

Investigating Queensland's Cultural Landscapes:  
CONTESTED TERRAINS Series

Report 3:

CONTESTS AND MANAGEMENT  
ISSUES

*...in current programmes to promote sustainable development, the aim is primarily to identify ways to limit human activity so that economic and social development can proceed within the finite ecological capabilities of the planet.*

Source:

McNaghten *et al*, (1995) 'Towards a Sociology of Nature' Sociology, 29 (2), p.203.

Edited by Helen Armstrong, Danny O'Hare,  
and Jeannie Sim

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# TABLE *of* CONTENTS

---

## INTRODUCTORY

---

Danny O'Hare iv

---

## 1 CONTESTS ANALYSIS

---

Barbara Adkins 1

---

## 2 MANAGING CONTESTED TERRAINS IN QUEENSLAND : A *Case Study of the Naturelink Cableway Proposal*

---

Barbara Adkins and  
Jennifer Summerville 4

---

## 3 LEGISLATIVE FRAMEWORK

---

Tracey Avery 20

---

## 4 LOCAL GOVERNMENT PLANNING REVIEW

---

Susan Laurens 45

---

---

### List of Tables

---

TABLE 3.1 Perceived Level of Protection for Identified Areas,  
in the Douglas Shire 63

---

## INTRODUCTORY

by Danny O'Hare

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### **Managing the dynamism and diversity of contested terrains**

Heritage conservation practice in Australia has, to date, concentrated on the identification and conservation of discrete elements of the humanised environment: heritage "items", sites, buildings, and Conservation Areas. These discrete items and places can usually be defined with considerable precision, both spatially and in terms of their heritage values. The cultural significance of many of our everyday cultural landscapes, however, remains much less easily defined. The physical, socioeconomic and cultural diversity of Queensland's cultural landscapes demonstrates important aspects of the State's continuing history of development from colonial outpost to participant in a global economy. The concept of cultural landscape enables us to balance the traditional focus on discrete heritage elements with a broader concern with the diversity and dynamism of the wider human environment. The management of such 'indiscrete' cultural landscapes raises challenges for contemporary practice.

Although Queensland's existing legislative and land management framework is not clearcut in how it provides for cultural landscape management, cultural landscapes can and should be managed within the existing statutory structure. Everyday land use and resource management is, in fact, cultural landscape management. Cultural landscapes are not static, isolated relics from the past. Cultural landscapes are never "complete" and unchanging: the process of landscape making continues with the everyday priorities and decisions of those

who own, use, control, value and contest the land.

This report presents four background papers to assist in moving from cultural landscape interpretation to cultural landscape management in the Queensland context.

### **Analysis and management of contests**

The first chapter in this report, by Barbara Adkins, puts forward an argument for the value of case study methods as a credible form of cultural landscape research. This paper provides a theoretical basis for the case study landscapes presented in the next volume (Report 4). The five case studies, while not spatially 'representing' all the cultural landscapes of Queensland, have theoretical value because the contests within the case study landscapes are representative of the contestation inherent in the making of Queensland as a whole.

As an illustration of the arguments presented in chapter one, Adkins and Jennifer Summerville present a case study of the Gold Coast Naturelink cableway proposal in the chapter two. This case study of the management of contested terrains in Queensland was completed prior to the State Government's rejection of the cableway proposal in late 2000. Like the case studies in Report 4, this case provides confirmation that Queensland's cultural landscapes are indeed contested terrains. It illustrates the complex and antagonistic debates that frequently surround major decisions regarding valued cultural landscapes (cf. Fitzgerald 1984). These debates – particularly when polarised and bitter – are an important means by which the valued qualities of cultural landscapes are defined (O'Hare 1999). Much of this occurs through an ongoing myth making or story telling process, and the websites interpreted by Adkins and Summerville act as both venue and instrument for this process.

The Naturelink discourses – pro-cableway and anti-cableway – are depicted here as two

parallel monologues rather than as a dialogue. There is an "incommensurability of the discourses" as "each party does not speak directly to the other, or indeed, address its arguments". The paper suggests that there is a need to more clearly articulate environmental values in a clear conceptual framework, such as "the cultural landscape". The acknowledgment of contradictory and incommensurate discourses is germane to a "contested terrains" concept of cultural landscape. Such a concept, the authors argue, enables a meeting between discourses that are separately framed in terms of "the environment" (the anti-cableway argument) and "economic development" (the pro-cableway argument). The idea of a Gold Coast cultural landscape (see Armstrong's case study in Report 4), provides a basis for the *integration* sought by the Integrated Planning Act 1997.

### **The Legislative Framework**

In Chapter 4, Tracey Avery provides an understanding of the legislative framework and land management context. The paper sets out the legislative framework at the international, national and State levels, establishing those legal and policy documents that have a direct impact on land management in Queensland. It also explores existing and potential management techniques which offer the opportunity to address the issue of managing cultural landscapes. Several Australian and international land management plans, policies and practices are critically reviewed for their applicability to cultural landscape management in Queensland. Her review notes that understandings of "cultural landscape" differ widely in the documents reviewed. This is a problem that the *Contested Terrains* study attempts to overcome by adopting a succinct but well argued concept of cultural landscape (Report 1, Chapter 1), and showing how a diverse range of Queensland cultural landscapes (the five case studies) can be interpreted and managed.

Avery ends her review with two main conclusions. She concludes that cultural landscapes can be conserved, "if they can be defined in terms of features that can be physically managed". This raises some problems for how the myths and stories of particular cultural landscapes, such as South Brisbane and Cape York Peninsula, can be adequately recognised and addressed in conventional land management. It may be that further research will reveal that cultural landscapes need to be simultaneously managed on two levels: the legal and physical level, and the intangible and mythical level. Optimism is provided by the observation that Commonwealth and State legislation is reaching a point where the objects of acts are broad enough to encompass the concept of cultural landscape put forward in this research project.

Avery's second conclusion is that cultural landscapes in Australia are being managed, but only in so far as they have been defined and understood. She notes an emphasis on "scenic value", natural values, and discrete historical and archaeological "sites" rather than on multi-dimensional and extensive landscapes where contests are acknowledged. Again, the *Contested Terrains* study attempts to improve the deficit in understanding of cultural landscapes.

Finally, Susan Laurens' chapter extends Avery's review, connecting with the local level of land use management. Her review summarises local government documents regulating land use and development in the five case study areas: the Gold Coast, South Brisbane, the South East Regional Forest Agreement (RFA) area, the Wet Tropics, and Cape York Peninsula. The five case studies contain management proposals invoking the relevant documents reviewed in both Avery's and Laurens' papers. It should be noted that both papers were prepared in 1999, and the case studies in 1999-2000, and that statutory changes since then – particularly the finalisation and adoption of IPA compliant planning schemes – have not been able to be incorporated.

Some of the documents reviewed by Laurens are examples of how a clearer understanding of the concept of cultural landscape could assist in landscape management. For example, her critique of the *Gold Coast Urban Heritage and Character Study* (Allom Lovell Marquis-Kyle et al 1997) provides evidence of a shortage of adequate terms for explaining and managing valued qualities of the everyday human environment. In this study, and in Brisbane City Council provisions for "character housing areas" (BCC 1999) - which imply that character is only a positive and valued concept and never negatively regarded - it seems that the idea of cultural landscape may offer a more adequate concept on which to base land management. The implication of the *Gold Coast Urban Heritage and Character Study* is that "heritage" is not popularly understood to include the recent past and dynamic environments (cf Lynch 1972, Lowenthal 1985). Perhaps "character" is the term chosen when what is needed is a better understanding of "cultural landscape". At the heart of the Gold Coast cultural landscape is the *Heritage and Character Study's* point that it is "a city whose ethos has traditionally been one of change and growth" (p17). Such dynamism is much less problematic within a cultural landscape framework than within current understandings of "heritage". So in attempting to conserve and manage "character", both the Gold Coast and Brisbane City Councils are attempting to conserve and manage cultural landscapes.

Taken together, the four chapters in this report show that cultural landscapes cannot easily be managed by the discrete mechanisms of heritage conservation legislation alone. Cultural landscapes are diverse, contested and continuously being made and remade as circumstances change. Every land management decision is a cultural landscape making decision, and so cultural landscape management requires engagement in the full range of 'everyday' land management legislation and practice.

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# 1 CONTEST ANALYSIS

by Barbara Adkins

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This chapter was originally prepared as a short interim paper by the author to inform the other members of the Contested Terrains research team of research design and methods using CASE STUDIES. The addition of discussion about understanding cultural landscapes using case studies techniques was also most helpful to the team. Finally, the results of applying these ideas during the project are examined.

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## INTRODUCTION

Initially, the research team identified five case study areas representing different kinds of cultural landscapes in Queensland. These areas have been examined intensively in order to develop a more focused understanding of the properties of the landscapes and cultural meanings which characterise each case (refer Report 4 Case Studies Reports). Considerable discussion has also occurred concerning the way in which these properties can be studied for the purposes of informing the management and use of these diverse terrains. It has been suggested that an important contribution of the study could lie in the intensive evaluation of actual cases of contestation. These could be selected as examples of the way diverse interests in - and interpretations of - specific sites have been articulated in the context of a particular land use/land management issue. In order to elaborate on this research strategy and to clarify its contribution, it is first necessary to examine the case study as a research design, outlining principles of case selection and the status of findings. Some ideas currently under discussion with respect to both case selection and methods of data collection and analysis are also discussed in this chapter.

### **The contribution of case analysis: an overview**

In the case study approach, 'cases' are essentially specific systems bounded in space and time. Studies in medicine and psychology have historically employed 'case histories' where individuals were studied as cases of specific pathologies, developmental issues and so on. In this respect it was not the identity of the individual patient which was of central concern, but rather the issues of theoretical interest with which the individual presented. The central purpose of studying the case in these traditions was to increase understanding of a specific phenomenon by studying the empirical elements and their interrelations specific to the case.

In the social and cultural sciences the case study approach affords intensive study of the details of the social and cultural relationships that both comprise and produce observed patterns. The case represents a site which provides for the study of particular social or cultural phenomena. In this respect the site itself is not identified as the case but as the environment in which the researcher would find the object of study. This can be exemplified in the anthropologist's traditional focus on the village. The interest was not so much in villages *per se*. Rather, the village was seen as a site which afforded the study of the way different levels of social organisation intersect. Cases are thus selected for the opportunities they provide for the study of interrelations that are of specific theoretical interest. Cases are not statistically representative. They are theoretically representative.

Given the selection of the case on the basis of properties that are of theoretical interest, how generalisable are the findings of the case? What is its contribution to knowledge? While strictly speaking the findings are not empirically generalisable beyond the specifics of the case under study, there are frequently grounds to propose that the relationships discovered in the case study may be more generally applicable. It has been pointed out, for example, that Galileo did not need to continue to replicate the slope experiment to develop the falling body theory. If a case is well chosen then it is plausible to propose that the relationships discovered may be more generally applicable. Once formulated, the theory may then be tested by observing the relationships in a range of different settings. However, this testing only occurs following the construction of a plausible theory and the case study forms the empirical basis of this theory construction.

### **The contribution of the case study to our understanding of cultural landscapes**

It is proposed to select specific issues pertaining to particular sites as an opportunity to explore matters of theoretical

interest in relation to interpretation and contestation of the landscapes identified in the contested terrains project. For example, in recent discussions regarding Cape York Land Use with Victor Hart, it was suggested that certain issues in relation to that area could be studied in order to understand the complex processes of difference, alliance and affinity existing within the Murri population and between these interests and those of different forms of enterprise such as mining and pastoral interests. He pointed out that a study of, for example, the contestation and negotiation over the Century Zinc Pipeline, or indeed, the Cape York Land Use Agreement had the potential to illustrate the significance of cultural and historical issues within the different Murri communities and the logic of negotiation between indigenous interests, non-indigenous mining and pastoral interests, environmental interests and federal and state politics. Studying the Cape York region as a case of the interrelations between these interests would provide for an understanding of the specific stances taken on the issue as they have been articulated by the actors themselves in the context of actual negotiations. At another level it also provides for a study of the roles played by relevant statutory and administrative bodies. This example serves not so much as an argument in support of the adoption of a specific issue as a case study, but rather as an illustration of the choices available. We need to decide what aspects of the interrelations between elements in the different terrains are of special theoretical interest.

In studying these cases it is proposed that the primary data collected should take the form of documents containing descriptions and accounts of actors representing different interests in the context of ongoing discussions on specific issues. These can be analysed using Conversation Analysis, Membership Categorisation Devices, and other linguistic approaches in the analysis of participation roles in talk. These methods allow for the study of the way different parties position themselves and others in talk. This will provide reliable data on

interrelations between parties over issues of cultural significance. These ‘positionings’ could then be seen as indicative of different stances taken over these issues in the field of land use and land management. This data would be useful in the construction of theories which inform future strategies for integrating cultural values in the management of different terrains.

In relation to the study of the Cape York Land Use Agreement during the Borbidge Government in Queensland, documents such as Wilderness Society media releases, Hansard transcripts, academic analyses from the Centre for Aboriginal Economic Policy Research, information and discussion papers emanating from the Cape York Land Council, discussion papers from the National Farmers Federation and other sources could be analysed for the specific identities, alliances, relationships and classifications displayed in them. This would provide a clearer picture of the affinities and differences that had to be managed in the production of this agreement.

The application of these ideas has been carried out in the Gold Coast case study with particular reference to the Naturelink Cableway Proposal. This is discussed in chapter 2 of this report.

### **Summary**

To summarise, case study methods are an accepted form of research. The Contested Terrains project has applied a particular form of case study analysis to the nature of contests about the values attributed to landscapes. This application is described in the chapter four, where five case studies are examined.



## 2 MANAGING CONTESTED TERRAINS IN QUEENSLAND:

### *a case study of the Naturelink Cableway Proposal*

by Barbara Adkins  
and Jennifer Summerville

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Barbara Adkins and Jennifer Summerville are from School of Psychology and Counselling, Queensland University of Technology. They investigated the discourses associated with a hotly contested terrain in the Gold Coast Hinterland – the proposed cableway up to the Lamington Plateau, part of a designated World Heritage Area. These discourses revealed many approaches and arguments common to other contentious places and was valuable to the other case studies undertaken within the Contested Terrains project.

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## Managing Development: legislative and planning context

Contemporary approaches to planning point to the need for an integrated approach which takes account of economic, environmental and cultural interests; to this end, there has been an intensified interest in negotiation and "agreements" between various parties seen as representing these discrete interests. For example, the Regional Forests Agreement, The Chevron Gas Pipeline memorandum of understanding, and the Cape York Heads of Agreement have been seen in the field of Queensland politics as successful examples where a common interest has been identified between cultural, environmental and development interests.

The requirement for a flexible and integrated planning process has also been formalised in Queensland with the passing of the Integrated Planning Act (1997). The processes specified in this legislation involve analyses and assessments which must be sensitive to a broad range of understandings and perspectives on development. In advocating an integrated approach of this kind, Farina (2000) proposes the use of the concept of cultural landscapes as a means of bringing together ecological, economic and cultural factors in the management of development:

Future landscapes, whatever their scale, should be organised according to an integrated approach that brings together ecological, cultural, and economic understanding and uses landscape ecology as a key guiding discipline.....This discipline provides new paradigms and tools to study, interpret, propose, and manage landscapes with the goal of guaranteeing the functionality of ecological systems and at the same time ensuring reasonable economic development of a world that is changing its cultural, economic, and social models at an impressive rate (Farina, 2000).

However, the application of this new discipline for the purposes of informing the

management of development needs to contend with the extremely different and contradictory discourses currently employed by economic, environmental and cultural interests. This is potentially a source of difficulty in arbitrating on management issues due to the absence of a clear means of assessing the different discourses. In a recent study of the operation of the Regional Forest Agreement, for example, Lane found that RFAs have not been able to reconcile competing ideologies on forest use. Technical approaches to resource assessment were found to misunderstand the social and political context of resource issue resolution. In this respect, the findings and recommendations were not in a form that could inform management of these issues (Lane, 1999).

This tendency is problematic in the context of the management of development in Queensland following processes and principles outlined in the Integrated Planning Act (1997). As set out, the purpose of the act is to 'achieve ecological sustainability through coordinating and integrated planning, and managing the process of development and the effects of development on the environment'. In this framework, 'ecological sustainability' refers to 'a balance that integrates the protection of ecological processes, economic development and the maintenance of the well-being of people and communities'. In terms of the act, this balance must additionally be applied and adapted to the specific features of communities. Thus, 'economic development' is to be achieved by creating 'diverse, efficient, resilient and strong economies to enable *communities* to meet their needs'. The 'cultural, economic, physical and social well-being of *communities*' is achieved by 'creating well-serviced *communities* and conserving or enhancing areas and places of built and cultural heritage'. This raises the question of how the requirements pertaining to balancing perspectives and applying this balance to communities is to be managed. As suggested above, there is no guarantee that the analyses that form the basis of documents informing decision-making will

employ discourses that are consistent or helpful in negotiating the specific features of communities which form a significant part of the political and social context of contestation. The following case study of contestation over the Naturelink Cablecar proposed for the Gold Coast hinterland provides an opportunity to examine the discourses on 'development' and 'environment' as applied to a specific context of contestation. The case study thus allows for the development of questions concerning the way in which such different approaches can be 'balanced', 'integrated' and applied to 'communities' so as to inform management strategies. In this chapter, a brief outline of the case study approach is used and its contribution to knowledge is examined followed by a discussion of the methods used to analyse the data. The study then presents the analysis of the discourses employed in pro- and anti-Naturelink arguments.

### **THE NATURELINK CABLE CAR PROPOSAL AS A CASE STUDY OF DISCOURSES ON DEVELOPMENT**

#### **Background: Introduction to the Naturelink Cablecar Proposal**

The Naturelink proposal to install the 'world's largest gondola cableway' stretching over a distance of 11km from Mudgeeraba to Springbrook on the Gold Coast has become the object of intense debate. The tourism development company, Naturelink, submitted the development application to the Queensland State Government in early 1999 and since that time has been preparing the associated economic and environmental impact statements. Basing the development on the Kuranda Skyrail, Naturelink representatives claim that the construction of the cableway will have a 'neutral' impact on the environment. Furthermore, they contend that the cableway will meet an increasing demand of Gold Coast visitors for nature experiences. However, the idea of the Gold Coast hinterlands becoming a tourist attraction has been met with some

animosity, particularly from Springbrook residents and environmental groups. These groups have joined together in an attempt to abolish the project. In general they argue that despite the claims of Naturelink representatives, the impact of the cable car ride will be detrimental to the surrounding environment and the township of Springbrook.

Much of the written discourse produced in opposition to the cableway is posted on a website that contains contributions from a variety of sources including Springbrook residents and a number of environmental groups as well as letters and submissions sent to various political figures and the director of the Naturelink project. In addition to this, two public meetings have been held and a newsletter is regularly circulated to those who have registered their support. So far, Naturelink representatives have refrained from engaging in direct debate or discussion with the opponents of the project. Its website contains publicity-oriented generic information explaining what the project is, various justifications for the development and information about how particular issues will be addressed (ie: fire, Native Title, Flora and Fauna, Cultural Heritage and minimising Environmental Impact). Opponents of the project see Naturelink's apparent unwillingness to engage in debate as symptomatic of a lack of a legitimate response. However, while Naturelink representatives have avoided direct discussion, supporters of the Naturelink project have been willing to do so using the EVAG (Economically Viable Alternative Green) website which is linked to the Naturelink website. These websites have been used as the sources of data for the analysis below.

In April 2000 the engineering firm hired to conduct the environmental impact study for the project began consulting with interested members of the community. Responses to the information received during the consultations will inevitably provide the basis for contest in the future.

### The Case Study Approach

In the case study approach, 'cases' are essentially specific systems bounded in space and time. Studies in medicine and psychology have historically employed 'case histories' where individuals were studied as cases of specific pathologies, developmental issues and so on. In this respect it was not the identity of the individual patient that was of central concern, but rather the issues of theoretical interest with which the individual presented. The central purpose of studying the case in these traditions was to increase understanding of a specific phenomenon by studying the empirical elements and their interrelations specific to the case.

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### Research Design and Data Analysis

This chapter presents extracts of arguments from the websites of pro- and anti-

Naturelink groups. The specific extracts were selected as representative of the kinds of discourses employed by each group when addressing a broad audience about aspects of the development. This meant that some communications such as open letters to various public figures arguing about very specific and personalised issues were not included.

While they were selected from a small number of websites which clearly identify as supporters or opponents of the Naturelink development, it is important to note that extracts which were hearable as arguing for or against the development can come from quite different sources. The material collected as part of the pro-Naturelink data was drawn from the Naturelink website, but this also includes a summary of an economic impact statement commissioned by Naturelink though not authored by them. Other sources of pro-Naturelink discourse used in the study were Queensland Parliament Hansard, and a website called 'altgreen'. 'Altgreen' is the website name for a group known by the acronym, EVAG: Economically Viable Alternative Green, which has been an active supporter of the Naturelink proposal. Among other sources, it contains a quote from Mr Terry Jackman, Chairman of the Queensland Tourism and Travel Commission.

The opponents' website contains a collection of writings from different sources listed on the website as follows:

- Australian Conservation Foundation;
- Australian Rainforest Conservation Society;
- Kombumberri – traditional owners;
- John Williamson in Brisbane Courier Mail;
- John Williamson in Gold Coast Bulletin;
- John Williamson's open letter
- National Parks Association
- Some cartoons reflecting the future; and,
- The Wilderness Society.

In this respect, the extracts were deliberately selected from different sources within each groups' websites in order to examine the discursive features which constitute them as

a specific interest group in relation to the development. Following the logic of case selection, extracts were chosen to represent two of the discourses identified in the theory and policy literature reviewed above as in need of integration: those representing 'economic' and 'environmental' aspects of development. This provided for an examination of the way each group described issues of both 'economic' and 'environmental' impact. This means that other discourses such as those employed by the residents opposing the cablecar development were not included in this study. This discourse is also considered very important and potentially symptomatic of those employed by some sectors of 'the community'. However, at the exploratory stage of the study, it was felt to be important to prioritise analytical precision over the benefits of a broader scope, because the aim of the intensive study was to illustrate discursive contradiction and incommensurability rather than to document these in all their forms.

This data has been analysed for the purposes of capturing its rhetorical qualities, using the model of dramatism devised by Kenneth Burke (1969, 1992). This particular method was chosen because it emphasises the symbolic and cultural aspects of language use. This is helpful for the purposes of informing management strategies because it allows for a study of talk not merely in terms of its substantive focus, but also in terms of the orientations, perspectives and motives which characterise the everyday world of decision-making.

For Burke, rhetoric is defined as the

use of words by human agents to form attitudes or to induce actions in other human agents (Burke, 1969: 41).

In this respect he emphasises the importance of persuasion in language use, and the attendant understanding of language as not simply utterances from a speaker but as directed, purposefully or pre-reflectively, towards a certain reception. In order to do this, Burke argues, speakers must identify themselves with the opinions and values of

their audience. An orator wishing to persuade an audience

should not emphasise the gulf which separates their respective opinions. Instead, orators should try to slide their controversial views into categories which are familiar and well valued by the audience (Billig, 1987: 194).

In addition to emphasising the audience orientation of language, Burke's perspective provides for the study of the properties of language which produce its rhetorical orientation. A central focus in this study is the discovery of human 'motives'. In this context 'motive' does not strictly refer to an individual's underlying reason or purpose, but rather the broader sense of the movement and direction of human activity. In the Burkean sense, then, 'motive' refers to the motivating aspects of language, the movement between different elements that produce specific meanings.

The analytical means through which we identify the production of motives is the application of a 'grammar' employing a 'pentad' of five key terms: act, scene, agent, agency, purpose. The act refers to 'what happened', the scene focuses on when and where it happened, the agent is the person or thing producing the act, the agency refers to how the act was done, and the purpose identifies why it was done. For Burke, these elements and their interrelations provide for the discovery of motives:

Dramatism is a method of analysis and a corresponding critique of terminology designed to show that the most direct route to the study of human relations and human motives is via a methodological inquiry into cycles or clusters of terms and their functions. (Burke, 1992:235).

The following data analysis examines these elements and their interrelations for the purposes of identifying key properties of the pro- and anti- Naturelink discourses on the economic and environmental impact of the development.

### **THE LOGIC OF CONTEST**

The extensive level of vocal opposition to the Naturelink proposal provides an

opportunity to study how the contestants organise and appropriate two of the integrated components of 'ecological sustainable development' – environmental and economic factors – in order to support their case. The following analysis outlines how different discursive versions of economic and environmental arguments function as organising principles in the debate, providing for its continued reproduction. The first section examines the different arguments on economic impact from supporters and opponents of the cableway. Using a specific factor invoked by both sides, visitor numbers, the analysis shows how the discourses refer to completely different spatial domains and management goals. This allows for an appropriation of the factor 'visitor numbers' as a 'positive' factor in the proponents' discourse and as a 'negative' factor in that of the opponents to Naturelink.

**"ECONOMIC" IMPACT**

Given its economic interest it is not surprising that Naturelink and supporters of its proposal often referred to the potential and estimated economic benefit arising from the cablecar project. BOX 1 lists some statements that use economic impact to infer that support for the Naturelink proposal is warranted.

**BOX 1: Economic Arguments Supporting Naturelink**

Sources: Proponents' & Opponents' websites.

- |  |
|--|
| 1. Naturelink, to be developed at a cost of \$50 million, will create up to 600 jobs and very substantial flow-on benefits for the Gold Coast economy. (Naturelink web site: What is Naturelink?)  |
| 2. An estimated \$21.5 million of construction activity will be expended in the local Gold Coast economy... This construction activity is estimated to have a \$20.3 million impact on Gold Coast Gross Regional Product. (Naturelink Initial Advice Statement)                            |
| 3. The construction and operation of the proposed Naturelink venture will provide existing local (ie: Gold Coast Hinterland) businesses such as artisans, eateries, tourist attractions and transport providers with an opportunity to gain added visitor exposure through the development |

- |  |
|--|
| of linkages with this new attraction (eg: on site advertising at Naturelink and establishment of side-tour operations). (Economic Impact Study for Naturelink Ltd)   |
| 4. Naturelink is expected to attract a minimum of 328,000 visitors per annum, and potentially as many as 499,000 visitors. The operation of Naturelink is estimated to contribute a minimum of \$25.2 million to Gross Regional Product and generate a minimum of 680 permanent new jobs within the Gold Coast region as a result. (Economic Impact Study for Naturelink Ltd). |
| 5. Research has shown that it is anticipated that visitor numbers to the area will be up to 500,000 annually, taking advantage of that new development. That level of support would have major spin-off benefits for many small businesses on the Gold Coast. The flow-on effect will equate to many millions of dollars injected into the local economy. (Mr Bauman: Hansard) |
| 6. Adding commercial value to near wilderness areas without the need for extractive processes like logging or mining also enhances their longevity. Governments are far more likely to defend areas that generate income than 'near useless tracts that beg development'. (Altgreen web site).   |
| 7. "We have to keep providing new things for tourists," Jackman says, "particularly for the rest of Australia to keep coming back, because the rest of the country is still our biggest market". (Altgreen web site)   |

The above statements invoke three measures of economic impact. In the first instance, it is described in terms of dollar value whereby the Naturelink project is expected to contribute substantially to the 'local Gold Coast economy and 'Gross Regional Product'. Second, job numbers are constructed to be reflective of a positive impact whereby job creation is viewed as economically advantageous. Finally, an increase in visitor numbers to the region is seen to facilitate economic growth. Here, visitors may be interpreted as 'convertible' into dollar value.

**DISCOURSE 1: Proponents and Supporters of Naturelink**

- |  |
|--|
| 1. The central categories in this discourse pertain to the Naturelink development and the objects of the benefits of the development described as "The Gold Coast economy", "The Gold Coast Regional Product," "The Gold Coast Region" |
|--|



- and "local (ie Gold Coast businesses)."
2. "will create up to 600 jobs and very substantial flow-on benefits"
  3. "The construction and operation of the proposed Naturelink venture will provide existing local (ie: Gold Coast Hinterland) businesses such as artisans, eateries, tourist attractions and transport providers with an opportunity to gain **added visitor exposure** through the development of linkages with this new attraction."
  4. "**is expected to attract a minimum of 328,000 visitors per annum**, and potentially as many as 499,000 visitors"
  5. "**it is anticipated that visitor numbers to the area will be up to 500,000 annually, taking advantage of that new development.** That level of support would have major spin-off benefits for many small businesses"

- double the visitor numbers to the Purlingbrook Falls area, and overflow from advertising will increase road travel. (Opponents' web site)
7. Despite what has been stated by the Cable Car Consortium, well over 2000 people per day could be hauled up to the mountains if the gondolas were a minute apart. No doubt this number would increase in the future. The park will be trampled to death by those who can't be bothered to drive up the winding road.
  8. The construction of pylons, the 'occupation' of the area for commercial purposes, and the increased and largely unmanaged tourist activity in and around the area would have immediate and accumulating impacts.

The means by which the development will impact positively on the Gold Coast Economy are thus variously described in terms of numbers of jobs, visitor exposure and numbers of visitors. Implicitly the agency through which this positively impacts on 'the Gold Coast Economy' is through the consumption activity of visitors or those in the new jobs created by the development.

While the discourse of the opponents does not invoke concepts of dollar value or job creation to reject the claims of Naturelink and its supporters, visitor numbers provide an important foundation for their argument *against* development. While the above statements from the proponents and supporters invoke the concept of visitor numbers as representative of positive economic impact, the opponents utilise it in a way that turns in on Naturelink. BOX 2 lists some extracts from texts produced by the opponents of the project.

**BOX 2: Arguments Against Naturelink**

Source: Opponents' website.

6. Springbrook National Park already has a high visitation rate with 400,000 visitors per year to the walks and another 300,000 to the Natural Arch. The 1991 Draft Management Plan for Springbrook National Park cautions against increasing visitor numbers. At an estimated 1500 people per day, the cable car proposal will

These extracts illustrate the manner in which the opponents have discursively reconstructed increasing visitor numbers to be reflective of a negative environmental impact rather than a positive economic one. This is achieved by the adoption of a completely different discourse, which reconstructs the act, scene and motives of the Naturelink development. The scene this time is not the 'Gold Coast Economy' but rather 'Springbrook National Park', 'the mountains', 'the park' and 'the area'. The description of the settings thus provides for a potentially very different set of assumptions pertaining to appropriate activity, through a much more specific description in terms of locale and landscape.

The act itself is this time characterised not so much in terms of the development undertaken by the consortium, Naturelink, but rather through more specific descriptions of the nature, construction and operation of the proposed 'cablecar'. The 'cablecar proposal' entails acts such as 'haul[ing] up the mountains', 'trampling [the park] to death', the 'construction of pylons', the 'occupation of the area for commercial purposes', and 'the increased and largely unmanaged tourist activity'. The specific and sometimes emotive descriptions of these actions sets up a question of the 'fit' between the act and the scene and constructs a context which suggests an inappropriate motive for the act, and the possibility of negative impacts on 'Springbrook National Park', 'the mountains' and 'the area'.

As in the case of the pro-Naturelink discourse, 'visitor numbers' figure significantly as the means by which an imputed outcome will be achieved. However in the anti-Naturelink discourse the agents are responsible for a negative impact.

**DISCOURSE 2:  
Opponents of Naturelink**

- |  |
|--|
| 9. The 1991 Draft Management Plan for Springbrook national Park cautions against <b>increasing visitor numbers</b> . At an estimated 1500 people per day, the cable car proposal will <b>double the visitor numbers</b> to the Purlingbrook Falls area, and overflow from advertising will increase road travel. |
| 10. well over <b>2000 people per day</b> could be hauled up to the mountains if the gondolas were a minute apart. <b>No doubt this number would increase</b> in the future.  |
| 11. The construction of pylons, the 'occupation' of the area for commercial purposes, and <b>the increased and largely unmanaged tourist activity</b> in and around the area would have immediate and accumulating impacts.  |

In this discourse 'visitor numbers' is hearable as negative through the constructed relationship between the act and its scene or context. For example, the act, 'hauling [people] up mountains' when placed in the context of the scene, 'the park', is implicitly made accountable. The questionable and accountable nature of the acts is suggested more explicitly in extract 1 where the Draft Management Plan for the Springbrook National Park is said to 'caution against' increasing visitor numbers.

In the pro- and anti- Naturelink arguments above, then, economic and environmental arguments are made completely incommensurate. The goals and objects of the discourses as characterised in the scenes of 'The Gold Coast Economy' and 'Springbrook National Park' provide the contexts for the markedly different descriptions of acts and agents and imputation of motives. Similarly, the development is given very different symbolic significance in the different discourses, described as 'Naturelink' and 'the cablecar proposal' by supporters and

opponents respectively. These features of the descriptions enable 'visitor numbers' to be heard as an agent enabling positive outcomes for the 'Gold Coast economy' in one discourse, and an environmentally destructive agent in 'Springbrook National Park' in the other. In this way, the contest between Naturelink (and supporters) and its opponents is characterised by the construction of contrasting versions embodying very different acts, scenes and motives so that each party does not speak directly to the other, or indeed, address its arguments.

**'ENVIRONMENTAL' IMPACT**

The incommensurability of the discourses analysed above can be said to be organised around discourses pertaining to two different 'fields': economic and 'environmental' respectively. However, the debate concerning environmental impact can be heard as belonging to the same field of 'environmental management' but asserting quite different stances within it. These different versions of 'environment' are based on implications concerning the activities that appropriately occur in the various contexts that constitute 'the environment'. The following analysis of pro- and anti-Naturelink discourse demonstrates the centrality of the characterisation of scenes and acts in the production of markedly different 'environmental' discourses. Consider the pro-Naturelink arguments outlined in BOX 3.

**BOX 3: Arguments for Naturelink**

Source: Proponents' & Supporters' websites.

- |   |
|---|
| 12. Naturelink passengers will travel over the vast expanse of the Gold Coast water catchment for Hinze Dam and then enjoy a stop-off in an environment education centre adjoining World Heritage Listed National Park. (Naturelink)    |
| 13. The first thing we (tourism authorities) and the developers would have to do is make sure that the 'green' element is looked after. If it's trampled to death we've no attraction any more. (Terry Jackman)                         |
| 14. While there was some concern over the Skyrail proposal, feedback from around Cairns indicates that most of the original opponents now regard the attraction as a major asset with feared negative impact failing to eventuate. What |

interests us even more are the comments that the cable car experience appears to engender greater urban empathy with relatively pristine areas and increases their perceived value among urban dwellers (where the majority of votes reside) (EVAG)

15. A cableway allows vast numbers of people access to a near wilderness area without the ongoing problems of compaction of walking trails, erosion, plant damage, wildlife disturbance and all the associated ills of large numbers of people traipsing through an area. (EVAG)

These extracts illustrate how Naturelink and its supporters construct the cableway project as beneficial to the preservation of the environment and respectful of environmental values. As Burke points out in *A Rhetoric of Motives*, orators seeking to change opinions of an audience must identify with some of their opinions and values. The addressees of the text are clearly those with a concern about 'environmental' aspects of the development, but with some sympathy for economic development arguments. The manner in which the pro-Naturelink arguments achieve this identification can be understood with reference to the central relationships between 'acts' and 'scenes'.

In extract 1, the central acts involve 'travelling over' and 'enjoying a stop off'. The scenes in which these are placed are 'the vast expanse of the Gold Coast water catchment for Hinze Dam' and an 'environment education centre adjoining World Heritage Listed national park'. The construction of the scenes in this way provides for the implication of motives associated with seeing significant tracts of Gold Coast landscape and facilitating education about the environment. The agents in the discourse are 'Naturelink passengers' and the agency implicitly is the cableway ride. The cableway is thus constructed as facilitating consumption activities associated with seeing and learning about the hinterland environment.

In Extract 2, we find quite a different configuration of acts scenes and agents, however the description achieves an

implication pertaining to environmental motives of the Naturelink development that are consistent with those found in extract 1. In this example, the act is characterised as 'mak[ing] sure that the 'green' element is looked after'. This activity is placed in a scene described by the indexical 'it'. The phrase 'trampled to death', however, provides for an interpretation of this reference to the 'park' or 'forest'. Given that the agents are identified as tourism authorities and developers, the relationship between the acts and agents on the one hand, and the scene of the park on the other, becomes the focus of an account referring explicitly to the motives which link them: 'If it's trampled to death we've no attraction any more'. The discourse in this description has again managed to reconcile the Naturelink development with a concern for the environment by suggesting economic motives for environmental concerns.

The third extract refers to concern raised about the Kuranda Skyrail development near Cairns in Far North Queensland. The acts that form the focus of this argument pertain to the change of heart on the part of opponents of the Skyrail development and unsourced 'comments' 'that the cable car experience appears to engender greater urban empathy with relatively pristine areas and to increase their perceived value among urban dwellers'. The key aspects of scene are described as 'around Cairns' and 'relatively pristine areas'. The agents, the 'original opponents' and the authors of subsequent 'comments' experience a growing realisation of the merits of the development, found to be a 'major asset'. Environmental merits pertain to the greater urban empathy and increase in perceived value of 'relatively pristine areas' made possible through the agency of the cable car experience. The extract also suggests a potential to advance the cause of preservation of these areas through the electoral influence of 'urban dwellers'. As a mode of alignment with the audience, this aspect of the argument suggests that the discourse addresses those with an interest in advancing the cause of preservation of 'relatively pristine areas'. The

discourse in this extract is thus similar to that in extract one where the cablecar or skyrail experience is a consumption activity associated with positive environmental outcomes - in the case of extract 3, facilitated through the electoral influence of urban dwellers.

The fourth extract provides another example of the way in which these pro-Naturelink arguments which are hearably 'environmental' are based on economic motives, agents and agency. The extract contains two central acts, which, in their differential relationships to the scene, establish two scenarios - one heard as positive and the other as negative. The first act pertains to 'allowing vast numbers of people access' and the scene that forms the context of this is 'a near wilderness area'. The cableway is constructed as the agent responsible. The second act is characterised as 'compaction of walking trails, erosion, plant damage, wildlife disturbance and all the associated ills' located in a scene described as 'an area'. On this occasion the agents producing these acts are 'large numbers of people' through the agency of 'traipsing through'. Although both scenarios constitute kinds of consumption of a 'near wilderness area', the cableway is constructed in this comparison as the agent and agency oriented to environmental preservation.

The hearably 'environmental' nature of the pro-Naturelink discourse relies on a characterisation of scenes as 'near wilderness area', 'near pristine area', 'adjoining world heritage listed national park' and 'Gold Coast water catchment for Hinze Dam'. The nature of activities occurring in these contexts is based on the construction of a relationship between acts and scenes associated with consumption and economic and political interests in the preservation of 'an asset'. However, the acts and scenes invoked by opponents of the development produce an extremely different version of 'environmental' argument. Their arguments regularly invoke environmental values that construct "Springbrook National Park" as in need of protection from the Naturelink

project. BOX 4 lists some extracts that produce this understanding.

**BOX 4: Environmental Arguments Against Naturelink**

Source: Opponents' websites.

A cable car is not the first association that comes to mind when presented with the idea of 'Naturelink': an important natural corridor between areas of high conservation value is more likely. This is certainly what should be the case when addressing a significant area like Springbrook National Park and its place within the CERRA (Central Eastern Rainforest Reserve Australia) World Heritage Area – not a "nature fun ride", Gold Coast Style (The Wilderness Society)

The Naturelink Cable Car is a dubious proposal that disregards the important environmental values of Springbrook National Park and poses a significant threat to one of the few protected, natural 'fragments' in the rapidly developing Gold Coast region. (The Wilderness Society)

Springbrook National Park is one of the last sections of protected area on the Gold Coast, valued for its high biodiversity as part of the Border Ranges in the World Heritage listed Central Eastern Rainforest Reserve (Australia), CERRA... Springbrook National Park is particularly vulnerable due to its small size and large perimeter, as well as its accessibility to large numbers of people, being only a half hour drive from the Gold Coast beaches. (Opponents web site)

Clarence John Melrose Trist, Secretary of the Forestry Department 1915-53 fought to establish the Springbrook National Park in the thirties. His ideal is quoted on a plaque at Canyon Lookout:

To preserve as nearly as possible in their primeval condition some fragments of the original Australia, and to keep them unspoilt and untouched not only for our enjoyment but for that of our children and their children for all time...

Big ugly pylons, wires and cable cars stretched in front of and up to Purlingbrook Falls could hardly leave the view "primeval, untouched or unspoilt". (John Williamson)

These extracts demonstrate the way in which the 'legitimate' definition of a tract of land as 'Springbrook National Park' and associated values of the area are invoked to produce the understanding that Naturelink intends to undermine these values. All of the extracts construct the scene as 'Springbrook National

Park'. The significance of this description for the addressees of the discourse becomes clearer if we examine what might be achieved by the characterisation of the scene in this way rather than as a 'near wilderness area'.

The scene of Springbrook National Park is characterised in the context of the 'Central Eastern Rainforest Reserve World Heritage Area', 'one of the few protected natural 'fragments' in the rapidly developing Gold Coast region', 'one of the last sections of protected area of the Gold Coast... as part of the Border Ranges in the World Heritage Listed Central Eastern Rainforest Reserve', and 'some fragments of the original Australia'. These descriptions employ terms that point to the area's official environmental status in the context of Australia and the world, and allude to its environmental and historical importance to the Gold Coast and Australia. The selection of such terms suggests that the discourse is oriented to addressees who would also attach some significance to these features of the landscape.

The inclusion of such details in scene descriptions provides for a constructed relationship between act and scene that points to the inappropriateness of the development. In the first extract this appropriateness becomes part of the explicit focus of the discourse. The term 'Naturelink' is constructed as ironic through the contrast between two possible meanings of the term, 'an important natural corridor between areas of high conservation value', and a 'nature fun ride, Gold Coast Style'. These can be seen as two different versions of the central act of associating a specific kind of referent to the term 'Naturelink'. Clearly in the selection of the scene as 'a significant area like Springbrook National Park and its place within the CERRA (Central Eastern Rainforest Reserve Australia) World Heritage Area', the motives for the two different understandings can be represented as appropriate or inappropriate. The ironic force and implication of motives is thus achieved through a necessarily contrasting

characterisation of the possible meanings of 'Naturelink': one which accepts conservation value as a central criterion, and one which emphasises a focus on consumption, 'Gold Coast Style'.

Extracts 2 and 3 also point to environmental values, legitimised through the official status of Springbrook National Park, as the key concern. In 2 the agent, the Naturelink Cable Car, figures in two acts, 'disregarding' and 'pos[ing] a significant threat to'. The motive importance of these acts is established through the characterisation of the scene as 'one of the few protected, natural 'fragments' in the rapidly developing Gold Coast region'. In extract 3, Springbrook National Park is again constructed as the scene, but then its features are subsequently constructed as agents which may facilitate the central act associated with the vulnerability of Springbrook National Park. In the first part of the extract, the act and scene work together to emphasise the appropriateness of protection through appeal to environmental values ('high biodiversity') and its official environmental status ('part of the Border Ranges in the World Heritage listed Central Eastern Rainforest Reserve (Australia), CERRA'). In the second part, this landscape, through a description of properties that render it vulnerable, ('its small size and large perimeter, as well as its accessibility to large numbers of people, being only a half hour drive from the Gold Coast beaches') is depicted as the object of potential harm via the agency of 'large numbers of people', driving from Gold Coast beaches. In their appeal to environmental values and their construction of the landscape as the object of 'vulnerability' and in need of 'protection' these extracts establish a context in which motives pertaining to the development of the Cablecar are implicitly discredited.

The fourth extract appears to vary in some ways from the 'anti-Naturelink' discourse in the previous extracts, focusing on cultural, historical and visual aspects of the cablecar development. However, it is significant that these perspectives are concerned with the central act of 'establish[ing] Springbrook

National Park in the thirties'. The motive linking the act to its scene is described as quoted on a plaque at Canyon Lookout. The location of the 'ideal' on a plaque and the plaque's appeal to identification with 'the original Australia', the enjoyment of 'our children and their children' invest the official National Park status with cultural – as opposed to purely environmental – significance. This then provides the context for a subsequent depiction of the scene of Purlingbrook Falls when the cableway is constructed: 'Big ugly pylons, wires and cable cars stretched in front of and up to Purlingbrook Fall'. The representation of this as the antithesis of the ideals of John Melrose Trist manages an implication of motives that are unsympathetic to the cultural importance of 'Springbrook National Park'.

In these extracts, the repeated reference to 'Springbrook National Park' can be interpreted as an appeal to the social understanding that a National Park epitomises environmental values. References to Springbrook National Park's place in the CERRA and World Heritage Listing, infer that the environmental values that it represents are legitimate on a national and global scale. To threaten its natural character at a local level, is, therefore, to threaten the environmental values which are of global significance. It is important to note that Gold Coast Development and Gold Coast Consumption are constructed as opposed to, or endangering, this natural character. The final extract, while invoking cultural identification of the audience, deploys this in the service of legitimising the ongoing protection of the environmental values attached to National Parks.

Ultimately, then, all of these statements rely on the reader's cooperation in accepting that the environmental values of a National Park do *not* include the presence of a commercial enterprise which involves a built structure. The discourse displayed in extracts in BOX 3 imply that environmental consumption is an important agent in allowing people access to 'near wilderness areas', and that treating

the environment as an investment or asset is a means of prioritising its preservation. In this respect the 'authority' on which it implicitly rests pertains to that of economic tendencies and values as applied to environmental consumption. However, the discourse displayed in the extracts in BOX 4 relies on a different claim for its legitimacy. While ultimately, the proposed cablecar ride will stretch over 11km from Mudgeeraba to Springbrook, it is land which has been defined as a World Heritage Listed National Park which provides a central focus for debate. Notably, the territorial separation of this land from surrounding land is reflective of the existence of a cultural landscape that takes this site as its symbolic object and has successfully reproduced the legitimacy of its definition over time. For Pierre Bourdieu (1991:#), any defined territory is

merely the dead trace of the act of authority which consists in circumscribing the... territory, in imposing the legitimate, known and recognized definition of frontiers and territory – in short, the source of legitimate di-vision of the social world.

Having been defined as a territory, Springbrook National Park can be discursively treated as separate from the surrounding area. Furthermore, the official definition of the area provides the landscape with a degree of 'legitimacy', having been officially recognised as a national park. This title not only provides for the separation of this land from surrounding terrain, but also vests in it the authority of the State. The World Heritage listing of the park further grants it authority on a global scale. In this respect, much of the discussion on the environmental impact of the Naturelink development turns on characterisations of the area in terms of the kind of authority on which the respective positions rest.

## MANAGEMENT DILEMMAS: THE GOVERNANCE OF LANDSCAPES

### 'Sustainability' and the Specifics of 'Place'

The analysis of the above case study data illustrates the kinds of differences between discourses that characterise reactions to development proposals. Specifically, it sheds light on the context in which planning principles are applied. The discourses represented contrasting versions, displaying the very different 'vocabularies of motive' employed by pro- and anti-Naturelink groups, based on appeals to very different kinds of authority. The analysis clearly demonstrated that even when the two different discourses referred to 'environmental' concerns, they represented contrasting positions within this framework. While the pro-Naturelink discourse invoked acts and scenes associated with environmental consumption, the opponents' descriptions focused on motives associated with acts located in the scene of 'Springbrook National Park'. How, then, do planners arbitrate on these matters?

Clearly planners are accountable for consulting existing policy frameworks such as the South East Queensland Regional Framework for Growth Management (QDEH 1995). Discourse in this and relevant documents informing it refers frequently to the need to 'balance' various priorities. The following excerpt from the Queensland Environmental Protection Agency's State of the Environment report (2000) articulates the needs for such a balance in relation to biodiversity.

Bioregional planning, yet to be fully implemented in Queensland and dependent on a statewide review of bioregional issues, is a means of balancing conservation priorities with socioeconomic development. (Queensland Government State of the Environment Report 2000)

The executive summary of this document refers to the importance of the Federal Government's National Strategy for the

Conservation of Australia's Biological Diversity which specifies the following strategies in the context of tourist development:

Where tourism is dependent on the natural environment, encourage the development of management strategies in association with broader land use plans, including provisions for:

- tourism facilities and services to be provided in accordance with the biophysical limits of an area;
- the development of criteria and conditions under which commercial activities within or adjacent to protected areas may be appropriate;
- rehabilitation of existing tourism sites where appropriate.

(National Strategy for the Conservation of Australia's Biological Diversity  
[http://www.erin.gov.au/portfolio/esd/biodiv/strategy/chap2.html#ob\\_2\\_6](http://www.erin.gov.au/portfolio/esd/biodiv/strategy/chap2.html#ob_2_6))

These discourses display a marked difference to those discussed in the Naturelink case study. While the pro- and anti-Naturelink groups produced contrasting versions based on mutually exclusive perspectives, the policy discourses promote 'balancing conservation priorities with socioeconomic development' and 'the development of criteria and conditions under which commercial activities within or adjacent to protected areas may be appropriate'. The discussion of the different frameworks the two sides constructed for understanding 'visitor numbers' constituted economic and environmental concerns as mutually exclusive and incommensurate. In the discussion of the two discourses on environmental impact, an initial examination might suggest that the pro-Naturelink discourse asserted development and consumption in a way which attended to the environment as 'an asset', and thus constituted a kind of 'balance' between development and conservation interests. However, an analysis of the policy language reveals that, unlike that employed in the Naturelink case study, it does not refer to

acts, scenes and agents specific to a place. To this extent it does not indicate or exemplify a means for making judgements about what constitutes an 'appropriate' balance in any given context.

The environmental consumption motive of the pro-Naturelink discourse and the National Park protection motive of Naturelink opponents were constructed through the relationships between differently characterised acts, scenes, agents, and purposes specific to the "Gold Coast" or "Springbrook National Park". On the other hand the policy discourse refers implicitly or explicitly to Queensland or Australia. The acts and scenes in the policy discourse are described indexically as, for example, 'commercial activities' and 'protected areas' respectively in a way which leaves ambiguous the nature of commercial activities and protected areas and thus the range of motives which may link them. These ambiguities could clearly provide for widely varying and possibly contradictory characterisations of act, scene and motive that could all be argued to be consistent with the policy. In identifying the spaces in which ambiguities might arise within policy frameworks, then, it is important to consider some strategies for adjudicating between different and competing interests in a way which links policy to the economic, environmental, cultural and social specifics of places.

In a recent assessment of the implications of implementing principles of sustainability as a planning agenda, de Roos is similarly concerned to define sustainability in a way which emphasises its application to local characteristics:

Sustainable Development is a dynamic process in which communities anticipate and accommodate the needs of current and future generations in ways that reproduce and balance local social, economic and ecological systems, and link them to global concerns (de Roos, 2000: 3).

However, the examination of the discourses employed in the Naturelink case study

illustrated the way in which characterisations of place and locality are themselves important variables in the construction of 'environmental consumption' and 'National Park Protection' as motives competing for legitimacy. The Gold Coast regional economy and Springbrook National Park were two characterisations of place mobilised in support of competing interests. In this context, if the planner's task is to apply principles of sustainability to the specifics of places, there is a need for conceptual frameworks that assist in the determination of the salient features of locales to be considered with respect to development proposals. This may potentially assist in arbitration concerning appropriate formulations of places and activities. This paper turns to a consideration of recent attempts to work across the borders of disciplines in order to explore opportunities for integrating cultural, technological, ecological, development, and governmental frameworks in order to outline a broader set of options than those that are found in specific development proposals.

### **BEYOND OPPOSITIONS Between 'Economy' and 'Environment' in Environmental Management**

It is clear from the above case study that an important consideration in contestation and discussion concerning development is the nature of the landscape itself. In terms of the political context of the Naturelink dispute, the locale was referred to in terms of different 'versions' of nature. While Naturelink supporters provided justifications in terms of giving people access to a 'near wilderness area', the opponents' accounts of the development were concerned with the activity of 'protection' of a 'natural fragment' characterised by 'high biodiversity'. In some ways, these discourses resemble historically competing versions of nature. The pro-Naturelink discourse displays features of a version of 'nature' characterised by Escobar as 'capitalist nature' where the landscape is objectified as a vista, and constructed as a



resource 'for us to use as we wish' (Escobar, 1999).

On the other hand, the opponents' discourse resembles Williams' description of a response which depicted 'industry' and 'nature' as mutually exclusive:

Nature in any other sense than that of the improvers indeed fled to the margins: to the remote, the inaccessible, the relatively barren areas. Nature was where industry was not, and then in that real but limited sense had very little to say about the operations on nature that were proceeding elsewhere (Williams 1972:159).

This response has been developed in recent times to emphasise an ecological science which portrays nature as largely constraining - as setting limits to human activity. This perspective is seen to characterise the discourse of the 'Post Rio' agenda such that

in current programmes to promote sustainable development, the aim is primarily to identify ways to limit human activity so that economic and social development can proceed within the finite ecological capabilities of the planet (McNaghten *et al*, 1995).

This comment is in no way intended to imply that there should be no recognition given to ecologically and culturally significant properties of environments. Its emphasis is more on the failure of this discourse to inform a focus on 'enabling' features of nature which, at the same time, avoid earlier problems associated with a nature separate from social and cultural life that should be 'improved' and exploited. It is this conceptual gap that arguably makes it very difficult for those involved in environmental management to 'operationalise' sustainability - to arbitrate over appropriate constructions of 'acts' and 'scenes' and the 'motives' which link them.

It is crucial that the impact assessment process - the formulation of terms of reference, the selection of appropriate agencies to conduct them and the frameworks employed in the assessments themselves - consciously adopts conceptual strategies that assist management decisions

in the context of contradictory and incommensurate discourses. An important first step is to outline a comprehensive set of the possible ways in which 'the environment' and 'economic development' may coalesce in the context of a specific landscape.

In his outline of different versions of nature, Escobar outlines two alternatives to 'capitalist nature' entitled 'organic nature' and 'techno nature'. Organic nature refers to the way different cultures and their economies have understood and appropriated nature, as much as it pertains to specific ecosystems. In Escobar's framework:

This conception of the organic enables a corresponding partial definition of political ecology for this regime as the study of manifold constructions of nature (ensembles of meanings/uses) in contexts of power. Power here needs to be studied not only in terms of social and production relations but in relation to local knowledge, culture, and organic life. It is clear, of course, that the variety of organic natures is immense--from humid forests to dry ecosystems, from the green hills of peasant farming to the steppe of the nomads--and has its own set of actors, practices, meanings, interactions, and social relations. The study of organic nature thus goes well beyond the study of ecosystems with their functions, structures, boundaries, flows, and feedback loops and with people as simply one more element of "the system" (Escobar, 1999).

In relation to the contestation over the Naturelink development, then, this concept could raise issues pertaining to the historical and contemporary 'cultural landscapes' of the Gold Coast hinterland region and the broader understanding of the 'Gold Coast'. As outlined in the 'Contested Terrains' documents (Armstrong *et al*, 2000) this involves an examination of the multiple cultures and histories associated with different aspects of the landscape as well as an assessment of the 'readings' of the integrity of the Gold Coast region as an aggregate of three discrete elements: mountains, plains and beach. This would be helpful in informing management processes in relation to this issue because it provides a

means of transcending the requirement in the pro- and anti-Naturelink discourse of choosing between a discourse on the "Gold Coast" on the one hand, and "Springbrook National Park" on the other. The treatment of 'organic nature' would provide for a systematic and relational assessment of the Naturelink proposal in the context of the different landscapes which constitute the "Gold Coast", their multiple appropriations, integrity and vulnerability.

An assessment of the Naturelink proposal would also benefit from Escobar's recommendation that we should consider new and emerging relations between culture and nature made possible through new technologies, particularly (in the case of the Naturelink proposal) new media. In terms of the Gold Coast hinterland, and, specifically, rainforest and world heritage listed terrains, it is pertinent to consider the possibilities of 'technonature':

it is important to recognize that virtuality--like organicity and capitalism – is an important principle of production of the social and the biological today (Escobar, 1999).

This makes possible the conceptualisation of new and alternative forms of development that may not be as visually or ecologically intrusive in the context of 'Springbrook National Park' but may enable the incorporation of the scenic educative, consumption and economic values espoused by the supporters of the cableway. The affordances of new media could certainly contribute in large part to the consumption of knowledge, experiential and scenic aspects of the landscape.

Finally, in relation to Escobar's notion of organic and techno natures, he points to the potential of a combination of these two perspectives that may work to provide more options for local inhabitants and cultures such as, in the case of the Naturelink development, groups based on 'indigenous', 'ethnic' and 'local resident' identities. It seems that 'visitor numbers' are already a sufficient challenge to the existing road and walking track technologies and the facilities

that accompany them, in terms of ecological and local cultural values. A combination of new media and regulated walking trail technologies (which, in the possibilities of virtual experience, lookouts and scenic walks retain many important experiential and scopic values) may well coalesce more easily with these interests. In this respect, the hinterland may well attract the same level of 'visitor numbers' to benefit the "Gold Coast Regional Product", without physically concentrating these 'visitor numbers' in "Springbrook National Park".

## CONCLUSION

This case study was selected not as a definitive and exhaustive account of a particular contest, but as illustrative of the issues which confront the everyday practice of management. In this respect it represents an attempt at the conceptual level to situate development issues in the context of the institutional realities of growth management. Specifically, the study sought to examine the discursive contradictions and ambiguities associated with the application of policy values such as 'ecological sustainability' to the specifics of locales and landscapes.

It was found that the political and ideological context of debates over the proposal drew upon contradictory and incommensurate discourses that did not provide for the 'integration' recommended under the Integrated Planning Act (1997). The study recommended, as a first step in the management of these conditions, that decisions should be informed by a comprehensive set of alternative conceptualisations of the possibilities of development in the region that take account of development, ecological, cultural landscapes and technological possibilities.

It is recommended that the next step in this process should involve a detailed examination of the Environmental Impact Statement Terms of Reference and the Environmental Impact Assessment itself in order to further explore these possibilities. This study should also take account of the

different versions of 'community' in these discourses and pay greater attention to the way these discourses attend to the culturally diverse meanings of the landscape.



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### 3 LEGISLATIVE FRAMEWORK AND MANAGEMENT

by Tracey Avery

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This chapter is the report that resulted from a sub-component of the Contested Terrains project. A distinct research project was commissioned (from consultant Tracey Avery) by the Operations Team for the project *Investigating Queensland's Cultural Landscapes: Contested Terrains*. It was carried out under the direction of Ray Osborne of the Cultural Heritage Branch of the Queensland Environmental Protection Agency, with additional support from Jan Seto. Their assistance and advice is gratefully acknowledged. Thanks also to Judy Powell and Jo Bain of the EPA, the participants of the *Contested Terrains* Workshop and Richard Wheeler, Regional Land Agent for the National Trust (UK) in the Thames and Chilterns Region.

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## INTRODUCTION

The aim of this chapter is

- to provide an understanding of the relevant International, National and State legislative framework influencing the management of land in Australia, with particular reference to Queensland; and
- to explore existing and potential management techniques which offer the opportunity to address the issue of managing cultural landscapes.

### Scope of Chapter

There are four aspects to this chapter:

- A brief summary and explanation of the relevant International, National and State legislative and policy documents, that have a direct impact on land use management and thus landscapes in Australia; and
- A critical review of existing land management plans, policies and practices within Australia, to establish if these have any relevance to, or provide potential mechanisms for, cultural landscape management; and
- A critical review of relevant land management plans, policies and practices from around the world, but particularly, the US, Canada and the UK, to establish if any of these have any relevance to, or provide potential mechanisms for, cultural landscape management; and
- Conclusions and any recommendations

### Methods

Acknowledging that the scope for research is enormous, and given the time frame of April and May 1999, reviews are drawn from secondary source material and internet searches and backed up with specific examples to illustrate key points. The document refers the reader to comprehensive reviews of particular topics and provides markers for further research.

For the purposes of this research the definition of 'cultural landscapes' is that

adopted by the *Contested Terrains* project, viz.:

The cultural landscape is the constantly evolving, humanized, landscape. It consists of a dialectic between the natural physical setting, the human modifications to that setting, and the meanings of the resulting landscape to insiders and outsiders. Continuous interaction between these three elements takes place over time. The concept of cultural landscape therefore embodies a dynamic understanding of history, in which the past, present and future are seamlessly connected. (O'Hare, 1997, cited in "Contested Terrains Discussion Paper", August 1998)

And:

Cultural landscapes can be represented as stories, myths and beliefs, which may be applied to wilderness landscapes, ordinary landscapes or designed landscapes. (Armstrong, 1998, cited in "Contested Terrains Discussion Paper", August 1998)

For the purposes of applying these concepts to the existing legislative framework and management, it is assumed that cultural sites and places can be a subset of cultural landscapes.

Cultural landscape terminology differs, widely in some cases, around the world. Varying use has been highlighted, where appropriate.

## LEGISLATIVE FRAMEWORK FOR LAND USE MANAGEMENT

### International Conventions and the Environment

International concerns about the long-term sustainability of natural and cultural resources have resulted in a number of conventions to which Australia is a

signatory. Sustainability demands a holistic approach to the care of natural, economic and social (including cultural resources). The 'environment' embraces all of these interacting factors. Therefore land use management and the potential for cultural landscape management fall within international efforts to work towards a global sustainable environment.

The International Conventions most relevant to land use management and cultural landscapes are:

#### 1992 RIO EARTH SUMMIT

The Earth Summit or United Nations Conference on Environment and Development (UNCED) produced a number of outcomes:

- Rio Declaration on Environment and Development
- Agenda 21 – social, economic and environmentally sustainable development – conservation
- United Nations Framework Convention on Climate Change
- The Convention on Biodiversity
- Statement of Principles on Forests (which led to the Montreal Agreement, encompassing the principles of Sustainable Forest Management (SFM))

A further international 'Statement of Commitment' was signed on 19 September 1997. The resolution adopted by the UN General Assembly under the Programme for the further implementation of Agenda 21, restated the conviction that the achievement of sustainable development requires the integration of its economic, environmental and social components.

The Convention Concerning the Protection of World Cultural and Natural Heritage (World Heritage Convention) 1972

Under Article 4 of the WHC, each state has a commitment to the identification, protection, conservation, presentation and transmission to future generations of the country's natural and cultural heritage. These objectives are realized through the establishment of World Heritage Areas.

#### IUCN ZAIRE RESOLUTION ON THE PROTECTION OF TRADITIONAL WAYS OF LIFE 1975

As an IUCN member state, Australia signed up to:

- Devise means to enable indigenous people's lands to be brought into conservation areas without the loss of use and tenure rights ;
- Recognize the rights of people to live on traditional lands;
- Establish protected areas in consultation with traditional owners, and no indigenous people should be displaced by the creation of a protected area.

It is essential to have an integrated approach to consideration of cultural landscapes in Australia, especially as indigenous people have a holistic view of nature and culture.

#### National Strategies to Implement Conventions

Most of Australia's national strategies are based on one of two approaches:

- identifying and delineating exemplars, leading to the creation of protected areas, which in turn envisage more rigorous protection of identified values than applied across the country as a whole, and;
- strategies to implement broad environmental policies to a base-line standard which the signatories are expected to achieve across the country as a whole.

The main strategies are:

- National Strategy for Ecologically Sustainable Development
- National Greenhouse Response Strategy
- National Forest Policy Statement
- National Strategy for the Conservation of Australia's Biological Diversity
- National Strategy for the Conservation of Australian Species and Ecological Communities Threatened with Extinction
- National Water Quality Management Strategy

- National Strategy for Rangeland Management

The awaited strategies include:

- National Heritage Places Strategy

National strategies envisage complementary legislation at State and Federal levels. What has been/is being done to achieve this aim and what issues would influence the successful management of cultural landscapes?

### Legislative Mechanisms between Commonwealth and State

For a recent, thorough overview of the legislative framework relevant to cultural landscapes, see Lennon and Associates, 1998. In order to avoid duplication and to begin to answer the question, 'Can cultural landscapes be conserved?', present research concentrated on setting out the main links between strategies, legislation, policies and management practices. These links should indicate how and whether national objectives can be delivered on the ground and how these would be kept in check.

By its own admission, the present government acknowledges that environmental law in Australia has not kept pace with the growing number of issues raised by international conventions. (Commonwealth Dept of Environment, 1998). The *Reform of Commonwealth Environment Legislation: Consultation paper* (ibid., 1998) goes further to say that Australia, therefore, cannot adequately discharge its environmental responsibilities as existing Commonwealth law fails to recognize and effect the implementation of Ecologically Sustainable Development (ESD). Only the recent *Natural Heritage Trust of Australia Act 1997* aims to integrate environmental, social and economic goals in the development process.

There are two important mechanisms at work:

- Inter-governmental agreements on the **process** for implementation of strategies

- Laws to define and guard the **principles and goals** of the strategies.

### INTER-GOVERNMENTAL AGREEMENTS

Policies for the role of governments in implementing environmental objectives are defined by the following:

#### 1992 INTER-GOVERNMENTAL AGREEMENT ON THE ENVIRONMENT (IGAE)

This agreement defines the roles of respective governments, endorses ESD, provides a mechanism to determine respective management interests. Six of its nine schedules impinge on land management:

- Resource assessment, land use decisions and approval processes (schedule 2)
- Environmental Impact Assessment (schedule 3)
- Conservation of Biological Diversity (schedule 6)
- National Estate (schedule 7)
- World Heritage Nomination and Management (schedule 8)
- Nature Conservation, and Conservation of Threatened Species (schedule 9)

#### 1997 AGREEMENT ON COMMONWEALTH/ STATE ROLES AND RESPONSIBILITIES FOR THE ENVIRONMENT ('THE COAG AGREEMENT')

This agreement determined that the Commonwealth's role should be to concentrate their efforts on matters of national, and not State or local significance. This is consistent with the IGAE, whose principles will be fully implemented under the COAG Agreement.

The COAG reforms, through the proposed Acts, plan to implement a number of elements which would be critical to land use and landscape management. The following headings have been taken from the Consultation Paper (Commonwealth DoE, 1998, pp.3-4):

- **Accreditation** of State process and agreed management plans, plus legislation for State accreditation of Commonwealth processes.

Under the COAG Agreement, Regional Forest Agreements (RFAs) will not be affected by reforms to Commonwealth environmental law and proposals or activities covered by RFA will not trigger the proposed *Environment Protection Act*. The intention is to progress separate legislation to give effect to RFAs.

- **Rationalisation of arrangements for heritage protection** through the *National Heritage Places Strategy*, laying down the respective roles for the identification, protection and management of significant heritage places. A list of places of *national* heritage significance will be established.
- **Increased compliance** with State environment and planning legislation.
- **Triggering of Commonwealth assessment and approval processes** will come into play only in cases of significant impact on predefined areas/places of, one assumes, pre-determined *national* environmental significance. However, a bilateral agreement for a management plan could mean that activities agreed within the plan would not trigger the provisions of either of the proposed Acts. Triggering activities or sites include:
  - World Heritage properties
  - Ramsar sites of international significance
  - Heritage places of national significance
  - Nationally endangered or vulnerable species and endangered ecological communities
  - Migratory species and cetaceans
  - Nuclear activities
  - Management and protection of the marine and coastal environment

### COMMONWEALTH ENVIRONMENT LEGISLATION

As described in the Consultation Paper (Commonwealth DoE, 1998), two new Commonwealth Acts have been devised to cover environmental principles:

#### ENVIRONMENT PROTECTION ACT

This is proposed to replace the *Environmental Protection (Impact of Proposals) Act 1974* (EPIP Act). Although the National Strategy for ESD was endorsed in the 1992 IGAE, the existing EPIP Act doesn't contain Environmental Impact Assessment (EIA) and approval processes that conform to contemporary international standards or could hope to achieve ESD.

#### BIODIVERSITY CONSERVATION ACT

This would replace several Acts including the *National Parks and Wildlife Conservation Act 1975* and importantly the *World Heritage Properties Conservation Act 1983*. The Act would provide legislation to support the National Strategy for the Conservation of Australia's Biological Diversity and complement the Natural Heritage Trust, which acts to conserve biodiversity. ESD is reliant on maintenance of biodiversity. The Act would also recognize the importance of community participation in management plans and recovery plans.

Any World Heritage property that might be defined solely on the basis of cultural values would be protected under the *Biodiversity Conservation Act* until the introduction of new heritage legislation, i.e., based on the formation of the awaited *National Heritage Places Strategy*.

#### NATIONAL HERITAGE PLACES STRATEGY

After the finalisation of a *National Heritage Places Strategy*, the Commonwealth will progress a legislative reform of the *Australian Heritage Commission Act 1975*. Protection of heritage is seen as an integral part of protection of the environment, so the three Acts would be complementary. Again, the Commonwealth would be responsible for heritage places of national significance. Any threat to these places could trigger Commonwealth involvement, but this would be avoided by enacting bilateral agreements with accredited management plans. A State's entire heritage framework would also be accredited. Assessments, approvals and



accreditation would be covered under the proposed Environmental Protection Act.

### Environment and Land Use Legislation in Queensland

Legislation in Queensland has moved towards the integrated approach to the environment, as envisaged by international conventions and national strategies. The main overarching State legislation, which impacts on land use, and potentially cultural landscapes, is summarized below. For a detailed examination of State legislation see Lennon and Associates (1998).

#### INTEGRATED PLANNING ACT 1997 (IPA)

The object of the IPA is to integrate all administrative levels of planning in the State to achieve ecologically sustainable development. The Planning Scheme should be strategic and incorporate appropriate local area planning to create a framework for future land use and development. All local governments will need to produce a Planning Scheme within five years. The schemes must incorporate State and regional 'core matters' (including land use planning policies, infrastructure and 'valuable features') with the interests of local communities. All interested parties will have two opportunities to comment on the proposed schemes.

An Integrated Development Assessment System (IDAS) provides for the referral of particular types of development to concurrence agencies that will have power to determine the application.

Valuable features relating to cultural landscapes include, from Schedule 1.3,

- (a) resources or areas that are of ecological significance...;
- (b) areas contributing significantly to amenity (such as areas of high scenic value, physical features that form significant visual backdrops or that frame or define places or localities, and attractive built environments);
- (c) areas or places of indigenous cultural significance, or aesthetic,

architectural, historical, scientific, social or technological significance, to the present generation or past or future generations);

- (d) resources or areas of economic value... (such as ...good quality agricultural land)

So how will State interests, other than specific legislation for protected areas, be applied at the local level? One example is the Department of Natural Resource's (DNR) interest in the 'valuable feature' of 'good quality agricultural land'. State Planning Policy (SPP) 1/92 provides guidance on *Development and the Conservation of Agricultural Land*, i.e., protecting this 'finite' resource from alienation or diminished productivity. The by-product of this policy could be the protection of pastoral and agricultural landscapes, at least as an identifiable mosaic in relation to towns and other infrastructure. The DNR guidance notes on SPP 1/92 (August 1997) also give guidance on the resolution of conflicting usage.

Under the IPA the cultural dimension of "ecological sustainability" is explained in section 1.3.3.:

the cultural, economic, physical and social well being of people and communities is maintained if-

well-serviced communities with affordable, efficient, safe and sustainable development are created and maintained; and

areas and places of special aesthetic, architectural, cultural, historic, scientific, social or spiritual significance are conserved or enhanced; and

integrated networks of pleasant and safe public areas for aesthetic enjoyment and cultural, recreational or social interaction are provided.

In summary the IPA would seem to provide for the recognition and protection of cultural landscapes, as long as they can be identified and incorporated into the Planning Schemes.

#### NATURE CONSERVATION ACT 1992

This Act covers the designation and management of 11 types of protected areas,

most of which are National Parks. Both natural and cultural resources are expected to be researched, managed sustainably, and it endorses the cooperative involvement of all interested communities and landholders. The web pages on Protected Area Systems on the web-site of the Queensland government, specifically mention 'culturally important landscapes'.

The Act also calls for the implementation of a statewide conservation strategy, covering all tenures, to protect the State's flora and fauna, biodiversity, natural and cultural features and wilderness. This would yield data on a range of 'landscapes of nature'. There is provision for conservation agreements between interested parties, which acknowledges that protection can will be enhanced by some flexibility in 'off-reserve' arrangements.

#### **ENVIRONMENTAL PROTECTION ACT 1994**

The object of this Act is ecologically sustainable development, which implies a duty of environmental care and covers all land tenures. The object is to be achieved through an integrated management program which researches the state of the environment, decides on values to be protected (through consultation), develops policies, integrates policies into land use planning, and reviews, evaluates and reports on the results.

Of key relevance to cultural landscapes is the definition of the environment. Part 3.2.1, section 8:

"Environment" includes—

- (a) ecosystems and their constituent part, including people and communities; and
- (b) all natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community; and
- (d) the social, economic aesthetic and cultural conditions that affect

or are affected by, things mentioned in paragraphs (a) to (c).

Measures to protection the environment come back to the definition of 'environmental harm. Under Section 17:

"serious environmental harm" is environmental harm (other than environmental nuisance)—

- (a) that causes actual or potential harm to environmental values that is irreversible, of a high impact or widespread; or
- (b) ...values of an area of high conservation value or special significance; ...

#### **LAND ACT 1994**

This Act covers the administration of Crown and leasehold land. Provisions mostly cover the management of natural resources, but one of its objects includes the protection of environmentally and culturally valuable and sensitive areas and features. The Act allows for easements and covenants. For unallocated State Land, agreements can be made under the headings:

- reserves;
- deeds of grant in trust
  - for community purposes
  - for amalgamating land with common purposes; and
- deeds of grant in trust for Aboriginal and Torres Strait Islander peoples.

The Act provides for their proper management and ensures that the community purpose is not diminished by granting inappropriate interests over reserves or land granted in trust. Model by-laws can be made for the protection and use of trust land, including buildings on trust land. Trustees may lease part of the land, but the Minister's approval may include conditions.

**It would appear that land for the community purpose of protecting a cultural landscape could be achieved under this Act, but this would require further investigation.**

## PROPOSED NATURAL RESOURCE MANAGEMENT LEGISLATION

This would collapse several Acts related to the management of specific natural resources and allow for the implementation of the policies and principles of the IGAE and the National Strategy for Ecologically Sustainable Development. Cultural use of natural resources will be recognised. Again, public participation in planning is envisaged, as is the need for clear management objectives that consider multiple use.

Cultural heritage is covered specifically by two Acts:

### QUEENSLAND HERITAGE ACT 1992

This Act provides for the protection of registered places of cultural significance, specifically non-indigenous cultural heritage. Unlike the *Australian Heritage Commission Act 1975*, the Queensland Act doesn't cover indigenous cultural heritage. This Act appears out of sync with the dominant integrated approach to cultural and natural resource management.

The onus is on the Queensland Heritage Council to establish a register of places. So far, there has not been a systematic approach to identifying important cultural heritage. The lack of baseline data has implications for the State's ability to protect cultural landscapes. Also, this legislation may need to be adjusted to receive future Commonwealth accreditation following the eventual adoption of a National Heritage Places Strategy.

### CULTURAL RECORDS (LANDSCAPES QUEENSLAND AND QUEENSLAND ESTATES) ACT 1987

The Queensland Cultural Record Act (1987) specifically allows for the designation of cultural landscapes, although this concept has generally been applied to indigenous landscapes. Government has accepted that indigenous people see the cultural and natural landscapes as indivisible. The act could be applied to non-indigenous landscapes and would seem to be appropriate to landscapes with industrial remains, i.e., where the need for

conservation and prevention of total loss is paramount.

### NATIVE TITLE (QUEENSLAND) ACT 1993

This Act is likely to have importance for the protection and maintenance of indigenous cultural landscapes, which are not just concerned with archaeology, but with the continuation of living cultures.

## MANAGEMENT PLANS, POLICIES AND PROGRAMS

### Management Plans

#### Cultural landscape values in protected area management plans

A number of Australian management plans were examined to determine whether cultural landscape values were included and how their management was to be undertaken. Plans chosen focused on those within the case study areas for the *Contested Terrains* project. These were compared to a selection of plans for management of multiple values in broad geographical areas drawn from other Australian States, plus a relevant overseas example; the latter being the Lake District National Park in England (see Section 4.2).

Existing protected areas incorporating cultural landscapes are mostly managed by government agencies, i.e., single agencies with a particular core interest, e.g., forests, water, agencies for World Heritage Areas (WHA), and more recently authorities with representatives from Commonwealth and State agencies. The management of multiple sites as a network across the landscape has not received as much attention, apart from the Central Victorian Goldfields (Lennon, 1997). The latter report shows that broad areas can partly be managed by local planning in terms of introducing design guidelines for new development and 'character enhancement'.

Consideration of cultural landscape management in Queensland is a relatively recent inclusion. The 1988 *Scenic Rim Region: Strategic Management Plan* "values" are either habitat (vegetation and fauna) or recreation (QDEH 1988). Nor was cultural heritage of any description referred to for surveying. However, by 1994, in *Parks of the Scenic Rim: Draft Management Framework* (QDEH, 1994), sections on cultural resources, landscape and World Heritage values had been included. The basic need for identification of possible sites was noted, but not followed up in proposed actions; all 'recorded' cultural sites would be assessed and authenticated.

The Palmer River Goldfields Resources Reserve, jointly managed by the Dept of Mines and Energy and the EPA, operates with guidelines for the protection of historic features associated with the mining history of the area (N. Horsfall, pers. comm., 1999). Competing issues, such as mining and tourism, have been identified and prioritised. Any applications for mining leases need to be accompanied by a cultural heritage assessment. There is an intention to develop a management plan for the wider cultural landscape when resources become available (N. Horsfall, pers. comm., 1999).

The following management plans illustrate that there is great variation in understanding of what constitutes cultural resources and cultural landscapes. Consequently, there is some inconsistency between stated objectives and proposed actions. The plans discussed here include the following areas: The Wet Tropics; Fraser Island and Great Sandy Region; Uluru Kata Tjuta; areas around Mornington Peninsula, Victoria.

### The Wet Tropics

The Wet Tropics World Heritage Area (part of a case study area for *Contested Terrains*) is of particular relevance to this study as the management objectives must meet an international standard of criteria through

joint management by the Commonwealth and the State.

The *Draft Wet Tropics Plan* of 1995 (Wet Tropics Management Authority [WTMA], 1995) refers to the protection and rehabilitation of scenic values. The area was listed for natural values so will any undiscovered cultural elements be protected? The draft plan indicates potential for conflict, viz.: "the impacts of mining, quarrying, fossicking, grazing, beekeeping and farming activities will be reduced where opportunities arise" (WTMA, 1995, p.10).

While the above activities may no longer be compatible with maintaining the region's natural values, the impacts of these activities, in the form of archaeological evidence of human activity, should be assessed before landscape changes are made. So, objectives, like that above, should be qualified in the plan.

Within the WHA there are to be numerous area-specific management plans. Cultural heritage is treated as a separate issue. Regional indicators to report on the condition of the area will include "the number, location, condition and significance of known cultural heritage sites". Again this is known sites. Visual impact assessments and building design guidelines are intended to minimise impacts on scenic values.

Cultural resources will be managed through a site-protection cultural heritage strategy for the "identification, management and protection of cultural sites and landscapes" (WTMA, 1995, p.82). The WTMA look to the Environmental Protection Agency to provide a strategy, and this is still the case in the 1997 plan. The broad emphasis is on Aboriginal cultural heritage, but mention is made of 'settlement site, mining and logging camps and tracks" (WTMA, 1995, p.82). The Authority will 'support new and existing cultural site recording and assessment" (WTMA, 1995, p.83). At this point in the plan, it is noted that rehabilitation shouldn't adversely affect natural or cultural features, but without an assessment of cultural

features, it would seem premature to talk of rehabilitation.

The WTMA intend to use GIS in planning and management, but it isn't clear whether cultural features would be added to the map base.

### **Fraser Island and the Great Sandy Region**

Management of the World Heritage Area of Fraser Island is undertaken by the Queensland Government through the *Great Sandy Region Management Plan (1994)* and through the provisions of the *Nature Conservation Act 1994* and the *Recreation Areas Management Act 1988* (World Conservation Monitoring Centre, 1999).

The Plan treats landscape and cultural heritage separately. By 2010 it aims to have all developed/disturbed areas visually integrated with the surrounding natural landscape, subject to the protection of significant cultural and other values. To achieve this, existing scenic values will be evaluated and mapped.

Most consideration of cultural resources goes towards indigenous sites, in terms of creating an inventory, researching traditional resource use and mapping sites onto GIS but these good intentions are soured by a lack of commitment to direct community involvement which is implied in the statement:

A series of information programs to **inform** local Aboriginal people about the nature of archaeological research and cultural resource management in the Great Sandy Region will be developed and initiated. (p.64)

Heritage conservation plans will be prepared.

As this is a case study area it would be highly desirable to follow up any implementation of the landscape and cultural resource objectives.

### **Uluru Kata Tjuta**

Uluru Kata Tjuta is a WHA listed for its natural and cultural values, as well as being a National Park and a Biosphere Reserve. In 1985 it was leased for 99 years, by the traditional owners, back to the National Parks and Wildlife Service.

The management plan (1991) has sections on cultural values on religion, ecology, social behaviour, and laws. It discusses mapping the landscape. It also notes that areas in the National Park contribute meanings to locations outside the Park and vice versa.

The plan has clear tasks for on-going information gathering, specifically, research, oral histories, archaeology and rock art surveys.

Human resources are also managed in line with overall objectives, e.g., indigenous staff have flexible working arrangements to enable them to continue with traditional ceremonies, etc. It is stated that visitor access may need to be restricted when ceremonies are occurring. This demonstrates that the management of several potentially conflicting objectives – the continuation of cultural social practices, staff resources and visitor access – has at least been addressed.

This is the one plan I looked at which was transparent about the implementation of objectives, by giving types of activities, who would undertake them and some indication of the economic resources required to achieve them. The overall budget was stated.

### **DERGHOLM STATE PARK AND MT ARAPILES-TOOAN STATE PARK (TOOAN BLOCK)**

and

### **MORNINGTON PENINSULA NATIONAL PARK AND ARTHURS SEAT NATIONAL PARK**

These draft management plans of February 1998, and November 1996, respectively (Parks Victoria, 1998 and Victorian National Parks Service, 1996), both had separate sections on 'landscape' and 'cultural heritage'. In Mornington Peninsula National Park, landscapes are to be protected in terms

of landscape values – these are inferred to be topography and vegetation – in areas of scenic quality and viewer interest. The Dergholm State Park has the same aim. Both imply that landscape has value only from a fixed visitor viewpoint.

Under cultural heritage, Dergholm SP aims to "conserve significant features and landscapes of historical and cultural significance" (Parks Victoria, 1998, p.13). Though lack of data is admitted, the only strategy to address this is to 'encourage' an archaeological survey.

The Mornington plan is better on cultural heritage as they have the results of a comprehensive archaeological survey. They draw in the competing activities of visitor impacts on sites, natural processes that may damage sites, adjacent urbanisation and revegetation. Strategies address competing interests, including:

- **consultation** to develop conservation and interpretation plans;
- **research** historic places to determine **significance** and **priorities** for conservation and interpretation, and
- **monitor** and **record** condition and on-going management regimes.

#### CAPRICORN CAYS NATIONAL PARK AND CAPRICORN CAYS NATIONAL PARK (SCIENTIFIC)

The Capricorn Cays plan (QNPWS, April, 1999) contains a heading entitled 'Cultural values' (p.6), but the text is actually a brief history and values are not stated. Landscapes are seen as visual and cultural heritage management will depend on the development of 'cultural resource conservation plans' (p.11). Detailed guidelines are given for the management of tourist activities in order to protect natural values.

In summary, it is hard to see how many plans can hope to assess significance and prioritise conservation and be adhering to the principles of the *Burra Charter* (Australia ICOMOS, 1999) if they do not commit to initial researching and surveying.

Those that do gather more data, do gain a better understanding of their places and are, therefore, better able to manage them. These steps are embodied in the Burra Charter, after all.

### Management of World Heritage Areas – Current Issues

An excellent review of WHA management is contained in the House of Representatives Standing Committee on Environment, Recreation and the Arts document, *Managing Australia's World Heritage* (1996). A number of key points are relevant to the potential management of cultural landscapes:

- **'values'** must be a starting point for a management plan;
- as knowledge increases, values must continue to be redefined and management practices adjusted accordingly;
- if values have been well defined it is possible to assess their intactness over time;
- **'threats'** need to be understood and managed – controls over areas should be guided by holistic approaches, sustainability and the precautionary principle;
- monitoring and reporting is essential - reports to the World Heritage Committee have not been based on systematic monitoring and had few if any measurable performance indicators and were, therefore "**...of relatively little value in demonstrating the extent to which Australia meets its international obligation for monitoring.**" (p.113);
- impacts outside the WHA must be accounted for under integrated planning
- plans must be reviewed every 5 years

### Policies for Cultural Landscape Management in Australia

Cultural landscapes have yet to be singled out for specific policy in Australia. Australia ICOMOS has recently produced its own *Cultural Heritage Places Policy* (Australia

ICOMOS, 1998), which is intended for integration into cultural and environmental management policies for any groups. This policy is also put forward for helping the Commonwealth to define a *National Conservation Strategy for Cultural Heritage*. The policy could be applied to broader cultural landscapes.

The Australia ICOMOS policy notes the value of comprehensive surveys but could be more explicit in its suggestions for implementation.

The Australian Conservation Foundation (1998) has produced a draft policy for *Wilderness and Indigenous Cultural Landscapes in Australia*, which aims to manage biodiversity and natural and indigenous cultural values, by creating Wilderness Reserves. These reserves would be managed to exclude and remove incompatible features of industrialisation, so that indigenous people would manage the land in traditional ways only. The use of the term wilderness has implications for the whole *Contested Terrains* project, as does the notion of returning areas to a prior state and removing invalid or unwanted cultural landscape features.

### **Broad-based Programs which Impact on Cultural Landscapes**

There are a plethora of programs, which aim to make broad changes in the landscape, many through rehabilitation of the natural environment. For expediency, it was decided to review those programs which are repeatedly cited in other Australian documents concerned with biodiversity and sustainability, i.e., those where an integrated approach is required, and where community and land-owner involvement is essential. The programs are underlined by the principle of collaborative management and foster the notion of stewardship.

The National Strategy for the Conservation of Australia's Biological Diversity is being implemented through the Natural Heritage Trust (NHT), which is the funding body for

a range of conservation programmes and grants (see Environment Australia, c.1998). The NHT funds the National Landcare Program and resources for Advanced Property Management Planning and is about to review a range of other programs including Bushcare, Cape York Natural Heritage Trust Plan, Tasmanian Regional Forest Agreement, and the World Heritage Area Management and Upkeep Program (The NHT website, May 1999).

### **Landcare**

Landcare aims to address issues of land degradation and sustainable land use through the education of community members. Funding is available for initiatives such as revegetation. As there are over 1000 groups across Australia, Landcare may be a vehicle for the protection of cultural landscapes. Revegetation schemes can be counter productive to cultural values if, for example, exotic trees in remnant designed landscapes are removed to enable wholesale replanting with native vegetation.

Reviews of Landcare in recent literature highlight the following points critical to the program's ability to assist biodiversity (see Standing Committee on Agriculture and Resource Management, 1997). These are pertinent to cultural landscapes.

- Landcare groups embark on some projects without scientific and cultural heritage input;
- Landcare members adopted best practices and these had begun to filter out to the wider community;
- there is a need to focus on economic instruments to encourage sustainable natural resource management;
- stronger links are needed between key agencies on the ground;
- specific performance indicators and milestones are needed;
- Landcare awareness should be extended to under-represented groups, i.e., urban, indigenous and migrant Australians;
- many Landcare groups have matured and now want to be involved in the implementation of resource management plans; and,

- Landcare philosophy should actively adopt the *National Strategy for Ecologically Sustainable Development*.

### **Integrated Catchment Management**

Integrated Catchment Management (ICM) and Total Catchment Management (TCM) are community-based programs for the sustainable management of water resources. The catchment areas may be significant cultural landscapes in their own right. It is important that such groups and Landcare are working with other regional development initiatives to ensure ESD.

ICM groups are considering cultural resources, as evidenced by the recent *1998 Waterways Management Plan* (Brisbane River Management Group, 1998), where there is provision for the creation of a database for waterways heritage. There is some vagueness about performance measures in relation to objectives and desired outcomes.

### **Property Management Planning**

The Property Management Planning (PPM) Campaign was designed to introduce non-Landcare farmers to sustainable practices. As with Landcare, changes in farming practices will change existing cultural landscapes so thought should be given to the how cultural values might be protected.

Background reports for Australia's *Oceans Policy* (Claridge and Claridge, C., 1997), identified PPM as a form of collaborative management which is a 'whole systems process', controlled more at the local level, involving producers and linked to catchment management. It has had mixed success, being dependant upon who is on the Steering Committees, but in successful cases producers have been informed as to why changes in management are needed and the consequent benefits. These producers have also been given follow-up support.

### **Reading the Land**

Reading the Land was not a national scheme, but began as a very forward thinking approach to educating people about

the landscape in the Murray-Darling Basin and communicating to all Australians the importance of sustainable resource use (Eastburn and Milligan, 1998). It was to become part of a long-term strategy but unfortunately the project was abandoned.

The proceedings contain a wealth of ways in which Australia can be read and understood. It also shows that we need to understand our collective history, good and bad, in order to understand its significance to us. There is a danger of applying a Euro-centric view when looking at the landscape.

It is imperative that these topics are re-addressed so that all Australians can be made conscious of evolution of the landscape (both natural and cultural) and be active in deciding its future.

### **Incentives for Environmental Management**

In a comprehensive review of incentives for environmental management in Australia, concerned mainly with deterring environmental harm (James, 1997), there are a number of economic instruments which might be applied to cultural landscape protection.

#### ***User pays***

This is generally applied to natural areas/reserves/national parks, whereby visitors pay fees for permits to undertake certain activities. Could be applied to cultural landscapes in protected areas.

#### ***Direct government support***

This comes in the form of subsidies or capital grants for conservation. Direct grants are made to non-governmental conservation organisations such as the National Trusts of Australia.

#### ***Removal of perverse incentives***

Refers to tax deductions for actions that are counter to certain environmental strategies, e.g., on-farm land-clearing costs are tax-deductible.



***Private investment in conservation***

This topic was briefly touched on in the report (James, 1997), but there is wider application for private investment, as evidenced in the United States (see Section 4.2.2). Private investment was also taken to include conservation groups or similar organisations banding together to raise funds for purchase of sites with high conservation value. This is not common in Australia but very common in Britain and the United States.

***Indirect taxes and charges***

These can be successful if the revenue is earmarked for active conservation work.

***Tax relief***

Tax deductions are available for fencing to encourage revegetation and land restoration. James (1997) advocates the extension of this principle to other forms of conservation. Of serious concern is the recent removal of the 20% rebate for conservation work to listed buildings.

A number of rate relief schemes, and environmental levies are operating in Queensland shire councils:

- Cooloolool S. C. has rate relief, an environmental levy (\$10/year), environmental awards, co-funding arrangements, a design bonus and a community-based conservation strategy. The design bonus refers to retention of significant bushland in open spaces as part of development proposals. Cooloolool S.C. and Landcare are co-funding the *Voluntary Riverbank Restoration Grant Scheme*;
- Brisbane City Council have an annual levy of \$30 for the purchase of remnant bushland and offer a 'cash grant' for Voluntary Conservation Agreements whereby land is reclassified as a conservation zone;
- Albert Shire has an *Open Space Preservation Levy*;
- Johnstone S.C. had drafted a proposal to apply rate rebates in perpetuity for landowners entering into conservation agreements, which include the protection of scenic resources.

Some councils in New South Wales operate **catchment levies**.

In terms of **effectiveness** of these economic instruments in achieving environmental objectives, the most successful, according to James (1997), specify quality and quantity constraints or standards. For the present study it would be desirable to use a case study area or part thereof (like Cooloolool) to determine the effects of existing and potential instruments.

## RELEVANT OVERSEAS MANAGEMENT PLANS, POLICIES AND PROGRAMS

**The United Kingdom**

The management of cultural landscapes in the UK has been practised for longer than the intellectual concepts of 'cultural landscapes' have been articulated. It is important to understand what has been achieved in the British context, because it is so different from Australia, leaving aside the obvious differences in size and population density.

Until the 20<sup>th</sup> century, the population was largely indigenous, and centuries of cultural traditions are evident in the landscape, in terms of archaeology and structures in continuous use. The National Trust (for Places of Historic Interest or Natural Beauty) was formed by a group of socialists in 1895 essentially to protect landscapes for the benefit of the nation. Other conservation groups such as the Royal Society for the Protection of Birds (RSPB) have acquired landscapes more specifically for habitat protection. The conservation ideals of these groups are inextricably linked with British traditions of 'rights of way', 'common land' and 'the right to roam'. Ancient rights of way

have perpetuated people's connection with the landscape.

Allied to these issues is continuing strength of local communities. Traditional 'parish' councils still retain a certain amount of power in planning terms.

One key to the future for cultural landscapes in Britain is the realisation that biodiversity in Britain is partly dependant on the maintenance of historic cultural landscapes. Many species, particularly birds, have evolved nesting habits that are directly dependant on hedgerows, reed beds, access to vernacular buildings and a range of farming practices. Many plants also rely on farming and grazing routines. This interdependency is not so far removed from indigenous Australians' relationship with some native fauna.

### **PROTECTED AREA DESIGNATIONS**

#### **AREAS OF OUTSTANDING NATURAL BEAUTY (AONBs)**

AONBs were first created under the *National Parks and Access to the Countryside Act 1949*. For details see the Countryside Agency's website (1999). The objective is to conserve natural beauty (which is a cultural view and little to do with wilderness) while taking account of rural industries and the economic and social needs of communities living within the AONBs. There are currently 37 AONBs covering 15% of England. There are 5 AONBs in Wales.

These areas are administered by local authorities and have stricter than normal guidelines for planning, limiting new housing and restricting significant alterations to the character of the landscape. In a recent initiative in the Chilterns AONB, The National Trust has produced a strategy for the whole AONB (owning a significant amount of land throughout this area) and is now managing land on behalf of one of the County Councils, besides having a strong input into the overall management of the area (R. Wheeler, pers. comm., 1999).

#### **NATIONAL PARKS**

National Parks like those in the Lake District and Peak District are not like national parks in the American or Australian sense. It is the highest form of protection for a landscape. Many other smaller protected areas of national significance occur in the national parks. National Parks in Britain can include private land, villages, towns and activities such as farming and forestry. The National Park Authority is also the Local Planning Authority so it can influence the development and design of housing, transport links and tourist facilities. Development control policies aim to balance development with the values of the national park. The majority of land in the Lake District NP is in private ownership.

It should be noted that property prices in the Lake District NP have long been much higher than in surrounding areas.

#### **FREEHOLD LAND WITH RESTRICTIVE COVENANTS**

A freeholder may draw up a list of restrictions to be observed in perpetuity and pass the management of those conditions to another body, such as the National Trust. Many areas of high cultural landscape value, which the NT could not afford to buy, were covenanted between the Wars. This was prompted by the encroachment of cities and towns upon agricultural communities.

Under most restrictive covenants, permission is required to make any alterations to buildings or the landscape that would affect the existing 'character' of the feature. Owners can appeal against decisions to the Lands Tribunal, but the vast majority of decisions are agreed at a local level, with local and regional staff.

In the author's experience of working for the National Trust covering the Hambledon (Greenlands estate) covenanted area in Buckinghamshire, between Marlow and Henley, 50 years of managing restrictive covenants had significantly preserved the character of the landscape compared to areas

outside the covenanted area. During the 1940's every building and many landscape views were photographed enabling a benchmark for character.

### **Agri-environment schemes**

The two schemes outlined below have been running for almost 10 years. They complement statutory protection by enabling farmers to be informed about and manage their own heritage. The landscape is their cultural environment and there is a certain level of archaeological and historic interest among the farming community. The schemes are also relatively well funded (approx. \$200 million) in 1998 (Middleton, 1999). Nevertheless, the same types of schemes could work on a more modest scale in Australia.

#### **ENVIRONMENTALLY SENSITIVE AREAS (ESAs)**

ESA encompass schemes designed to 'protect and, where possible, enhance the special landscape character of an area and its wildlife and historic interests, by encouraging the maintenance and adoption of appropriate farming systems' (Middleton, 1999). The scheme is voluntary and can be taken by farmers and other land managers of agricultural land. It is based on a 10-year management agreement based on activities to both maintain good environmental practices and undertake 'enhancement', which can translate into the reinstatement of lost boundary structures. There are currently 22 ESAs (10% of England's agricultural land), with over 9,300 agreements (Middleton, 1999).

#### **COUNTRYSIDE STEWARDSHIP**

Countryside stewardship (UK) is also a voluntary scheme based on annual incentive payments to landowners for the creation or repair of the landscape features (built and natural), to sustain the natural and cultural diversity of the landscape and improve opportunities for public enjoyment. The scheme is good for targeting distinctive features of historic landscapes. The scheme began in 1991 and by 1999, 526 out of 8614 agreements came under the category of 'historic landscapes and features' (MAFF,

1999). Nevertheless, most categories refer to landscape features of some description, e.g., 2,102 agreements now cover field boundaries.

For an example of a scheme, see the Avalon Marshes web site (Somerset County Council, 1999).

It would be useful to look at a defined cultural landscape to see what structural features might be applicable. Also these schemes work best when the potential conflicts between cultural features and changes for sustainable agriculture are addressed and resolved, otherwise the money from incentive payments is not enough incentive for farmers to take up the schemes (R. Wheeler, pers. comm., 1999).

### **The Countryside Character Initiative**

In the UK, the recent Countryside Character Initiative – led by the The Countryside Agency) – has recognised that the entire landscape, regardless of its 'value' has evolved through the interaction of human and natural forces (Countryside Agency website, 1999). By recognising the variation in character across the country they hope to understand how the different impacts upon it combine to give areas a unique sense of place. See the Countryside Agency website for details.

England has been divided into 159 areas, each described in terms of physical and cultural features. No grading of values has been ascribed. The initiative aims to provide a national framework within which detailed and consistent local landscape assessments could sit. This information will be fed into regional plans.

English Nature and English Heritage are undertaking similar exercises based on landform, wildlife and land use, and on historic landscape character, respectively. The results are awaited and should be followed up in this study.

Obviously, the size of England makes this sort of initiative possible, but the holistic

approach is transferable, as in the consideration of Cape York as one unit.

### **Approaches to Integrated Policies and Planning**

Various UK documents point to an emerging holistic approach to economies and future development based on a broad notion of sustainability and a better understanding of how cultural landscape is linked to biodiversity. This is evidenced by the current debate on the maintenance of field boundaries, such as hedgerows, walls and fences. These features have enormous cultural value in terms of patterns of ownership, regional variations in materials, construction techniques and indications of land management, and contribute to notions of 'beauty'.

Current protective legislation is confined to hedgerows, which are themselves only found traditionally in certain areas. The instrument only focuses on individual hedgerows and applications for their removal don't consider the effects on adjacent areas and the landscape as a whole. Conservation bodies are arguing for an extension of legislation to cover all field boundaries.

#### **REGIONAL DEVELOPMENT AGENCIES**

In a new initiative, Regional Development Agencies will be concerned with developing a region's economic base on sustainable principles. Regional Economic Strategies must also take account of the environment, cultural heritage and tourism. The National Trust (January, 1999) evidence to the Inquiry into Regional Development Agencies highlighted the fact that the cultural and natural resources of a region do make an economic contribution in terms of local jobs in conservation and tourism. These issues are worth further investigation in the Australian context.

### **Management Plans**

The Lake District National Park Management Plan (1997) was chosen for examination, being a broad cultural working landscape. Most of the Chapters of the Plan are headed by landscape types with an

overview chapter on "Natural Beauty, Wildlife and Cultural Heritage" (Chapter 3).

Landscapes are well described and landscape conservation is not limited to scenic views, i.e.,

- diversity of the landscape is to be protected, management must be based on assessment of an area's character and be designed to conserve those individual elements which define it;
- priority will be given to any features that are rare or unique but sufficient resources should be available for the conservation of the wider countryside.

In the late 1980's the park was surveyed by major landcover types (Monitoring Land use Change), which piloted a computer-based analysis. The park will be resurveyed to look at changes in the last 10 years. In the Australian context, much data probably already exists and could be used in cultural landscape analysis and management.

The approach to cultural heritage includes statements about approaches to conservation, in terms of protection, consolidation, acceptable repairs and alterations and re-use.

Strategies are put forward for the maintenance of 'non-material' cultural traditions (dialect, place names, farming practice, literary and artistic associations, local crafts, sports and pastimes) through education and interpretation and maintaining the conditions necessary for traditions to survive. A difficult task, they admit, but worth stating as an objective.

Several management issues are addressed within this Chapter:

- opportunities for change in the landscape;
- specific schemes and grants which will be used to meet objectives;
- advice for landowners; and,
- work being undertaken with other agencies and levels of government.

Overall it is a fairly transparent account of what will be managed and how.

### Incentives

The Agri-environment schemes have annual payments for conservation work undertaken and this includes landscapes. Countryside Stewardship is suitable for re-establishing features over a range of owners but can be a 'blunt tool' when it comes to a designed landscape (Richard Wheeler, pers. com., 1999).

#### THE NATIONAL LOTTERY

Many of the heritage funding bodies have had their grants reduced as a certain amount of profit from the National Lottery is channelled into the National Lottery Fund and made available for the arts, heritage, sport and recreation. Application is open to any group, including villages wanting a new community hall. Larger schemes can be more focused as they must have a conservation plan ( a concept passed on by a number of Australians working in heritage conservation in Britain). Grants are made on a matched-funds basis.

Although there are potential ethical problems using money raised from gambling, the idea of earmarking a known percentage of the profits for community benefit, is a form of incentive. A similar system could work on an Australian Commonwealth or State basis. In Queensland, Jupiters Casino operate a grant scheme for projects that have community benefits.

Britain generally has a wide range of grants and tax rebates for cultural heritage conservation. Conservation charities are exempt from Value Added Tax (VAT) on conservation work. Australia is not taking that approach with the GST.

### The United States

#### The National Parks Service and Cultural Landscape Reports

In the US, the National Park Service (NPS) is defining and managing cultural landscapes

within Parks. Detailed research and recording has allowed them to describe features and prescribe a regime for their care. The recently published *Guide to Cultural Landscape Reports* (Page, Gilbert and Dolan, 1998) shows how their knowledge and approach has evolved over time and presents a practical guide to researching and surveying landscapes. Their premise is that there is no substitute for gaining a first-hand understanding of the landscape using the widest range of information-gathering techniques, such as oral history, land and satellite surveying and GIS mapping.

Ironically the older NPS sites have become landscapes of National Parks and are being managed with that value in mind.

The strengths of the NPS approach are their thoroughness in that they are clear about:

- Defining management philosophy – a narrative that states goals for managing the landscape as a whole, intent of primary treatment, specific consideration for long-term management and general maintenance requirements (see p.83, NPS, 1998);
- Evaluating the consequences of treatment actions;
- Including cost estimates;
- Balancing different resource values;
- Recording and reviewing treatment.

As apparent in some of the before and after photographs of landscape details in the book, a possible downside comes when the decisions made lack the subtlety needed to integrate new repairs/rehabilitation with the existing surroundings. This can result from a combination of being too prescriptive and where the people carrying out the treatment haven't been informed about (or haven't understood) the overall significance of the place.

This document would be worth following up alongside a specific example in Queensland.

### **Policies and Programs for Private Land**

In a comprehensive summary of US policies and programs for land protection Endicott (1994) outlines a range of approaches, including:

- direct funding of non-profit land protection organisations;
- preserving land through a utility surtax;
- public/private partnership funding for purchase of land;
- lottery proceeds for purchase and conservation work; and,
- tax advantage sales, tax deferred exchanges.

Endicott (1993) emphasises that NGOs provide advantages in terms of flexibility, specialised staff, conservation management experience and an "atmosphere of possibility" which governments are less able to achieve.

### **Canada**

Canada was one of the first to ratify the 1992 Convention on Biological Diversity but by 1998 still had no implementation plan (Commissioner of the Environment and Sustainable Development, 1998). Targets had not been set to judge whether a policy had been implemented successfully or not, and too little attention was being paid to the management side of sustainable development. Canada does not systematically track the implementation of its international environmental commitments; this was seen as a weakness to be rectified. These omissions would be relevant in Australia.

The report cited that Environmental Impact Assessment was a critical tool for sustainable development and could be applied to the cultural/historical landscape.

On the subject of policies and practices for indigenous cultural resources, experience is similar to that in Australia. Notzke (1994) said native Canadians saw the documenting of individual sites and decisions on

importance being made in relation to site density as a piecemeal approach, when, as with indigenous Australians, they viewed nature and culture as one.

It may be comparatively useful to track down a specific management plan for a landscape that includes a native Canadian population.

### **Techniques for Describing and Managing Cultural Landscapes**

#### **Geographic Information Systems (GIS) in Cultural Landscape Analysis**

GIS is used widely for landscape research and management in the US and to a lesser extent in Britain. A new initiative by Lifeline and the Great Britain Historical GIS programme is using GIS to map and analyse the migration patterns of workers during the 19<sup>th</sup> century.

There is a great deal of material on the Internet that could be explored further.

## **CONCLUSIONS AND RECOMMENDATIONS**

What can be concluded from this research in response to "**can cultural landscapes be conserved?**"

**Yes. If they can be defined in terms of features that can be physically managed.**

Cultural landscapes manifest themselves through the physical world. Even landscapes that have sounds or smells must ultimately be derived from something tangible, e.g., the sea, trees, sand and soil. These resources are manageable and much legislation and policy exists to protect them. Humans are constantly interacting with the physical world (and in indigenous terms humans are indivisible from the physical world), creating and changing cultural landscapes.

### **Are cultural landscapes in Australia being managed?**

They are in so far as they have been defined and understood.

Cultural landscape values are currently referred to in management plans in terms of 'scenic value' (maintenance of vistas from fixed points) and in terms of historical and archaeological 'sites'. The former is commonly referred to in forest plans, where acceptable change in the landscape is measured according to distance from viewpoint and length of time for the change to revert to being only 'subtly apparent'. This suggests that alterations could be great in areas not visible from visitor viewpoint – here the argument for cultural landscape integrity would be tested!

### **A Summary of the Legislative Framework for Cultural Landscapes in Australia**

Looking at the stages of progression from strategies to plans:

- strategies for sustainable land use are in place with more detailed strategies concerned with cultural resources awaited;
- Commonwealth and State legislation is reaching a point where the objects of acts are broad enough to encompass the concept of cultural landscapes;
- in both protected areas and local area plans the importance of cultural landscapes has generally been alluded to but vague definitions are inhibiting a meaningful transfer to actions on the ground; and,
- in Australia, financial incentives are few, so the sustainability of conserving cultural landscapes must be in doubt.

### **Recommendations for the Management of Cultural Landscapes in Australia**

The following headings are a first look at the main issues that will need to be addressed in order to conserve cultural landscapes. These recommendations are not meant to be finite or prescriptive as the future success will depend on the values being managed. Ideally, recommendations should be examined in relation to a case study area.

#### **Recurring issues**

The majority of Australia's protected areas were nominated for natural values. Even recent management plans admit that knowledge of cultural values is very limited, as existing data is minimal.

Perceived commitment to the identification of cultural values is noticeably less than that to natural values. This may result from the lack of expertise and guidelines directly available to the managing bodies, and to some extent the perception of cultural landscapes as aesthetic/subjective and, therefore not scientific/objective. There is a need to improve the baseline knowledge of field managers and crucially, to have experienced people at local government level for the consideration of planning policy and schemes.

There is a further need to actively involve landholders and communities in ways that are meaningful to them.

#### **Cultural Landscape Management in Practice**

Practical management will need to involve a combination of:

- thorough research;
- defining significance (consulting with other stakeholders to reach that definition);
- collaborative management framework;
- education of stakeholders to all desired outcomes;
- on-going, sustainable financial incentives;
- Government role in providing:

- technical guidance, which is on-going;
- regional support staff who build up relationships and act as a facilitator for new ways of achieving good practice;
- adoption of broad principles of sustainable resource management;
- conflicting issues addressed and priorities for management established;
- clear objectives translated into implementation plans;
- monitoring and recording of existing landscapes and any treatments
- regular reviews of significance and resulting plans

Management plans should be much clearer about the significance of the sites, the management of competing values and interests, and the relative priorities of management objectives. These priorities should then be reflected in the allocation of staff and financial resources, in order to show how tasks arising from objectives will be achieved. The Uluru Kata Tjuta Plan (1991, updated 1995) does this well. Moreover, because the values are well understood (through on-going research and communication with traditional owners) and articulated clearly in the plan, it is easier to form objectives and achieve them.

#### **Sharing of resources**

The inevitable integration of the conservation of natural and cultural values, requires the sharing of information resources and ideally, staff resources, especially given the size of Queensland. Much information exists in different State government departments and the need for a central database has been argued for elsewhere (Lennon, 1998).

#### **Education of all stakeholders**

Australia is awash with strategies, policies and plans but not with the collective knowledge to implement them. Sooner or later one has to get back to basics.

It is the day-to-day activities of individual land managers, be they farmers or park

rangers, which need to be imbued with a sense of cultural landscape management. Those who work in the landscape are best placed to see how a change in any one activity or process, be it natural or man-made, may alter a cultural landscape (perhaps to the point of its loss).

The 'Reading the Land' scheme for the Murray-Darling Basin Commission (Eastburn and Milligan, 1998) was a good start to community education and precisely this type of scheme should be coordinated under the Natural Heritage Trust to be run in tandem with schemes like Landcare and ICM. Key cultural/historical information should also be part of the Property Management Planning teaching.

The consideration of cultural heritage needs to be "conscious" at all levels of government (and across departments). There needs to be a change of attitude in line with the objectives of the Integrated Planning Act:

- If cultural landscape is seen as an aspect of the physical landscape, cultural heritage should be part of any environmental impact assessment. Just as a surveyor would ascertain the availability of water for a housing scheme, it would not be unreasonable to check what archaeology may be disturbed or what views may be interrupted or lost.
- There is an apparent fear that the identification of any cultural heritage will signal a moratorium on development. It may be that cultural heritage practitioners are currently at the point where ecologists and conservationists were previously, i.e., hardened by significant losses in the past and still 'firefighting' with limited resources and a lack of sound comparative data to argue their case. Management of any resource always involves some compromise, but with more information and wider support, better decisions can be made.



### Directions for future research

As stated throughout this report, the usefulness and effectiveness of legislation and management for cultural landscapes, should be tested in a case study area.

Priority areas for further research should be:

- Definitions of 'cultural landscapes', as different understandings in different countries affect the applicability of overseas schemes, policies and incentives to the Australian context. N.B. Harvard University's Institute for Cultural Landscape Studies has proposed a study entitled *Building a Common Language*, to address interdisciplinary interpretation and management.
- Environmental Impact Assessments (EIAs) and their application to cultural landscape management. The author has gathered a certain amount of information which could be assessed further.
- Examination of implementation plans for protected area management plans in a case study area. It is important to complete the circle of international agreements down to local management plans by seeing whether actions on the ground fulfill the ambitions of the strategies and how local conflict is resolved.
- To look further at the economic dimension, i.e., investigate the economic conditions needed for the survival of cultural landscapes. These are also points of conflict: job opportunities, family dynamics, etc.
- At the formal education level, it would be worth looking at environmental management courses and the inclusion of cultural resource management.
- To identify a process for systematic surveying which could be used by Shire Councils.

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## 4 LOCAL GOVERNMENT PLANNING REVIEW

by Susan Laurens

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This chapter contains a review of existing local government planning schemes and proposed ones according to the Integrated Planning Act. This examination focused on mechanisms that recognised and protected cultural landscapes (among other matters), specifically related to the local government areas related to the five case study areas.

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## Introduction

The purpose of this chapter is to examine at existing Local Government Planning Documents covering five case study areas across Queensland, and to establish how they address the issues of:

- protection and management of cultural heritage;
- protection and management of landscape;
- protection and management of amenity/character; and,
- protection and management of environments.

The Chapter also examines proposed planning schemes being developed under the *Integrated Planning Act 1997* to see how they are addressing the issues identified under "valuable features", including:

- (a) resources or areas that are of ecological significance;
- (b) areas contributing significantly to amenity;
- (c) areas or places of cultural heritage significance; and,
- (d) resources or areas of economic value.

In the case study areas, other relevant studies and State Government planning/management documents are also reviewed. These include

- The Gold Coast (Gold Coast City Council);
- South Brisbane (Brisbane City Council);
- Glass House Mountains Region – a selected part of the South East Queensland Regional Forest Agreement Area (Caloundra City Council);
- The Wet Tropics (Douglas Shire Council and Cook Shire Council); and,
- Cape York (Cook Shire Council, Torres Shire Council and Aurukun Shire Council).

## THE GOLD COAST

The Gold Coast case study area falls within the jurisdiction of the Gold Coast City Council (GCCC). The Council is currently in the process of developing a new planning scheme consistent with the *Integrated Planning Act 1997 (IPA)*. The planning scheme **presently** in place for the Gold Coast are those that were devised for the City of Gold Coast (1994) and the Shire of Albert (1995) prior to amalgamation of the shires. For the purposes of this report, three documents were investigated: the *Gold Coast Urban Heritage and Character Study*, *Building Sustainable Communities Draft Strategic Plan*, and the *Gold Coast Nature Conservation Strategy Volume Two*. All three were tabled in 1997 and are intended to guide the current planning scheme review. A review of references to "valuable features" in the planning scheme being developed under *IPA* is also made.

### GOLD COAST URBAN HERITAGE AND CHARACTER STUDY

As the title indicates, the focus of this study is the cultural heritage and character of the Gold Coast. In the Foreword to the work, Gold Coast Mayor Gary Baildon states,

[t]he study provides an understanding of what constitutes the city's heritage and character....then recommends a meaningful framework within which Council and the community can work, to conserve and enhance that heritage and special character".<sup>1</sup>

It was also noted that the operation of the existing planning system would not radically change following the implementation of recommendations included in the study. This is a realistic conclusion given the study's emphasis on character rather than heritage, and the perceived view that controls of character more readily "accept development or redevelopment as the norm", than does the protection or management of heritage.<sup>2</sup>



### Heritage-v-Character

The study goes to some length to make the distinction between heritage and character, and the implications for the protection and management of the Gold Coast's cultural fabric occasioned by controls for each. The management of **heritage** is seen to imply "a sense of commitment to permanence and stability....a lack of change or 'keeping' aspects of the built or natural environment for future generations" while "urban **character** is more usually an evolving or developing quality and [hence its management] is dependent upon less tangible or measurable quantities than heritage".<sup>3</sup> Controlled change which incorporates development and redevelopment is purported to be the crucial element in achieving the conservation of character. The protection and management of character on the Gold Coast is given greater currency than heritage, as it is more compatible with "a city whose ethos has traditionally been one of change and growth".<sup>4</sup> There is a place for the protection and management of cultural heritage, however the study assigns it limited application in Gold Coast Planning Schemes.

### Identification

The *Gold Coast Urban Heritage and Character Study* identifies nine broad 'character areas', and within these a further 15 areas of more specific urban character.

Sites and places of cultural heritage are recognised within and beyond the various character areas. These individual structures have been identified by the community as having "such value that their retention in perpetuity is considered important".<sup>5</sup> It is recognised that current listings of places of cultural heritage significance held by the National Trust, the Queensland Heritage Council and the Australian Heritage Commission are unrepresentative of the diversity of the heritage of the Gold Coast. To remedy the imbalance, the document suggest "the various themes of history at the Gold Coast identified in the study might act

as a prompt or framework for the consideration of a much wider range of places than those presently identified".<sup>6</sup>

Possible places might be drawn from:

- drainage channels;
- canal estates;
- agricultural lands;
- industrial sites;
- government bodies;
- architectural styles of the Gold Coast;
- nodes of transportation;
- locations associated with the beach culture;
- introduced landscaping;
- long views of the city and hinterland; and,
- icons of the city, for example the Pink Poodle Motel, the Miami Ice Works, etc.<sup>7</sup>

### Protection and Management of Cultural Heritage and Character

The heritage and urban study offers 21 recommendations for the conservation and protection of the Gold Coast's heritage and character. The first seven address the need for the Gold Coast's heritage and character to be recognised and embraced, including the need for additional studies and investigation to further expose the significance of the region's heritage and character. The final 15 recommendations nominate the ways Council (and other groups) can protect and manage places of cultural heritage and character significance.

The recommendations are:

1. Embrace the diversity of the heritage and character of the Gold Coast
2. Establish a history program for the city.
3. Pursue a better understanding, recognition and support of community values of the Gold Coast.
4. Undertake a study of twentieth century architecture.
5. Demonstrate graphically, the city's history of development.
6. Bring together the findings of this study and the Nature Conservation Strategy.



7. Assign responsibility for dealing with urban heritage and character matters to particular officers.
8. Establish formal association with groups such as the Cultural Heritage Branch of the Environmental Protection Agency.
9. Establish a thematic database (from community consultation).
10. Research the opinions of tourists.
11. Communicate with residents and tourists to engender support and inform them of initiatives designed to achieve protection and management.
12. Provide professional or technical advice to the community.
13. Initiate local area action.
14. Adopt an incentive scheme.
15. Establish a heritage fund.
16. Enter into heritage agreements with property owners to support number 14 above.
17. Establish a program for the survey and listing of significant places.
18. Support local character through urban design.
19. Examine whether there are places in the city where the rate of change may be slowed.
20. Lead by example (Council owned properties).
21. Conferences/Involvement of Universities.

The City Council specifically, can promote the protection and management of heritage and character via town planning/urban design and Heritage Legislation and incentives schemes. The study recognises that several of these initiatives oppose the traditional ethos of many Gold Coast City Councils, residents and visitors of the desirability of continuing growth and change. Yet recently, there has been increasing recognition of the desirability of identifying and protecting the Gold Coast's heritage and character, and of the urgency with which this needs to be executed given the exceptional growth of the South East Queensland region.<sup>8</sup>

### Comments

There is an emphasis in the study on the protection and management of character, seen as a more viable option for the culture of the Gold Coast, although heritage has its place. Can this be read as the pressure of development setting the parameters of protection and management of the Gold Coast's cultural fabric, rather than heritage and character setting the parameters of development?

### BUILDING SUSTAINABLE COMMUNITIES: DRAFT STRATEGIC PLAN

The *Draft Strategic Plan*, "addresses the elements of the natural environment, economic development and community development" on the Gold Coast.<sup>9</sup> It includes comment on the protection and management of cultural heritage and environments.

The document is very general in its coverage of the issues across the Gold Coast. The section entitled "Principal Elements" refers to objectives and initiatives related to the protection and management of natural environments and cultural heritage. The section entitled "Principal Strategies" expands these discussions.

### The Natural Environment

The document states:

Conservation and maintenance of the Gold Coast's natural environment is an important objective of this Strategic Plan. Strategies and controls are directed towards maintaining the quality of the Gold Coast's air, water, soil and biological resources.<sup>10</sup>

• ***Three environment objectives are then nominated, and key initiatives to achieve these objectives are identified.***

1. To protect the health of ecological systems and the biodiversity they support, and to identify, protect and enhance those parts of the City that have significant values for nature conservation or landscape interest.

Initiatives:

- (a) to protect the areas identified as 'Large Habitat Systems'.
- (b) to conserve the habitat values of all land in the city.
- (c) to protect and support the areas designated as being of World Heritage significance within the city and adjacent to the city's boundaries.
- (d) to protect and enhance the sites identified as important habitat for migratory birds, subject to the RAMSAR agreements to which Australia is a signatory.
- (e) to define an 'edge' to the city's urban area, particularly on its western side, to maintain a distinction between the built up and the natural areas of the city.
- (f) to ensure that new development in the hinterland is consistent with the nature conservation values of this extensive part of the city.
- (g) to support the introduction of voluntary regulatory mechanisms to protect land for conservation purposes, such as a specific 'Conservation Zone'.
- (h) to provide explicit guidelines for the selection of land to be dedicated for Open Space purposes by developers to ensure that this land is acceptable for nature conservation or open space use, and is complementary to the identified open space system of the city.<sup>11</sup>

2. To conserve water resources, protect river systems and water bodies and to protect and enhance water quality.

Initiatives:

- (a) to ensure that the integrity of the individual drainage catchment areas as shown on the River Catchments and Landform Map is maintained.
- (b) to consider the potential impact of land use and development proposals on the drainage catchments in which they are located.
- (c) to support the preparation of integrated catchment management plans for individual catchments and sub-catchments within the city.
- (d) to protect the water catchments that are designated for the supply of water

to the population of the Gold Coast and to those of adjoining local government areas.

- (e) to encourage and support the reconstruction of wetlands as part of the operation of an integrated water resources management system.
  - (f) to ensure that storm water runoff is discharged into appropriate treatment areas prior to discharge into the stream, river and estuarine waters of the city.
  - (g) to support and complement the land use and development initiatives of the Moreton Bay Strategic Plan.<sup>12</sup>
3. To conserve land and soil resources and minimise the impacts of land use and development activity on landform integrity and soil quality.

Initiatives:

- (a) to implement the State Government Planning Policy for the protection of significant agricultural lands.
- (b) to prepare and implement a policy and guidelines for Land Use and Development on Steep Slopes.
- (c) to implement an Acid Sulfate Soils Policy for new development within the city.<sup>13</sup>

### Cultural Heritage

Cultural Heritage is addressed briefly in this "Principal Elements" section of the document.

The nominated objective is:

1. To create urban areas that have a distinctive and recognisable character and sense of place, and to celebrate cultural heritage and opportunities for community interaction and participation.

Initiatives:

- (a) to promote cultural heritage and awareness through the implementation of the Gold Coast Urban Heritage and Character Study.
- (b) to require applications for development to address the cultural and heritage values of the site or surroundings, where appropriate.
- (c) to address the cultural and heritage values of Indigenous and European

settlement through the gathering of information and through the involvement of Indigenous people in the planning process.

Chapters 4.11 and 4.12 expand the topics of 'heritage and character', and 'city image and townscape'.

### Urban Heritage and Character Strategy

The acknowledged purpose of the heritage and character study is to identify and protect places and objects of significant heritage value; and to provide the foundation for the conservation and enhancement of local character.<sup>14</sup>

In order to maintain the **urban heritage** of the Gold Coast, the following objective was nominated:

identification and protection of places and objects of recognised heritage significance, which are excellent examples of their type and representative of particular periods or particular activities of the Gold Coast's history, culture and development.<sup>15</sup>

More specific goals were then identified, for example:

- preserve and protect places and objects included in the Register of the National Estate, the Queensland Heritage Register and the National Trust Register;
- encourage the retention and preservation of places and objects of Indigenous cultural significance;
- consider measures to slow the rate of change and development in areas of the city with recognised heritage values;
- encourage the retention of representative examples of early canal estates, agricultural industries, surf life-saving clubs and kiosks, early transportation infrastructure, drainage channels, etc;
- encourage retention of individual trees or landscaping elements.<sup>16</sup>

The key initiative designed to achieve the protection of the city's urban heritage was given as:

undertake detailed heritage assessment of those parts of the city with remaining buildings of potential heritage significance, including Southport, Burleigh, Coolangatta and the hinterland settlements.<sup>17</sup>

The protection and management of the Gold Coast's **urban character** was referred to in the chapter's second nominated objective:

ensure the conservation and enhancement of local urban character and the promotion of distinctive identities for the individual communities of the Gold Coast.<sup>18</sup>

*Nine major character areas were identified, and new development should respect and enhance the local urban character of each. The recommended initiative was to:*

undertake a program of Local Area Plans to enhance local character which are developed in consultation with the individual local community groups and representatives.<sup>19</sup>

### City Image and Townscape Strategy

The townscape of the Gold Coast consists of a few very strong elements that occur in a distinct pattern as one moves inland: the high rises that cling to the coastline; canal developments; low rise, low density urban areas and hinterland villages; rural landscapes of canelands and hinterland valleys; and the natural landscapes of the Springbrook Plateau and the hinterland ranges and mountains. In order to retain and protect these natural and constructed features, the following strategic objectives were identified:

- maintain and enhance the natural and physical features and characteristics contributing to the distinctive form of the city - as the city develops, particular care will be required where urban activity impacts upon those dominant natural features which form part of the townscape.
- the key elements of the townscape must be enhanced by any new development.
- the rural landscapes of the City must be maintained in their extent and

diversity, and their clear distinction from the urban areas of the city must be preserved.<sup>20</sup>

No initiatives are suggested for achieving these objectives.

### **Ecologically Sustainable Development**

The "Principal Elements" section also includes a discussion of ecologically sustainable development (ESD) and how this was to be incorporated into the planning scheme. ESD is of relevance to methods of protection and management of the natural environment and cultural heritage.<sup>21</sup>

There is recognition that sustainable development is influenced by provisions for the natural environment and the needs of future generations. The management of land use and development in a sustainable manner is identified as a fundamental aim of the Strategic Plan.<sup>22</sup>

The Strategic Plan also recognises the significance places in the landscape acquire for the community and of the need for some continuity of local character for social and cultural sustainability.

### **Gold Coast Nature Conservation Strategy Volume 2**

This nature conservation strategy was completed in 1997 by "Ecograph", in association with Mary Maher and Associates. It suggested management guidelines to be adopted by the GCCC for the conservation and protection of the Gold Coast's nature. The consultants came to the conclusion that there is little evidence of continuing bushland losses, and that conservation efforts would be best targeted at the rehabilitation and maintenance of existing bushland areas.<sup>23</sup> Recognition was also given to the extreme difficulty of constructing generalised operational rules which have universal, or even regional ecological validity, and as a result recommended suitably trained and ecologically qualified officers should assess each area on its ecological merits.<sup>24</sup>

Nonetheless, an urgent need for general operational standards is acknowledged so as to allow problem areas and issues to be identified early in the development process. Strategic guidelines for **protection** were identified as follows:

- Decisions should always favour a cautious approach.
- The management of remnant vegetation and natural systems should be considered in terms of overall landscape/catchment management.
- All natural areas are important and even small losses will affect the long term viability of the entire system.
- Conservation status should be assessed in relation to both potential threats and ecological significance.
- Assessment of ecological significance should not be used to devalue elements in the natural system.
- Existing bushland for rehabilitation swaps should be very carefully evaluated.
- All natural areas need to be managed.
- The excuse that funds are not adequate to improve remnant management should not be used to dismiss the necessity to improve existing management standards.
- The polluter should pay.<sup>25</sup>

Strategic guidelines for **rehabilitation** are identified as follows:

- Corridors should be placed to link remnant vegetation which is of high biodiversity.
- A simple planning and management plan of the revegetation site may need to be considered where rehabilitation is over an extensive area.
- Ensure that 'rehabilitation' means the restoration of degraded vegetation to as near as is practical to the previous naturally occurring native vegetation on that site.
- Recognition that weedy areas have a role as wildlife habitat and land clearing for regeneration work should consider this impact with

planting/maintenance techniques developed accordingly.

- Management of threatened species requires the formulation of action plans.<sup>26</sup>

### Priority Issues

The consultants outlined three broad areas where Council involvement is crucial:

- Overall protection and management of natural areas. This is achieved through:
  1. Council operations
  2. Planning and Development Control
  3. Additional data requirements and future studies<sup>27</sup>
- Habitat specific priorities. The following major community types require priority attention:
  1. Lowland eucalypt communities
  2. Riparian and wetland areas
  3. Coastal Heathland
  4. Melaleuca forests
- Species specific priorities<sup>28</sup>

### INTEGRATED PLANNING ACT 1997

The Gold Coast City Council has published some preliminary documents developed under the *Integrated Planning Act 1997*.

- Areas or places of **cultural heritage significance** are addressed in the "Indigenous Cultural Heritage Provisions" and "Urban Heritage and Character" sections.

The stated purpose of the Indigenous Cultural Heritage Provisions is "to ensure that Indigenous cultural heritage values are protected through the use of careful land use planning processes".<sup>29</sup> To this end, development requirements are designed to ensure that where a site is found to contain places or artifacts of Indigenous cultural heritage (ICH) value, the design, construction and maintenance of the development activity will provide for the protection and conservation of those ICH values. It would appear these development requirements will be effective in achieving

the protection of Indigenous cultural heritage values.<sup>30</sup>

The Urban Heritage and Character provisions aim to facilitate the conservation of the urban heritage and character of the City in the land use and development planning process. The development requirements outlined in the draft planning scheme are not of a very strict nature. There is no certainty that Council will refuse or require modification to a development proposal to protect identified urban heritage or character value.<sup>31</sup>

- Areas or resources that are of **ecological significance** are addressed in the "Nature Conservation Provisions".

The purpose of the Nature Conservation Provisions is to ensure that development contributes to the retention and enhancement of a viable conservation network, thereby ensuring the protection and maintenance of the City's biological diversity for its cultural, economic, educational, environmental, scientific and social value.

The draft planning scheme aims to protect natural areas through a process of identifying the varying types of habitats, and establishing the development requirements needed to maintain each area of ecological significance.<sup>32</sup>

### SOUTH BRISBANE

The South Brisbane case study area falls within the province of the Brisbane City Council (BCC). The Council is relatively advanced in its development of a new planning scheme consistent with the *Integrated Planning Act 1997* (titled *City Plan*), and anticipates its formal introduction in the year 2000. A heritage study for much of the case study areas was completed in 1993: the *South Brisbane Area Heritage Study*, the findings and recommendations of which have been used in the development of

a Local Area Plan for South Brisbane in *City Plan*.

### **SOUTH BRISBANE AREA HERITAGE STUDY**

The stated aim of the *South Brisbane Area Heritage Study* is "to conserve significant heritage places and places of contributory significance identified within the planned area, by retaining them".<sup>33</sup> To this end, the study identified 93 "significant heritage places", consisting of individual sites, and 30 "places of contributory significance", which tend to be substantial portions of various streets - that is, streetscapes which contribute to the heritage significance of the area. The study gives recognition to the need for further investigation into several significant areas of housing character in South Brisbane. Such an investigation was beyond the scope of this heritage study.<sup>34</sup>

#### **Council Approach**

The study establishes early, the style of approach the Brisbane City Council (BCC) would adopt to achieve its stated aim:

The requirements for heritage conservation in the South Brisbane area are designed to achieve conservation by negotiation, not inflexible legislation. They are largely a matter of goodwill and good sense....They do not aim to stifle progress....<sup>35</sup>

Indeed, in those areas of South Brisbane that are under some pressure for redevelopment, 'controlled development' is urged, 'with significant places being retained and their surroundings being sympathetically designed'.<sup>36</sup>

#### **Draft Heritage Provisions for the South Brisbane Area Development Control Plan**

The BCC, through the South Brisbane Area Development Control Plan, would provide for the protection and management of the area's cultural heritage and character using three methods.

1. Establish provisions to retain identified sites, especially the individual "significant heritage

places". (More flexibility would be applied to development or works for places of contributory significance).<sup>37</sup>

Development and works considered to be 'permissible development' were also outlined in this section.

Finally, the Development Control Plan would recognise that not all heritage places can continue to be viable in their original use, and thus would provide for a range of alternative uses, subject to the consent of Council. Particular attention would be paid to any adverse affects on the amenity of adjacent areas.<sup>38</sup>

2. Provide design guidelines for heritage places and places of contributory significance. Where an application is made to the Council to conduct alterations or restorative work to an identified place, the work would be required to comply with the following design guidelines:

- Building Envelope: alterations and restoration must retain, or where removed, reinstate, the materials and/or design originally used.<sup>39</sup>
- Shopfronts: must incorporate design and materials appropriate for the original construction.
- Verandahs/suspended awnings: reinstatement or restoration of verandahs and suspended awnings is encouraged where these formerly existed.
- Advertising Signs: any new advertising signs on buildings must be consistent with traditional locations, form and character; and limits are placed on the size and number of signs of any home occupation or cottage retail.
- The painting or repainting of a site, is to employ "appropriate heritage colour schemes".<sup>40</sup>

3. Provide design guidelines for infill development. Any new development should be sympathetic with the surrounding heritage places and places of contributory significance, and enhance and complement the established urban character of the

area. To this end, restrictions and requirements are to be placed on the following elements of new developments:

- scale and bulk
- height
- orientation
- building setbacks
- façade design

It is not intended that new development imitate historical building styles.<sup>41</sup>

### Listing with the Queensland Heritage Register

The study recommended, "those places that are deemed to have potential state heritage significance should be nominated to the Heritage Council for registration on its list".<sup>42</sup>

Places included on the Queensland Heritage Register would be afforded protection and management through the provisions of the Queensland Heritage Act 1992. (Some of the identified heritage places are already included in the Queensland Heritage Register).

### Comments

- Concentration on **external** appearance and integrity.

### [Brisbane] City Plan

The 1999 BCC draft *City Plan* was prepared under the *Integrated Planning Act 1997*. It is a combination of a substantial body of planning work undertaken by the Council over recent years, including local area planning undertaken by the Council in a rolling program covering many areas of the city. Where this has occurred, area-specific local plans have been included in the *City Plan*. These local plans include provisions which override any conflicting or differing provisions that occur elsewhere in the *City Plan*. The South Brisbane area has its own local plan, and has incorporated the *South Brisbane Area Heritage Study*.

### Valuable Features

The *City Plan* makes provisions for the "valuable features" of the City of Brisbane. Given a portion of the area included in this study does not fall within the South Brisbane local plan area, it is important to identify the broader, city-wide provisions of general application.

- Resources and areas of **ecological significance** are identified and protected through the Area allocations, in particular the "Green Space Areas". The *City Plan* identifies five Green Space Areas: conservation area; parkland area; sport and recreation area; environmental area and rural area. For each of the Green Space Areas "desired environmental outcomes" were identified as well as relevant City Council Codes that must be consulted when constructing various forms of development in any of the five Green Space Areas.<sup>43</sup> The City's waterways and wetlands are also protected through Area allocations and Development Codes. The Biodiversity Code provides particular protection to resources or areas of ecological significance.<sup>44</sup> Finally, the City Council Heritage Register<sup>45</sup> will provide protection to areas of high ecological significance identified and included in the list. This will be land identified in the Green Space Areas and will automatically include sites, features and places formally recognised by other levels of government as worthy of special consideration.<sup>46</sup>
- Areas contributing significantly to **amenity** include areas of scenic value, and attractive built environments. Areas of scenic value are identified in the Green Space System, and like areas and resources of ecological significance, are offered protection via the relevant codes that apply to any proposed development in the area. Local Plans for specific areas may also include requirements which function to protect scenic value. Attractive built environments are identified in the *City Plan* as the

character housing in the older suburbs of Brisbane. These areas are afforded protection by identifying demolition control precincts and applying various Development Codes.

- The *City Plan* includes provisions for the protection of Indigenous and non-Indigenous **cultural heritage**. Areas or places of cultural heritage significance will be included in a city-wide Heritage Register, and "the significance of places listed in the Heritage Register will be considered when assessing a development application. Development that adversely affects significance is likely to be refused".<sup>47</sup> The Heritage Place Code ensures further protection by regulating development on the listed site, **and** on places adjoining these sites. The code also offers protection to places of heritage value which may be identified at the time of assessing a development application. Finally, conservation work will be executed in accordance with the principles of the *Burra Charter*.
- **Resources or areas of economic value** have been identified in particular areas such as the Extractive Industry Area or multi-purpose centres. This has been done to protect the economic viability of the areas/resources of economic value.<sup>48</sup>

These 'valuable features' have been included in the broader "desired environmental outcomes" (DEOs) for the city. Strategies to achieve DEOs are outlined in the *City Plan* which also identifies performance indicators to measure the success of the Plan in achieving these outcomes.

The Council will achieve the DEOs for the city through the *City Plan* and the corporate planning and budget processes. They are also complemented by Area and Local Plans, which provide DEO provisions in greater detail.<sup>49</sup>

### South Brisbane Local Plan

The South Brisbane Local Plan is intended as a Development Control Plan. The area covered by the plan is separated into 17

different "precincts" (which reflect those established in the *South Brisbane Heritage Study*). A description of what each precinct is intended to include and exclude is detailed in the first section of the South Brisbane Local Plan. To achieve these intended outcomes, "acceptable solutions" are made applicable to assessable development in each of the precincts. These solutions may vary or be in addition to the acceptable solutions set out in relevant code/s. The solutions are very brief and necessarily general. The "valuable feature" they address is amenity (and only two of the 17 precincts do so in any great detail).

More attention is given to amenity and heritage in the latter part of the South Brisbane Local Plan. An urban design framework for each site in the Local Plan is identified to ensure:

- a common design element is introduced and a cohesive streetscape results from integrating the civic works of the street with the built form and landscape treatment of the properties fronting the street;<sup>50</sup> [and]
- the design of buildings respects their context...<sup>51</sup>

To this end, detail is given on proposed types of façade treatments, plantings, development of important corner sites, awnings and character buildings and streetscapes. Character buildings and streetscapes recommended for retention are those that were identified in the *South Brisbane Area Heritage Study*, as are the design guidelines which apply to these properties.

### Development Codes

As indicated above, various development codes are included in the *City Plan* which address the issues identified under 'valuable features'. Some of the notable examples are: Biodiversity, Commercial Character Buildings; Demolition; Extractive Industry; Heritage Places; and Waterways. These codes are invoked by various forms of development, including material change of



use, subdivision, operational work and building work.<sup>52</sup>

### Policies

The *City Plan* includes Planning Scheme Policies under the *Integrated Planning Act 1997*. Their purpose is to provide guidelines to assist in the submission of development proposals and material to support the Codes contained in the Plan. Examples include: Heritage Register Policy; Natural Assets Policy and Green Space and Residential Areas Impact Assessment Policy.<sup>53</sup>

## GLASS HOUSE MOUNTAINS REGION

The Glass House Mountains Region case study area (a selected area within the Regional Forest Agreement) falls predominantly within the boundaries of the Caloundra Shire (a small portion is governed by the Caboolture Shire Council). The Caloundra City Council (CCC) is in the very initial stages of developing a new planning scheme consistent with the *Integrated Planning Act 1997*, and is yet to release a "Statement of Proposals". The current planning scheme for the CCC dates to 1996. As noted below, it is almost silent on issues of heritage, landscapes, amenity/character and environment.

A Cultural Landscape Study for CCC was completed in 1996 and it is not yet known how its recommendations will be addressed in the new planning scheme. Some state government reports regarding Pumicestone Passage, its catchment and Bribie Island will need to be addressed in the new planning scheme also.

### Caloundra City Council Cultural Landscape Study

The *Cultural Landscape Study* was conducted to provide a description and evaluation of the cultural heritage sites of the Caloundra area for the purposes of assessment, conservation, planning and

management. Importantly, it made recommendations for the inclusion of appropriate provisions into the Council's Strategic Plan and other planning documents.<sup>54</sup>

The study recognised the Strategic Plan included some references to cultural landscape elements in such sections as "tourist facilities", "natural environment", "Pumicestone Passage Catchment Area", and "Scenic Areas", and within various preferred dominant land use designations. The consultants recommended the inclusion of specific provisions/objectives which would require development proposals to demonstrate how cultural landscape values had been considered, and what modifications to their design would protect the cultural landscape values.<sup>55</sup> These provisions are as follows.

### Objectives and Supporting Provisions for Protection

1. To protect those areas of the city with both high levels of cultural scenic-quality and landscape sensitivities.

Four scenic landscape Management Areas were identified:

Area A: areas where the highest cultural values and sensitivity coincide. They are to be afforded maximum protection. Provisions include:

- small scale development may be given approval where it is documented, planned and designed to fully accommodate or enhance the critical cultural and scenic values of the area.
- Alterations or extensions to existing uses are permitted, provided they are minor and have no significant impact on the values of the area.
- Any application for development in Area A must be accompanied by an Environmental Impact Study.<sup>56</sup>

Area B: although not as critical as Area A, the values are still highly significant to the maintenance of the cultural values and landscape character of the city and the locality.

- small to medium scale development that does not cause major or significant change may be permitted.
- any landscape alterations must not be visually dominant, alter the cultural and scenic quality, or landscape character, of the locality.<sup>57</sup>

Area C: medium to low scenic-cultural quality and moderate to low sensitivity.

- development, including alterations, must be planned and designed to be in character with surrounding uses and landscape.<sup>58</sup>

Area D: places requiring rehabilitation.

- Conditions requiring the rehabilitation or restoration of the landscape character of the area may be placed on new development or extensions to existing development.

All development must consider the high scenic quality and cultural significance and the role that the site, area or locality plays in particular scenic or distinctive views from the major and designated scenic routes.<sup>59</sup>

2. To ensure the protection and management of the scenic cultural and scenic landscape values of designated cultural scenic routes and viewpoints of the city.

Twelve Landscape Districts were identified:

- Development proposals should recognise the distinct identity of each district; protect the landscape characteristics of edges of each district; and incorporate proposals for the enhancement of the cultural amenity of the landscape through rehabilitation.<sup>60</sup>
- 3. To ensure the protection and management of the scenic cultural and scenic landscape values of the designated cultural scenic routes and viewpoints of the city.

The study identified five designated scenic routes. Any development visible from these routes or major viewpoints and nodes must demonstrate how it will:

- keep the existing natural and scenic features dominant;
- maintain the existing cultural and scenic characteristics of the views from significant viewpoints;
- maintain the dominance of the cultural and scenic values of the existing setting of cultural and scenic destinations.<sup>61</sup>

4. To ensure the protection and management of the cultural landscape values of the designated landscape features, scenic cultural places and townships of the city.

- These features are included in the Site Register. Development proposals will need to show how they will:

(i) maintain the distinct identity of village/coastal townships in their rural or seaside setting through preservation or enhancement of those features that give individuality.

(ii) maintain cultural places and features that contribute to the distinctness of the landscape amenity of that locality or landscape district.<sup>62</sup>

5. To identify and protect the values of archaeological and cultural heritage sites within the Caloundra City area.

- All sites with "category 3" significance in the Register are to be protected from development that alters their values.

- Any application for development on a site adjacent to a category 3 site will need to include an Environmental Impact Study.<sup>63</sup>

6. To preserve the sites, places and precincts with significant buildings for Caloundra's heritage.

- Buildings given category 3 status shall not have their heritage values altered by destruction, removal from their original site, out of character alterations or inappropriate forms of scale and types of development on adjacent lands.

- Any development on a category 3 site must be preceded by a conservation management plan.

- Development on a category 2 site will be proceeded by a study to ensure values and character of the site are not lost.<sup>64</sup>

- applicant at the request of the Council; or
- (ii) redesign of the proposal.

### **CALOUNDRA CITY COUNCIL REVISED PLANNING SCHEME**

The current CCC Planning Scheme is almost silent on the issues under examination in this report. A brief statement is given regarding "aesthetics and amenity" and "environmental management".

#### **Aesthetics and Amenity**

##### Purpose:

To encourage new development which is compatible with the locality in which it occurs.

##### Requirements to be met:

In considering any application made under this Planning Scheme, the Council or its delegate may require the redesign of a proposal if it considers that it would affect the amenity or likely amenity of the locality or not be in keeping with the character of the surrounding neighbourhood.

#### **Environmental Management**

##### Purpose:

To encourage the incorporation of Best Practice Environmental Management and the requirements of applicable Queensland and Commonwealth environmental legislation in the construction and conduct of a particular use, development or subdivision.

##### Requirements to be met:

- (a) Best Practice Environmental Management is required to be applied to subdivision works, development and particular uses including drainage and waste water management.
- (b) In considering any application made under this Planning Scheme, Council or its delegate may consider whether relevant Queensland and Commonwealth legislation in relation to environmental management and protection is applicable, and the following may be required:
  - (i) an environmental audit, evaluation or investigation provided by the

**PUMICESTONE PASSAGE, ITS  
CATCHMENT AND BRIBIE  
ISLAND: Draft Integrated  
Management Strategy (IMS)  
November 1993**

The IMS was a Queensland Government initiative designed to secure the long-term protection of the Pumicestone Passage, its catchment and Bribe Island following an observed decline in some natural attributes of the catchment and continuing pressure for further development.<sup>65</sup> It was prepared under the guidance of a steering committee comprising representatives from various Queensland Government Departments and the Caloundra and Caboolture Shire Councils.<sup>66</sup>

The overall objective of the draft IMS was to ensure the sustainable use of resources of Pumicestone Passage and its tributaries, while maintaining its environmental values.

The major passage values were identified as:

- its international, national and regional ecosystem value
- its marine and wetland conservation value
- its regional economic values
- its recreation and tourism value
- its educational and scientific interests

The major catchment environmental values were identified as:

- its wetlands and heathlands
- its sites of cultural heritage
- its surface and groundwater supplies
- its recreation and tourism values
- its aesthetic and visual quality
- its regional economic significance, including agriculture, forestry and extractive industry.<sup>67</sup>

The draft IMS proposed simultaneous action in four areas:

1. Planning instruments and policies
2. Community awareness
3. Best management practices
4. Further studies (monitoring and auditing)<sup>68</sup>

It was recognised that planning instruments and policies would be most effective with integrated state and local government policies and programs. The planning instruments and policies open to the Caloundra and Caboolture Councils to implement the draft IMS were:

- planning controls (strategic and development control plans, town planning schemes and by-laws)
- subdivision and building controls

Strategic plans were identified as being particularly effective management and protection tools, especially when developed by all authorities concerned.

The Draft IMS recommended the strategic plans of the two local governments be reviewed to ensure they were consistent with the management strategy.<sup>69</sup>

#### **Archaeological Component Study**

The Archaeological Component Study made rudimentary recommendations for the development of a management plan for 'Aboriginal and Historical heritage sites/places in the study area'.<sup>70</sup>

#### **PUMICESTONE PASSAGE: Protecting lifestyles and the environment**

This report was published by the Queensland Government in June 1995. It stated, 'the prospect of widespread development in the catchment area threatens to destroy the fragile environment of the Passage'. This report was the publication of the government's plan to secure the future of Pumicestone Passage and its catchment. The plan included purchasing/reserving, and preserving 3816 ha of land (including the gazettal of 1300 ha of Crown Land as National Parks); managing the Pumicestone Passage Marine Park; managing the Pumicestone Passage catchment through an Integrated Catchment Management Coordinating Committee; and implementing, in conjunction with the Caboolture and Caloundra Shire Councils, zoning schemes and other measures to protect the catchment

from forms of land use that would ultimately poison the Passage. The plan recognises the crucial importance of winning the cooperation and involvement of local government in achieving this. It was also foreseen that other measures would be developed with local governments involving strategies to manage drainage and critical areas of natural wetland.<sup>71</sup>

## THE WET TROPICS

The Wet Tropics case study area extends from Oak Beach in the south to Cedar Bay in the north, and incorporates the settlements of Port Douglas, Mossman, Daintree, Ayton and Wujal Wujal, and the Daintree National Park (hereafter referred to as the "Douglas area"). Refer to map of area in Report 4.

The Douglas area is the responsibility of the Douglas Shire Council. The Douglas Shire Council intends a conversion of its 1996 Planning Scheme to make it *IPA* compliant, rather than drafting a new Planning Scheme under the *Integrated Planning Act 1997*. Other documents reviewed in this report for the Wet Tropics area include the *Wet Tropics Management Plan* and the *Coastal Landscapes of Queensland* study.

### WET TROPICS MANAGEMENT PLAN

The Wet Tropics World Heritage Area covers an extensive stretch of Queensland's coastal and near-coastal reaches, from just north of Townsville to just north of Cooktown. The more northern portions of this World Heritage Area fall within the bounds of this case study.

In 1998, the *Wet Tropics Management Plan* was passed as subordinate legislation in the Queensland parliament, and constitutes the latest tool designed for the protection and management of the **natural** heritage values of the Wet Tropics Area. It follows a decade of earlier developments:

- 1988 Wet Tropics of Queensland added to the World Heritage List
- 1990 Commonwealth and Queensland governments set up a management scheme for the area
- 1992 Wet Tropics Management Authority established by the two levels of government
- 1993 Legislation for the protection and management of the area enacted in Queensland: *Wet Tropics World Heritage Protection and Management Act 1993*
- 1994 Commonwealth Legislation: *Wet Tropics of Queensland World Heritage Area Conservation Act 1994*
- 1995 *Draft Wet Tropics Plan* released
- 1997 *Protection Through Partnerships: Policies for Implementation of the Wet Tropics Plan*

Responsibility for the preparation of the Wet Tropics Management Plan was given to the Wet Tropics Management Authority (the 'Authority'). The response was the *Wet Tropics Management Plan 1998*, which provided the legal framework for management of the area; and the document *Protection Through Partnerships*, which details the policy framework guiding decisions made under the legislation.<sup>72</sup>

### Primary Goal

The "Primary Goal" guiding the Management Authority and the management plan is to implement Australia's international duty to "protect, conserve, present, rehabilitate and transmit to future generations the Wet Tropics World Heritage Area, within the meaning of the World Heritage Convention".<sup>73</sup> **All** land use decisions made within the World Heritage Area are to be made with this primary goal in mind.

### Management Processes

#### Management Zones

The general management technique to be applied to the Wet Tropics, as outlined in *Protection Through Partnerships*, is to divide the area into four management zones. Inclusion of land into one of the zones is

determined according to set criteria. The zones do not overlap, therefore land can be included in one zone only. Appendix 1 gives a summary of the land included in each zone, the physical and social setting, the **management purpose**, and the procedures used to generate the zoning. Once the land has been categorised, the management plan attempts to fulfil Australia's obligation to manage and protect this World Heritage area through a process of specifying activities which may have a detrimental impact on the natural heritage values in any of the four zones to be either prohibited, allowed or allowed under permit in an attempt to fulfil Australia's obligation to manage and protect this World Heritage area (see Appendix 2). In deciding permit applications, consideration must be given to whether there would be net detriment to the integrity of the World Heritage area, have regard to prudent and feasible alternatives, and any other heritage and community considerations relevant to the application.<sup>74</sup>

#### Management Bodies

This method of protecting and managing the natural heritage values of the Wet Tropics via a system of zones and prescribed permissible activities for each, is tempered by a larger bureaucratic reality. For, while the Management Plan has effect across the whole listed area, the day-to-day field management of the Wet Tropics World Heritage Area is primarily the responsibility of land managers (mostly State Government land management agencies such as the Environmental Protection Agency and the Department of Natural Resources). As a result, all activities, whether allowed, prohibited or permitted under this plan, are subject to land holder or land manager provisions, and the operation of other existing laws. Furthermore, many activities not proposed to be controlled by this plan are regulated under other legislation, for example, fishing is controlled under the *Queensland Fisheries Act 1994*.<sup>75</sup>

Thus, one of the primary roles of the Authority, and crucial to successful management of the area, is as a coordinating

body - "it seeks to form effective partnerships with government land management agencies and key sectoral groups to facilitate complementary management of the area in accordance with the Primary Goal".<sup>76</sup> Key stakeholders include:

- **Environmental Protection Agency:** the EPA manages commercial tour operations (including permit issue) and maintains infrastructure and public contact in areas under its management. The EPA also has statutory responsibility for the protection of cultural heritage in Queensland.
- **Department of Natural Resources:** the DNR is responsible for land administration, resources management, land information and regional infrastructure development. Its operational focus is to support the economic growth of Queensland through the sustainable use, development and management of land, water and native vegetation resources.
- **Department of Main Roads:** Main Roads is responsible for the management of State-controlled roads in the area. Their construction and maintenance will be managed according to agreed codes of practice developed between the Authority and Main Roads.
- **Department of Primary Industries:** the DPI is responsible for the promotion of agriculture (including fisheries) and forestry operations in an ecologically and economically sustainable way.
- **Local Government:** local government is responsible for preparing and implementing local government planning schemes and local laws, maintaining local roads, bridges and airports, managing local government reserves, and managing water supply and resource extraction (quarries). Local Government also makes decisions on development applications. Maintenance of Local Government community infrastructure will be managed under agreed codes of practice developed cooperatively between the Authority and Local Government.

- **The Tourism Industry:** cooperative management with the tourism industry will be sought in order to ensure that tourism developments and activities are ecologically sustainable and benefit the area.<sup>77</sup>

### **Protection of Natural and Cultural Values**

The policy framework outlined in *Protection Through Partnerships* includes extensive provisions for the conservation of the flora and fauna of the World Heritage Area. When considering whether to issue a permit for an activity, the decision maker must have regard to the information in the "Flora and Fauna Conservation Guidelines". These guidelines provide information on threatened and vulnerable species and communities, poorly known areas, specific species and habitat species and general guidelines to protect these natural heritage resources. Mention is also made of feral animals. The policy directive is that the control and/or eradication of feral species within or immediately adjacent to the area should be achieved through direct methods, such as trapping, and indirect methods such as habitat manipulation, rehabilitation and community education.<sup>78</sup>

There is recognition that Aboriginal natural and cultural values are inseparable. The EPA, as the lead agency for managing cultural heritage in the area is assigned responsibility to develop a cultural heritage strategy for the identification, management and protection of cultural sites and landscapes in the area in consultation with Aboriginal peoples.<sup>79</sup>

### **Sustainable Tourism**

Where research or monitoring indicates the provision of visitor opportunities seriously threatens World Heritage values, the protection of threatened values will have precedence.<sup>80</sup>

### **Resource Use**

Most forms of resource use will be allowed to continue, managed by the existing government bodies.<sup>81</sup>

### **Comments**

- Given the range of legislation having effect within the World Heritage area, proposals for coordinating the management and protection of its natural

cultural resources are commendable. They are relatively thorough, although necessarily general.

The plan makes very brief mention of the protection and management of **cultural** heritage however, and this is of concern.

- The Management Authority has no control over land parcels adjacent to the World Heritage area. There is concern about the possible impacts of land use in adjacent areas, on the continuing integrity of the World Heritage area.
- It is also possible that land adjacent to the World Heritage area has been made more vulnerable by the heritage listing.

### **COASTAL LANDSCAPES OF QUEENSLAND: Stage One (Wet Tropics Coast Region)**

This study was completed in 1997 for the Queensland Department of Environment (now the Environmental Protection Agency), Coastal Management Branch, to guide land use planning in the coastal zone of Queensland. The 'Wet Tropics Coast Region' extends from the southern boundary of the Hinchinbrook Shire, to the Bloomfield River. For the purposes of the designated case study area, provisions for the protection and management of the coastal landscapes of the 'Cape Tribulation' area and a portion of the 'Mossman/Port Douglas' coastal landscapes area were investigated.

The findings of the study collaborated with the EPA view that the coast landscapes of the Wet Tropics have particularly high scenic values, which are generally of very high visual integrity. Rugged terrain, extreme climate and the inaccessibility of much of the Wet Tropical Coast account for the high integrity of the landscapes. While the study focused on those areas that are of scenic significance, recognition was given to cultural significance in each of the landscapes in an effort to "balance the evaluation of scenic significance".<sup>82</sup> The appendix of the report included a summary

of landscape associations for each of the landscapes identified.<sup>83</sup>

The "Landscape Settings" included in the Cape Tribulation Coastal Landscape area were:

- **Bloomfield River**
- **Ayton South**
- **Mount Cowie**
- **Melissa Creek**
- **Donovan Creek**
- **Cape Tribulation Beach**
- **Noah Head**
- **Noah Creek**
- **Alexandria Bay**
- **Cow Bay**
- **Mount Alexandra**

The landscape settings of the Mossman/Port Douglas Coastal Landscape area falling within the case study area include:

- Wonga Beach
- **Mowbray River**
- Yule Point
- **Pebbly Beach**
- Oak Beach Hinterland

Those settings appearing in **bold** were recognised as having very high scenic significance. The remaining five settings were accorded high scenic significance.

Within the Cape Tribulation area, the identified cultural themes, places and associations were of a similar nature for many settings:

- part of Cape Tribulation National Park
- tourist locations, including: lookouts, walking tracks, sailing, fishing, camping
- scientific, ecological, biological values

Only Bloomfield River and Cow Bay were sites containing the infrastructure of permanent settlements. Within the Mossman/Port Douglas area there was a wider variety of cultural themes, places and associations, including:

- Captain Cook Highway - recognised as one of Queensland's most scenic drives
- tourist locations, including: fishing, boating, sight-seeing
- cane farms



- Indigenous sites
- settlements, including Port Douglas (historic buildings, important 19th century port) and the port of Mossman.

The report suggested the database of landscape values generated in the study could be utilised at a regional planning level to "identify areas where specific planning and development controls are required, and the specific types of land and scenic or cultural attributes that may be threatened by development".<sup>84</sup>

### COASTAL LANDSCAPES OF QUEENSLAND: Stage Two

Stage Two of the *Coastal Landscapes of Queensland Project* applies the findings outlined in stage one to existing planning processes, the local government planning process in particular.

The land included in the case study area falls within the jurisdiction of the Douglas Shire Council. The current Douglas Shire Planning Scheme was gazetted on 20 December 1996. This stage two document includes an analysis of the suitability of the Douglas Shire Planning Scheme to protect the landscape values identified in stage one. The report offered a review of the provisions in the scheme that are applicable to the protection of landscape values, and then made an assessment of the ability of these provisions to protect those landscapes with high and very high landscape settings. The report also made an assessment of the planning scheme's ability to extend protection to any remaining landscape settings within the Douglas Shire.<sup>85</sup>

Protection of landscape values is addressed in various sections of the Douglas Shire Planning Scheme. Some of the provisions are explicitly included to afford protection, while others are of more indirect relevance. These provisions are included in:

- the central aim

- landscape-specific objectives
- tourism objectives
- various provisions included in the objectives for 'preferred dominant land use areas'
  - World Heritage Areas and Areas of Biological and/or scenic value
  - productive rural areas
  - tourism development nodes
- Development Control Plans for:
  - Mossman (including protection areas and townscape)
  - Port Douglas (including industrial areas, agriculture, special areas and townscape)
  - Daintree-Bloomfield
  - Wonga, Newell and Cooya

Most of the landscape settings identified in stage one in the Douglas Shire Council fall under the 'World Heritage Area' and 'High Biological Scenic Value' designations of the Planning Scheme. The scheme states the Council's intention that areas within these designations remain natural or undeveloped, and the detailed criteria for any development that may occur within this area led the consultants to consider that "the coastal landscapes with this designation would be sufficiently protected".<sup>86</sup> The four remaining landscape settings have been classified as areas which fall within the "Productive Rural Area" and "Urban Area". The consultants were of the opinion that while provisions for the management of these areas offers some protection, they are still at some risk.<sup>87</sup>

The stage two report identified 10 landscape settings within the Douglas Shire that are not of high or very high scenic significance. The consultants concluded that while planning provisions directly relevant to landscape protection exist in the planning scheme to address each of these landscapes, they offered only *moderate* protection to these landscapes.<sup>88</sup> Refer to Table 3.1.

**Table 3.1**  
**Perceived Level of Protection for Identified Areas, in the Douglas Shire.**

<b>IDENTIFIED AREA</b>	<b>STRATEGIC PLAN DESIGNATION</b>	<b>STATUS</b>
Mowbray River	Urban Area, High Biological Value	At Risk
Pebbly Beach	High Biological Value	Good Protection
Turtle Cove	World Heritage Area	Good Protection
Wangetti	World Heritage Area	Good Protection
Ayton South	World Heritage Area	Good Protection
Mount Cowrie	World Heritage Area	Good Protection
Melissa Creek	World Heritage Area	Good Protection
Donovan Creek	World Heritage Area	Good Protection
Cape Tribulation Beach	World Heritage Area, High Biological Value	Good Protection
Noah Head Beach	World Heritage Area, High Biological Value	Good Protection
Noah Creek	World Heritage Area	Good Protection
Alexandra Bay	World Heritage Area, High Biological Value, Productive Rural Area	At Risk
Mt Alexandra	World Heritage Area	Good Protection
Ellis Beach	World Heritage Area	Good Protection
Bloomfield River	World Heritage Area, High Biological Area	Good Protection
Cow Bay	World Heritage Area	Good Protection
Oak Beach Hinterland	World Heritage Area, High Biological Value, Productive Rural	At Risk
Yule Point	High Biological Value	Good Protection

Source: *Coastal Landscapes of Queensland Project Stage Two: Wet Tropics Region*, 11.

### **Douglas Shire Planning Scheme**

The analysis of the *Douglas Shire Planning Scheme* included in stage two of the *Coastal Landscapes* study was concentrated on provisions relating to the coastal landscapes of the Douglas Shire. A reading of the Planning Scheme indicates the inclusion of provisions for heritage conservation and character protection also.

#### **Heritage**

The stated object of the heritage provision is "to preserve places including areas, buildings, landscape elements, landmarks and monuments which are of historical, cultural and/or architectural significance".<sup>89</sup> Cultural heritage is recognised as meaning cultural, spiritual, architectural or aesthetic significance.

The Planning Scheme includes a list of sites, both Indigenous and non-Indigenous, that

are considered to be appropriate for protection. The scheme notes that many of the sites are located on publicly owned land and states the Council will use its control or influence with other public authorities to protect those features and/or ensure sympathetic development in association with them. The Port Douglas Development Control Plan (DCP) also provides disincentives for unsympathetic redevelopment of features located on private land.<sup>90</sup>

#### **Character**

Protection of character is afforded in section 1.3.7, "Community". The aim of Council is to promote the development of sense of place through "landscape and townscape objectives". Development objectives included in the Scheme are designed to foster distinct identities for each settlement through building on existing community characteristics. In Port Douglas and

environs, areas have been designated as areas to be protected from tourism development.<sup>91</sup>

## CAPE YORK

This case study area took in two areas: the tip of Cape York, and Cooktown and environs. Both areas fall within the jurisdiction of the Cook Shire Council. The Cook Shire Council has chosen to develop a new planning scheme and has published its Statement of Proposals. The current Cook Shire Planning Scheme (1997) includes some provisions for the management and protection of the natural environment and heritage and amenity/character of the Shire. It also includes a Development Control Plan for Cooktown, based partly on the *Cooktown Heritage Study*, completed in 1993.

A small portion of the Cape York case study area is also governed by the Torres Shire Council and the Aurukun Shire Council. Aurukun has no planning scheme in place or in preparation. The Torres Shire Council has taken no action on developing a new planning scheme consistent with the *Integrated Planning Act 1997*.

The other important document regarding management and protection of cultural and natural resources on Cape York is *CYPLUS* (Cape York Peninsula Land Use Strategy).

## COOKTOWN AREA

### Cooktown Heritage Study

The purpose of this study was to identify the heritage landmarks of Cooktown and to propose methods by which these resources may be protected, enhanced and presented. Only places of European cultural significance were included, however recognition was given to the desirability of having an Indigenous heritage study commissioned.<sup>92</sup>

At the time the study was completed, the Cook Shire Planning Scheme was under review. It was anticipated that the study would "provide heritage input for the revised scheme", and this has been put into effect. The heritage study has been incorporated into the DCP for Cooktown.<sup>93</sup>

Forty-nine individual sites were identified in the study as having significance to Cooktown's cultural heritage. These were then classified into themes:

- parks and open spaces
- residential
- commercial
- industrial
- religious
- archaeological

### Conservation Strategies

Some general tools for the protection and management of Cooktown's cultural heritage were proposed in the study. The consultants suggested heritage management should be driven from support within the community, with legislation providing a secondary level of management assistance.

### Advisory Services

Guidance, technical assistance and active soliciting of public cooperation are essential ingredients for community based heritage management.<sup>94</sup>

Council could, for example, produce and provide publications which detail methods of appropriate heritage management.

### Community Participation

Effective results can be achieved through community participation using a committee comprising Council representatives, local heritage property owners and business people working together to implement heritage streetscape improvements.<sup>95</sup>

### Development Control Plan

A DCP for Cooktown should address issues of adaptations to existing buildings; streetscape (signage, decor, etc); and design standards for buildings.<sup>96</sup>

Heritage Awards

The provision of heritage awards offers an opportunity for property owners to receive public recognition for their conservation efforts (completed in a way that is consistent with the principles of the Burra Charter and the Queensland Heritage Act.<sup>97</sup>

Rate rebates could also be offered as an incentive.

Listing

The study recommended one site be listed with the Register of the National Estate; seven sites with the Queensland Heritage Register; and four with the National Trust.

Listing with the Register of the National Estate and the Queensland Heritage Register would offer the nominated sites protection under the relevant national and state heritage acts.

Site Records

For each of the 49 sites of cultural heritage significance identified, a very brief management recommendation was made.

## COOK SHIRE PLANNING SCHEME

The Cook Shire Planning Scheme came into force in 1997. It is due to be replaced with a new scheme compatible with the *Integrated Planning Act 1997*.

The statement of intent included in the Planning Scheme identifies the need for the management of the natural environment; the management of land use and development; and provision for the social and cultural well-being of residents of the Shire.<sup>98</sup>

**Zoning Provisions**

The Council aims to manage development within the Shire via a system of zoning. Eight different zones are identified, including residential, business, industrial, rural residential, rural, village, conservation and special facilities. For each of these zones, the scheme prescribes prohibited, permitted and conditionally permitted uses, and establishes performance criteria by

which the Council will determine the appropriateness of a permissible use in each zone. The scheme also outlines standard development and subdivision provisions applicable to development within each zone.<sup>99</sup>

Conservation Zone

The conservation zone is intended to protect those parts of the Shire subject to World Heritage listing and other areas of value for nature conservation and landscape quality, including areas under the *Nature Conservation Act* and the *Fisheries Act*. Permitted uses within the zone would be generally restricted to those uses consistent with relevant management principles of the particular protected area, and with the provisions of a management plan or conservation plan prepared under the *Nature Conservation Act Protection and Management Act* or the *Wet Tropics World Heritage Protection and Management Act*.<sup>100</sup>

Other Zones

The other zones include provisions for the protection of amenity, landscaping, environment, heritage and coastal protection. These are more fully explained in the section entitled, "Provisions Relating to Development in all zones", and include:

- Amenity  
New development is to be visually compatible with, and not detract from, the Shire's built and natural features by reason of height, design, orientation or materials used.

To achieve this, the Council may impose conditions to development, including:

- (i) height and bulk limitations;
- (ii) retention of existing significant on-site vegetation and natural landscape elements, and preservation of features of historic, cultural, scientific, architectural or scenic value as part of the development; and<sup>101</sup>
- (iii) specification of building materials and finishes.

- Landscaping

Landscaping throughout the Shire is to be visually compatible with the scale and existing or planned future character of an area. To achieve this, all development requiring Council planning approval shall be landscaped in accordance with an approved landscape plan, which includes provision for the retention of existing site vegetation.

- Environment

These provisions are intended to maintain and improve the quality of the environment of the Shire by protecting the Shire's natural and rural landscape and places of significance; by requiring good land management and agricultural practices; by preserving wildlife habitats including freshwater and tidal wetlands and corridors; by conserving the biodiversity of existing native vegetation areas; and by protecting places of cultural, historic, scientific or social value.

When assessing planning applications, Council will observe these environmental goals and may impose reasonable and relevant conditions to minimise and compensate for any potential adverse environmental impacts of a development. Council may also require an Environmental Impact Study to be submitted with an application for certain developments.<sup>102</sup>

- Coastal Protection

The coastal protection provisions are designed to provide for and facilitate the protection, management and rehabilitation of the coastal ecosystems, landforms, natural processes and intrinsic and heritage values. The provisions require any planning applications involving land in a declared Coastal Management Control District or Erosion Prone area, to be referred to the Environmental Protection Agency.<sup>103</sup>

- Heritage

These provisions are designed to preserve and protect places of Aboriginal and non-Aboriginal, historic, cultural, archaeological and architectural significance in the Shire. They merely invoke Queensland legislation regarding sites of cultural significance

(*Queensland Heritage Act* for sites of non-Indigenous heritage, and the *Cultural Record (Landscapes Queensland and Queensland Estate) Act* for areas or items of significance to Indigenous people.<sup>104</sup>

#### DEVELOPMENT CONTROL PLAN - COOKTOWN AND ENVIRONS

The Cook Shire Planning Scheme includes a DCP for the town of Cooktown and environs. The main aim of the DCP is stated to be:

to ensure the orderly development of the town area and its environs and to maximise development opportunities within the existing urban framework whilst maintaining the historic character of the Cooktown Centre.<sup>105</sup>

The DCP has application to all forms of development requiring town planning approvals in the DCP area.

The DCP includes references to various facilities and amenities within the Cooktown area. Of importance to this study are the objectives cited under "environment". This section of the DCP constitutes an adoption of the recommendations of the *Cooktown Heritage Study*.

The aim of the environment element of the DCP is "to conserve where practical, the man-made and natural environment within the DCP area".<sup>106</sup> In order to achieve this aim, several objectives were identified:

- protection of historic buildings and sites;
- retention of mature trees;
- encourage landscaping with native and exotic trees;
- control building height;
- retain Grassy Hill as a visual backdrop of Cooktown;
- control excavations and extractive industries on the hills within the DCP area;
- encourage preservation of mangroves;
- control advertising signs;
- require Environmental Impact Studies to be prepared for major developments;
- new developments to occur in a style and form which will not detract from the historical and architectural appeal of Cooktown; and

requirements for all developments to be densely landscaped.

## TIP OF CAPE YORK

### Cyplus Stage Two: Our Land Our Future

CYPLUS states it is "a blueprint for sustainable land use and economic and social development on Cape York Peninsula".<sup>107</sup> The Strategy consists of three phases:

1. Involved data collection, issue identification and analysis of opportunity and constraints (1992-1995).
2. Development of a coordinating strategy for sustainable land use and economic and social development (1995-1997).
3. Implementation and evaluation.

The emphasis during stage two was on the development of broad and strategic policy proposals rather than detailed policy development. Directly involved in the project were regional and special interest groups and Commonwealth and Queensland Government departments.<sup>108</sup>

The CYPLUS study recommended the management of the Cape York Peninsula could be achieved under two over-arching and linked management areas - "natural resources" and "cultural resources".

#### Management of Natural Resources

Taking into account the difficult task of developing clear guidelines to assist in the future allocation, use and management of natural resources in a manner which is consistent with the principles of sustainability, the stage two CYPLUS report contained four far-reaching proposals. The most important of these involves the preparation of a strategy involving the division of the Cape York Peninsula area into different categories, each with specific management purposes and criteria for appropriate uses.

1. Category A: areas where conservation is or is expected to become the dominant land use.

Recommendation: an integrated Protected Area Strategy be prepared on the basis of a significance of values assessment.

2. Category B: areas under extensive forms of land use, including grazing, forestry and traditional Indigenous use.

Recommendation: property-based management plans be completed by land owners/holders (except mining projects which will continue to be managed under existing arrangements).

3. Category C: areas where intensive resource utilisation is the dominant use.

Recommendation: as for Category 'B'.

4. Category D: areas include roads, townships and ports.

In Categories C and D, ecologically sustainable development principles guide the conservation and protection of downstream and off-site processes.<sup>109</sup>

#### Management of Cultural Resources

Stage 1 of CYPLUS highlighted the interconnected relationship that exists between natural and cultural resource values in Cape York Peninsula. It is thus necessary that natural resource management decisions always be made within the context of negotiated protection of cultural values.

The CYPLUS was unable to present a cultural resource management strategy in any great detail. This is due to the fact that information on cultural heritage values and their significance is subject to a complex system of ownership and confidentiality controlled by the relevant traditional custodians.

Nonetheless, CYPLUS did offer some actions that should be taken in the management of cultural resources:

- development and application of agreed protocols for undertaking cultural assessments
- ongoing assessments and mapping of individual cultural resource values

- systematic assessment of significant non-Indigenous cultural resource values
- integration of Indigenous and non-Indigenous cultural resource values into preparation of Cape York Plans and Management Plans for protected areas.<sup>110</sup>

### Specific Strategies

Falling under these two areas of management were 30 more specific strategies, grouped together into six areas:

- conservation;
- cultural;
- economic development;
- lifestyle and social issues;
- infrastructure; and,
- tenure.

The first two groups are of particular interest to this study. Appearing below are the recommended key actions to be undertaken, and by whom these actions are to be taken.

#### Conservation

- complete the assessment of significance of values and management needs
- prepare the integrated protection area strategy for all category A areas on the basis of significance of values assessment (EPA)
- prepare individual management plans for appropriate sub-areas; establish operational bases with sufficient staff, adequate delegations, and funding levels (EPA)
- integrate the needs and aspirations of Indigenous people to access resources within protected areas providing that this use is consistent with nature conservation goals (EPA)
- confirm extent and severity of all known ecological threats (DNR/EPA)
- promote joint management arrangements and cooperative agreements between agencies and Indigenous people in national parks and other protected areas (EPA)
- extend Indigenous involvement in natural resources management to areas other than protected areas (all stakeholders)

- establish Aboriginal land and natural resource centres at strategic locations on Cape York Peninsula (EPA)<sup>111</sup>

#### Cultural

- recognise the cultural diversity of Cape York Peninsula (Government)
- develop a broad regional agreement process to address land management issues and other cultural concerns (Government with residents and peak bodies)
- introduce intellectual and cultural heritage protection and legislation (Government)
- support and resource the outstation movement (ATSIC)
- recognise the role of elders and traditional skills in resource utilisation, resource management and resource planning (Government agencies)
- develop cultural resource inventories<sup>112</sup>

#### **Comments**

- Given the extensive number of documents published following the work undertaken in Stage One of CYPLUS, it is difficult to account for the relatively brief, non-specific management recommendations made in the Stage Two document. This is especially of concern given the variety and inclusivity of interest groups in the process - it seems to have been somewhat of a lost opportunity. There is doubt the document can achieve its goal of "coordinating strategy for sustainable land use and economic social development".<sup>113</sup>
- The division of natural resources into four categories would appear to be too general. Areas deemed to be "conservation areas" (category A) endeavour to encompass all land types which the *Wet Tropics Management Plan*, for example, has separated into three narrower categories. This raises the concern that areas of very high natural integrity will be afforded the same protection as those area of somewhat compromised integrity.

### The Planning Scheme for the Shire of Torres

The Torres Planning Scheme divides the area into eleven zones which provide a mechanism for guiding and controlling the distribution, mixing and segregation of the various land uses. Two of these zones are "National and Environmental Parks" and "Conservation".

#### National and Environmental Parks

The intent of the National and Environmental Parks zone is to provide for the protection of lands declared as such, and for purposes ancillary to the use of the parks (such as are permitted under the *Forestry Act 1959-1967* and the *National Parks and Wildlife Act 1975-1984*).

#### Conservation

The intent of the Conservation zone is to provide for extensive areas to be maintained in their natural state for the enjoyment of the residents of the Shire. Generally, all forms of development are to be excluded from this zone. The Council may also grant consent to agriculture, animal husbandry, forestry and extractive industry, subject to the findings and recommendations of Environmental Impact Statements.

#### Miscellaneous Provisions

The section of the scheme thus titled includes the following provisions:

- Height of Buildings: buildings shall not exceed 11m in any zone.<sup>114</sup>
- Places of Scientific, Cultural or Historic Interest and Places of Natural Beauty: development on this land will not be permitted unless the Council considers the amenity of the surrounding area would not be detrimentally affected, and the development would assist the preservation or conservation of the land and any buildings or structures of interest on that land.<sup>115</sup>
- Built form and amenity: council can intervene where a development proposal will detract from the existing visual amenity and character of any area of the Shire. Council may require amendment

to the architectural style, colour, building materials, landscaping or street furniture of a development.

When designing a building or structure, Council prefers designers to take into account:

1. the scale, construction and design of existing adjacent development and the streetscape;
2. the tropical, island climate and lifestyle of Shire inhabitants;
3. Indigenous characteristics;
4. colours harmonising with the tropical, island setting of the Shire; and
5. native species of plants which will require only minimal maintenance.<sup>116</sup>

#### Development Control Plan – Torres Shire

The DCP for the Torres Shire prescribes preferred dominant land uses for the area. One is "conservation".

The objective of the conservation zone is to provide for extensive areas of land that are required to be maintained in their natural state for the purposes of preserving wildlife habitats and areas of cultural or historical significance, or for the enjoyment of the inhabitants of the Shire. Generally, Council will not support indiscriminate development in the areas designated as Conservation on the DCP maps.<sup>117</sup>





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## APPENDIX ONE: MANAGEMENT ZONES for Wet Tropics

Source: *Wet Tropics Management Plan*, pg.33.

	<b>Zone A</b>	<b>Zone B</b>	<b>Zone C</b>	<b>Zone D</b>
<b>Physical condition</b>	Remote from disturbance and in a mostly natural state.	Not remote from disturbance but still in a mostly natural state.	Land on which or adjacent to which there is infrastructure needed for community services.	Land on which there are, or are proposed to be, significant developed facilities to enable visitors to appreciate and enjoy the area.
<b>Physical and social setting</b>	A natural area remote from disturbances associated with modern technological society. Visitors may expect opportunities for solitude and self reliance without an obvious management presence.	A natural area, which may be undergoing recovery or rehabilitation towards its natural state. An area where a visitor may expect opportunities for solitude and self reliance with a limited management presence.	A mostly natural area but with some disturbances by activities associated with modern technological society. A visitor may expect low key opportunities for nature appreciation and social interaction in a natural setting. Management presence may be obvious.	A mostly natural area with visitor facilities integrated into the surrounding landscape. Visitors may expect many opportunities to appreciate and enjoy the Area in a natural setting. A management presence may be obvious.
<b>Management intent</b>	To protect land in its natural state. If land is disturbed, to remove disturbance and restore land to its natural state.	To restore land to its natural state wherever practical, by relocating disturbances to land where they will have less impact, or to rehabilitate the land where they will have less impact, or to rehabilitate the land over time where opportunities arise.	To accommodate community services. To ensure that the impact of activities associated with community services is managed to minimise the effect on the integrity of the Area.	To accommodate developed visitor facilities to enable visitors to appreciate and enjoy the Area. To ensure that the impact of visitor infrastructure is managed to minimise the effect on the integrity of the Area.
<b>Geographic Information System criteria</b>	Land included in this zone is: <ul style="list-style-type: none"> <li>• at least 500m from infrastructure (eg. Roads, cableways, powerlines); and,</li> <li>• at least 700m from clearings; and,</li> <li>• less than 150ha in area with no obvious signs of disturbance in the last 40 years.</li> </ul>	Land included in this zone is: <ul style="list-style-type: none"> <li>• at least 500m from infrastructure; or,</li> <li>• at least 700m from clearings; and,</li> <li>• less than 150ha in area with some obvious signs of disturbance in the last 40 years.</li> </ul>	Land included in this zone contains: <ul style="list-style-type: none"> <li>• roads, dams, powerlines, pipelines, cableways and clearings.</li> </ul> GIS criteria include set distances around disturbances.	Land included in this zone is: <ul style="list-style-type: none"> <li>• derived from Visitor Facilities Nodes and selected sites.</li> </ul> GIS criteria include set distances around the centre of visitor facility locations.

**APPENDIX TWO : DEVELOPMENT CONTROLS for Wet Tropics**Source: *Wet Tropics Plan, 35-36.*

<i>ACTIVITY</i>	<b>Zone A</b>	<b>Zone B</b>	<b>Zone C</b>	<b>Zone D</b>
LEGEND: Allowed = / ; Permit Required = P ; Prohibited = x.				
<b>PROTECTION, CONSERVATION AND REHABILITATION OF AREA'S NATURAL VALUES:</b>				
An activity for the protection , conservation or rehabilitation of the Area's natural values undertaken by a land holder or with the land holder's permission.	/	/	/	/
An activity on a protected area by a department responsible for managing a protected area which is consistent with national park management principles or necessary for the protection of the Area's cultural values.	/	/	/	/
<b>ROADS, VEHICLES AND ACCESS:</b>				
Operating a vehicle with the land holder's permission on a lawful access road for the land.	/	/	/	/
Operating a vehicle on a presentation (restricted) road.	P	P	P	P
Operating a vehicle on a road (other than a presentation restricted or management road) shown on a zoning map.	/	/	/	/
Maintaining a structure or road.	P	P	P	P
Building a structure or road.	X	X	P	P
<b>RESIDENTIAL AND PRIVATE LAND HOLDER ACTIVITIES:</b>				
Waste disposal by a land holder where no public waste removal service is provided and the nearest general waste disposal facility is more than 20km away by road.	/	/	/	/
An activity by a land holder which; if not allowed, would injuriously affect the land holder's interest in the land.	P	P	P	P
Building a residence, access or garden.	P	P	P	P
Building a structure (other than the above) or road.	X	X	P	P
Maintaining a structure or road.	P	P	P	P
Timber harvesting.	X	X	X	X
Extracting water for domestic use.	P	P	P	P
Planting, propagating etc an undesirable plant.	X	X	X	X
<b>COMMUNITY INFRASTRUCTURE:</b>				
Operating existing legal government infrastructure.	/	/	/	/
Building a structure or road.	X	X	P	P
Maintaining a structure or road.	P	P	P	P
Excavating, grading, quarrying or otherwise interfering with earth.	X	X	P	P
Interfering with a watercourse by extracting or diverting water, damming the watercourse or carrying out another activity that interferes with its natural flow.	X	X	P	P
An activity which the Authority considers would have less impact on the integrity of the Area than would arise from not carrying on the activity.	n/a	P	n/a	n/a
Clearing vegetation around an existing or lawfully constructed structure or road for its appropriate use.	P	P	P	P
Building and maintaining a walking track.	P	P	P	P
Operating a waste disposal facility.	X	X	X	X



## ENDNOTES:

- <sup>1</sup> Gold Coast City Council, *Gold Coast Urban Heritage and Character Study*, 1997.
- <sup>2</sup> *Urban Heritage and Character Study*, 17.
- <sup>3</sup> *Urban Heritage and Character Study*, 16.
- <sup>4</sup> *Urban Heritage and Character Study*, 17.
- <sup>5</sup> *Urban Heritage and Character Study*, 92.
- <sup>6</sup> *Urban Heritage and Character Study*, 94.
- <sup>7</sup> *Urban Heritage and Character Study*, 94.
- <sup>8</sup> *Urban Heritage and Character Study*, 136.
- <sup>9</sup> *Building Sustainable Communities: Draft Strategic Plan*, September 1997.
- <sup>10</sup> *Building Sustainable Communities*, 19.
- <sup>11</sup> *Building Sustainable Communities*, 20-21.
- <sup>12</sup> *Building Sustainable Communities*, 21-22.
- <sup>13</sup> *Building Sustainable Communities*, 22.
- <sup>14</sup> *Building Sustainable Communities*, 94.
- <sup>15</sup> *Building Sustainable Communities*, 96.
- <sup>16</sup> *Building Sustainable Communities*, 96.
- <sup>17</sup> *Building Sustainable Communities*, 96.
- <sup>18</sup> *Building Sustainable Communities*, 96.
- <sup>19</sup> *Building Sustainable Communities*, 97.
- <sup>20</sup> *Building Sustainable Communities*, 100-102.
- <sup>21</sup> *Building Sustainable Communities*, 34.
- <sup>22</sup> *Building Sustainable Communities*, 32.
- <sup>23</sup> M. Kingston et al, *The City of Gold Coast Nature Conservation Strategy Volume 2*, Gold Coast: Gold Coast City Council, 1997, 152.
- <sup>24</sup> *Nature Conservation Strategy*, 155.
- <sup>25</sup> *Nature Conservation Strategy*, 153-155.
- <sup>26</sup> *Nature Conservation Strategy*, 156-157.
- <sup>27</sup> *Nature Conservation Strategy*, 161.
- <sup>28</sup> *Nature Conservation Strategy*, 161-166.
- <sup>29</sup> *Gold Coast Planning Scheme Draft for Consideration of State Interests*, 1999, 702.
- <sup>30</sup> *Draft for Consideration of State Interests*, 1999, 703-705.
- <sup>31</sup> *Draft for Consideration of State Interests*, 1999, 705-708.
- <sup>32</sup> *Draft for Consideration of State Interests*, 1999, 709-719.
- <sup>33</sup> Brisbane City Council, *South Brisbane Area Heritage Study*, 1993, 44.
- <sup>34</sup> *South Brisbane Area Heritage Study*, 38.
- <sup>35</sup> *South Brisbane Area Heritage Study*, 38.
- <sup>36</sup> *South Brisbane Area Heritage Study*, 41.
- <sup>37</sup> *South Brisbane Area Heritage Study*, 44.
- <sup>38</sup> *South Brisbane Area Heritage Study*, 46.
- <sup>39</sup> *South Brisbane Area Heritage Study*, 47.
- <sup>40</sup> *South Brisbane Area Heritage Study*, 49.
- <sup>41</sup> *South Brisbane Area Heritage Study*, 49.
- <sup>42</sup> *South Brisbane Area Heritage Study*, 52.
- <sup>43</sup> Brisbane City Council, *City Plan*, 1999, chapter 3, pp 7-17.
- <sup>44</sup> *City Plan*, chapter 5, pp 21-23.
- <sup>45</sup> *City Plan*, chapter 2, p 21.
- <sup>46</sup> *City Plan*, chapter 2, p 21.
- <sup>47</sup> *City Plan*, chapter 2.
- <sup>48</sup> *City Plan*, chapter 2, pp 14-15.
- <sup>49</sup> *City Plan*, chapter 2, p 3.
- <sup>50</sup> *City Plan*, South Brisbane Local Area Plan, 267.
- <sup>51</sup> *City Plan*, South Brisbane Local Area Plan, 267.
- <sup>52</sup> *City Plan*, chapter 5.
- <sup>53</sup> *City Plan*, Appendix 2.
- <sup>54</sup> A. Wallin et al, *The Caloundra City Council: Cultural Landscape Study*, 1996, section 1.0.
- <sup>55</sup> *Cultural Landscape Study*, 2.0, 3.0.
- <sup>56</sup> *Cultural Landscape Study*, 4.2.
- <sup>57</sup> *Cultural Landscape Study*, 4.2.
- <sup>58</sup> *Cultural Landscape Study*, 4.2.
- <sup>59</sup> *Cultural Landscape Study*, 4.2.
- <sup>60</sup> *Cultural Landscape Study*, 4.2.
- <sup>61</sup> *Cultural Landscape Study*, 4.2.
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- <sup>79</sup> *Protection Through Partnerships*, 81.
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