Managing People in Australian Parks: Risk Management and Public Liability

Author
Buckley, Ralf, McIntosh, Natasha, Guest, Michaela

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MANAGING PEOPLE IN AUSTRALIAN PARKS

3. RISK MANAGEMENT AND PUBLIC LIABILITY

By Ralf Buckley, Natasha Witting & Michaela Guest

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Information presented in this report has been compiled with care, subject to constraints of time and resources. Detailed data, however, were provided largely by staff of protected area management agencies, and have been accepted at face value. It was not feasible to check their accuracy in the field. Language reflects that provided by the agencies.

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Nature tourism within national parks and other protected areas is growing rapidly throughout Australia. The sustainability of this growth relies upon maintaining the quality of the natural environment which visitors come to experience. Across the country, land managers are confronted with similar visitor management issues, and these issues are equally relevant for tourism operators.

At a national level, a new Ministerial Council (previously ANZECC) provides a coordinating mechanism between national parks agencies; and the Ecotourism Association of Australia (EAA) provides one within the nature tourism industry. To date there has been no formal national coordination between land managers and the tourism industry. The newly established Tourism and Protected Area Forum (TAPAF) has recently started to provide an informal forum for coordination.

To provide park agencies and tourism industry representatives with up to date information on the management of nature-based tourism in Australian national parks, the Cooperative Research Centre for Sustainable Tourism carried out a national review of the current management practices of national park agencies in relation to nature tourism, under the overall title ‘Managing People in Australian Parks.’ Results are described in a series of reports, covering aspects such as fees, permits, risk and asset management, and visitor services.

This review includes national parks managed by Parks Australia, but does not include the operations of other Commonwealth agencies such as the Wet Tropics Management Authority except in so far as these occur jointly with State and Territory agencies. It covers only terrestrial national parks, not marine parks such as the Great Barrier Reef Marine Park. In general it includes only lands designated as national park; ie IUCN Category 2 reserves. Other categories of protected areas are not included except where specified.

These reports do not aim to make best practice recommendations regarding park management practices. Each park agency has its own special circumstances and political frameworks. The purpose of this project is not to produce a single unified national approach. Rather, the aim is to provide accessible information and reduce duplication of effort between park agencies, and to improve the consistency in approach for tour operators.

State-by-state data are presented in geographical sequence from west to east and north to south. No order of priority or significance is implied.
Risk management and public liability is an emerging priority for many public authorities including Australia’s national park agencies. The increased awareness of the need for risk management by park agencies is the product of several landmark public liability cases in Australia and New Zealand, which have resulted in significant costs for the park agencies involved. In recent years, there has also been a rise in the number of minor liability cases, signalling an increasingly litigious society, and the need for parks to develop a more strategic approach to risk management.

This report focuses on the following aspects of risk management in Australian national park agencies: risk management policies; risk identification procedures; incidents and claims; risk management training; risk inspections; legal advice; transfer of risk for commercial and non-commercial activities; and restriction of liability.

Additional information is available in the working paper on ‘Visitor Risk Management and Public Liability’ produced by the ANZECC Working Group on National Parks and Protected Area Management, Benchmarking and Best Practice Program (WACALM, 1998).

Parks agencies are occupiers of land. Parks agencies are responsible for the care, control and management of national parks and other protected areas, and are viewed in legal terms as the occupiers of those areas, even though they do not hold any estate or interest in real property. As occupiers, they may be liable for injuries suffered by users of protected areas if they breach their duty to take reasonable care for the safety of those who enter upon their land (PWCNT, 1995:12).

Parks agencies have a duty of care to visitors. It is the responsibility of parks agencies to ensure that visitors are not exposed to situations where there is a real risk of incurring injury; or where this is not possible, to ensure that visitors are appropriately warned regarding the potential risks associated with a situation or place (PWCNT, 1995:12). Parks agencies may have duties of care under contract, statute or common law (Davies, 1998).

If it is established that a duty of care exists, then to determine if that duty of care has been breached typically involves two issues: whether the risk was foreseeable; and ii) if it was, whether the agency took reasonable measures to minimise it. The principal sources of uncertainty arise from legal interpretations of foreseeability and reasonableness.

All Australian parks agencies refer to written policies on risk management, but there are considerable differences between the types of policies and frameworks referred to by the various park agencies, and the level of detail they contain. Victoria refers directly to the AS/NZS 4360 Australian/New Zealand Standard on Risk Management (Joint Technical Committee OB/7 – Risk Management, 1999) in conjunction with their own policies. Northern Territory, Western Australia, South Australia, New South Wales have their own agency-specific risk management strategies. TPWS refer to several policies that deal with various aspects of risk management. QPWS refers to a policy which applies to the entire Queensland EPA and EACT refers to a manual which applies to the entire Australian Capital Territory government.

According to the ‘Visitor Risk Management and Public Liability’ report produced by the ANZECC Working Group on National Parks and Protected Area Management, Benchmarking and Best Practice Program (WACALM, 1998), a best practice approach to risk identification involves: the prioritisation of risk; the implementation of control measures to minimise the risk; the monitoring of control measures to evaluate their effectiveness; and the follow-up response of risk assessment to gauge the degree of risk experienced. All Australian parks agencies currently have formal risk identification procedures in place, incorporating all of the above.

Several significant liability cases has been brought against Australian parks agencies in recent years, most notably Nagle v Rottnest Island Authority (1993) 177 CLR 423 and Romeo v Conservation Commission of the Northern Territory (1998) 151 ALR 263. Nagle v Rottnest Island Authority involved an individual diving into the water of a natural swimming pool and striking his head on a submerged rock, resulting in him becoming a quadriplegic. Romeo v Conservation Commission of the Northern Territory involved a 16 year old girl falling 6.5 meters from the top of Dripstone Cliffs onto Casuarina Beach in suburban Darwin. She
sustained serious injuries which caused high level paraplegia. These cases set significant precedents for subsequent liability cases involving public authorities.

Park agencies have reported an increased number of minor claims, which are frequently settled out of court. Incidents resulting in minor claims include tripping or falling on walking tracks, falls from horses, tree and branch falls, etc. Consistent with the ANZECC best practice recommendations (WACALM, 1998), all Australian parks agencies currently have: a designated course of action in the event of an incident, or the advice of a potential incident against their organisation; a process by which these incidents are documented; and an internal group or section responsible for claims management.

All Australian parks agencies provide some type of formal risk management training. QPWS provides in-house training, while NPWSA, Parks Victoria and WACALM provide a combination of in-house and external specialist training. TPWS has held one two day workshop on risk management, and many of EACT’s staff attend the Summer School of Park Management at the University of Canberra, which includes a risk management module.

Parks agencies in Northern Territory, Queensland, South Australia and Western Australia undertake regular risk inspections of their recreation sites and facilities to identify potential risks. NSWNPWS conducts risk inspections which, depending upon the facility, may be either regular or ad hoc. TPWS does not undertake regular risk inspections, but requires inspections of all built structure to be undertaken periodically by engineers. In the Australian Capital Territory, selected assets are subject to routine risk inspections and the remainder to informal inspections, depending on the level of use and/or potential for hazard.

Parks agencies in Western Australia, South Australia, Queensland, Tasmania, Australian Capital Territory and the Commonwealth refer to the Crown Solicitor as their principal source of legal advice on issues of visitor risk management and public liability. WACALM uses private legal advice in addition to the Crown Solicitor. Parks Victoria and PWCNT refer solely to private legal practice, at least in the majority of cases, and the NSW NPWS uses both in-house and external private legal advice.

All agencies currently hold insurance cover for public liability. Most agencies are self insured for claims, for example, by way of a self managed fund.

All agencies except EACT require indemnity clauses in contracts or agreements with tour commercial operators. These indemnity clauses specify that it is compulsory for commercial operators to hold public liability insurance cover of at least $5 - $50m (most commonly $10m), which indemnifies the parks agency against any claims by the tour operator or its clients. Precise wordings differ between agencies. EACT do not require indemnities as they do not yet have a licensing system for commercial operators. Some agencies, notably QPWS and WACALM, also require indemnities from other commercial entities such as works contractors, and from competition events, clubs and other incorporated bodies. These indemnities, however, do not extend to individual park users.

In some jurisdictions in Australia and overseas, the potential liability of public land management agencies, and in some areas also their commercial lessees and licencees, is limited by specific statutes. In Australia, such statutory restrictions apply only in Western Australia and South Australia. In South Australia, a recent amendment to the Crown Lands Act 1929 limits liability on unoccupied Crown Land to a consequence of an act or activity of the Crown. In Western Australia, the recently passed Land Administration Act 1997 sets out to remove liability associated with public access routes over Crown Land. It has not yet been tested in court, however (WACALM, 1998). In all the other States and Territories, common law applies with no statutory restrictions of this type, and no new legislation is currently planned.
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<td>Australian Bureau of Statistics</td>
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<tr>
<td>ANZECC</td>
<td>(former) Australian and New Zealand Environment and Conservation Council</td>
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<td>CP</td>
<td>Conservation Park</td>
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<tr>
<td>CRC</td>
<td>Cooperative Research Centre</td>
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<td>E &amp; I</td>
<td>Education and Interpretation</td>
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<td>EA</td>
<td>Environment Australia:</td>
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<td>EACT</td>
<td>Environment ACT</td>
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<td>GR</td>
<td>Game Reserve</td>
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<tr>
<td>I, I &amp; E</td>
<td>Information, Interpretation and Education</td>
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<tr>
<td>NEAP</td>
<td>Nature and Ecotourism Accreditation Program</td>
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<td>NP</td>
<td>National Park</td>
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<td>NPWSA</td>
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<td>NR</td>
<td>Nature Reserve</td>
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<td>NSW EPA</td>
<td>New South Wales Environment Protection Authority</td>
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<td>NSWNPWS</td>
<td>New South Wales National Parks and Wildlife Service</td>
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<td>PA</td>
<td>Parks Australia</td>
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<td>PAN</td>
<td>Parks Australia North</td>
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<td>PV</td>
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<td>PWCNT</td>
<td>Parks and Wildlife Commission of the Northern Territory</td>
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<td>QDEH</td>
<td>(former) Queensland Department of Environment and Heritage</td>
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<td>QEPA</td>
<td>Queensland Environment Protection Agency</td>
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<td>QPWS</td>
<td>Queensland National Parks and Wildlife Service</td>
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<td>RA</td>
<td>Recreation Area</td>
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<td>RIC</td>
<td>Ranger In Charge</td>
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<td>RP</td>
<td>Recreation Park</td>
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<tr>
<td>RR</td>
<td>Recreation Reserve</td>
</tr>
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<td>SADEHAA</td>
<td>South Australia Department for Environment, Heritage and Aboriginal Affairs</td>
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<td>South Australia Environment Protection Agency</td>
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<tr>
<td>TDPIWE</td>
<td>Tasmania Department of Primary Industries, Water and Environment</td>
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<td>VDNRE</td>
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<td>WACALM</td>
<td>Western Australia Department of Conservation and Land Management</td>
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All national park agencies in Australia currently refer to a strategy, framework, policy or policies regarding issues of visitor risk management. This report examines these frameworks and policies, risk identification and inspection procedures, and some of the legal aspects of risk management as of early 2001.

Information in this report was compiled as follows:

1. Literature search, including unpublished materials and reports such as those of the ANZECC Working Group on National Park and Protected Area Management.

2. Contact with Commonwealth, State and Territory protected area management agencies via Directors and Chief Executives and directly with nominated staff as listed in the Acknowledgements.

3. Compilation of data from all relevant sources including reports, internal agency documents and personal communications.

4. Submission of draft report from each agency's materials to relevant staff of that agency only, to check that the information included was accurate, up to date and reasonably comprehensive, and that no confidential information had inadvertently been included.

5. Circulation of full draft report to all agencies to compare the level of detail provided and adjust if required. Contact with all agencies to check that materials in Appendices were cleared for public distribution. Update as required to incorporate changes in agency practices which occurred whilst the report was being produced.

6. Circulation of revised drafts as required. Presentation of results to protected area management agencies and tourism interests at Australian Academy of Science Fenner Conference on Nature Tourism and the Environment, September 2001. Final updates to include new data provided in response to presentations.
2. RISK MANAGEMENT POLICIES

2.1 Western Australia

WACALM currently has both a generic risk management policy, which complies with the Australian Risk Management Standard (AS/NZS 4360) (Joint Technical Committee OB/7 – Risk Management, 1999); and a Visitor Risk Management Policy which specifically addresses the management of potential risks to visitors. These are consistent with the recommendations of best practice in visitor risk management made by the ANZECC Working Group on National Parks and Protected Area Management (WACALM, 1998).

WACALM’s regional centres have also developed operational guidelines in accordance with the WACALM Visitor Risk Management Policy Statement (see Appendices). The guidelines detail the systematic risk management of all WACALM recreation facilities, including: the identification of hazards, assessment of the risks posed by those hazards, implementation of risk mitigation works, and ongoing monitoring (WACALM, 2000).

2.2 Northern Territory

PWCNT currently have a strategy on visitor risk management which specifies the objectives and strategies of the Commission regarding risk management. It also defines the duty of care required by the Commission, general principles of negligence, mitigating actions, liability avoidance and insurance (PWCNT, 1995). A full listing of the contents of the NTCC Risk Management Strategy is provided in the Appendices to this report.

2.3 South Australia

NPWSA has had a risk management policy in place since May 2000. The policy statement notes the importance of systematically identifying, analysing, assessing, treating and monitoring risks as part of an overall risk management strategy (Holmes, 2000). The policy objectives are also specified as follows (Holmes, 2000, p1):

- “safeguard the State’s assets and environment through sound prudential management and control
- ensure continuity of quality service delivery to …. customers and stakeholders
- create an environment where all staff can develop and exercise the judgement needed to manage [the agency’s] risks well
- ensure [the agency’s] risks are managed and reviewed in a planned manner”.

The Risk Management Audit Committee is responsible for the oversight of the policy, including the setting of performance standards and annual risk management programs. Divisional Heads and Managers are ultimately responsible for the implementation and maintenance of risk management within their areas of responsibility, including ensuring that all staff gain competence in managing the risks associated with their work and responsibilities (Holmes, 2000). A copy of the Risk Management Policy Statement is provided in the Appendices to this report.

2.4 Queensland

QPWS currently utilise a generic risk management policy that addresses all potential risks which threaten the divisions, regions and other work units of the Queensland Environmental Protection Agency. The policy details: the Agency’s objectives with respect to risk management; instructions for staff, including the provision of training in risk management; insurance procedures and indemnities; and policy administration. Contents of the Risk Management Policy are listed in the Appendices to this report. The policy resulted from a May 1992 Cabinet decision authorising the Queensland Treasury to “co-ordinate the introduction of risk management throughout the public sector, and to introduce changes to Government policy on insurance” (QDEH, 1995, p.1).
2.5 New South Wales

The NSW NPWS has a visitor safety policy and a number of specific management and recreation policies relating to the use of parks by members of the public. Statutory plans of management for parks and reserves also include policies for use of visitor sites and facilities.

2.6 Australian Capital Territory

Environment ACT refers to the ACT Government Risk Management Manual which is a whole-of-Government document. A specific visitor risk management policy and manual is currently being prepared. This will cover policy, park assets and natural features that offer high visitor risk, strategies for risk reduction, inspection and sign posting requirements, and incident reporting. EACT believe that an agency specific strategy will help to formalise processes and provide additional protection against liability in the case of any damages claim.

2.7 Victoria

Parks Victoria's Risk Management framework is based on the Australian Risk Management Standard (AS/NZS 4360) (Joint Technical Committee OB/7 – Risk Management, 1999). Parks Victoria has developed a Draft Risk Management Process which aims to integrate the principles and business applications of risk management into existing management systems, policies, standards and procedures. The Draft Risk Management Process (Parks Victoria, 2000) is still in an early draft format and subject to change, but its development indicates future directions. The key steps outlined in Parks Victoria's risk management process are:

1. Establishing the context: sets the scope and boundaries for the application of the risk management process, and defines the area for application, and the goals and objectives;
2. Risk identification;
3. Risk analysis: determine likelihood, impact, importance, level of risk and controls;
4. Risk evaluation: is the risk acceptable/not acceptable;
5. Risk treatment: assess treatment options and develop an action plan; and

2.8 Tasmania

TPWS does not currently have a single unified policy on visitor risk management. Instead, various policies address different aspects of risk management (WACALM, 1998). For example, Guidelines for Volunteers address the issue of risk from a workplace health and safety perspective. To date, risks are managed primarily through appropriate operations management. Consideration is currently being given to the development of a unified risk management policy.
3.1 Western Australia

In order to fulfil the policy objective of minimising risks to public safety associated with visiting WACALM managed areas, periodic safety audits of all recreation sites, facilities and visitor services are undertaken (WACALM, 1997). The Visitor Risk Management Guidelines-CFR (WACALM, 2000) specify the risk identification procedures, including the actions to take when a potential hazard is identified. These may include removing or isolating the hazard, and reporting the hazard to the designated Visitor Risk Management Officer.

3.2 Northern Territory

PWCNT currently has a process of identifying potential risks including: assessment of risks in terms of the impact upon the parks service; determination of control measures; and evaluation of the control measures effectiveness. This information is detailed in the Commission’s ‘Risk Management Strategy’ (PWCNT, 1995). Included are strategies on such potential loss situations as visitor and public safety, work place health and safety, information technology and fraud control.

3.3 South Australia

NPWSA have a process of risk identification which includes an assessment of risks in terms of impact upon the organisation, determination of control measures, and a review of the effectiveness of control measures. NPWSA also periodically undertake risk audits on existing park assets, especially in parks experiencing high visitation, or with previously identified risks.

3.4 Queensland

QPWS has a routine system for identifying potential risk which is carried out by the regional workplace health and safety officer in conjunction with the ranger in charge of the park in question. Risk identification also occurs as an essential part of the assessment of any incidents. Appropriate action is taken on the basis of the nature of the identified risk. Actions range from low key measures, such as advisory signs, to the closure of areas and facilities. Most measures are temporary and are lifted as soon as possible, for example, once a fire danger eases, or a facility has been repaired.

3.5 New South Wales

NSWNPWS currently has a process of identifying potential risks including assessment of risks in terms of the impact upon the parks service, determination of control measures, and evaluation of the effectiveness of those control measures.

3.6 Australian Capital Territory

Formal risk identification procedures are in place for selected areas such as playgrounds, and informal procedures are undertaken for other areas, depending on the level of use and the potential for hazard. Whilst risk management is considered a high priority for field managers and staff, the formal procedures to address visitor risk management are generally of a limited nature.

3.7 Victoria

Parks Victoria has implemented a process of risk profiling which includes a risk identification and analysis process. Methods of identifying risk/s include, but are not limited to: analysis of sites with similar risks to those where incidents have previously occurred; workshops (brainstorming); inspection/survey reports; and questionnaires (Parks Victoria, 2000). Risk is analysed in terms of likelihood of occurrence, impact upon the organisation, and its importance to business operations. The risk management process also identifies the risk controls and assesses them in terms of whether they are documented, adequate, and whether they are applied.
3.8 Tasmania

TPWS currently has a process of identifying potential risks including assessment of risks in terms of the impact upon the parks service, determination of control measures, and evaluation of the control measures effectiveness. Although not encapsulated in any written policy documents, this approach occurs at a practical level.
4.1 Western Australia

As for other agencies, the number of liability claims brought against WACALM has risen in recent years. Additionally, the landmark case Nagle v Rottnest Island Authority (1993) alerted WACALM to the importance of having a strategic approach to visitor risk management. WACALM has a designated course of action in the event of an incident, or the advice of a potential incident. This typically involves the formal reporting of the incident by field staff to the State Operations Headquarters. This identification process requires the completion of a Visitor Risk Management (VRM) hazard report form, which is lodged with the designated VRM Officer. The VRM Officer then arranges the assessment of the extent of the risk, records the details, and initiates the appropriate action. WACALM also has an internal section responsible for claims management.

4.2 Northern Territory

Consistent with other agencies, the PWCNT has experienced an increase in the number of liability claims brought against them. Most notable is the case Romeo v Conservation Commission of the Northern Territory. The case involved the plaintiff and her friend visiting a popular scenic lookout near Darwin at night. The pair consumed some alcohol in a gap in the vegetation near the car park, then walked, or fell, over the edge of an unfenced cliff, resulting in the plaintiff becoming a paraplegic (Davies, 1998). It was agreed that the Commission owed the plaintiff a duty of care, but the contention was whether the Commission was found to have breached that duty of care (Davies, 1998). Given the obvious scale of the risk (i.e. the cliff face), it was argued that warning signs would have been ineffective, because “the risk existed only in the case of someone ignoring the obvious” (Davies, 1998: 12). Secondly, the mitigating action necessary to minimise the risk, (that is, to erect a 2 km fence along the cliff face) was not considered a “reasonable” action given the identified risk (Davies, 1998: 12). Thus the Commission were found not to have breached its duty as occupier of the area. This finding set an important precedent for claims of liability against Australian national park agencies, and provided an impetus for a more strategic approach to risk management within the PWCNT.

The PWCNT has a designated course of action in the event of an incident, and/or the advice of a potential incident against the organisation; a process by which these incidents are documented; and an internal group/section responsible for the management of claims.

4.3 South Australia

During the past 5 years there have been six major (>$4000) public litigation claims against NPWSA for injuries sustained in national parks. All of these cases were finalised with total costs of under $22 000, except one which originated in 1981 and was finalised with a total cost of $70 000. NPWSA has a designated course of action in the event of an incident, and/or the advice of a potential incident against the organisation; a process by which these incidents are documented; and an internal group/section responsible for claims management.

4.4 Queensland

The increasing number of minor incidents in Queensland national parks is alleged to be causing the closures of some park trails and visitor facilities (Ryan, 2000). Minor incidents and claims against QPWS are frequently settled out of court. Following an incident, QPWS staff are required to complete an injury reporting form, and details of the incident are forwarded to Head Office. The incident is then investigated by Head Office and recorded on a database. Severe injuries are also investigated by the Division of Workplace Health and Safety (Department of Employment, Training and Industrial Relations).

4.5 New South Wales

Like other Australian park agencies, in recent years the number of minor claims against NSW NPWS have risen. The NSW NPWS have a designated course of action in the event of an incident, and/or the advice of
a potential incident against the organisation; a process by which these incidents are documented; and an internal group/section responsible for claims management.

4.6 Australian Capital Territory

EACT currently have incident reporting measures in place. Rangers or field staff record incidents in their diaries and report all incidents to the park District Manager. It is the District Manager’s responsibility to investigate the cause of the incident and take appropriate action. In the event of a complaint, the District Manager is notified and takes what he/she believes to be the appropriate action. The risk management policy (in preparation) will require a more centralised reporting of incidents.

4.7 Victoria

Parks Victoria has acknowledged that the number of incidents reported in their national parks has increased, but this can be attributed to the implementation of improved reporting procedures. The vast majority of incidents and claims made against Parks Victoria are minor and resolved quickly.

In the event of any incident, park staff are required to complete an incident reporting form, outlining all known details of the incident. These reports are communicated to head office, usually within 24 hours of the incident occurring. Parks Victoria also has an internal group/section responsible for claims management. Whilst the majority of incidents are of a minor nature, all incidents are documented in case of future litigation. Parks Victoria is currently developing a ‘visitor risk library’ to facilitate better visitor risk identification and management in the future. In the event of a death or serious personal injury, the matter is fully investigated, generally with the assistance of an investigator engaged by the insurer.

4.8 Tasmania

The claims brought against TPWS typically result from visitors slipping or falling on walking tracks, boat ramps etc., and are usually limited to medical bills (e.g. < $100 000). Historically the number of claims has been small, but an increase has been noted in recent years.

TPWS have a designated course of action in the event of an incident, and/or the advice of a potential incident against the organisation; a process by which these incidents are documented (staff incidents only); and an internal group/section responsible for claims management. Incident reports are completed for both public and staff claims, and are then forwarded to the TPWS insurance broker.
5. RISK MANAGEMENT TRAINING

5.1 Western Australia

WACALM run a nationally accredited two-day training course in visitor risk management operations, designed in accordance with the AS/NZS Standard 4360 on Risk Management (1999). Participants are nominated by their regional and district managers and are generally staff with a key operational role in WACALM’s recreation and tourism program. The number of courses held varies with demand, but in recent years WACALM has been conducting four per year. There is a high demand for the course by other government departments and agencies within Western Australia.

WACALM has a Risk Management Section, which is responsible for the development and implementation of risk management policies and procedures on behalf of the department across Western Australia, and for providing advice and guidance to managers on risk management and insurance matters.

5.2 Northern Territory

Both formal and informal risk management training is undertaken on a limited basis in PWCNT. Training is voluntary and is attended primarily by management staff.

5.3 South Australia

Both in-house and external specialist risk management training is undertaken by NPWSA. Further in-house risk management training is planned to take place within NPWSA in the near future. Whilst training is not compulsory, note is taken of volunteers from relevant sections, and any management unit not covered by appropriately trained personnel would be encouraged to ensure that a managing or supervisory staff member attended a future risk management course.

5.4 Queensland

The Environment Protection Agency provides training in risk management which is intended to provide participants with the knowledge and skills to identify potential risks, and to implement risk management procedures. Risk management training is the responsibility of regional workplace health and safety officers and includes the following areas:

- workplace health and safety;
- fire prevention measures and security precautions;
- professional negligence;
- liability exposure of all types;
- crisis contingency planning and disaster recovery;
- the unauthorised use of resources;
- needless waste and inefficiency; and
- management system inadequacies and poor work quality.

From 1993-1995, formal training was provided as a series of four-day courses run in conjunction with a firm of risk management consultants. Risk management training has been identified as a high priority, but formal courses are not currently available. Informal risk management training is provided at the regional level, involving experienced staff and regional workplace health and safety officers.
5.5 New South Wales

Risk management training in NSWNPWS is provided to all levels of the organisation and is open to all staff. Training is voluntary, but is typically attended by field supervisory staff.

5.6 Australian Capital Territory

No generalised training on visitor risk management has been provided by EACT to date. However, many staff have attended the Summer School of Park Management run by the University of Canberra. This course includes a risk management module. Additionally, all park staff have appropriate training, and most have some Risk Management and Incident Control Management training, which covers aspects such as managing visitors in fire conditions etc.

5.7 Victoria

A combination of in-house and external specialist training in risk management is provided by Parks Victoria. PV has developed and is implementing a two tiered risk management training program, which includes both a basic and advanced risk management training course. Courses will be run on an ongoing basis. It is anticipated that all PV staff will attend training in risk management.

At present, a trial of visitor risk profiling, which involves training in risk management awareness, is being undertaken in some parks. Parks Victoria has also developed a ‘Levels Of Service’ framework to guide visitor management in Parks, and the visitor risk management program is an integral part of this strategy.

5.8 Tasmania

One two day workshop on risk management training, which was open to all staff, has been held by TPWS. Twenty field and head office staff attended.
6. RISK INSPECTIONS

6.1 Western Australia
As part of a process of risk identification, WACALM undertakes periodic safety audits of their recreation sites, facilities and visitor services. WACALM’s training advocates that every maintenance visit to a site requires an inspection using a checklist designed for that purpose. These are augmented by formal inspections, conducted at least annually, by designated program leaders. Formal inspections are also needed, and conducted, in the event of cyclones, severe storms or other circumstances as deemed necessary.

6.2 Northern Territory
PWCNT undertake annual inspections of visitor sites and facilities. The outcomes of these inspections, including maintenance details and schedules, are documented.

6.3 South Australia
All park recreation sites and facilities are inspected for potential risk at least once every three years by a specialist Corporate Office Workplace Health and Safety/Risk Management team working closely with field staff. In cases where significant improvement works are undertaken, an engineer’s written opinion is sought prior to the commencement of work, to ensure that the design and construction are suitable for their intended use.

6.4 Queensland
Risk inspections of visitor facilities and built infrastructure are undertaken by the regional Workplace Health and Safety Officer in conjunction with the Ranger in Charge of the park. The precise approach taken in the follow-up to the inspections varies from region to region. QPWS is currently carrying out state-wide targeted and routine risk audits.

6.5 New South Wales
Depending upon the facility, risk inspections of visitor sites may be ad hoc, or conducted on a regular basis. For facilities with perceived obvious risks, inspections are routinely undertaken as part of programmed maintenance by field staff within their directorates. For existing facilities with no obvious risks, inspections are conducted when deemed necessary. In the event of an incident, assessment of sites where similar risks have been identified is also undertaken.

6.6 Australian Capital Territory
Formal risk inspections are undertaken for selected areas with high visitation rates. Natural features that EACT actively promote and encourage visitation to, or that have easy access, will be included in the Risk Management Strategy and condition/hazard inspections will be recorded. EACT do not aim to formally inspect remote or very low visitation sites, although these will receive occasional inspections visits from park staff.

6.7 Victoria
Parks Victoria’s insurer is a statutory authority that provides risk management and insurance services on behalf of government agencies. As part of this service they undertake Park Risk Management Surveys which focus predominantly on visitor safety risks. In the past, these surveys were used to identify risks, and to some extent this is still the case. In addition, however, Parks Victoria uses these surveys as tools to assist in the monitoring of visitor risk management performance. The risk management training program and the visitor safety risk profiling process are designed to ensure staff have the skills to identify, analyse, evaluate and treat risk.
6.8 Tasmania

Although TPWS do not conduct regular risk inspections of all sites, engineer inspections of all built structures, bridges and roads are undertaken periodically.
WACALM refers to both the Crown Solicitor and private law firms for legal advice regarding any incidents or claims of public liability made against them (WACALM, 1998).

Since late 1998, incidents or claims made against PWCNT have generally been referred to private legal firms through the Attorney Generals Office.

All incidents or claims of public liability made against NPWSA are referred to a specialist South Australia Department of Environment and Heritage corporate services section. They then refer incidents of any significance to the Crown Solicitor for further legal advice.

QPWS refer solely to the Crown Solicitor for legal advice regarding any incidents or claims of public liability made against them. The Crown Solicitor has the ability to obtain additional legal opinion or assistance if required.

NSWNPWS refer primarily to in-house lawyers for legal advice regarding any incidents. Public liability claims against the State in relation to incidents on lands managed by NSWNPWS are defended by solicitors retained by a New South Wales Treasury managed fund.

In the event of an incident and subsequent liability claims against EACT, formal legal advice is always sought from the Office of the Australian Capital Territory Government Solicitors (Crown).

Parks Victoria has a legal counsel available on staff to provide legal advice. Parks Victoria's insurer undertakes the management of all Parks Victoria's public liability claims. The insurer has in-house legal counsel and may also refer matters to private sector legal firms they engage.

Prior to 30 June 2000, TPWS referred to a private legal practice for legal advice regarding any incidents or claims of public liability made against them. Since then, TPWS have referred solely to the Crown Solicitor.
8. INSURANCE

WACALM holds insurance by way of a self-managed fund administered through the Insurance Commission of Western Australia. PWCNT have been self-insured against liability claims since December 1993. NPWSA are self-insured in the event of incidents resulting in liability claims against the service.

QPWS is self insured in the event of a liability claim against them. The Queensland Government considers that it is more cost effective to be self insured, that is, to carry their own risk, than to insure these risks externally (QDEH, 1995). It is Government policy to minimise external insurance for Departments, and to rely on supplementary funding from Treasury to provide ‘catastrophe’ cover (QDEH, 1995).

The New South Wales Treasury managed fund will pay, on behalf of NSWNWPS all sums for which the NSWNWPS shall become legally liable to pay by way of compensation, in respect of ‘claims made’ against the NSWNPWS caused by an occurrence in connection with their activities worldwide. The New South Wales Treasury managed fund will also pay all law costs, charges and expenses incurred in the settlement or defence of claims or litigation arising where such costs are incurred with the written consent of the fund, and all law costs, charges and expenses recoverable from them by the claimant.

The Australian Capital Territory government, including EACT, is privately insured. Parks Victoria and TPWS prefer not to disclose details of their organisational insurance arrangements.
9. INDEMNITIES FOR COMMERCIAL OPERATORS AND ORGANISED GROUPS

9.1 Western Australia

WACALM requires all commercial operator applicants to take out a minimum of $5m public liability insurance, by way of indemnity clauses within the licensing contract.

For organised non-commercial group activities an application to conduct the activity, which includes indemnity and adequate liability cover, is required. As for all other agencies, for individual users, the parks service utilises numerous warning, cautionary or information signs to identify potential risk to the public in an attempt to remove or reduce the risk. For activities such as abseiling, WACALM requires users to sign disclaimer forms.

9.2 Northern Territory

PWCNT requires all commercial operator applicants to take out a minimum of $10m public liability insurance.

PWCNT does not have a process of transferring risk for non-commercial group activities. Like all other agencies, the parks service utilises numerous warning, cautionary or information signs to identify potential risk to the public in an attempt to remove or reduce the risk. The success of these signs in limiting park liability is typically to reduce the damages the park service may be liable to pay in the event of an incident.

9.3 South Australia

The NPWSA requires all commercial operator applicants to take out a minimum of $10m public liability insurance in respect of any one claim, by way of indemnity clauses within the licensing contract.

NPWSA does not have a process of transferring risk for non-commercial group activities. Numerous warning, cautionary or information signs are used to identify potential risk to the public in an attempt to remove or reduce the risk. These signs may reduce the damages NPWSA may be liable to pay in the event of an incident.

9.4 Queensland

QPWS transfers risk in relation to commercial activities by requiring that an applicant for a permit for commercial tours, or for filming or photography involving more than four people or a structure, must obtain public liability insurance. The insurance policy must provide at least $10m cover and must name the ‘State of Queensland acting through the Queensland Parks and Wildlife Service’ as co-insured. The policy must cover personal injury, including death, and property damage claims made against the commercial operator or the QPWS, or its servants or agents.

This insurance will not cover QPWS for its own negligence, but will provide them with cover if an accident is caused by the operator’s negligence or omission. The insurance cover must be obtained and a certificate of currency seen by a QPWS officer before a permit is issued. The policy is required to state that all interested parties must be notified if the policy is altered, and the insurance company must advise QPWS if the policy is modified or cancelled.

Transference of risk for non-commercial group competitive events, such as the annual ‘King of the Mountain’ race, is undertaken by asking competitors to sign indemnity forms. Organisers of such events can also be required to obtain public liability insurance that protects QPWS.

There is no formal process to transfer risk in relation to the ‘independent’ park visitor, but QPWS employs a range of strategies to reduce risk, including the provision of information and education, the use of warning signs, permits and permit conditions, and the design of management of access and facilities. These strategies seek to reduce the occurrence of incidents and to reduce any damages QPWS may be liable to pay in the event of an incident.
9.5 New South Wales

The NSWNPWS requires all commercial operators applicants to take out a minimum of $10m public liability insurance, and includes an indemnity clauses within the licensing contract (WACALM, 1998).

As for all other agencies, for individual users, the NSWNPWS utilise numerous warning, cautionary or information signs to identify potential risk to the public in an attempt to remove or reduce the risk. These signs may reduce the damages NSWNPWS may be liable to pay in the event of an incident.

9.6 Australian Capital Territory

EACT does not transfer the risk of commercial activities – for example, by way of indemnity clauses within the licensing contract – as commercial operators are not currently required to hold a licence. However, all major tour operators are expected to be insured as part of their standard business practices.

EACT does not have a process of transferring risk for non-commercial group activities. As for all other agencies, signs are used to identify potential risk to the public in an attempt to remove or reduce the risk.

9.7 Victoria

Parks Victoria requires all commercial operator applicants to hold a minimum of $10m public liability insurance which must include indemnification of the Managing Authority, i.e. Parks Victoria.

Parks Victoria do not have a process of transferring risk for non-commercial group activities. As for all other agencies, for individual users, the parks service utilises a number of methods to identify potential risk to the public in an attempt to remove or reduce the risk. These methods include brochure information, structures such as handrails and numerous warning, cautionary or information signs. The success of these methods in ensuring the safety and welfare of visitors and limiting park liability is typically to reduce the damages PV may be liable to pay in the event of an incident. The use of signs is considered a ‘reasonable’ measure in warning visitors against possible risk of injury.

9.8 Tasmania

TPWS requires all commercial operator applicants to take out a minimum of $10m public liability insurance, which notes the interest of TPWS (TPWS, 2000). This policy must be made available upon request, and a copy of it must be forwarded to the TPWS upon renewal of the licence each year.

TPWS does not have a process of transferring risk for non-commercial group activities. Like all other agencies, signs to identify potential risk to the public are used in an attempt to remove or reduce the risk. The success of these signs in limiting park liability is typically to reduce both injury and the damages the park service may be liable to pay in the event of an incident.
In Western Australia, the provisions of the *Occupiers Liability Act* (1985) generally apply in the event of liability claims against WACALM. The recently passed but as yet untested *Land Administration Act* (1997) removes the liability associated with public access routes over Crown land (WACALM, 1998).

Common Law prevails in the event of liability claims against South Australian public authorities, but a recent amendment to the *Crown Lands Act* (1929) limits liability on ‘unoccupied Crown Land’ to a consequence of an act or activity of the Crown (WACALM 1998).

Common Law prevails in the event of liability claims against Queensland public authorities in Northern Territory, Queensland, New South Wales, Australian Capital Territory and Victoria. There are no plans to introduce legislation which may restrict the potential liability of parks agencies.

Common Law also prevails in the event of liability claims against Tasmanian public authorities. The *National Parks and Wildlife Act* (1970) will soon be significantly updated, and restriction of liability is likely to be considered.


*Romeo v Conservation Commission of the Northern Territory* [1998]. HCA 5.


3.1 WACALM

3.1.1 Policy statement No. 56 - Risk management

3.2 PWCNT

3.2.1 Risk management strategy table of contents

3.3 NPWSA

3.3.1 Risk management policy statement

3.4 QPWS

3.4.1 Risk management policy table of contents
3.4.2 Courier Mail article – Compo bill fears close park trails

3.5 PV

3.5.1 Sample risk action plan
3.5.2 Risk library
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3.5.4 Risk analysis tables
3.5.5 Visitor safety risk library
3.5.6 Visitor safety risk analysis tables
Appendix 3.1
WACALM
CALM intends to make the management of risk an integral component of operational and line management responsibilities. To facilitate this an Executive Risk Management Committee has been established which will determine and communicate policy, objectives, procedures and guidelines. This committee will also direct and monitor the implementation, practice and performance of risk management throughout CALM. Practice and procedure guidelines will be developed and provided by the committee to assist the implementation of the risk management policy within CALM.

Performance in risk management will be based and measured on the following factors:

- implementation and documentation of risk management principles;
- incorporation of risk management principles into departmental procedures and operations;
- identification, assessment and treatment of risks in accordance with accepted procedures and guidelines;
- mitigation and control of any losses;
- reduction in the overall costs of risks to CALM; and
- achievement in complying with the Australian Risk Management Standard (AS/NZS 4366).

Objectives

- ensure risk management is accepted and adopted throughout CALM as part of best management practice;
- ensure employees understand the need to manage risk and promote participation in the process;
- develop and apply efficient administrative and financial procedures for the management of risk within CALM;
- assist CALM in fulfilling its mission, performing its key functions, meeting its objectives and serving its customers.

Dr Wally Cox
ACTING EXECUTIVE DIRECTOR
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Appendix 3.3
NPWSA
DEPARTMENT FOR ENVIRONMENT AND HERITAGE

Risk Management Policy Statement

It is the policy of DEH that all staff manage the risks associated with the State's resources and assets in their care and the services they deliver as an integral part of their work.

As Chief Executive, I will provide the authority and means for DEH staff and volunteers to carry out their risk management responsibilities in accordance with South Australian Public Service ethical standards, policies and directions.

Risks are present in all public sector endeavors. Consequently, we need to understand the nature of the risks in our respective work areas and to manage them by systematically identifying, analysing, assessing, treating and monitoring risks. This process is what is meant by the term 'risk management'.

The policy objectives of managing risks across all DEH activities are to
- Safeguard the State's assets and environment through sound prudential management and control.
- Ensure continuity of quality service delivery to DEH customers and stakeholders.
- Create an environment where all staff can develop and exercise the judgement needed to manage DEH's risks well.
- Ensure DEH risks are managed and reviewed in a planned manner.

The Risk Management Audit Committee, chaired by the Chief Executive, is responsible for executive oversight of this policy, including the setting of performance standards and annual programs for risk management.

Divisional Heads through managers their staff are accountable for the implementation and maintenance of risk management within their areas of responsibility and for ensuring that all staff gain the competence to manage the risks associated with their work and responsibilities.

This statement sets out the policy objectives and major responsibilities for risk management. Visit the HUB for detailed information about risk management in DEH.

Alan Holmes
A/CHIEF EXECUTIVE

Date: May, 2000
Risk Management Policy Statement

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Alan Holmes
A/CHIEF EXECUTIVE

Date: May, 2000
Appendix 3.4
QPWS
# Risk Management Policy

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**Appendix A** Amendment of Public Finance Standards  
**Appendix B** Treasury Guidelines on Risk Management & Insurance  
**Appendix C** Guidelines for Supplementary Funding  
**Appendix D** Indemnities
Compo bill fears close park trails

Siobhan Ryan

QUEENSLAND national parks are closing walking tracks and limiting access in the wake of $1 million in lawsuited over the past decade as visitors sue for injury or damages.

A Local Government Association of Queensland inquiry report, released this week, found an estimated $3 million a year was spent on compensation claims.

Environment Minister Rod Welford said yesterday the Queensland Parks and Wildlife Service could not afford the mounting bills for damages.

"Most of the cases I'm aware of have involved hokeyo behaviour," he said.

Sources claim some park visitors had won compensation for injuries from falling tree branches after camping under gum trees.

But inquiry chair Associate Professor Bob Beeton, head of the University of Queensland's School of Natural and Rural Systems Management, said the funding crisis in the Queensland Parks and Wildlife Service only compounded the problem.

"It's the chicken and egg scenario," he said.

"If you don't maintain the tracks, it's dangerous. If the tracks become dangerous, you close them."

Submissions to the inquiry blamed neglected tracks, poorly maintained roads, inadequate fire management and low staffing levels — all resulting from under-resourcing — had eroded the safety of the reserve system.

Opposition Liberal Government spokesman Howard Hobbs said the Beattie Government's decision to expand the reserve system, despite a lack of ongoing funding, "was a huge leap of faith".

One bushwalking group based at Finch Hatton near Maquay wrote to the LOAQ claiming three tracks — Kurrajong, Dooloomai Falls and Mt D'Ayr — had been closed because of a lack of maintenance.

"There were more walks open to the public in this park 25 years ago than there are now," the group said.

QPWS concedes only two closures because of risks to public safety: the spectacular Coomera Gorge lookout at Lamington National Park declared unsafe four years ago, and the entire Mt Coonowrin park in the Glasshouse Mountains closed six months ago.

National Parks Association of Queensland president John de Horne said the QPWS was forced to pay the CRL $500,000 of any compensation claims, draining critical resources away from day-to-day operations.

While accidents would always happen in national parks, the attitudes of visitors had changed, he said.
Appendix 3.5
PV
## Risk Action Plan

### Category

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### Risk

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### Risk Evaluation (Including Cost Benefit Analysis)

**Potential Loss Issues**

**Opportunities**

### Risk Management Decision

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### Summary of Decision

### Treatment Options

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**Summary: recommended response**

### Action Plan

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### Monitoring & Reporting Plan

<table>
<thead>
<tr>
<th>Date Compiled :</th>
<th>Date Reviewed :</th>
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<tr>
<th>Responsibility</th>
<th>Timing</th>
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### Date Compiled

- Date

### Date Reviewed

- Date

### Responsibility

- Responsibilities

### Timing

- Timing
<table>
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<tr>
<th>CATEGORY</th>
<th>Risk Area</th>
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<tbody>
<tr>
<td>Regulatory</td>
<td>• Legislative obligations</td>
</tr>
<tr>
<td></td>
<td>• Government obligations</td>
</tr>
<tr>
<td></td>
<td>• Management Services Agreement</td>
</tr>
<tr>
<td></td>
<td>• Delegations / authorisations</td>
</tr>
<tr>
<td></td>
<td>• Compliance</td>
</tr>
<tr>
<td>Management</td>
<td>• Policy, standards and procedures</td>
</tr>
<tr>
<td></td>
<td>• Resource allocation</td>
</tr>
<tr>
<td></td>
<td>• Cross business functions</td>
</tr>
<tr>
<td></td>
<td>• Records Management</td>
</tr>
<tr>
<td>Financial</td>
<td>• Funding levels</td>
</tr>
<tr>
<td></td>
<td>• Revenue</td>
</tr>
<tr>
<td></td>
<td>• Accounting policy</td>
</tr>
<tr>
<td></td>
<td>• Financial strategy</td>
</tr>
<tr>
<td></td>
<td>• Burglary, theft, fraud</td>
</tr>
<tr>
<td></td>
<td>• Insurance cover</td>
</tr>
<tr>
<td>Business systems</td>
<td>• Systems integrity</td>
</tr>
<tr>
<td></td>
<td>• Information Technology</td>
</tr>
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<td></td>
<td>• Y2K</td>
</tr>
<tr>
<td>Commercial</td>
<td>• Land acquisition / disposal</td>
</tr>
<tr>
<td></td>
<td>• Leases &amp; licences</td>
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<tr>
<td></td>
<td>• Commercial operations / agreements</td>
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<td></td>
<td>• Contract management</td>
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<td>• Tender procedures</td>
</tr>
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<td>• Legal services</td>
</tr>
<tr>
<td>Human Resources</td>
<td>• Occupational Health &amp; safety</td>
</tr>
<tr>
<td></td>
<td>• Industrial relations</td>
</tr>
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<td></td>
<td>• Workforce management</td>
</tr>
<tr>
<td></td>
<td>• Training</td>
</tr>
<tr>
<td>Business Interruption</td>
<td>• Utilities failure (eg. Power)</td>
</tr>
<tr>
<td></td>
<td>• Building security (eg. Fire, theft)</td>
</tr>
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<td></td>
<td>• Property damage</td>
</tr>
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<td>• Computer system security / Systems failure</td>
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<tr>
<td>Assets</td>
<td>• Asset maintenance, renewal and replacement</td>
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<td></td>
<td>• Minor Plant &amp; equipment</td>
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<td></td>
<td>• Asset failure / loss</td>
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<td></td>
<td>• Capital Program (capital project priorities)</td>
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<td></td>
<td>• Financial impact of new assets</td>
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<tr>
<td>Conservation</td>
<td>• Environmental values</td>
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<td></td>
<td>• Heritage Values</td>
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<td></td>
<td>• Indigenous Cultural Values</td>
</tr>
<tr>
<td></td>
<td>• Flora and fauna management</td>
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<tr>
<td></td>
<td>• Contamination</td>
</tr>
<tr>
<td></td>
<td>• Water quality</td>
</tr>
<tr>
<td></td>
<td>• Pest plants and animals</td>
</tr>
<tr>
<td>Visitor services</td>
<td>• Visitor satisfaction / expectations</td>
</tr>
<tr>
<td></td>
<td>• Public safety</td>
</tr>
<tr>
<td></td>
<td>• Service standards</td>
</tr>
<tr>
<td></td>
<td>• Community involvement / volunteers</td>
</tr>
<tr>
<td></td>
<td>• Marketing and tourism</td>
</tr>
<tr>
<td>Natural disasters /</td>
<td>• Emergency event</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>• Wildfire</td>
</tr>
<tr>
<td></td>
<td>• Storm, flood</td>
</tr>
<tr>
<td></td>
<td>• Search &amp; Rescue</td>
</tr>
</tbody>
</table>

**NOTE**: Risk Library will evolve as information consolidates
**Risk Register**

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>Region</th>
</tr>
</thead>
</table>

**Risk Area**

**RISK**

**Extent**: proportion of organisation / value the risk affects

<table>
<thead>
<tr>
<th>Cause</th>
<th>Impact</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Likelihood Rating</th>
<th>Impact Rating</th>
<th>Importance Rating</th>
<th>Level Of Risk</th>
<th>Priority</th>
</tr>
</thead>
</table>

**Major Control Considerations**

- 

<table>
<thead>
<tr>
<th>Control Effectiveness Assessment</th>
<th>Documented</th>
<th>Adequate</th>
<th>Applied</th>
</tr>
</thead>
</table>

**SUMMARY**

- **Compiled**: / /  
- **Revised**: / /

<table>
<thead>
<tr>
<th>Level of Risk Ratings</th>
<th>/ /</th>
<th>/ /</th>
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</thead>
<tbody>
<tr>
<td>Control Assessment Ratings</td>
<td>/ /</td>
<td>/ /</td>
</tr>
<tr>
<td>Trend</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

21/03/00 DRAFT
### QUALITATIVE MEASURE OF LIKELIHOOD

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>DESCRIPTOR</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Almost certain</td>
<td>The event is expected to occur in most circumstances</td>
</tr>
<tr>
<td>B</td>
<td>Likely</td>
<td>The event will probably occur in most circumstances</td>
</tr>
<tr>
<td>C</td>
<td>Moderate</td>
<td>The event should occur at some time</td>
</tr>
<tr>
<td>D</td>
<td>Unlikely</td>
<td>The event could occur at some time</td>
</tr>
<tr>
<td>E</td>
<td>Rare</td>
<td>The event may occur only in exceptional circumstances</td>
</tr>
</tbody>
</table>

### QUALITATIVE MEASURE OF CONSEQUENCE OR IMPACT

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>DESCRIPTOR</th>
<th>EXAMPLE DETAIL DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Insignificant</td>
<td>No injuries, low financial loss</td>
</tr>
<tr>
<td>2</td>
<td>Minor</td>
<td>First aid treatment, on-site release immediately contained, medium financial loss</td>
</tr>
<tr>
<td>3</td>
<td>Moderate</td>
<td>Medical treatment required, on-site release contained with outside assistance, high financial loss</td>
</tr>
<tr>
<td>4</td>
<td>Major</td>
<td>Extensive injuries, loss of production capability, off-site release with no detrimental effects, major financial loss</td>
</tr>
<tr>
<td>5</td>
<td>Catastrophic</td>
<td>Death, toxic release off-site with detrimental effect, huge financial loss</td>
</tr>
</tbody>
</table>

### QUALITATIVE RISK ANALYSIS MATRIX - LEVEL OF RISK

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Insignificant (1)</th>
<th>Minor (2)</th>
<th>Moderate (3)</th>
<th>Major (4)</th>
<th>Catastrophic (5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>S</td>
<td>S</td>
<td>H</td>
<td>H</td>
<td>H</td>
</tr>
<tr>
<td>B</td>
<td>M</td>
<td>S</td>
<td>S</td>
<td>H</td>
<td>H</td>
</tr>
<tr>
<td>C</td>
<td>L</td>
<td>M</td>
<td>S</td>
<td>H</td>
<td>H</td>
</tr>
<tr>
<td>D</td>
<td>L</td>
<td>L</td>
<td>M</td>
<td>S</td>
<td>H</td>
</tr>
<tr>
<td>E</td>
<td>L</td>
<td>L</td>
<td>M</td>
<td>S</td>
<td>S</td>
</tr>
</tbody>
</table>

Legend:

- H: high risk; detailed research and management planning required at senior levels
- S: significant risk; senior management attention needed
- M: moderate risk; management responsibility must be specified
- L: low risk; manage by routine procedures

AS/NZS 4360: 1995
### BUSINESS IMPORTANCE TABLE

<table>
<thead>
<tr>
<th>RATING</th>
<th>BUSINESS IMPORTANCE AND BUSINESS VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>High Value and / or Importance</td>
</tr>
<tr>
<td>3</td>
<td>Significant Importance</td>
</tr>
<tr>
<td>2</td>
<td>Normal Importance</td>
</tr>
<tr>
<td>1</td>
<td>Low Importance</td>
</tr>
</tbody>
</table>

### CONTROL ADEQUACY ASSESSMENT MATRIX

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>Control Documented</th>
<th>Control Adequate</th>
<th>Control Applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria fully satisfied</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Criteria partially satisfied</td>
<td>3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Criteria not satisfied</td>
<td>6</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

### RISK RANKING FORMULA

The Level of Risk Rating is calculated by adding Ratings for:

\[
\text{Likelihood + Impact + Business Importance} = \text{Level of Risk Rating}
\]

The Control Assessment Ranking is calculated by adding Ratings for:

\[
\text{Documented + Adequate + Application} = \text{Control Assessment Ranking}
\]
## Visitor Safety Risk Library

<table>
<thead>
<tr>
<th>Risk Source</th>
<th>Risk</th>
<th>Response Options</th>
<th>Reference Manual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees</td>
<td>Falling limbs</td>
<td>• Warning signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Falling trees</td>
<td>• Tree management program</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rope swings</td>
<td>• Rope swing removal program</td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>Building fire</td>
<td>• Evacuation / exit signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Emergency lighting</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Fire hose reels</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Emergency response plan</td>
<td></td>
</tr>
<tr>
<td>Cliffs</td>
<td>Falling over</td>
<td>• Barriers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rock fall from above</td>
<td>• Warning signage</td>
<td></td>
</tr>
<tr>
<td>Structures</td>
<td>Falling</td>
<td>• Barriers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Trip hazards</td>
<td>•Warning signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inadequate design and construction</td>
<td>• Indemnities from third parties</td>
<td></td>
</tr>
<tr>
<td>Bridges / culverts</td>
<td>Driving / falling off edge</td>
<td>• Barriers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Water across road</td>
<td>• Warning signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vehicles too heavy</td>
<td>• Depth indicators</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Safe load limits</td>
<td></td>
</tr>
<tr>
<td>Natural Hazards</td>
<td>Snakes</td>
<td>• Warning signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fire</td>
<td>• Brochures / park information</td>
<td></td>
</tr>
<tr>
<td>Road &amp; Tracks</td>
<td>• Poor road surface</td>
<td>• Warning signage</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------------------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Fast traffic</td>
<td>• Speed signs</td>
<td></td>
</tr>
<tr>
<td>Events</td>
<td>• Anti social behaviour</td>
<td>• Working Alone Policy</td>
<td></td>
</tr>
<tr>
<td>Water Supply</td>
<td>• Contaminated water</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Tank water</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Ground water</td>
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</table>
### Visitor Safety Risk Analysis Tables

#### QUALITATIVE MEASURE OF LIKELIHOOD

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>DESCRIPTOR</th>
<th>DESCRIPTION</th>
<th>VISITATION (visits / year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Almost certain</td>
<td>The event is expected to occur in most circumstances</td>
<td>&gt; 200,000</td>
</tr>
<tr>
<td>4</td>
<td>Likely</td>
<td>The event will probably occur in most circumstances</td>
<td>50,000 – 200,000</td>
</tr>
<tr>
<td>3</td>
<td>Moderate</td>
<td>The event should occur at some time</td>
<td>10,000 – 50,000</td>
</tr>
<tr>
<td>2</td>
<td>Unlikely</td>
<td>The event could occur at some time</td>
<td>5,000 – 10,000</td>
</tr>
<tr>
<td>1</td>
<td>Rare</td>
<td>The event may occur only in exceptional circumstances</td>
<td>&lt; 5,000</td>
</tr>
</tbody>
</table>

#### QUALITATIVE MEASURE OF CONSEQUENCE OR IMPACT

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>DESCRIPTOR</th>
<th>DETAIL DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Insignificant</td>
<td>No injuries</td>
</tr>
<tr>
<td>2</td>
<td>Minor</td>
<td>Minor injuries immediately treated on-site with First aid treatment.</td>
</tr>
<tr>
<td>3</td>
<td>Moderate</td>
<td>Moderate injuries requiring medical treatment but without hospital admission</td>
</tr>
<tr>
<td>4</td>
<td>Major</td>
<td>Serious and / or extensive injuries requiring medical treatment with hospital admission</td>
</tr>
<tr>
<td>5</td>
<td>Catastrophic</td>
<td>Paraplegia, quadriplegia, brain damage or death</td>
</tr>
</tbody>
</table>
### Qualitative Risk Analysis Matrix - Level of Risk

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Consequences</th>
</tr>
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<tr>
<td></td>
<td>Insignificant</td>
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<tr>
<td>5 almost certain</td>
<td>S</td>
</tr>
<tr>
<td>4 likely</td>
<td>M</td>
</tr>
<tr>
<td>3 moderate</td>
<td>L</td>
</tr>
<tr>
<td>2 unlikely</td>
<td>L</td>
</tr>
<tr>
<td>1 rare</td>
<td>L</td>
</tr>
</tbody>
</table>

**Legend:**

- **H**: high risk; detailed research and management planning required at senior levels
- **S**: significant risk; senior management attention needed
- **M**: moderate risk; management responsibility must be specified
- **L**: low risk; manage by routine procedures

### Control Adequacy Assessment Matrix

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>Control Documented</th>
<th>Control Adequate</th>
<th>Control Applied</th>
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</thead>
<tbody>
<tr>
<td>Criteria fully satisfied</td>
<td>1</td>
<td>1</td>
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</tr>
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<td>2</td>
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</tr>
<tr>
<td>Criteria not satisfied</td>
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### Visitor Service Level Table

<table>
<thead>
<tr>
<th>RATING</th>
<th>VISITOR SERVICE LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Very High Icon site where disruption to access would have regional or state impacts on visitor flows, recreational events and tourism businesses</td>
</tr>
<tr>
<td>3</td>
<td>High Sites with year round access to special built or natural features that have few if any alternatives in the region.</td>
</tr>
<tr>
<td>2</td>
<td>Moderate Low Sites with conventional year round access where disruption to access would be inconvenient to visitors but alternatives exist. Sites where access may be closed seasonally but is checked and maintained regularly during the open season.</td>
</tr>
<tr>
<td>1</td>
<td>Very Low Remotely infrequently visited where visitors expect and are advised that access is not checked or maintained regularly, and may be weather dependent.</td>
</tr>
</tbody>
</table>
Prof Ralf Buckley

Prof Buckley is Chair in Ecotourism and Director of the International Centre for Ecotourism Research at Griffith University, and Coordinator of CRC Tourism’s Program 1: Tourism Environmental Management Research. Email: rbuckley@mailbox.gu.edu.au

Michaela Guest

Prior to working within the CRC Tourism’s Program 1, Michaela travelled for several years throughout much of south-east Asia and parts of Europe. Michaela completed a Bachelor of Science degree in Ecology and Environmental Policy, and in 1999 completed Honours in Science exploring the sampling methods for estimating fish and crustacean density in shallow seagrass habitat. Michaela is currently a PhD student at Griffith University on trophic dynamics in estuarine habitats.
Information summarised in this report was kindly provided by staff of parks agencies throughout Australia. In particular, we are grateful for assistance from the following:

**Western Australia Department of Conservation and Land Management**

- Elena Aniere, Policy Project Officer, Park Policy and Tourism Branch
- Gil Field, Senior Interpretation Officer, Planning and Visitor Services Branch
- Kate Hassall, Policy Project Officer, Park Policy and Tourism Branch
- Colin Ingram, Manager, Park Policy and Tourism Branch
- John Ireland, Principal Risk Manager
- Luisa Liddicoat, Research Scientist, Park Policy and Tourism Branch
- Rod Quartermaine, Business Development Co-ordinator, Park Policy and Tourism Branch
- Matthew Saps worth, System Department Officer, Park Policy and Tourism Branch
- Wayne Schmidt, Program Co-ordinator, Parks Recreation Planning and Tourism Division
- Jim Sharp, Director General
- Tracy Shea, Policy Advisor, Park Policy and Tourism Branch

**Parks and Wildlife Commission of the Northern Territory**

- Bill Binns, Assistant Director for Regional Parks
- Mike Butler, Assistant Director for Strategic Planning
- Peter Egan, Commercial Manager
- Stuart Gold, Principal Planner, Strategic Planning and Development
- Jackie Hindmarsh, Senior Planning Officer
- Robyn McGil livray, Senior Interpretation Officer
- Roana O’Neill, Senior Commercial Education Ranger, Community Education Unit
- Margie Woods, Corporate Support Manager

**National Parks and Wildlife South Australia**

- David Barrington, Deputy Director, Parks Branch
- Andrew Beare, Manager, Strategies and Risk, Environment and Heritage Business Services
- Michelle Crowe, Marketing Officer, Environment and Heritage
- Martina Egeler, Project Officer, Environment and Heritage
- Jim Knight, Manager, Commercial Services, Environment and Heritage
- Keith Twyford, Parks and Wildlife Manager, Environment and Heritage
- Mark Lufis, Manager, Infrastructure Planning, Environment and Heritage
- Tanya O’Lauchlin, Manager, Asset Services, Environment and Heritage Business Services
- John O’Malley, Business Manager, Environment and Heritage
- Deb Pearson, Manager, Environment and Heritage Business Services
- Herb Stichel, Project Officer, Environment and Heritage

**Queensland Parks and Wildlife Service**

- Lesley Anderson, Co-ordinator, Commercial Permits Regional Service Delivery, Commercial Activity Permits
- Richard Clarkson, Principal Conservation Officer, Policy and Operations Parks and Wildlife Policy Unit
- Sally Driml, Team Leader, Environmental Policy and Economics
- Tim Ellis, Acting Principal Acquisitions Officer, Parks and Wildlife Strategy Planning Research
- Pamela Harmon-Price, Senior Interpretation Officer, Commercial and Community Services, Interpretation and Community Services
- Terry Harper, Acting District Manager, Regional Service Delivery, Greater Moreton District
- Mike Harris, Manager, Policy and Operations, Parks and Wildlife Operations Unit
- Ralph Henderson, Business Development Manager, Commercial and Community Services, Business Development Unit
- Bob Hoey, Principal Conservation Officer, Policy and Operations Parks and Wildlife Policy Unit
New South Wales National Parks and Wildlife Service

Simon Ashwin, Park Use Fees Manager, Education and Community Programs Directorate
Michael Booth, Manager, Property Management Unit
Nicholas Conner, Principal Policy Officer, Conservation Economics Unit
Bob Conroy, Director, Central Directorate
Geoff Cook, Manager, Occupational Health and Safety, Workforce Services Division
Anne Gaha, Commercial Filming and Photography Co-ordinator, Marketing and Information Division
Brian Gilligan, Director General
Alan Ginn, Area Manager, Northern Beaches Area
Gail Heathwood, Project Officer, Marketing and Information Division
Donald McQueen, Manager, Asset Services Unit
Andrew Mitchell, Manager, Marketing and Information Division
Tony Shillabeer, Paralegal, Legal Support Directorate
Lynn Webber, Manager, Education and Community Involvement Unit

Environment ACT, Australian Capital Territory

Karen Civil, Development Officer, Business Development and Marketing
Rod Florence, Contracts Commissioning Officer, Resource Management
Sharon Lane, Interpretation Officer, Parks and Conservation Service
Brian Weir, Manager, Business Development and Marketing
Geoff Young, Ranger, Namadgi National Park

Parks Victoria

Rob Black, Team Leader, Tourism Services, National Parks Policy and Strategy Division
Ty Caling, Tourism Officer, National Parks Policy and Strategy Division
Ian Christie, General Manager, National Parks Policy and Strategy Division
Fiona Colquhoun, Strategic Investment Officer, Metro Parks and Bay Policy and Strategy
Brian Doolan, Manager, Visitor Tourism, Department of Natural Resources and Environment
Michael Howes, Coordinator, Information and Interpretation, National Parks Policy and Strategy Division
Alex MacLeod, Customer Service Representative, Resource and Communication Division
Russell Mason, Manager, Tourism and Visitor Programs, National Parks Policy and Strategy Division
Joe Mumford, Team Leader, Asset Systems, Metro Parks and Bay Policy and Strategy
Mal Poulter, Manager, Visitor and Asset Strategy, Metro Parks and Bay Policy and Strategy
Rob Saunders, Team Leader, Programs Division, Metro Parks and Bay Policy and Strategy
Dennis Ward, Manager, Risk Management Corporate Services
Dino Zanon, Team Leader, Visitor Research, Metro Parks and Bay Policy and Strategy

Tasmania Parks and Wildlife Service

Rosemary Hollow, Policy Analyst
Carole McCourtie, Senior Concessions Officer
Andrew Roberts, Manager, Visitor Services
Sue Rundle, Planning Statistics Officer
Tim Turner, Manager, Business Services
Bob Tyson, Program Manager, Planning & Visitor Services Branch

Parks Australia

Christine McNamara, Parks Policy and Management, Parks Australia South
Greg Miles, Public Relations Officer, Kakadu National Park
Wendy Murray, Pulu Keeling National Park and Cocos (Keeling) Islands Conservancy
Universities

Louise Horneman, Postdoctoral Research Fellow, School of Natural & Rural Systems Management, University of Queensland
Robert Beeton, Head of School, School of Natural & Rural Systems Management, University of Queensland, Gatton
The Cooperative Research Centre for Sustainable Tourism was established under the Australian Government's Cooperative Research Centres Program to underpin the development of a dynamic, internationally competitive, and sustainable tourism industry.

Our mission: Developing and managing intellectual property (IP) to deliver innovation to business, community and government to enhance the environmental, economic and social sustainability of tourism.

DEVELOPING OUR IP

Director of Research - Prof Bill Faulkner

1. Tourism environmental management research
   Co-ordinator – Prof Ralf Buckley (r.buckley@mailbox.gu.edu.au)
   • Wildlife Tourism
   • Mountain Tourism
   • Nature Tourism
   • Adventure Tourism

2. Tourism engineering design and eco-technology research
   Coordinator – Dr David Lockington (d.lockington@mailbox.uq.edu.au)
   • Coastal and marine infrastructure and systems
   • Coastal tourism ecology
   • Waste management
   • Physical infrastructure, design and construction

3. Tourism policy, products and business research
   Coordinator – A/Prof Leo Jago (Leo.jago@vu.edu.au)
   • Consumers and marketing
   • Events and sports tourism
   • Tourism economics and policy
   • Strategic management
   • Regional tourism
   • Indigenous tourism

4. E-travel and tourism research
   Coordinator – Dr Pramod Sharma (p.sharma@mailbox.uq.edu.au)
   • Electronic product & destination marketing and selling
   • IT for travel and tourism online development
   • Rural and regional tourism online development
   • E-business innovation in sustainable travel and tourism

5. Post graduate education
   Coordinator – Dr John Fien (j.fien@mailbox.gu.edu.au)

6. Centre for Tourism and Risk Management
   Director – Prof Jeffrey Wilks (j.wilks@mailbox.uq.edu.au)

7. Centre for Regional Tourism Research
   Director – Prof Dick Braithwaite (dbraithw@scu.edu.au)

MANAGING OUR IP

General Manager – Ian Pritchard (ian@crctourism.com.au)

1. IP register
2. Technology transfer
3. Commercialisation
4. Destination management products
5. Executive training
6. Delivering international services
7. Spin-off companies
   • Sustainable Tourism Holdings
     CEO – Peter O’Clery (poclery@interact.net.au)
   • National Centre for Tourism
     Managing Director – Stewart Moore (nct@uq.net.au)
   • Green Globe Asia Pacific
     CEO – Graeme Worboys (graeme.worboys@ggasiapacific.com.au)

For more information contact:
Communications Manager – Brad Cox
CRC for Sustainable Tourism Pty Ltd
Griffith University, PMB 50
GOLD COAST MC, Qld 9726
Ph: +61 7 5552 8116, Fax: +61 7 5552 8171
Visit: www.crctourism.com.au or email: Brad@crctourism.com.au