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9 September 1992

Mr John Corkill Sydney Area Co-ordinator North East Forest Alliance New South Wales Environment Centre 39 George Street THE ROCKS NSW 2000

Dear Mr Corkill

# NOMINATIONS TO THE REGISTER OF THE NATIONAL ESTATE NORTH WASHPOOL AND CHAELUNDI STATE FORESTS IN NEW SOUTH WALES

Thank you for your letter of 6 July 1992 regarding the assessment of nominated areas in northern New South Wales for inclusion in the Register of the National Estate. I apologise for the delay in replying. I write also as a followup to a meeting on 8/9/92 with Dailan Pugh and others in Canberra concerning the north-east and north-coast forest areas.

The Commission has 55 outstanding natural nominations for places in north-eastern New South Wales. I have included a print-out which lists these places and their current status. A list which defines status numbers is also included for reference.

Many of the 55 nominations are for Big Scrub remnants. These nominations are currently being assessed and should be considered soon at a Commission meeting. Nominations for coastal areas are also being assessed as part of a review of coastal nominations in New South Wales and Queensland.

The Commission decided at its meeting in June to include the North Washpool Wilderness Area on the Interim List. It is scheduled for the next gazettal, which will be published on 17 November 1992. A copy of the database information and assessment table for this area and the Washpool National Park is attached.

The Chaelundi nomination is well documented and substantiated, but it has not yet been subject to Commission's assessment procedures. To date the Commission has not assessed this and other forest nominations in the region both because of the need to have a regional framework for the assessment of many national estate values, and because it lacks the resources to extend its regional assessment work beyond the projects already in train in WA and East Gippsland and proposed in Tasmania. The East Gippsland area was given priority following an approach by the Victorian government in late 1990 to carry out regional assessment work there as a co-operative project, while Tasmania has been a priority in the context of Commonwealth-state discussions about resource security.

As I discussed with Dailan, although the Commission is unable at present to carry out a national estate regional assessment of north-eastern NSW, and will not be able to do so in the immediate future, it encourages the collection of data which will assist such an analysis. The NSW NPWS is currently carrying out relevant work with funding assistance from the National Estate Grants Program; Commission officers have had discussions with NPWS officers concerning this and other work they are doing for their GIS. For your information I enclose a list of those types of attributes which are relevant to a regional assessment of national estate values, and which could be included as data layers in a GIS.

With respect to the final three questions raised in your letter of 6 July, I would make the following points:

• When assessing values of a nominated area the Commission does not confine its assessment to the nominated boundaries. The values of the surrounding areas are also considered if relevant information is available and, if appropriate, the boundaries amended during the assessment process to include all elements of national estate significance. For other nominations the nominated boundary may be reduced because part of the area has been degraded or found not to have significant values. During the regional assessment process all areas within a given region are assessed for their national estate values, using the attributes outlined in the attached document (where sufficient data is available), and areas of significance determined by aggregating all areas significant for individual attributes. These are then compared with nominated areas.

• The Commission has no fixed time frame for the assessment of nominations. The timing of assessment and listing can be dependent on many factors including staff resources, the number of outstanding nomination, known threats, level of available information and the likelihood of a future regional or thematic assessment.

• Threats to the significance of a place is certainly one of the factors that the Commission considers when setting its priorities for assessment. However, the Commission is balancing this priority with a greater emphasis on moving from the assessment of places in isolation to assessing places regionally and

2

thematically. It must also consider the framework required to make decisions about the significance of such places.

Finally, as I mentioned at the meeting on 8/9/92, the Commission will shortly be sending you a copy of the draft priorities for the 1993/94 National Estate Grants Program in NSW and would welcome your comments.

I hope this letter has clarified the concerns you expressed in your letter. Thank you for your interest in the Commission's assessment procedures.

Yours sincerely

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Dr Rosemary Purdie Deputy Executive Director

# AUSTRALIAN, HERITAGE COMMISSION

# **REVIEW OF THE REGIONAL ASSESSMENT PROGRAM**

# BACKGROUND

The Regional Assessment program (RAP) is the principle initiative, funded by Government for the three year period 1992-3 to 1994-5 to identify National Estate values in major forest areas of Australia.

Regional assessment is a necessary foundation to the achievement of the forest conservation objectives in the National Forest Policy Strategy and the approach to the national estate assessment under the IGAE.

This evaluation is to review the current program and help determine the direction and extent of any continuation of the program beyond 1994-95.

# PURPOSE OF THE REVIEW

It is intended to undertake an evaluation of the Regional Assessment Program as part of the DEST Portfolio Evaluation Plan 1994-96.

The review will involve an assessment of:

- the objectives, role, efficiency and effectiveness of the Commission's operation of the Regional Assessment Program; and
- recommend on the direction and extent of any continuation of the program beyond 1994-95.

# STRUCTURE OF THE REVIEW

The review will be undertaken in two stages:

- Stage I an independent assessment of the role and effectiveness of the Regional Assessment Program; and
- Stage II an evaluation of the efficiency of the RAP.

State I is to commence immediately and be completed by end April 1994. Stage II will be undertaken in the second half of 1994.

### **TERMS OF REFERENCE - STAGE 1**

The review will include an evaluation of the following points.

- Evaluate the processes and outputs of the Regional Assessment Program in Western Australian and Victoria - addressing the following issues:
  - did the Regional Assessment strategy meet the stated aims of the AHC in implementing it that is maximum identification and conservation of the National Estate and education about it?
  - did the assessment process meet the requirements of the AHC Act?
  - was the quality of the output comparable to similar previous assessment and conservation work by the Commission?

how effective was the natural and cultural research methodology used - did it identify National Estate values effectively and in accordance with the best methodology and technical data available?

- what was the role and effectiveness of local community and key stakeholder involvement and participation?
- Evaluate the outcomes of the Regional Assessment Program in particular whether:
  - . the National Estate was identified effectively
  - . conservation advice given without prejudice
  - . the community was effectively involved
    - the Regional Assessment Program has contributed effectively to the wider Commonwealth environment and heritage aims, such as the National Forest Policy Strategy and the development of the National Reserve System and the development of comprehensive regional assessment.

Noting that in evaluating such outcomes account needs to be taken of the constraints that apply.

On the basis of the evaluation the review would recommend on possible changes to the role, objectives or operation of the RAP.

# STAGE 1 REVIEW MANAGEMENT STRATEGY

## AHC Management Team

The Management Team will be chaired by Commissioner Glenn, with support from Sharon Sullivan and Anne-Marie Delahunt. Annette Bleys will be the Commission action officer. The Management Team will report to the Commission, which will have final oversight of the review.

## Advisory Group

An advisory group, representing the key stakeholder groups having an interest in the RAP will also be established. The purpose of the group is to canvass a broad range of views about the effectiveness of the RAP, and to involve key stakeholder groups in the evaluation process.

The major stakeholder groups have been identified as:

- conservationists (2 reps);
- industry organisations (1 rep)
- landowners/users groups (1 rep)
- State government resource agencies (1 rep)
- State government environment & conservation agencies (1 rep)
- Federal government environment & conservation agencies (1 rep)
- Federal government resource agencies (1 rep).

#### Independent consultants

The independent consultants will be required to undertake Stage 1 of the review, under the direction of the Management Team.

## Proposed consultancies

It is proposed that a number of consultants be engaged to undertake discrete parts of the Regional Assessment program evaluation review. These parts are:

- a strategic assessment of the program, its outputs, outcomes and processes;
- a technical assessment of the methodologies used in the identification and assessment of natural environment places;

- a technical assessment of the methodologies used in the identification and assessment of cultural environment places; and,
- an assessment of the community participation program its objectives, methods and outcomes - including a specific assessment of the views and opinions of the conservation movement about the program.

It is envisaged that the consultants will have:

- an understanding of government policies and processes, especially those relating to forests and forestry;
- the ability to assess the merits of the scientific and technical methods used in regional assessment; and
- a knowledge of the Commission's key stakeholder groups, especially the conservation movement.

# Timing

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It is envisaged that Stage 1 will be completed by end April 1994.

## 1. CONSULTANTS BRIEF

#### Assessment of Strategic Direction

The terms of reference for this consultancy would include:

evaluate the program against the requirements of the AHC Act - specifically identification, conservation and education

- has the National Estate been vigorously identified
- has conservation advice been provided fearlessly
- has the conservation of the National Estate been advanced
- is the community better educated about the National Estate
- evaluate the regional assessment strategy objectives, achievements and constraints

evaluate the role and effectiveness of the community participation program

evaluate the co-operative approach with State agencies - including the use of Agreements

- has the Commission's independance been compromised through its work with State agencies
- have the Agreements constrained the Commission's ability to identify the National Estate in the future
- have the Agreements constrained the Commission's ability to provide fearless conservation advice

role of the RAP in wider environmental and heritage policy such as NFPS, - NRS, CRA. For instance how does the RAP fit within the NFPS framework?

On the basis of the evaluation the review would recommend on possible changes to the role, objectives or operation of the RAP.

## 2. CONSULTANTS BRIEF

#### Research Methods and Analysis - Natural Environment

The purpose of the consultancy is to assess whether the regional assessment methodology used to identify and protect the National Estate natural values is:

- . effective and efficient
- . consistent with best conservation practice

The consultant would be required to address the following questions:

- did the research methodology undertaken to identify National Estate values accord with the best methodology and technical data available?
- does the research methodologies identify all National Estate without compromise?
- is the protection advice given in WA and proposed for Victoria reasonable the best in terms of current conservation practice?
  - was the output comparable to similar previous assessment and conservation work by the Commission?

#### Involve:

- assessment of project methodologies used in the WA and Victorian projects
- assessment of the analyses resulting from the projects
- an assessment of the protection advice given or proposed for each of the projects
  - an evaluation of the reserved/unreserved analysis
- comparison with previous forest nominations (eg Yowaka and older Tas sites)
- an assessment of the RAP methodologies/analyses with the findings of technical work shops - and any relevant discussion with key figures in the field of conservation and identification

## 3. CONSULTANTS BRIEF

#### Research Methods and Analysis - Cultural Environment

The purpose of the consultancy is to assess whether the regional assessment methodology used to identify and protect the National Estate cultural values is:

- effective and efficient
- consistent with best conservation practice

The consultant would be required to address the following questions:

- did the research methodology undertaken to identify National Estate cultural values accord with the best methodology and technical data available?
- does the research methodologies identify all National Estate without compromise?
- is the protection advice proposed for Victoria reasonable the best in terms of current conservation practice?
- . was the output comparable to similar previous assessment and conservation work by the Commission?

## Involve:

- . assessment of project methodologies used in the Victorian projects
- . assessment of the analyses resulting from the projects
- . an assessment of the protection advice given or proposed for each of the projects
- . an evaluation of the reserved/unreserved analysis
- comparison with previous forest nominations
- . an assessment of the RAP methodologies/analyses with the findings of technical work shops and any relevant discussion with key figures in the field of conservation and identification

## 4. CONSULTANT'S BRIEF

## Assessment of the Community Participation Program

The purpose of the consultancy is to assess the regional assessment community participation program - its objectives, methods and outcomes.

A key aspect of this consultancy will be an assessment of the views and opinions of the conservation movement about the program.

The consultant would be required to:

- evaluate the role and effectiveness of the community consultation program, in particular the effectiveness and appropriateness of the program in:
  - involving the community and key stakeholders in the identification of the National Estate and regional assessment process
  - informing the community and key stakeholders about the National Estate and specifically about the aims and strategies of the regional approach
- advise on future directions for the community participation program

# Involve:

- . an evaluation of the community participation processes developed in WA and used in the Victorian Projects
- . an assessment of key stakeholder and community involvement
- . an evaluation of the current position of the conservation movement towards the program
- . a comparison of community involvement in previous forest nominations
- an assessment of the program against current approaches to community participation



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#### Dest Mr Tuddst-

Thank you for your latter of 5 September 1393 to the Minister for the Invitonment. Sport and Perritories concerning the World Meritage nomination of the finitorests of Porth-casterd New Southy Values. Mrs Kelly his taked math respond on her behalf. I apploate for the delay in color so.

As you are sware, the World Doritage Bureau, at its meeting in June 1993 made a number of renormandations in relation to " Australians nonlination of the Control Bastero Rainforests based on an 1000 evaluation of the property, and response to response to those recommendations by 21 October 1993. As it was not possible to conclude the peressary consultations between the conclude the peressary consultations by the 21 October constitutes and the States on these matters by the 21 October constitutes where the World Here are Control to defer consideration of the World Here are control of the consideration of the World Here are considered to defer consideration of the States of the World Here are considered to defer consideration of the sector of the World

In the interim, the commenwealth, New South Wales and Queensland Governments will be addressing the Surent's recommendations with a view to finalising a response by mid 1994.

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in relation to bet onal Estate matters in this area. I an advised by the Australian Beritage Completion (ABC) that it considers that the forest areas in the month east region of New South Wales and under-represented in the Register of the New South Wales and under-represented in the Register of the New South Wales and under-represented in the Register of the New South Wales and under-represented in the Register of the New South Wales and under-represented in the Register of the New South Wales and under-represented in the Register of the New South Wales and under a there are large areas of forest in the south east, with a wide range, of natural and cultural values, the Commission's view to that a regional assersment of Netional Estate values would be appropriate for this after the cumptise for a field response with the relevant frute covernment bodies.

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## The Premier of New South Wales, the lien John Fahey MP, has recently written to Mrs Kelly proposing a regional assessment of the Upper North-East Region of the State, which would include surveys of the values of the north-east forests. Mr Fahey's proposal is currently being considered by the Commonwealth Government.

## Yours sincerely

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Alison McCusker Assistant Secretary World Heritage

23 December 1993

public part in Reg Assout 'CRA' guidelines need public comment res. solectra criticia' fed trest harvesting codes / standards world heritage nan? what funding? pub part? reference to use in NSW? by when?

#### Hon Ros Kelly MP

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The Hon Paul Xeating Mr Prime Minister Parliament House CANSERRA ACT 2600

#### My duar Prime Minister

I am writing about the implementation of the National source rolloy statutation of the writing about the implementation of the region of NSW.

As you would be aware, the NSW Government is preasing for Analigation of the restance NSW longest agreement. While prepared to support ratification of that agreement. I am concerned that appropriate recognition must also be given to the policy initiatives of the subsequent NFPS and the anactment of Commonwealth endingered species legislation. The formalisation of assurances given in 1990, without a mechanism to implement the latter obligations, will severely limit their effective implementation in the region, in latter obligations, will severely limit their effective implementation in the region, in eddition to continuing the degradation of the values insociated with a number of other Commonwealth environmental obligations.

I suggest there needs to be a transparent and sequential process concentury implementation of the MPFS associated with commitment to the 1990 agreement resched with NSW. This proposition is consistent with the purferred approach (Opnon 1) outlined in your Department's brief to The Hon Michael Lee MP, Minister for Resources, myself and your other on this matter.

Mr Lee does not currently share my view regarding a future schangy in Commonwealth involvement in the region. The Minister has indicated that re-opening the Audamentals of resource allocation and reserve boundaries would cause industry incertainty and that he wishes to finalise the 1950 agreement as seen as possible. While uncertainty and that he wishes to finalise the 1950 agreement as seen as possible. While incertainty and that he wishes to finalise the 1950 agreement as seen as possible. While incertainty and that he wishes to finalise the 1950 agreement as seen as possible. While incertainty and that he wishes to finalise the 1950 agreement as seen as possible. While incertainty and that he wishes to finalise the 1950 agreement as seen as possible. While incurred approach in NEFS implementation, involving industry, and with a invultated approach is NEFS implementation, involving industry restructuring security is in now needed. It is worthwhile noting that the native hardwood limber industry is in now needed. It is worthwhile noting that the native hardwood limber industry is in the region due to increased regulation of the industry by NEW and that decline in the region due to increased regulation of the industry by NEW and that metricuring will need to occur. I believe this combination of circumstances offer an opportunity to ensure the implementation of the NEPS in the region.

Under the NFFS governments committed themselves to specific schore so enterve protection of forests within a comprehensive adequate and representative seterve system. To date NSW has not responded to this inliketive, particularly the commitment to survey forests for their old growth and wilderness values. Consequently, there continues to be considerable community concorn that governments are failing to "avoid activities that may significantly affect these areas of old growth forest or wilderness that activities that may significantly affect these areas of old growth forest or wilderness that activities that may significantly affect these areas of old growth forest or wilderness that activities that may significantly affect undertaken, these concerns will continue.

It is critical that there is an agreed Commonwealth interpretation of the interacts pending clause which provides interim protection for old growth forests and wilderness pending appropriate assessment. I note that your Department supports my interpretation of the appropriate assessment. I note that your Department supports my interpretation of the appropriate assessment. I note that your Department supports my interpretation of the appropriate assessment. I note that your Department supports my interpretation of the appropriate assessment.

The 1990 decision did not take into account many of the environment and control obligations of the Commonwealth. For example, it did not address national estate, old provide and wilderness, world heritage or endangered species. There has been no growth and wilderness, world heritage or endangered species. There has been no growth and wilderness, world heritage or endangered species. There has been a greed, all species Protection Act (ESP Act) and the Biodiversity Convention have been agreed, all species Protection Act (ESP Act) and the Biodiversity Convention have been agreed, all species protection, and the Commonwealth. Studies on the nationally endangered long-placing obligations on the Commonwealth. Studies on the nationally endangered long-placing obligations on the Commonwealth. In the region under current logging practices, confirmed that those species are at risk in the region under the ESP Act are known to Templant species and five species of vertebrates listed under the ESP Act are known to necessary for there to be additional assessment under the Environment Protection necessary for there to be additional assessment under the Environment Protection.

Signing the 1990 agreement with NSW without an accompanying control interview measures would establish a most undesirable precedent for other States and Territories concerning the level of implementation expected of them. For example, Victoria also had a 1990 agreement but it is continuing to undertake assessments. In line with NFPS had a 1990 agreement but it is continuing to undertake assessments. In line with NFPS had a 1990 agreement but it is continuing to undertake assessments in line with NFPS had a 1990 agreement but it is continuing to undertake assessments in line with NFPS had a 1990 agreement of these approaches requires at the very least a consistent approach. Sensible meatment of these approaches requires at the very least a consistent Commonwealth position regarding expectations under the NFPS.

We ought also to recognize the real possibility of legal action by groups turning incluementation of the NFPS. I have been advised that if the 1990 agreement is signed the conservation movement is proposing to take the Minister for Resources to signed the conservation movement is proposing to take the Minister for Resources to understand that their argument will be that the agreement does not take National Estate understand that their argument will be that the agreement does not take National Estate understand that their argument will be that the agreement does not take National Estate understand that their argument will be that the agreement does not take National Estate understand that their argument will be that the agreement does not take National Estate understand that their argument and second and can be seen not to have done so, ant endangered species obligations into account and can be seen not to have done so, and endangered species obligations into account and can be seen of the National Estate Minister for Resources, when granting an export licence, is required to take into account operations conducted in areas outside places listed on the Register of the National operations conducted in areas outside places listed on the Register of the National industries and Energy will not be able to provide this additional information for this industries and Energy will not be able to provide this additional information. Systematic year's export licences, so leaving Mr Lee potentially vulnetable to litigation. Systematic old growth and wildernast surveys are required if the Anstralian Hantage Continuesian to to be able to provide adequate sovice within a regional context to mable the Minister for Resources to adequately fulfil his obligations under the AHC Act. If is also possible that should Harris-Datshowa's licence be renewed without additional conditions that that should Harris-Datshowa's licence be renewed without additional conditions that that should Harris-Datshowa's licence be renewed without additional conditions that address identified National Estate values, the AHC will be obliged to consider delisting of Coolungubra and Yowake national estate areas (two of the three listed places in the region) as the National Estate values of those places will have been so degraded that they do not meet the requirements of the Act.

It is my view that the imposition of additional conditions on all exponentiates would provide an appropriate mechanism for implementing the NFPS and other Commonwealth anvironment and conservation obligations. This would involve Commonwealth anvironment and conservation obligations. This would involve incorporating the NFPS old-growth interatorium clause, national estate and incorporating the NFPS old-growth interatorium clause, national estate and incorporating the NFPS old-growth interatorium clause.

I hope that you will be able to give your support to the approaches outlined above. Specifically, I would propose that a meeting be arranged between yourself. Mr Lee and myself in order to resolve this issue and that a joint Cabinet Submission, between myself and the Minister for Resources be developed to confirm the Commonwealth's myself and the Minister for Resources be developed to confirm the basis upon which commitment to the implementation of the NFPB and determine the basis upon which the Commonwealth might proceed with retification of the 1990 Agreement.

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Yours sincerely

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ROS KELLY

indimumental Conditions to be attached to the export of unprocessed wood

Addition of Standard Condition regarding NFPS old growth forests and wildernass more torium pending assessments

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Until assessments of forests for conservation values, including old growth and wilderness values are completed, the exporter shall avoid activities that may significantly affect those areas of old growth forest and wilderness that are likely to home block conservation value".

## Conferencest of Standard Condition regarding endangered species:

The coporter shall ensure that any of its logging operations under this idente control breaten with estimation, or significantly impade the recovery of, a species or ecological community listed under Schedule 1 and 2 of the Communwealth Endangered Spacies Diotection Act 1992. The exporter shall ensure that logging operations for the purpose of export woodchips of silvicultural thinnings must only occur in accordance with advice from the Australian Nature Conservation Agency (ANCA) concerning indangered species listed on the Schedules of the Endangered Species Protection Act 1992. The export woodchips must not occur until a survey of species has been purpose of export woodchips must not occur until a survey of species has been purpose of export woodchips must not occur until a survey of species has been completed to the satisfaction of the Australian Nature Conservation Agency. Where it is possible that operations will threaten with extinction or significantly impede the purpose of export species or ecological communities the exponent shall, in conjunction with ANCA and the relevant State agencies, prepare a recovery plan in accordance with the Endangered Species Protection Act 1992 for the species or ecological community concerned".

Addison to percend Standard Condition regarding National Letater

The exporter shall adequately take into account advice from the Australian Heritage Commission regarding the protection of National Estato values in areas where logging a suproved".

dition of Standard Condition regarding anvironment protection

The exporter shall ensure that all forest management practices are consistent with the frait nationwide baseline environmental standards (VSES) developed by ANZECC/APC and that these practices are reviewed and updated when the NBES are in alized".

Addition of standard conditions regarding steep country harvesting

The emporier will some that woodchips shall not be sourced from

forests on land greater than 20% (1) degrees) slope on highly erodable soils forests on land greater than 35% (19 degrees) slope on moderately erodable soils. forests on land greater than 50% (26 degrees) slope on low erodable soils.

The exporter shall ensure that no operation occur in moderate, or high to excreme and slide risk areas or streas subject to flash flooding."