

1994

MR ROBINSON & HEDDERWICKS

**THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA**

**HOUSE OF REPRESENTATIVES**

**WET TROPICS OF QUEENSLAND WORLD HERITAGE AREA  
CONSERVATION BILL 1994**

**EXPLANATORY MEMORANDUM**

(Circulated by authority of the Minister for the Environment, Sport and  
Territories, The Hon Ros Kelly, MP)

THIS MEMORANDUM TAKES ACCOUNT OF AMENDMENTS MADE BY  
THE SENATE TO THE BILL AS INTRODUCED.



# **WET TROPICS OF QUEENSLAND WORLD HERITAGE AREA CONSERVATION BILL 1994**

## **GENERAL OUTLINE**

The purpose of this Bill is to bring into effect permanent management arrangements, which are set out in the Agreement made between the Commonwealth and Queensland on 16 November 1990, and are incorporated into the *Wet Tropics World Heritage Protection and Management Act 1993* (Qld) as Schedule 1. The arrangements implement the Commonwealth's international obligations for the protection of the Wet Tropics of Queensland World Heritage Property under the *Convention for the Protection of the World Cultural and Natural Heritage* (the World Heritage Convention).

## **FINANCIAL IMPACT STATEMENT**

The Bill has no financial implications.

## NOTES ON CLAUSES

### **Preamble -**

The Preamble to the *Wet Tropics of Queensland World Heritage Area Conservation Bill 1994* acknowledges the importance of the area as part of the cultural landscape of the Rainforest Aboriginal people. It also acknowledges that Aboriginal people have had a presence and association with land in the region since time immemorial. Accordingly, in recognition of the role of Aboriginal people in the region it proposes that Parliament give Aboriginal people a role in its management.

### **Clause 1 - Short Title**

1. This clause provides for the Act to be cited as the *Wet Tropics of Queensland World Heritage Area Conservation Act 1994*.

### **Clause 2 - Commencement**

2. This clause provides that the Act shall come into operation on the day it receives the Royal Assent.

### **Clause 3 - Object of the Act**

3. This clause makes clear the object of the Act is to give effect to the Agreement between the Commonwealth and Queensland on the conservation of the Wet Tropics of Queensland World Heritage Area.

### **Clause 4 - Definitions**

4. This clause provides that the definition of "Authority" is consistent with that in the Queensland Act and defines "Queensland Act" as being the *Wet Tropics World Heritage Protection and Management Act 1993*.

### **Clause 5 - Nomination of members of the board of the Wet Tropics Management Authority**

5. This clause permits the Minister to nominate two persons to be appointed to the Board of Directors of the Authority in accordance with section 14 (b) of the Queensland Act.

### **Clause 6 - Aboriginal representation on the Authority**

6. This clause requires the Minister to include among the two nominations to the Authority referred to in Clause 5 at least one Aboriginal representative

with appropriate knowledge and experience in the protection of cultural and natural heritage.

#### **Clause 7- Secondment of staff to Authority**

7. This clause permits the Minister to make arrangements for the services of officers and employees of the Australian Public Service and staff of Commonwealth authorities to be made available to the Authority. This provision is complementary to section 32 of the Queensland Act.

#### **Clause 8 - Aboriginal representation on advisory committees**

8. This clause requires the Minister, when any advisory committee is being established by the Authority under the Queensland Act, to use her or his best endeavours to have the Authority include among the members of that committee Aboriginal representatives with appropriate knowledge and experience in matters related to the conservation of World Heritage values of the Wet Tropics.

#### **Clause 9 - Operation of World Heritage Properties Conservation Act**

9. This clause provides that nothing in the Act is intended to affect the operation of the *World Heritage Properties Conservation Act 1983*. The purpose of this provision is to ensure that the Minister's responsibilities under that Act are not abrogated.

#### **Clause 10- Tabling of annual report of Authority**

10. Subclause 10(1) defines "annual report" in terms of section 63 of the Queensland Act which requires the Authority to provide the Minister and the Commonwealth with a report on the administration of the Queensland Act, financial statements for the year and the state of the Wet Tropics Area within three months of the end of each financial year.

Subclause 10(2) provides that the Minister must table the annual report in each House of the Parliament within 15 sitting days of that House after the report has been received.