

NATIONAL PARKS

A Matter of National Significance

Summary

- The Australian Government has international environmental obligations and subsequent powers over protected areas such as national parks.
- There is a gap in existing Commonwealth laws that potentially allows recalcitrant state governments and owners of private protected areas to introduce potentially destructive activities such as logging, grazing or developments associated with tourism into national parks and other protected areas.
- There is a clear need for greater Commonwealth Government involvement in the protection of the National Reserve System.
- Introducing an amendment or regulation to the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) would help secure the National Reserve System by including protected areas such as national parks as Matters of National Environmental Significance.
- This would ensure the Commonwealth Government had a role in assessing activities or projects that could damage the integrity of our national parks and protected areas, truly putting the 'national' into national park.

Context

The National Reserve System is a network of more than 10,000 federal, state and territory protected areas that cover over 17 per cent (> 137 million hectares) of the Australian landscape. The Australian Government manages six national parks - the remainder are the responsibility of the relevant state, territory, indigenous or private landholder. This estate is worth many billions of dollars in tourism and ecological services.

The major objective behind Australia's protected area estate is for the conservation of the natural environment and the protection of biodiversity. In line with this, most Australians assume and expect that once an area is declared a national park, or other highly protected area, such as a Wilderness Area, it is a haven for wildlife, forever. However, this is not the case - protected areas are increasingly subject to significant pressures that threaten to compromise Australia's natural heritage.

As a party to the World Heritage Convention (WHC) and the Convention on Biological Diversity, Australia has committed to designating world heritage sites and establishing a terrestrial and marine protected

area network that is comprehensive, adequate and representative, and fulfils the Aichi Targets.

In 1997, the Council of Australian Governments (COAG) agreed to delineate areas of environmental responsibility, with the focus for the Commonwealth Government being the protection of Matters of National Environmental Significance (MNES) that include its international treaty obligations, such as those agreed to in the Convention on Biological Diversity. There are however inconsistencies and gaps.

Issue

Under existing laws, the Commonwealth Government can only intervene to protect national parks and other protected areas reserved primarily for the conservation of nature if there is a risk to Matters of National Environmental Significance, including nationally-listed threatened species, endangered and critically endangered ecological communities.

However, the concept of Matters of National Environmental Significance is a political construction and doesn't reflect all nationally significant issues. This has



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implications for other nationally significant issues, including the protection of Australia's outstanding network of protected areas, collectively referred to as the National Reserve System.

Consequently, when state or territory governments wish to approve plans to introduce potentially destructive activities such as logging, grazing or developments associated with tourism in national parks and other protected areas, there is little that can be done to stop them - Australia's protected area network has not been afforded the level of protection required to prevent actions that may destroy, damage or degrade the natural heritage values that prompted inclusion of these areas within the National Reserve System in the first place.

For example, in response to the former Victorian Government's proposal to allow grazing within the Alpine National Park, the then federal environment minister, Tony Burke, committed to using the impact of grazing on nationally threatened species such as the Alpine Tree Frog to intervene. In the process it was recognised that there is a gap and that it is necessary to provide greater protection for Australia's national parks by including them as a Matters of National Environmental Significance under the EPBC Act. This change has yet to occur.

There is a clear need for greater Commonwealth Government involvement in the protection of the National Reserve System.

This can be achieved by introducing an amendment or regulation to the Environment Protection and Biodiversity Conservation Act 1999 that would help secure the National Reserve System by including protected areas as Matters of National Environmental Significance. This would ensure the Commonwealth Government had a role in assessing activities or projects that could damage the integrity of our national parks.

Such an amendment would extend protection to all national parks and high value conservation reserves across Australia. At a minimum Matters of National Environmental Significance should include protected areas that are designated IUCN categories Ia (Strict Nature Reserve), Ib (Wilderness Area) and II (National Park). Protected areas on private lands should also be included. These are areas that have been funded by the Commonwealth and should have national oversight consistent with other areas within the National Reserve System.

The inclusion of protected areas (particularly those protected for their outstanding biodiversity values) as a Matter of National Environmental Significance will improve the Commonwealth Government's ability to fulfil its national and international obligations to conserve biodiversity, and put the 'national' in national park.

Further reading

See the National Parks Australia Council (NPAC) Briefing Paper, National Parks: A Matter of National Significance <http://www.npac.org.au/>

Policy recommendation

Include protected areas that comprise the National Reserve System on the list of Matters of National Environmental Significance under the Environment Protection and Biodiversity Conservation Act 1999.

ABOUT US

The National Parks Australia Council (NPAC) has a mission to protect, promote and extend national park systems within Australia. NPAC was formed in 1975. We are a national body that coordinates and represents the views of a range of State and Territory non-government organisations concerned with protecting the natural environment and furthering national parks. NPAC provides a forum for regular communication between State and Territory National Parks Associations and acts as a united voice supporting conservation of the National Reserve System across Australia.

Victorian National Parks Association
Visit www.vnpa.org.au

National Parks Association of Queensland
Visit www.npaq.org.au

Tasmanian National Parks Association
Visit www.tnpa.org.au

National Parks Association of NSW
Visit www.npansw.org.au

Nature Conservation Society of South Australia
Visit www.ncssa.asn.au

National Parks Association of the ACT
Visit www.npaact.org.au