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## **Inquiry into the Register of Environmental Organisations**

### **Introduction**

**Daintree Rainforest Foundation Ltd** was established on 22 June 2012 as a not-for-profit organization to accept donations and to apply for grants that will contribute to the conservation of the land and support educational interpretation delivered to participants.

Daintree Rainforest Foundation has been established to achieve the perfect synthesis between ethical travel and conservation of one of the world's invaluable natural treasures in Daintree Rainforest.

Lot 52 SR 537 Cooper Creek, Cape Tribulation Road is situated on Cooper Creek in the heart of the Daintree - Cape Tribulation section of the Wet Tropics World Heritage Area. It is positioned directly below Thornton Peak and is acknowledged as a natural refuge of rare, primitive and endemic species. It is in the heart of the world's oldest rainforest – the Daintree.

Through a Conservation Agreement with the Queensland Minister for Environment, the land is protected as Daintree Rainforest Nature Refuge, under the Nature Conservation Act 1992. With its World Heritage status, this freehold Nature Refuge is one of the best-protected portions of land in Australia. It is a registered member of Wildlife Land Trust, Australia under Humane Society International.

The inclusion of freehold land in the World Heritage Area has been very successful. It has shown that land can be better and more cost-effectively managed than government land. It does not require the initial outlay by government. World Heritage initiated a cultural change from farming and primary production to conservation through ecotourism. It has value added to the protected area estate at minimal costs. It has created land managers that are better informed about the environment through their habitation and more committed to its conservation through ownership.

We question the validity of a conservation regime that has removed humankind from its inherent custodial obligation to the environment. We have achieved a conservation outcome that conforms to Chutes Montmorency Declaration.

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The Terms of Reference need to be expanded to address the following issues:

1. Include within the definition Environmental Foundations that have been established specifically to protect and conserve Freehold World Heritage Land.
2. Recognise entitlement of Freehold World Heritage Land to “Tax Deductible Recipient” status in accordance with the requirements of the Act.
3. Register Freehold World Heritage land within the Wet Tropics World Heritage Area as Protected Areas and acknowledge land usage within these Areas as having “Conservation” status with tax concessions.
4. Acknowledge that the landholders and residents of Freehold World Heritage Land are the Custodians responsible for protection and conservation of the land in accordance with World Heritage legislation.
5. Include a statement acknowledging that, “People and Communities are part of the Environment.”
6. Evaluate the cost-effectiveness of protecting and conserving Freehold World Heritage Land, compared this with Government protected Land such as National Parks.
7. Establish a Responsibility within the Department of Environment, Australia to promote and support Conservation and Protection of Freehold Land with high biological and ecological values, making it accountable to Parliament.

### **Explanations**

World Heritage listing of Australia’s Wet Tropics in December 1988 contained an ambitious element of universal conservation by crossing artificial boundaries to conserve rainforest of the highest order of biodiversity and biological significance, without regard for tenure and existing land uses.

World Heritage listing created exceptional changes. Prevented from farming or cutting down trees or extracting gravel, we, the landholders, were required to develop a commercial enterprise that would support the primary goal and provide a modest income for our family.

**Ecotourism** defined as “*responsible travel to natural areas that conserves the environment and sustains the well being of local people*” according to the Chutes Montmorency Charter which followed the Quebec Ecotourism Summit in May 2002, provided the blueprint for our future operations.

Daintree Rainforest Pty Ltd trading as Cooper Creek Wilderness has developed a sustainable ecotourism enterprise that relies on genuine ecotourism, in partnership with ethical travel, to conserve the environment and present its natural and cultural values. Our achievement is in accordance with the Chutes Montmorency Charter. It is self-sufficient and does not rely on government subsidisation.

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### **Issues to be addressed**

- 1. Conflict between State and Federal Governments**

Queensland has not recognised Freehold World Heritage Land. When Australia compulsorily inscribed freehold land into the register, it failed to delegate responsibility to the Queensland Government that would support affected landholders.

As a consequence of this oversight, Queensland Government increased our land valuation and resultant rates by 630% because the land was no longer designated primary production.

Queensland Government has not amended any of its Acts to recognise Freehold World Heritage Land. There is no mechanism available to address issues of chronic ongoing degradation and vandalism on “off-reserve” land in the World Heritage Area.

There is no overview of a precedent that has the potential to expand protected areas without any cost to the public purse and there is no evaluation of this successful pilot project that could lead the world in cost-effective conservation.

## 2. Protection through Partnerships

There is a cost to environmental management that has to be paid for by the user. Ecotourism, defined as sustainable travel that conserves the environment and promotes the well-being of local and indigenous people, provides the conservation economy.

Ecotourism had its genesis in the Rio Declaration on Environment and Development, Principle 22 which states: *Indigenous people and their communities **and other local communities** have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognise and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.*

The primary goal of Daintree Rainforest Foundation Ltd is to assist in the achievement of Australia’s international duty to protect, conserve, present, rehabilitate and transmit to future generations the Wet Tropics World Heritage values of the Land, within the meaning of the *World Heritage Convention*.

The objects of Daintree Rainforest Foundation Inc. include:

- (a) Ensure that Australia’s obligations to the Land, as defined within the meaning of article 5 of the *World Heritage Convention*, are met;
- (b) Consolidate the ecological bond between the inhabitant people of the Land (and their community) as constituent parts of the natural environment, by supporting their knowledge and traditional practices and their vital roles in environmental management and development, to ensure that the natural heritage of the Land has a cultural function in the life of this community.

- (c) Meet the requirement of the *World Heritage Convention*, Article 17, which states:

*‘the States Parties to this Convention shall consider or encourage the establishment of national public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of the Convention’;*

Despite the strength and altruism contained within the Foundation’s Constitution, our organization has been denied Tax Deductible Recipient Status. There appears to be a mind-

set within our Government Environmental Bureaucracies that clearly discriminates against the people who live in protected areas. This has been made very clear through programs such as Wet Tropics World Heritage Management Plans for the Daintree area, north of the Daintree River, where a policy of directing tourism away from the area has applied for 16 years.

### 3. Subsidisation and Unfair Trading

A flawed structure of governance has dominated decision-making for many years and requires an overhaul to conform to present-day environmentalism and sustainability.

The Commonwealth Government delegated responsibility for the management of the area to Queensland Department of Environment and Heritage. Queensland's Parks and Wildlife Service have management responsibility over the largest portion of the World Heritage Area.

Much of Queensland's Governance and Land Management is historical, established through Federation in 1901 and has not been upgraded to reflect present day ideals. It operates on systems of jargon or bureaucratese that underpins its operations. For example, "Land Managers" are not the people who live on the land and manage it. They are bureaucrats and government agents that have been designated as "land managers" by government agents, themselves. A committee of "Land Managers," may be bureaucrats from Environment and Heritage, Natural Resources, Wet Tropics Management Authority and Local Governments, who will make decisions. They are required to consult with the "stake holders" who may be the actual land managers or they may be exploiters of the land who gain financially from the decisions made by the erroneously designated "land managers."

Rules for governing decisions seem to be based on a notion of "greater public good" which has been defined in the minds of the bureaucrats into whatever suits the majority of people according to their own interpretation.

Through this distortion of land managers and public good, the real land managers, who live on the land have lost the right to protect their own lands and to conserve their own rainforest, while the greater good represented by mass tourism is given free and unrestricted access to global treasures without restriction or payment.

Worse than this, a conservation economy, which is absolutely essential for proper and genuine conservation, is taken away from the legitimate land managers, thereby preventing their conservation, protection, rehabilitation, presentation and transmission of values. Two examples of this are the Daintree Rescue Program that constructed boardwalks in direct competition with the landholders and Wet Tropics Policy of directing tourism (the suppliers of funding) away from the Daintree.

National Parks have become areas where there are no human inhabitants and where introduced pests, especially pigs can flourish. Government resources are directed into bureaucracies responsible for protected areas while other areas that are equally important parts of the environment, but not part of Queensland's Protected Area Estate, are not resourced. Meanwhile, their conservation economy has been undermined through government subsidies that compete against private landholders.

There is no monetary value put on the environment. Principles of fair trade are not applicable to "environmental agencies" even though their policies and practices are fragmenting the marketplace

and one style of tourism that supports the accommodation hubs and disadvantage the ethical self-funded local products. Governments need to be made more accountable.

## Conclusion

We totally support the decision to include private rainforest in the World Heritage Area. We understand that the inclusion of the biodiversity of flora and fauna on the eastern flank of Thornton Peak (*Wundungu*) was a significant and important addition to the criteria required to achieve the nomination.

As a unique subset of World Heritage protected land managers we are privileged inhabitants whose lives have been given function and meaning through experiencing, maintaining and presenting its exceptional biodiversity. Our increased exposure to the extraordinary interrelationships has contributed an awareness of the essential role of humankind within the landscape.

World Heritage listing of the Wet Tropics of Australia returned the people to their rightful place within the environment.

**Let this Inquiry into the Register of Environmental Organisations recognise and value conservation and protection of ecological biodiversity on all lands regardless of tenure and remove obstructions that are preventing cost-effective conservation on freehold land.**

Prue Hewett

Landowner and Manager of Daintree Rainforest Nature Refuge  
Secretary Daintree Rainforest Foundation Ltd.  
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