination and the proposed management arrangement for the property.

STRATEGIC MANAGEMENT

OBJECTIVES

World Heritage status is the highest level of recognition afforded to a heritage place. It places an important responsibility on Australia to apply the highest standards of management practice. Management objectives for the Ningaloo Coast have been derived from the *World Heritage Convention* and its *Operational Guidelines*, which together provide the basis for management and guidance in the formulation of operational management strategies. These objectives are consistent with, and complemented by, the Australian World Heritage management principles set out in the *Environment Protection and Biodiversity Conservation Regulations 2000*.

Strategic objectives for management of the Ningaloo Coast are:

- to manage the nominated property in a way that supports, sustains and transmits the global significance of the property;
- to identify, protect, conserve, present, and transmit to present and future generations the potential World Heritage values of the site;
- to integrate the protection and management of the site into a comprehensive planning program;
- to give the property a function in the life of the local, Australian and global communities;

- to strengthen appreciation and respect for the potential World Heritage values, particularly through research, educational and information programs and keeping the community informed about the management and condition of the World Heritage values of the site;
- to take the appropriate scientific, technical, legal, administrative and financial measures necessary for implementing these objectives;
- to provide for continuing community and technical input in managing the site; and
- to manage the broad range of heritage values, both World Heritage and non-World Heritage, to ensure that the overriding principle is the achievement of the long-term conservation of the property's proposed World Heritage values.

MANAGEMENT ARRANGEMENTS

The *Framework* provides an overarching structure to meet the obligations for the protection and management of the Ningaloo Coast as set out in the *Operational Guidelines*:

- outstanding universal value, the condition of integrity at the time of inscription is maintained or enhanced in the future;
- adequate long-term legislative, regulatory, institutional and/or traditional protection and management is in place to ensure their safeguarding;
- legislative and regulatory measures at national and local levels provide for the conservation of the property and protection against development and change that might negatively impact the outstanding universal value or the integrity of the property;
- the boundary is clearly delineated;
- a buffer zone is not required as the Ningaloo Coast is protected by a natural buffer in the Indian Ocean to the west and the whole area has legal protection, both within and beyond the boundaries of the place, under the EPBC Act;
- each part of the nominated property has an appropriate management plan or system (or a plan is in preparation) that specifies how the outstanding universal value will be protected and preserved, predominantly through participatory means.

The Ningaloo Coast comprises marine and land conservation reserves, a defence range, unallocated WA Crown Land, and freehold and leasehold properties. Each of these places is individually controlled and managed under various management and statutory regimes that provide specific legal protection. This protection regime is translated into protective measures under management plans and associated programs. A draft or final management plan or system is in place for all parts of the nominated property. Governments and agencies work together to ensure that each plan or strategy contains policies to promote integration and consistency with other planning documents across the nominated property, to protect the area's values, and amongst other things, ensure tourism development opportunities are available to meet projected future demands. The *Ningaloo coast regional strategy Carnarvon to Exmouth* covers the entire property and is a 30 year strategic land use plan. The strategy sets the framework of planning for sustainable tourism and land use on the Ningaloo Coast. It identifies tourism development nodes, including existing nodes at Vlamingh Head and Yardie Creek Homestead, that will accommodate public/private infrastructure developments to cater for a range of visitor services and amenities whilst ensuring that the values of the area are maintained.

Partnerships with civil society (eg. non-government organisations, business groups and volunteers) support the protection and transmission of the heritage values to the community. A wide range of community and Indigenous partnerships are in place to support the protection of the Ningaloo Coast. Indigenous people contribute to the management of the Ningaloo Marine Park, Cape Range National Park, and Muiron Islands Marine Management Area. The traditional custodians of the nominated area are the Yinigudura/Jinigudira, Baijungu and Ingarda. These three language groups are represented by the Gnulli native title claimants. The Yamatji Land and Sea Council is the native title representative body for the area. Indigenous people are actively involved in the management of conservation reserves in the nominated property. Working together with Indigenous people to care for the land assists heritage and biodiversity conservation and strengthens Indigenous peoples' connection to their traditional lands. Traditional custodians from the Gnulli native title claimants are represented on the Coral Coast Parks Advisory Council which provides advice to

the Western Australian Department of Environment and Conservation on the management of the area.³ Management plans acknowledge the importance of the involvement of the traditional custodians in the management of the property and ensure an integrated approach.

The management regime for the Ningaloo Coast is structured through a number of governing bodies and through a suite of management plans. The management plans meet the *Environment Protection and Biodiversity Conservation Act 1999* requirements for National and World Heritage management plans and *UNESCO's Operational Guidelines*.⁴ The plans also satisfy the Government of Western Australia's statutory requirements. Figure 2 shows the interaction between the *Framework* and the individual management plans.

Australia is a signatory to several international agreements and conventions that are relevant to the protection and management of the Ningaloo Coast. These include:

- the Japan-Australia Migratory Bird Agreement (JAMBA); the China-Australia Migratory Bird Agreement (CAMBA) and the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA);
- the Convention on Migratory Species (CMS);
- the Convention on Biological Diversity (Biodiversity Convention); and
- Kyoto Protocol to the United Nations Framework Convention on Climate Change (The Kyoto Protocol).

FINANCIAL ARRANGEMENTS

The Australian Government and the Western Australian Government provide substantial funding to ensure the effective management and protection of the nominated property. The Australian Government's Caring for our Country Program provides significant financial support for the effective protection and management of iconic areas including the Ningaloo Coast.

MANAGING MAJOR POTENTIAL THREATS

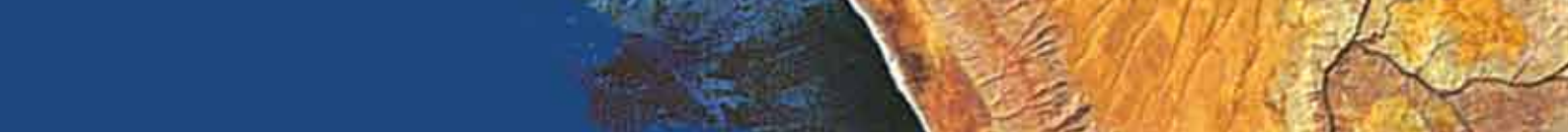
Management policies and strategies for managing the major potential threats to the nominated property are outlined below.

Climate change

All of the world's coral reefs and associated ecosystems are potentially under threat from climate change. The best practice means to address this is to maintain the resilience of reefs through excellence in management and to also encourage a reduction in greenhouse gas emissions in general by all nations.

Climate change is a lower threat to the Ningaloo Coast compared to many other properties in the world because of its excellent management arrangements, legislative protection and its latitudinal and oceanographic setting. With an extensive conservation reserve system in place and minimal impacts occurring from high density development or other catchment land uses, the Ningaloo Coast area is considered to have a high resilience to impacts of climate change. Sea level rise associated with climate change is anticipated to be between 0.5 and 1.4 metres above 1990 levels by 2100.⁵ This represents a small risk to the ecological values of the coral reef system, which may be mitigated with adaptive management processes already in place. Recent studies have shown that under strong southerly winds, especially during summer, localised cool water upwelling occurs along the continental shelf region adjacent to Ningaloo Reef. These events typically lower the water temperatures adjacent to the reef by two to three degrees Celsius which helps to 'insulate' the reef from higher temperatures.⁶

The Western Australian Government is preparing a climate change adaptation and mitigation strategy. Also, within the conservation reserves system, the *Cape Range national park management plan* (final in preparation) includes strategies aimed at protecting groundwater quality and quantity, reserve creation, pest animal and weed control, fire management, and re-introduction programs, to decrease the vulnerability of species and ecosystems to climate change.



The Australian Government is developing a comprehensive range of policies, strategies, programs and information to reduce greenhouse pollution in Australia in the short and long term, work with the international community to develop a global response that is effective and fair, and prepare for the climate change that we cannot avoid. Full details are available on the Department of Climate Change's web site (<http://www.climatechange.gov.au/index.html>).

Resource development

The nominated property is located within a rich oil and natural gas resource development region on the western coast of Australia. There are limestone mining activities, an area of high value limestone resource of strategic importance and oil and natural gas activities outside the nomination area that will continue in accordance with, and be subject to, mining and environmental approvals. Resource development proposals are subject to the stringent environmental protection provisions of the EPBC Act and the *Environmental Protection Act 1986* (WA). In the event that the Ningaloo Coast is inscribed on the World Heritage List, development proposals would need to demonstrate that any proposed activities would not have a significant impact on the National Heritage values or proposed World Heritage values of the property.

MANAGEMENT SYSTEM										
	Ningaloo Marine Park and (Commonwealth Waters)	Ningaloo Marine Park (State Waters)	Muiron Islands Marine Management Area	Cape Range National Park	Muiron Islands, Bundegi and Jurabi	WA unallocated Crown land	Proposed conservation and recreation areas	Freehold owners and leaseholders	Learmonth Air Weapons Range Facility	
National planning	<i>Ningaloo Coast World Heritage Strategic Management Framework (2009)</i>									
WA regional planning	<i>Ningaloo Coast regional strategy Carnarvon to Exmouth (2004)</i>									
Common-wealth planning	<i>Ningaloo Marine Park (Commonwealth Waters) interim management arrangements</i>	<i>Learmonth Air Weapons Range Management Plan (in preparation 2010)</i>								
WA State Government (provincial) planning	<i>Management plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005–2015 (2005)</i>	<i>Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005–2015 (2005)</i>	<i>Management for the Ningaloo Marine Park and Muiron Islands management plan (1999)</i>	<i>Ningaloo Coast Unallocated Crown Land management framework (2009)</i>	<i>Management consistent with the objectives and underlying principles of the Cape Range National Park Management Plan conducted by the Department of Environment and Conservation</i>	<i>Management by pastoral lessees under the Pastoral Lands Board, other lessees and freehold owners, consistent with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth.</i>				

FIGURE 2 The Ningaloo Coast management system

ADMINISTRATION AND CONSULTATION ARRANGEMENTS

The proposed Ningaloo Coast World Heritage area will be administered through a system of governing bodies which are currently in place: those concerned with the management and operational aspects of the various parts of the property at the Western Australian Government and local government level, as well as those with management of the property as a whole, including a national strategic approach to World Heritage governance (see Figure 3).

Should World Heritage listing be achieved, a new committee, the Ningaloo Coast World Heritage Advisory Committee (NCWHAC), will be responsible for advising on the implementation of this *Framework* (see Appendix 2), and will include representatives from Traditional Owners, local government, scientific experts and members of the community.

The Environment Protection and Heritage Council (EPHC) is an inter-governmental council of environment ministers. The Department of the Environment, Water, Heritage and the Arts supports the Federal Minister for the Environment in his role as chair of the EPHC. One of the functions of the EPHC is to provide a national ministerial forum for World Heritage matters. The EPHC is responsible for strategic direction for all Australian World Heritage properties and resolution of any World Heritage issues.

At its April 2008 meeting, the EPHC agreed that a new national-level World Heritage advisory body, to be referred to as the Australian World Heritage Advisory Committee (AWHAC), be established (see the Australian WH Intergovernmental Agreement at Appendix 2). AWHAC will meet and provide advice to EPHC annually on World Heritage issues of a national and cross-cutting nature, rather than those of a site-specific or day-to-day nature.

Should the Ningaloo Coast be inscribed on the World Heritage List, the Chair of the Ningaloo Coast Advisory Committee will automatically be granted membership to AWHAC which will assist with providing advice and direction to the Ningaloo Coast Advisory Committee. AWHAC members are appointed by EPHC. Should the Chair be unavailable to be a member of AWHAC, the WA agency responsible for World Heritage may nominate another Advisory Committee member to represent the Ningaloo Coast on AWHAC.

A number of principles will guide owners/managers in meeting the strategic objectives of the *Framework*:

- a collaborative approach will benefit the Ningaloo Coast as a whole;
- cooperative management arrangements and mechanisms across the various parts of the property will enhance outcomes at individual places within the Ningaloo Coast;
- a risk management approach will recognise each part of the nominated property is an integral part of the proposed listing and will be managed accordingly;
- there will be no additional layers of management planning;
- cooperative arrangements and information sharing will occur between land managers and owners within the nominated property;
- grant programs where appropriate will acknowledge eligibility of World Heritage properties in their criteria and guidelines;
- a collegial approach to proposals and initiatives relevant to all parts of the property, such as research and tourism, will be encouraged; and
- cooperative funding arrangements will take into account the social and economic impacts of World Heritage properties on regional, state and national economies and draw upon research, planning and tourism marketing data.

GOVERNANCE ARRANGEMENTS									
Ningaloo Coast	Ningaloo Marine Park and Commonwealth Waters	Ningaloo Marine Park (State Waters)	Cape Range National Park	Muiron Islands, Bundegi and Jurabi	Muiron Islands Marine Management Area	WA unallocated Crown land	Proposed conservation and recreation areas *	Freehold owners and leaseholders incl. pastoral lessees	Learmonth Air Weapons Range
National governance	Environment Protection and Heritage Council & Australian World Heritage Advisory Committee								
Australian Government agencies	Ningaloo Coast World Heritage Advisory Committee								
Western Australia (provincial) agencies	Department of the Environment, Water, Heritage and the Arts	Department of Environment and Conservation & Department of Fisheries	Department of Environment and Conservation	Department of Environment and Conservation	Department of Environment and Conservation	Department of Regional Development and Lands & Department of Environment and Conservation	Department of Environment and Conservation	Department of Regional Development and Lands & Department of Environment and Conservation	Department of Defence
Local agencies	Shire of Exmouth								
							Shire of Exmouth & Shire of Carnarvon	Shire of Exmouth	

FIGURE 3 Governance arrangements for the Ningaloo Coast

* These areas may be transferred to the management responsibility of the Department of Environment and Conservation pending negotiations with pastoral leaseholders.

INTERPRETATION AND PROMOTION

Inclusion of the Ningaloo Coast on the World Heritage List will lead to greater international exposure and create promotional opportunities for the local and regional communities near the property. The Ningaloo Coast has the potential to develop a national natural heritage trail linking other outstanding natural places around Australia at the national, regional and local level. A trail will make it easier for visitors to explore various regions with natural heritage places located around Australia. Existing comprehensive visitor information and interpretation strategies will continue and future programs will be developed collaboratively for the Ningaloo Coast to link the various places within the nominated property more effectively, as well as to connect the Ningaloo Coast to other natural heritage sites around Australia. This approach will continue to enhance visitor experience and ensure that there are learning and engaging experiences beyond passive sight-seeing. By increasing understanding of the property's heritage significance, information and interpretation strategies aim to improve visitor appreciation of the environment, encourage responsible visitor behaviour, and a positive attitude to conservation of the area.

A number of possible projects may help achieve this:

- development of common World Heritage branding across the property (for example, signage);
- web-based information and collaborative work pages with links to related places and 'virtual tours';
- on-site interpretation that connects to all parts of the Ningaloo Coast; and
- natural heritage trails for companion sites across Australia with similar natural heritage attributes in a region.

Cooperative network arrangements across the Australian Government and the Western Australian Government and the different managing authorities will be established to promote tourism and promotion of the Ningaloo Coast and other significant natural heritage places in Australia. A key element of this will be the sharing of research and interpretative materials, and other resources where possible.

Benefits of such networks may include:

- longer-term sustainability of heritage places;
- collaborative partnerships to share resources, provide savings and maximise audience reach;
- using community expertise and support to develop networks, leading to employment and tourism opportunities;
- empowering communities to take greater ownership of and responsibility for their special places;
- preserving, interpreting and telling the story of a place and the people who occupied it, providing an important element of community cohesion; and
- enhancing the preservation and interpretation of state and territory cultural heritage.

Research and information sharing

The Ningaloo Coast World Heritage Advisory Committee, site managers and land owners/leaseholders will be encouraged to share information in records, databases, archives, scientific materials, and facilitate transcription of records and the conservation and presentation of all materials associated with the global significance of the nominated property.

Opportunities for joint research and information sharing include:

- establishment or enhancement of integrated research programs and research priorities for the Ningaloo Coast including climate change;
- establishment and/or maintenance of databases of scientific research and investigations undertaken including new work on climate change and marine and terrestrial species;
- development of a set of scientific research design questions on emerging issues and global trends for future research;
- preparation of statistical data and information to help interpret and promote the property and companion natural heritage sites in Australia;
- co-ordination across managing authorities to ensure safekeeping and accessibility of information;

- interpretation of the Ningaloo Coast and companion sites across Australia, with regard to state, regional and local variations in and contributions to this interpretation; and
- establishment and maintenance of an image bank for research, education and promotion purposes.

Sharing resources/expertise

The individual management plans provide the basis and priority for conservation measures to be undertaken. Government agencies and the relevant managing authorities will be encouraged to develop measures to ensure the effective sharing of resources and to facilitate improved conservation outcomes and presentation of World Heritage values to current and future generations.

Possible projects include:

- identifying additional training needs other than those already in place in conservation trades and professional development across all managing authorities and personnel and advocate ways to address these needs;
- considering scientific and technical studies and research that may assist in counteracting threats to the integrity of the proposed World Heritage values of the Ningaloo Coast; and
- under the EPHC, undertaking collaborative intergovernmental work on climate change. This could include development of policies to respond to the World Heritage Committee's strategy on heritage and climate change to protect the outstanding universal value, integrity and authenticity of the Ningaloo Coast from the adverse effects of climate change.

IMPLEMENTATION AND REVIEW

The Ningaloo Coast World Heritage Advisory Committee has responsibility for advising on the implementation of this *Framework*. Responsibility for implementing the management plans rests with the relevant government agencies and established governing bodies. Implementation will depend on the provision of adequate resources by the Australian Government and Western Australian Government and governing bodies. The role of the Advisory Committee will also be subject to negotiation by the EPHC.

The *Framework* will be current for ten years from the date of its approval by the signatory ministers and will be reviewed after seven years. A ten year timeframe has been selected for medium-term planning to provide a realistic period within which the management responses can be implemented and their effectiveness evaluated. In addition the review will identify reasons for lack of achievement or implementation; assess new information that might affect management; and propose changes and new management actions where appropriate.

One aim is to ensure management plans reflect the duties and obligations of signatories to the *World Heritage Convention* and to support cooperative management at strategic policy and operational levels.

APPENDICES

APPENDIX 1 – AUSTRALIAN WORLD HERITAGE MANAGEMENT PRINCIPLES

(Environment Protection and Biodiversity Conservation Regulations 2000)

Schedule 5 Australian World Heritage management principles

(Regulation 10.01)

1 General principles

- 1.01 The primary purpose of management of natural heritage and cultural heritage of a declared World Heritage property must be, in accordance with Australia's obligations under the World Heritage Convention, to identify, protect, conserve, present, transmit to future generations and, if appropriate, rehabilitate the World Heritage values of the property.
- 1.02 The management should provide for public consultation on decisions and actions that may have a significant impact on the property.
- 1.03 The management should make special provision, if appropriate, for the involvement in managing the property of people who:
- (a) have a particular interest in the property; and
 - (b) may be affected by the management of the property.
- 1.04 The management should provide for continuing community and technical input in managing the property.

2 Management planning

- 2.01 At least 1 management plan should be prepared for each declared World Heritage property.
- 2.02 A management plan for a declared World Heritage property should:
- (a) state the World Heritage values of the property for which it is prepared; and
 - (b) include adequate processes for public consultation on proposed elements of the plan; and

- (c) state what must be done to ensure that the World Heritage values of the property are identified, conserved, protected, presented, transmitted to future generations and, if appropriate, rehabilitated; and
- (d) state mechanisms to deal with the impacts of actions that individually or cumulatively degrade, or threaten to degrade, the World Heritage values of the property; and
- (e) provide that management actions for values, that are not World Heritage values, are consistent with the management of the World Heritage values of the property; and
- (f) promote the integration of Commonwealth, State or Territory and local government responsibilities for the property; and
- (g) provide for continuing monitoring and reporting on the state of the World Heritage values of the property; and
- (h) be reviewed at intervals of not more than 7 years.

3 Environmental impact assessment and approval

- 3.01 This principle applies to the assessment of an action that is likely to have a significant impact on the World Heritage values of a property (whether the action is to occur inside the property or not).
- 3.02 Before the action is taken, the likely impact of the action on the World Heritage values of the property should be assessed under a statutory environmental impact assessment and approval process.
- 3.03 The assessment process should:
- (a) identify the World Heritage values of the property that are likely to be affected by the action; and
 - (b) examine how the World Heritage values of the property might be affected; and
 - (c) provide for adequate opportunity for public consultation.

- 3.04 An action should not be approved if it would be inconsistent with the protection, conservation, presentation or transmission to future generations of the World Heritage values of the property.
- 3.05 Approval of the action should be subject to conditions that are necessary to ensure protection, conservation, presentation or transmission to future generations of the World Heritage values of the property.
- 3.06 The action should be monitored by the authority responsible for giving the approval (or another appropriate authority) and, if necessary, enforcement action should be taken to ensure compliance with the conditions of the approval.

AUSTRALIAN WORLD HERITAGE INTERGOVERNMENTAL AGREEMENT

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1. PARTIES TO THE AGREEMENT

An Agreement made the ___ day of ___ two thousand and ___, between:

THE COMMONWEALTH OF AUSTRALIA;
THE STATE OF NEW SOUTH WALES;
THE STATE OF VICTORIA;
THE STATE OF QUEENSLAND;
THE STATE OF WESTERN AUSTRALIA;
THE STATE OF SOUTH AUSTRALIA;
THE STATE OF TASMANIA;
THE NORTHERN TERRITORY OF AUSTRALIA; and
THE AUSTRALIAN CAPITAL TERRITORY

As a State Party to the United Nations Educational, Scientific and Cultural Organisation (UNESCO) *Convention Concerning the Protection of the World Cultural and Natural Heritage* (the World Heritage Convention) Australia has an obligation to identify, protect, conserve, present and transmit to future generations, Australia's cultural and natural heritage that meets the World Heritage Convention's high threshold of "outstanding universal value to all humankind".

In addition, the roles and responsibilities of the parties outlined in this Intergovernmental Agreement (the Agreement) are consistent with Schedule 8 of the 1992 *Intergovernmental Agreement on the Environment*, the 1997 *Heads of Agreement on Commonwealth/States Roles and Responsibilities for the Environment*, the 2004 *National Heritage Protocol* and the *Commonwealth's Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

This Agreement does not override any existing Intergovernmental Agreements between the Commonwealth and the States and Territories (the States), or between the States, such as the Federal Financial Services Intergovernmental Agreement. However, the Agreement does not preclude alterations or amendments to those agreements that are proposed and agreed by all Parties in accordance with existing review processes and/or any review process arising as a result of this Agreement.

This Agreement reiterates the founding principles in the above listed agreements and acknowledges that a national partnership between all levels of government on heritage issues must be based on:

- cooperation the achievement of goals will be enhanced by increased co-operative efforts between different levels of government and with stakeholders;
- effectiveness policy and program development and implementation should be undertaken in a way that achieves improved outcomes on the ground;
- efficiency unnecessary duplication and overlap between governments should be minimised;
- seamlessness policies and programs within and between governments should be designed and administered to assist clients experience integrated processes and interfaces;
- simplicity administrative and legislative systems should be simple to understand and designed to minimise compliance costs; and
- transparency decision-making processes, accountability for decisions and delivery of policy and program outcomes should be clear and public.

The Parties to the Agreement:

ACKNOWLEDGE the important roles of the Commonwealth and the States in relation to Australia's cultural and natural heritage and the contribution each can make in the development of national and international policies, for which the Commonwealth has lead responsibility;

RECOGNISE that "outstanding universal value" as defined by the World Heritage Convention can transcend physical and political boundaries;

ACKNOWLEDGE that policy development, program delivery and decision-making should be the responsibility of the level of government best placed to deliver agreed outcomes; and

ACKNOWLEDGE that the efficiency and effectiveness of administrative and political processes and systems for the management and protection of Australia's World Heritage properties will be a direct function of the extent to which:

- roles and responsibilities of the different levels of government are clearly and unambiguously defined;
- duplication of functions between different levels of government are avoided;
- the total benefits and costs of decisions to the community are explicit and transparent; and
- the different levels of governments cooperate on World Heritage issues.

2. KEY OBJECTIVES AND PURPOSE

2.1 The primary purpose of the Agreement is to articulate the roles and responsibilities of the Commonwealth and the States to ensure Australia meets its international obligations for the identification, protection, conservation, presentation, and transmission to future generations of Australia's cultural and natural heritage of outstanding universal value.

2.2 This Agreement aims to:

- ensure a cooperative national approach to the nomination, identification and management of Australia's World Heritage properties in accordance with Australia's obligations under the World Heritage Convention;
- better define the roles and responsibilities of the Parties to the Agreement; and
- provide greater certainty in decision making.

2.3 For the avoidance of any doubt, it is the intention of the Parties that this agreement should not be a legally binding contract.

3. ROLES AND RESPONSIBILITIES OF THE COMMONWEALTH

As the State Party to the World Heritage Convention, the Commonwealth acknowledges its responsibility in consultation and cooperation with the States, to ensure the identification, protection, conservation, presentation and transmission to future generations, of Australia's cultural and natural heritage of outstanding universal value, and will use its best endeavours to fulfil its obligations in relation to the World Heritage Convention.

3.1 General

The Commonwealth will:

- a) administer Commonwealth legislation, and processes, including the EPBC Act, to identify and avoid or mitigate any potential significant impacts to outstanding universal value(s)¹;
- b) jointly with the States, use the best scientific, technical and community advice available to maintain and protect Australia's cultural and natural heritage of outstanding universal value and play a leading role in giving World Heritage a function in the life of the community;
- c) communicate to the States proposed amendments to the EPBC Act which may impact on World Heritage responsibilities of the States, and;
- d) provide secretariat and other appropriate support to advisory committees established by the Environment Protection and Heritage Council (EPHC).

¹ This applies to the outstanding universal value(s) of listed World Heritage properties.

3.2 The World Heritage Tentative List²

- 3.2.1 The Commonwealth will consult with the States and use its best endeavours to obtain agreement on properties for inclusion on Australia's World Heritage Tentative List³.
- 3.2.2 Following consultation with the States, the Commonwealth will determine which properties are submitted to the World Heritage Committee as part of Australia's World Heritage Tentative List.

3.3 Nomination

- 3.3.1 The preparation of a World Heritage nomination is the responsibility of the State in which the place is located and will be undertaken in consultation with the Commonwealth⁴. The Commonwealth will provide guidance and assistance to a State in the preparation of a World Heritage nomination; the form of any assistance will be negotiated on a case by case basis. In the case of properties that transcend State boundaries, the Commonwealth will coordinate preparation of the nomination.
- 3.3.2 The Commonwealth is responsible for:
- ensuring the nomination is prepared in accordance with the World Heritage Convention and the Operational Guidelines for the Implementation of the World Heritage Convention (the Operational Guidelines);
 - determining, in consultation with the relevant State, when a nomination will be submitted to the World Heritage Committee;
 - submitting the nomination to the World Heritage Committee for consideration; and
 - liaising with the World Heritage Centre regarding the progression of the nomination.
- 3.3.3 Where the property being nominated lies within the Commonwealth's jurisdiction, the preparation of that nomination will be the responsibility of the Commonwealth.

² A Tentative List is an inventory of those properties situated on its territory which each State Party considers suitable for inscription on the World Heritage List (Operational Guidelines for the Implementation of the World Heritage Convention).

³ Schedule 8, *Intergovernmental Agreement for the Environment*, 1992

⁴ Schedule 8, *Intergovernmental Agreement for the Environment*, 1992

3.3.4 In accordance with the Operational Guidelines, a documented management system or management plan shall be provided as part of a property's nomination to the World Heritage List.

3.3.5 The preparation of a new nomination⁵ for an existing inscribed property will be the responsibility of the relevant State, in consultation with the Commonwealth.

3.4 Responsibility for Commonwealth-managed properties

The Commonwealth will:

- manage the World Heritage properties under its control in accordance with the EPBC Act and the Australian World Heritage Management Principles (refer to Section 6);
- appoint the Chairperson of the Great Barrier Reef Marine Park Authority; and
- appoint Board members for Kakadu National Park and Uluru-Kata Tjuta National Park; and
- establish appropriate management arrangements for other Commonwealth managed World Heritage properties.

3.5 Management of World Heritage properties under State control

The Commonwealth will:

- enter into arrangements with the States regarding specific World Heritage properties under State control;
- appoint, in co-operation with the relevant State, the Chair of property-specific advisory committees or boards^{6,7} be consulted, where appropriate, on the appointment of other members to the committees;

⁵ A new nomination for a property already inscribed on the World Heritage List may be required due to the modification of existing boundaries or the identification of a new outstanding universal value.

⁶ World Heritage property-specific advisory committees or boards are to advise on the conservation, management and protection of an Australian World Heritage property.

⁷ World Heritage properties for which these appointment arrangements exist are included at Schedule 1. Arrangements for the appointments to the Wet Tropics Management Authority Board will continue as per the relevant statutory requirements.

- c) provide advice to World Heritage property managers on the development of World Heritage management plans or other management system⁸;
- d) seek written assurance from the States that their World Heritage property management systems and/or management plans, meet the requirements under the Australian World Heritage Management Principles (Section 6); and
- e) at the discretion of the Minister, lend assistance in exceptional circumstances where the outstanding universal value of a property may be threatened.

3.6 Funding

3.6.1 The Commonwealth agrees that it will be responsible for the costs of Commonwealth owned or controlled World Heritage properties.

3.6.2 In relation to a World Heritage property under State control, the Commonwealth may give financial or other assistance for the identification, protection, conservation, presentation and transmission of outstanding universal value to the State in which the property occurs, or any other individual or organisation.

3.6.3 Subject to budgetary appropriation and guided by the Australian World Heritage Funding Principles, the Commonwealth will provide and, where possible, improve long-term World Heritage funding.

3.6.4 To ensure the maintenance of outstanding universal value, a State (or States if the property is cross-jurisdictional) and the Commonwealth may enter into partnership arrangements to cover certain management and reporting costs in relation to World Heritage properties under State control. The allocation and use of funding will be negotiated between the relevant States and the Commonwealth. Such arrangements will recognise the benefits of World Heritage listing to the region and the relevant State.

⁸ Management systems are as described in the *Operational Guidelines for the Implementation of the World Heritage Convention*.

3.6.5 The Commonwealth agrees that funding responsibilities for properties proposed for nomination are to be identified and agreed between the Commonwealth and the relevant State⁹, prior to submission of the nomination.

3.7 Reporting

The Commonwealth will:

- a) be responsible for Reactive Reporting, State of Conservation Reporting and Periodic Reporting¹⁰ for Commonwealth managed World Heritage properties;
- b) in relation to World Heritage properties under State control, coordinate Australia's Reactive Reporting, State of Conservation Reporting and Periodic Reporting requirements with relevant States; and
- c) monitor the performance and outcomes of Commonwealth funded World Heritage related activities or projects.

3.8 World Heritage in Danger

3.8.1 As the State Party to the World Heritage Convention, the Commonwealth is responsible for reporting to the World Heritage Committee when:

- a) an ascertained danger to a World Heritage property is identified, meaning a World Heritage property is faced with specific and proven imminent danger¹¹;
- b) a potential danger to a World Heritage property is identified, meaning that a World Heritage property is faced with major threats which could have deleterious effects on its inherent characteristics¹².

3.8.2 If a World Heritage property is to be nominated to the World Heritage in Danger List, the Commonwealth will collaborate with the World Heritage Committee and the relevant State to identify a program for corrective measures.

⁹ In the case of a serial nomination, funding responsibilities for properties proposed for nomination are to be identified and agreed between the Commonwealth and the relevant States.

¹⁰ As defined by the *Operational Guidelines for the Implementation of the World Heritage Convention*.

¹¹ *Operational Guidelines for the Implementation of the World Heritage Convention*

¹² *Operational Guidelines for the Implementation of the World Heritage Convention*

3.8.3 The Commonwealth will inform the relevant State of significant World Heritage Committee decisions in regards to the World Heritage in Danger List.

4. ROLES AND RESPONSIBILITIES OF THE STATES AND TERRITORIES

The States play a critical role in assisting the Commonwealth in meeting Australia's obligations under the World Heritage Convention to identify, protect, conserve, present and transmit to future generations, Australia's natural and cultural heritage of outstanding universal value.

4.1 General

The States will:

- a) support the Commonwealth in its responsibility as a State Party to the World Heritage Convention to ensure the identification, protection, conservation, presentation and transmission to future generations of Australia's cultural and natural heritage of outstanding universal value;
- b) ensure that appropriate legislation and processes are in place within their jurisdictions to assist the Commonwealth in meeting those obligations;
- c) jointly with the Commonwealth, use the best scientific, technical and community advice available to maintain and protect Australia's World Heritage properties;
- d) resolve State and cross-jurisdictional related issues through appropriate arrangements, correspondence and negotiation;
- e) appoint, jointly with the Commonwealth, the Chair of property-specific advisory committees or boards¹³;
- f) appoint, in consultation with the Commonwealth where appropriate, the members of property-specific advisory committees; and
- g) where appropriate, support the activities of advisory committees established by the Environment Protection and Heritage Council.

¹³ World Heritage properties for which these appointment arrangements exist are included at Schedule 1. Arrangements for the appointments to the Wet Tropics Board will continue as per the relevant statutory obligations.

4.2 The World Heritage Tentative List

4.2.1 The States will consult with the Commonwealth and use their best endeavours to obtain agreement on properties for inclusion on Australia's World Heritage Tentative List.

4.2.2 The States will consult with the relevant local government bodies and interested groups (including Indigenous, conservation and industry groups) on properties to be nominated to Australia's World Heritage Tentative List prior to submission to the Commonwealth¹⁴.

4.3 Nomination

4.3.1 The preparation of a World Heritage nomination, a new nomination¹⁵ for an existing inscribed property, or other documentation relating to boundary variations, will be the responsibility of the relevant State and will be undertaken in consultation with the Commonwealth. In the case of properties that transcend State boundaries, the Commonwealth will co-ordinate preparation of the nomination.

4.3.2 The States acknowledge that the Commonwealth is responsible for ensuring the nomination is prepared in accordance with the World Heritage Convention and the Operational Guidelines and for submitting the nomination to the World Heritage Committee for consideration. The Commonwealth will consult relevant States on the timing of submission of nominations.

4.3.3 In accordance with the Operational Guidelines, a documented management system or management plan shall be provided as part of a property's nomination to the World Heritage List.

¹⁴ Schedule 8, *Intergovernmental Agreement for the Environment*, 1992

¹⁵ A new nomination for a property already inscribed on the World Heritage List may be required due to the modification of existing boundaries or the identification of a new outstanding universal value.

4.4 Management

The States will:

- a) manage the World Heritage properties under their control in accordance with the World and National Heritage provisions of the EPBC Act and the Australian World Heritage Management Principles (refer to Section 6);
- b) enter into arrangements, as appropriate, with the Commonwealth regarding specific World Heritage properties under their control;
- c) consult with and involve local government in the application of the principles and responsibilities set out in this Agreement; and
- d) provide a written assurance to the Commonwealth that their World Heritage property management systems and/or management plans meet the requirements under the Australian World Heritage Management Principles (Section 6).

4.5 Funding

4.5.1 The States agree they are responsible for the normal operating costs of State owned or controlled World Heritage properties unless varied by partnership agreement. Normal operating costs include day-to-day management costs of the property to protect values of state, regional or local significance (which may or may not be of outstanding universal value) and to provide facilities and services to an appropriate standard for visitors.

4.5.2 Subject to budgetary appropriation and guided by the Australian World Heritage Funding Principles (Section 7), the States will provide and, where possible, improve long-term World Heritage funding.

4.5.3 To ensure the maintenance of outstanding universal value, the States and the Commonwealth may enter into an arrangement to cover certain management and reporting costs. The allocation and use of funding will be negotiated between the relevant States and the Commonwealth. Such arrangements will recognise the benefits of World Heritage listing to the region and the relevant State.

4.5.4 The States agree that the funding responsibilities for the ongoing management of and reporting on properties proposed for nomination will be identified and agreed between jurisdictions, including the Commonwealth, prior to submission of the nomination.

4.6 Reporting

The States:

- a) will prepare Reactive Reports, State of Conservation Reports and Periodic Reports for each World Heritage property for which they are responsible, in accordance with the Operational Guidelines;
- b) acknowledge that the Commonwealth is responsible for ensuring these reports are prepared in accordance with the World Heritage Convention and the Operational Guidelines and for submitting these reports to the World Heritage Committee for consideration; and,
- c) will be responsible for undertaking regular reviews of the management system(s) or management plan(s) for the outstanding universal values of each World Heritage property which they manage.

4.7 World Heritage in Danger

4.7.1 The States are responsible for reporting to the Commonwealth Minister when:

- a) an ascertained danger to a World Heritage property under their control is identified, meaning that a World Heritage property is faced with specific and proven imminent danger¹⁶;
- b) a potential danger to a World Heritage property is identified meaning that a World Heritage property is faced with major threats which could have deleterious effects on its inherent characteristics.

4.7.2 The States will collaborate with the Commonwealth and the World Heritage Committee to identify and implement a program of corrective measures.

¹⁶ *Operational Guidelines for the Implementation of the World Heritage Convention*

5. THE ENVIRONMENT PROTECTION AND HERITAGE COUNCIL

- 5.1 The Parties recognise that the Environment Protection and Heritage Council (EPHC), or its successor, is the national body responsible for decisions relating to World Heritage, as agreed by the Council of Australian Governments in April 2007.
- 5.2 The EPHC's World Heritage roles and responsibilities include:
- to develop policies and strategies for national approaches to the management of Australia's World Heritage;
 - to monitor, evaluate, audit and provide advice on the outcomes of these approaches;
 - to develop agreed approaches to emerging international World Heritage issues;
 - to establish national consultative mechanisms to ensure efficient and effective engagement with stakeholders, including Indigenous communities, through the establishment of the Australian World Heritage Advisory Committee;
 - to appoint the members and Chair of the Australian World Heritage Advisory Committee (see Schedule 1);
 - to consider advice from the Australian World Heritage Advisory Committee (see Schedule 1); and
 - any other World Heritage-related activity it considers appropriate from time to time.
- 5.3 Decisions which involve a specific World Heritage property will be dealt with bilaterally by the relevant State and Commonwealth Minister.

6. THE AUSTRALIAN WORLD HERITAGE MANAGEMENT PRINCIPLES

- 6.1 The objectives of management arrangements for Australia's World Heritage properties are to identify, protect, conserve, present, and transmit to future generations Australia's cultural and natural heritage of outstanding universal value, in accordance with Australia's obligations under the World Heritage Convention.

- 6.2 Jurisdictions with responsibility for managing a World Heritage property must have a World Heritage management system or management plan in place. This system or plan must ensure that the integrity and authenticity of the property at the time of inscription are maintained or enhanced.
- 6.3 The World Heritage management system or management plan may vary according to cultural and other jurisdictional and cross-jurisdictional factors. An effective World Heritage management system or management plan will:
- identify the outstanding universal value and potential threats to the property;
 - document the legal, scientific, technical, administrative, and financial and visitor strategies which will be adopted and implemented to protect, conserve, and present the property for current and future generations;
 - be developed in the context of legislative and policy instruments and the social and economic value of the property;
 - identify the community, stakeholders and other partners, including Traditional Custodians, and how they will participate in property management and decision-making;
 - document what research is required to better understand the values and threats to the property and the effectiveness of management actions;
 - use a risk management approach to prioritise strategies within the management system or management plan;
 - develop an implementation plan and allocate resources in accordance with the identified strategic priorities;
 - assist in building knowledge and capacity within both staff and community members to implement the management system or plan;
 - document a cycle of planning, review, monitoring, evaluation and reporting of the management system or plan;
 - in the case of a cross-jurisdictional or serial nomination, provide details of any mechanisms for co-ordinated management; and
 - assess the impact of proposed strategies on the outstanding universal value to ensure the strategies are acceptable and sustainable.

7. AUSTRALIAN WORLD HERITAGE FUNDING PRINCIPLES

- 7.1 The principles for funding Australia's World Heritage properties are focused on achieving outcomes which relate specifically to Australia meeting its World Heritage obligations to identify, protect, conserve, present and transmit to future generations the cultural and natural heritage of outstanding universal value. Subject to budgetary appropriation, the Commonwealth and the States will aim to provide and, where possible, improve long-term World Heritage funding.
- 7.2 The funding principles apply regardless of the level of funding available from the Commonwealth, States or other sources. The intention of the funding principles is to ensure funding is directed to areas of priority and, as such, would apply independently of the total funding available.
- 7.3 Regardless of the source or level, funding will be provided for those priority World Heritage activities or projects which:
- identify outstanding universal value;
 - improve the conservation, protection and management of Australia's World Heritage properties, including monitoring and reporting on the status of outstanding universal value;
 - involve the preparation of World Heritage management systems or management plans which meets world's best-practice;
 - improve the resilience of World Heritage properties to existing and potential threats;
 - establish and maintain appropriate arrangements for the involvement of Traditional Custodians, the broader community and other key stakeholders in planning and management of World Heritage properties;
 - present outstanding universal value to enable community and visitor understanding, appreciation and enjoyment of World Heritage properties; and
 - assist World Heritage properties to generate income, become more financially self-sufficient and be able to ensure transmission to future generations in as good as or better condition than at present.

8. USE OF THE WORLD HERITAGE EMBLEM

- 8.1 The Commonwealth and the States agree to make use of the World Heritage Emblem in accordance with the Operational Guidelines.

9. TERM OF THIS AGREEMENT

- 9.1 The arrangements and principles set out in this Agreement continue to apply notwithstanding any future changes to the number of Australia's World Heritage properties.
- 9.2 This Agreement will be subject to a periodic review and may be varied by mutual agreement in writing, signed by all parties.

10. INTERPRETATION

- 10.1 Unless the contrary intention appears, terms within this Agreement have the same meaning as the World Heritage Convention and the accompanying Operational Guidelines.
- 10.2 'The Agreement' means the Australian World Heritage Intergovernmental Agreement.
- 10.3 'Commonwealth' means the Commonwealth of Australia.
- 10.4 The World Heritage Convention means the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Convention Concerning the Protection of the World Cultural and Natural Heritage.
- 10.5 'State' means the States of New South Wales, Victoria, Queensland, South Australia, Tasmania and Western Australia and the Australian Capital Territory and Northern Territory.
- 10.6 'State Party' means the country which has agreed to adhere to the World Heritage Convention. For the purposes of this Agreement this is Australia.
- 10.7 'Parties to the Agreement' means the Commonwealth, States and Territories which have signed the Agreement.
- 10.8 'The Operational Guidelines' means the UNESCO Operational Guidelines for the Implementation of the World Heritage Convention.

10.9 ‘Outstanding universal value’ means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. To be deemed of outstanding universal value, a property must also meet the conditions of integrity and/or authenticity and must have an adequate protection and management system, or management plan, to ensure its safekeeping¹⁷.

10.10 ‘Advisory committee’ or ‘board’ means a property-specific World Heritage advisory committee, or where there is none, a board of management, where the Chair and, where applicable, members are jointly appointed by the Commonwealth and State governments.

SIGNED BY:

.....
The Hon. Peter Garrett AM MP

Minister for the Environment, Heritage and the Arts
 (Commonwealth)

.....
The Hon. John Robertson MP

Minister for Climate Change and the Environment
 (New South Wales)

.....
The Hon. Justin Maddin MLC

Minister for Planning (Victoria)

.....
The Hon. Kate Jones MP

Minister for Minister for Climate Change
 and Sustainability (Queensland)

.....
The Hon. Donna Faragher JP MLC

Minister for Environment; Youth (Western Australia)

.....
The Hon. Jay Weatherill MP

Minister for Environment and Conservation
 (South Australia)

.....
The Hon. Michelle O’Byrne MP

Minister for Primary Industries, Parks, Water
 and Environment (Tasmania)

.....
The Hon. Karl Hampton MLA

Minister for Natural Resources, Environment
 and Heritage (Northern Territory)

.....
Mr Simon Corbell MLA

Attorney General
 Minister for Police and Emergency Services
 (Australian Capital Territory)

¹⁷ *Operational Guidelines for the Implementation of the World Heritage Convention*



SCHEDULE 1

Joint Commonwealth-State appointment of the Chair and, where appropriate, members of property-specific World Heritage advisory committees

(Clauses 3.5 and 4.1e) of this agreement) apply to the following World Heritage properties:

Australian Fossil Mammal Site (Riversleigh)

Australian Fossil Mammal Site (Naracoorte)

Greater Blue Mountains

Gondwana Rainforests of Australia

Fraser Island

Shark Bay

Willandra Lakes

Tasmanian Wilderness

Purnululu

SCHEDULE 2

AUSTRALIAN WORLD HERITAGE ADVISORY COMMITTEE

At its April 2008 meeting, the Environment Protection and Heritage Council (EPHC) agreed that a new national-level World Heritage advisory body, to be referred to as the Australian World Heritage Advisory Committee (AWHAC), be established (Decision No. 267). AWHAC will meet and provide advice to EPHC annually on World Heritage issues of a national and cross-cutting nature, rather than those of a site-specific or day-to-day nature.

Terms of Reference

The AWHAC terms of reference outlined below will contribute to Australia meeting its World Heritage Convention obligations.

AWHAC's functions are to:

- i) advise EPHC through the EPH Standing Committee, on policies and programs which benefit World Heritage properties in areas of common interest and on national or cross-cutting issues;
- ii) advise on research, monitoring and other information requirements for World Heritage properties;
- iii) identify and consider matters that require agreement or a common approach between multiple jurisdictions;
- iv) facilitate the sharing of knowledge and experience in the development and implementation of World Heritage property management and the development of planning instruments among World Heritage properties;
- v) identify priorities and provide advice in relation to the management of the World Heritage properties;
- vi) advise on the promotion of Australia's World Heritage at the local, national and international levels;
- vii) report annually to EPHC, through the EPH Standing Committee, on AWHAC activities; and
- viii) provide an Indigenous perspective on management of World Heritage properties.

Membership of AWHAC

AWHAC will comprise one representative (an advisory committee Chair) from each World Heritage property. Where there is more than one advisory committee per property those committee Chairs will determine the most appropriate AWHAC representative.

To ensure that AWHAC includes a representative from each jurisdiction with a World Heritage property it may be necessary to have more than one representative for a property that covers more than one jurisdiction (eg Australian Fossil Mammal Sites Riversleigh (Qld) and Naracoorte (SA)).

AHWAC will also include two representatives from the Australian World Heritage Indigenous Network (AWHIN) (preferably one male and one female). They will provide direct and ongoing advice to EPHC on Indigenous perspectives of management of Australia's World Heritage properties, including engagement in policy, planning, programs and operational procedures (regardless of whether the properties are listed for Indigenous cultural values).

In cases where a property does not have an advisory committee, the managing agency will nominate an appropriate representative to represent the World Heritage property. Properties which do not have an advisory committee shall not be required to establish one.

Where an AWHAC member is not able to attend the annual meeting, they may nominate an alternative representative who shall be a member of the same property-specific World Heritage advisory committee. Similarly, AWHIN may nominate an alternative representative(s) on an occasion where one, or both, AWHIN representatives cannot attend the annual meetings.

(ENDNOTES)

- 1 The Western Australian Department of Environment and Conservation has responsibilities for the management of weeds, feral animals and fire preparedness on unallocated Crown land under the *Conservation and Land Management Act 1984*.
- 2 Management responsibility for the proposed conservation and recreation areas may be transferred to the Department of Environment and Conservation, pending negotiations with pastoral leaseholders.
- 3 Cape Range National Park Management Plan (in preparation). Cape Range National Park Draft Management Plan (2005).
- 4 Strategen Environmental Consultants Pty Ltd. 2008. Review of Ningaloo Coast Management Plans against national and international requirements for the protection of potential World and National Heritage values. Leederville, Western Australia.
- 5 Antarctic Climate and Ecosystems Cooperative Research Centre 2008. Position analysis: climate change, sea-level rise and extreme events: impacts and adaptation issues. Antarctic Climate & Ecosystems Cooperative Research Centre, p.11.
- 6 Charitha Pattiaratchi, Ryan Lowe, Soheila Taebi, Greg Ivey and Graham Symonds, *Characterisation and modelling of oceanographic processes at Ningaloo Reef*.



Ningaloo Coast

» FROM REEF TO RANGE



