

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## **ENVIRONMENTAL PROTECTION**

Second Report on the Adequacy of Legislative and  
Administrative Arrangements

**National Parks and Wildlife Conservation Act  
Great Barrier Reef Marine Park Act  
Environmental Statistics**

Report from the House of Representatives Standing Committee  
on Environment and Conservation

September 1981

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# House of Representatives Standing Committee on Environment and Conservation

## Terms of Reference

That a Standing Committee be appointed to inquire into and report on:

- (a) environmental aspects of legislative and administrative measures which ought to be taken in order to ensure the wise and effective management of the Australian environment and of Australia's natural resources, and
- (b) such other matters relating to the environment and conservation and the management of Australia's natural resources as are referred to it by:
  - (i) the Minister responsible for those matters, or
  - (ii) resolution of the House.

## Members of the Committee in the 31st Parliament

<i>Chairman</i>	Mr J. C. Hodges, M.P.
<i>Deputy-Chairman</i>	Dr H. A. Jenkins, M.P.
<i>Members</i>	Mr M. Baillieu, M.P. Mr B. Cohen, M.P. Mr J. F. Cotter, M.P. Mr P. S. Fisher, M.P. Mr B. L. Howe, M.P. Mr B. D. Simon, M.P.
<i>Secretary</i>	Mr J. R. Cummins

## Members of the Committee in the 32nd Parliament

<i>Chairman</i>	Mr J. C. Hodges, M.P.
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<i>Members</i>	Mr M. A. Burr, M.P. Mr E. C. Cameron, M.P. Mr P. H. Drummond, M.P. Mr B. L. Howe, M.P. Mr A. J. Mackenzie, M.P. Mr S. T. West, M.P.
<i>Secretary</i>	Mr J. R. Cummins

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## Recommendations

The Committee recommends that:

1. administrative arrangements be agreed to, between the Minister for Home Affairs and Environment and State Ministers responsible for nature conservation, on the operation in the States of the *National Parks and Wildlife Conservation Act 1975*.  
(Paragraph 37)
2. section 18 of the *National Parks and Wildlife Conservation Act 1975* be amended to require extensive consultations with State Governments before it is invoked.  
(Paragraph 42)
3. (a) for those areas in which light stations are to remain manned, Department of Transport personnel be provided with the necessary powers under Section 36 of the *National Parks and Wildlife Conservation Act 1975* to perform the duties of wildlife officers; and  
(b) additional costs incurred by the Department of Transport for nature conservation activities be paid from the Australian National Parks and Wildlife Service appropriation.  
(Paragraph 49)
4. (a) the *National Parks and Wildlife Conservation Act 1975* be amended to enable those areas of Commonwealth-owned land considered to be of nature conservation value to be declared as conservation zones;  
(b) before any declaration takes place there be full consultation between the Australian National Parks and Wildlife Service and the relevant Commonwealth and State authorities;  
(c) states be requested to provide staff to manage any areas so declared; and  
(d) the Commonwealth Government reimburse the States for any costs incurred.  
(Paragraph 51)
5. (a) the Department of Administrative Services and the Australian National Parks and Wildlife Service enter into form agreement by which the Department would refer for advice all proposals to dispose of land which may have nature conservation, heritage or recreational significance; and  
(b) should any of this land be considered of significant nature conservation, heritage or recreational value it be offered to the States on condition it be managed as a conservation area under State legislation.  
(Paragraph 54)
6. the Commonwealth Government at the request of State Governments and on the advice of the Australian National Parks and Wildlife Service provide financial assistance to the States to purchase land to enable the implementation of programs required by international treaties and conventions relating to nature conservation.  
(Paragraph 58)
7. the Commonwealth Government examine the feasibility of standardising legislation relating to nature conservation in the external territories by way of regulations under the *National Parks and Wildlife Conservation Act 1975*.  
(Paragraph 74)
8. the Australian Capital Territory *Nature Conservation Ordinance 1980* be amended to require the inclusion of a representative of the Australian National

Parks and Wildlife Service as a member of the Nature Conservation Advisory Council.

(Paragraph 77)

9. (a) the Minister for the Capital Territory ensure that a plan of management for Gudgenby Nature Reserve be prepared without delay; and
- (b) if necessary officers of the Australian National Parks and Wildlife Service be seconded to the Department of the Capital Territory to assist in the preparation of the plan of management.

(Paragraph 87)

10. the Commonwealth Government consult with relevant State and Territory Governments with a view to establishing as marine parks those areas considered of national importance.

(Paragraph 92)

11. the Australian Government negotiate with the Papua New Guinea Government measures which would enable the Torres Strait region to be administered as part of the Great Barrier Reef Marine Park.

(Paragraph 103)

12. section 22 of the *Great Barrier Reef Marine Park Act 1975* be amended to require the inclusion as a member of the Consultative Committee, a representative of the Australian National Parks and Wildlife Service.

(Paragraph 120)

13. sub-section 32(5) of the *Great Barrier Reef Marine Park Act 1975* be deleted.

(Paragraph 125)

14. the *Great Barrier Reef Marine Park Act 1975* be amended to require the Great Barrier Reef Marine Park Authority in consultation with the Australian National Parks and Wildlife Service to prepare plans of management for those areas zoned as marine national parks.

(Paragraph 126)

15. the area described in the Schedule of the *Great Barrier Reef Marine Park Act 1975*, excluding sections of a strip 5km wide along the Queensland mainland coast where there are not strong environmental or other reasons for the Marine Park to extend to low water mark, be immediately declared under Section 31 of the Act.

(Paragraph 140)

16. the *Great Barrier Reef Marine Park Act 1975* be amended to make it mandatory for the Authority to advise the Minister on any proposed action by Commonwealth departments or instrumentalities which are likely to affect the region.

(Paragraph 144)

17. administrative arrangements be agreed to between the Commonwealth and Northern Territory Governments relating to the respective responsibilities of each Government in the area of environmental protection and protection of the national heritage.

(Paragraph 149)

18. those recommendations contained in its first report relating to the States should be read to include the Northern Territory.

(Paragraph 150)

19. (a) a Memorandum of Understanding be agreed to between the Commonwealth Government and the Northern Territory Government which would delegate management responsibilities of the Director of the Australian National Parks

- and Wildlife Service for Uluru National Park to the Chairman of the Northern Territory Conservation Commission; and
- (b) the Commonwealth Government provide funds on an annual basis for capital works and running expenses associated with Uluru National Park and that the Northern Territory Government be required to submit annually an audited statement of income and expenditure.
- (Paragraph 155)
20. the Australian National Parks and Wildlife Service maintain full control of Kakadu National Park at least until the Plan of Management is reviewed in 5 years time.
- (Paragraph 166)
21. (a) as far as possible regulations relating to Jabiru village be similar to those applying to other townships in the Northern Territory;
- (b) as far as possible regulations applying to Kakadu National Park be similar to those applying to other conservation areas in the Northern Territory; and
- (c) as far as possible officers of the Northern Territory Government have the same powers in respect of Jabiru village as they have in other townships in the Northern Territory.
- (Paragraph 167)
22. the Australian Environmental Statistics Project be allocated the necessary resources to enable its completion.
- (Paragraph 218)
23. the Minister for Home Affairs and Environment direct his Department to include social (particularly human health) statistics in the Australian Environmental Statistics Project.
- (Paragraph 219)
24. a statistical report on the state of the Australian environment be produced on a regular basis and that report be tabled in the Parliament by the Minister for Home Affairs and Environment.
- (Paragraph 220)
25. (a) the Australian Government adopt as a matter of policy the production, at regular intervals, of a comprehensive state of the environment report; and
- (b) the report be tabled in the Parliament by the Minister for Home Affairs and Environment.
- (Paragraph 224)
26. the Minister for Home Affairs and Environment at the earliest opportunity seek State cooperation through the Australian Environment Council in the production of a comprehensive state of the environment report.
- (Paragraph 225)



# 1 Introduction

1. On 8 June 1978 the Committee resolved to inquire into and report on:

legislative and administrative arrangements relating to environmental protection and resource management.

2. It was decided to investigate in the first instance the availability of environmental data, the development and application of national environment policies, the cost of environmental protection and the adequacy of existing legislative and administrative arrangements.

3. The Committee tabled its first report on this reference on 18 October 1979. That report dealt with the *Environment Protection (Impact of Proposals) Act 1974* and the *Australian Heritage Commission Act 1975*, national environmental standards, the constitutional and legal position of the Commonwealth in environmental protection and access to the courts. This report discusses the operations of the *National Parks and Wildlife Conservation Act 1975* and the *Great Barrier Reef Marine Park Act 1975*. In addition the report deals with the need for a national approach to the collection and dissemination of environmental statistics and the need for reporting on the state of the Australian environment.

4. At the dissolution of the Thirty-first Parliament the Committee had almost completed its investigations. On 4 December 1980 the present Committee resolved that it resume its Environmental Protection Inquiry. While the inquiry on which this report is based was undertaken partly by the previous Committee the conclusions and recommendations in the report are those of the present Committee.

5. The Committee appreciates the contribution made to the inquiry by Mr M. Baillieu, Mr B. Cohen MP, Mr J.F. Cotter, Mr P.S. Fisher MP, and Mr B.D. Simon who were members of previous Committee.

## 2 National Parks and Wildlife Conservation Act

### Purpose

6. The *National Parks and Wildlife Conservation Act 1975* provides the legislative basis for Commonwealth Government activities in nature conservation. The Principal Act received Royal Assent on 13 March 1975. Amending Acts were assented to on 9 June 1978 and 14 June 1979.

7. The objective of the Act as outlined in Sub-section 6(1) is to make provision for the establishment and management of parks and reserves:

- appropriate to be established by the Commonwealth Government, having regard to its status as a national government;
- in the Territories;
- in the Australian coastal sea;
- for purposes related to the rights (including sovereign rights) and obligations of Australia in relation to the continental shelf of Australia;
- for facilitating the carrying out by Australia of obligations under, the exercise by Australia of rights under, agreements between Australia and other countries; or
- conducive to the encouragement of tourism between the States and between other countries and Australia.

8. Prior to the introduction of the legislation both the Committee of Inquiry into the National Estate and the House of Representatives Select Committee on Wildlife Conservation had recommended greater involvement of the Commonwealth Government in nature conservation. In particular the Select Committee recommended the establishment of a Commonwealth wildlife conservation authority to coordinate wildlife management in Australia.

### Australian National Parks and Wildlife Service

9. The Act establishes the Australian National Parks and Wildlife Service. The functions of the Director of the Service are outlined in Section 16 of the Act. The functions of the Director are to:

- administer, manage and control parks and reserves and conservation zones;
- protect, conserve, manage and control wildlife;
- conduct surveys, and collect statistics, of and in relation to animals and plants;
- cooperate with any country in matters relating to the protection and conservation of animals and plants in that country and the establishment and management of national parks and nature reserves in that country;
- provide and assist in the provision of training in the knowledge and skills relevant to the protection, conservation and management of wildlife and the establishment and management of national parks and nature reserves;
- carry out by himself or in co-operation with other institutions and persons, and to arrange for any other institution or person to carry out, research and investigations relevant to the establishment and management of national parks and nature reserves and the protection, conservation and management of wildlife; and
- make recommendations to the Minister in relation to—
  - (i) the establishment and naming of parks and reserves; and
  - (ii) the protection and conservation of wildlife throughout Australia.

10. In order to define more clearly the working relationships between the Service and other Commonwealth and State nature conservation authorities, the Government re-defined the roles and responsibilities of the Australian National Parks and Wildlife Service in July 1976. The roles identified included:

- framing national principles for Commonwealth Government endorsement, and recommending to the Commonwealth Government national policies regarding wildlife and nature protection; and participating in planning their implementation in cooperation with the relevant State, Territorial and Federal authority;
- providing advice to the Commonwealth Government on policies to give effect to international agreements in the national parks and wildlife sphere;
- assisting and cooperating with other countries in nature conservation matters in consultation with the Department of Foreign Affairs and any involved State, Territory or other involved Federal authority;
- developing research, survey, inventory and monitoring for nature conservation activities of national significance;
- once nature conservation needs are identified providing, so far as possible, specialist assistance upon request to relevant State and Territorial authorities;
- working with State and Territorial organisations to provide national statistics relating to nature conservation in Australia and participating in the development of coordinated nature conservation activities as needed;
- developing, administering and sponsoring (desirably on a cost sharing arrangement with States and Territories) of national training and education related to nature conservation;
- managing marine national parks; and providing an advisory service to the Department of Home Affairs with respect to the management of wildlife, parks and reserves in external territories, and managing parks and reserves in the external Territories according to guidelines approved by the Department of Home Affairs and with regard for the local situation.

**11.** On 30 April 1981 the Government announced revised functions for the Australian National Parks and Wildlife Service. These are:

- to maintain control of marine parks and its present policy functions;
- operations functions, other than through management advice, to be gradually scaled down;
- except where the Commonwealth is requested by a Territory to maintain full control, operation of non-marine parks, other than through management advice, to be left to the Northern Territory and Territory administrations to conduct under delegation; and
- essential Commonwealth interests in Kakadu National Park to be maintained.

### **Activities of the Service**

**12.** The main activities of the Australian National Parks and Wildlife Service are briefly outlined below.

**13. *Park Management.*** Stage one of Kakadu National Park in the Alligator River region of the Northern Territory was declared under the National Parks and Wildlife Service Act on 5 April 1979. The Service, in consultation with Territorial authorities and the Northern Land Council has prepared a plan of management for the park. The plan was tabled in the House on 19 June 1980. The Commonwealth Government has agreed to staffing arrangements with the Northern Territory Government and the Northern Land Council which has resulted in the secondment of Northern Territory officers to work with Commonwealth officers in the Park. Officers of the Service and consultants are carrying out a range of activities which include conservation and recording of rock art, arrangement and operation of an Aboriginal ranger training program, feasibility studies and surveys and planning for implementation of a capital works program.

**14.** Uluru (Ayers Rock—Mt Olga) National Park was declared under the Commonwealth Act on 24 May 1977. A preliminary plan of management has been prepared and is being discussed with Northern Territory authorities. Officers of the Northern Territory Conservation Commission are responsible for day to day management of the Park. The Commonwealth provides funds for the Park.

**15.** A National Park was declared on Christmas Island in February 1980. An officer of ANPWS manages the Park, as well as providing advice and assistance to the Administrator on a wide range of matters relating to environment and conservation.

16. The Service, in conjunction with the Department of Home Affairs and the Environment, has been developing a nature conservation program for the area to which the *Coral Sea Islands Act* 1969 applies with a view to declaring some areas as conservation zones under the National Parks and Wildlife Conservation Act.

17. The Service has stationed an officer on Norfolk Island to provide advice to the Administrator and Legislative Assembly on conservation matters. The Service has assisted in the preparation of plans of management for areas on the Island.

18. *Kangaroo Management.* State fauna authorities inform the Service of maximum harvesting quotas permitted for the forthcoming year and after examining each States' figures from a national view point, the Service advises the Minister for Business and Consumer Affairs about the export quotas of kangaroo products that should be set. During 1980 the Service arranged a visit by a United States Government biologist to examine kangaroo populations in Australia. The purpose of this visit was to enable US authorities to re-examine their present ban on the import of kangaroo products.

19. *Whales and Whaling.* In 1980 the Whale Protection Act was passed by the Federal Parliament. Under this legislation the Director of the ANPWS is responsible for the conservation of whale species. In June 1979 the Director was appointed as Australian Commissioner to the International Whaling Commission.

20. *Commonwealth Departments and Instrumentalities.* The Service provides professional advice and assistance relating to nature conservation matters to Commonwealth departments and authorities.

21. *Research.* The Service funds research projects under its research investigations and survey programs. A list of projects funded during 1979-80 is shown at Appendix 4.

22. *Public Education.* The information and education section of the Service is responsible for the production of publications, audio-visuals and exhibitions and for the organisation of work shops and ranger training. The major activity of the section has been the production of Australian endangered species leaflets. In addition the Service produces occasional papers which have included 'Conservation Status of Australian Insects', 'Management of Kangaroo Harvesting in Australia' and 'Plants at Risk in Australia'.

23. *International Treaties and Conventions.* In its role as the Federal Government's wildlife conservation adviser, the Service usually has an officer present at the negotiating of wildlife and nature conservation treaties and conventions. The Service coordinates, with the States, the implementation of Australia's obligations under international nature conservation agreements.

24. *Ranger Training and Education.* At the request of the Council of Nature Conservation Ministers (CONCOM), ANPWS publishes a periodical bulletin for park and wildlife rangers in Australia entitled 'Australian Ranger Bulletin'. The bulletin provides for a forum for training, communication and ideas sharing on a national level by and for rangers on parks and wildlife. At a recent meeting, CONCOM endorsed the concept of annual seminars in the South Pacific region on the administration of national parks. CONCOM believes that a free interchange of ideas at regional seminars among park administrators would allow all to develop the best and most appropriate management techniques for individual parks. ANPWS has a coordinating and oversight role.

### **State Attitudes**

25. The Director of ANPWS told the Committee that the Australian National Parks and Wildlife Service began in a period of conflict and argument, particularly over the management of kangaroos. He said that over the years a much better relationship has developed between the ANPWS and its State counterparts. The Director believes that in general the States see a role for the Service and that relationships are developing which are beneficial both to the States and the Commonwealth.

26. Notwithstanding the comments of the Director, most States which commented on the role of the ANPWS were critical of some aspects of its operations and of the legislation. Of major concern are those provisions of the Act which allow the establishment of Commonwealth parks in the States. The Government of the Northern Territory shares this concern. Its attitude is discussed in Chapter 4.

27. The Director of the National Parks and Wildlife Service of NSW believes that the Act should be amended to provide that the administration, management and control of reserves by the Australian National Parks and Wildlife Service should be confined to Territories. He does not believe that the ANPWS should be permitted by the Act to have power to administer, manage and control parks and reserves in a State.

28. The Deputy Director of the Victorian Ministry for Conservation told the Committee that the State is opposed to the development of a parallel system of national parks and wildlife reserves in Victoria. Although the Victorian Government has entered into a series of cooperative arrangements with the Commonwealth, it believes that the Commonwealth has no power to make laws with respect to conservation of wildlife within the States.

29. The Director of the Western Australia Department of Fisheries and Wildlife believes that the Act should be amended to state quite clearly that land in a State shall not, without the consent of the State, be acquired or used by the Commonwealth for the purpose of a national park or of wildlife conservation. The W.A. officers commented that as the Act stands it is conceivable that the Commonwealth could buy land in Western Australia alongside a State national park and declare a Commonwealth national park. He believes that instead of the Commonwealth acquiring and managing land, money should be provided to the States for national parks, as they would be able to carry out the national park activity as effectively and as efficiently as any Commonwealth authority.

30. When giving evidence to the Inquiry the Acting Director of the South Australian National Parks and Wildlife Service told the Committee that while the Commonwealth Government has not purchased land in South Australia for the establishment of a park, the Act does not preclude this. He did not support Australian National Parks and Wildlife Service involvement in direct management of parks in South Australia. He believes that some amendment of the Act is necessary to restrict its scope. Apparently since then the South Australian Government has modified its position. Following agreement between the Prime Minister and the Premier of South Australia, an officer of the Australian National Parks and Wildlife Service was seconded to take up duty as Director of the South Australian National Parks and Wildlife Service. Another officer of the Service at the request of South Australia's Minister for Environment carried out a study of ways in which the South Australian Service might improve its public relations. Further requests from the South Australian Government for assistance in specific areas including areas related to park management are currently under consideration by the Commonwealth.

31. The Tasmanian Government supports the continuation of the Australian National Parks and Wildlife Service Act in its present form and is opposed to any action which could result in a weakening of functions or reduction in powers. Tasmania believes it is important that the Commonwealth retain a capacity to contribute to the development of policy and operational arrangements with respect to areas of national significance. The Government supports a collaborative effort between ANPWS and the Tasmanian Parks and Wildlife Service with regard to conservation matters, particularly in relation to those areas on the register of the National Estate.

32. In replying to the criticisms of the States, the Director of the ANPWS said that before any Commonwealth park was established there would be consultation with the

States. The procedures under the Act require public notice of an intention to proclaim a park or reserve and allow for objections from interested parties, including States. He did not support the suggestion that the Act be amended to require consent of the States on the grounds that the Commonwealth should retain the right to establish parks on Commonwealth-owned land in the national interest even if a State disagreed.

33. The Victorian Government witnesses asserted that the Commonwealth has no power to make laws with respect to nature conservation in the States. In spite of this there appears to be constitutional support for the Commonwealth to declare national parks in Australia. The Attorney-General's Department provided the Committee with the following advice:

The Constitution by creating the Commonwealth as a nation state thereby implies in it the power to do those things which are incidental to its status as such and to the exercise of functions of a national government.

Sub-section 6 (1) of the *National Parks and Wildlife Conservation Act 1975* is an example of the exercise of that implied power. It asserts as an object of the Act 'the establishment and management of parks and reserves—

- (a) appropriate to be established by the Commonwealth Government having regard to its status as a national government'.

34. The Committee accepts assurances that Commonwealth parks would only be declared after full consultation with the States involved. While the Committee does not in general feel there is a necessity for the development of a Commonwealth park system within the States, it acknowledges that the Commonwealth must be able to use its powers to declare parks and reserves in the States if declaration of such a park is in the national interest. However, it is the Committee's view that the States have nature conservation services which are competent and capable of managing areas within the States, even those elements considered to be of national significance. The Committee agrees with the Western Australian Government that the appointment of officers at the Federal level to manage parks and wildlife does not necessarily produce a higher level of expertise or concern.

35. The Committee does not accept the argument that there is no role for the Service to play in the States. Because of its status as a national organisation the Service is in a position to provide advice and technical assistance which otherwise would be unavailable to a nature conservation authority operating solely within one State. The Committee agrees with the view of the South Australian Government officials that the establishment of the ANPWS has enabled activities to be undertaken that are of benefit to all States and Territories. While coordination between the States is ultimately dependent upon consultation and agreement, there are practical advantages if a suitable organisation can undertake specific tasks which can lead to improvement in park management practices and protection, conservation and management of wildlife. South Australian authorities commented that the ANPWS assists in coordinating matters of general conservation interest between State bodies and Commonwealth departments and authorities. Commonwealth cooperation with the South Australian Government is an example of this.

36. The Australian Conservation Foundation told the Committee that in many cases the States object to actions which the Commonwealth is taking not because of any logical stand-point, but because the respective functions of each level of government have not been agreed to. The Foundation believes that the States fear an extension of Commonwealth activity into areas which logically should be the responsibility of the States. The solution to these problems lies in agreement between the different bodies on their roles.

37. Clearly there is a need for formalised arrangements to be agreed to between the ANPWS and its State counterparts. Administrative arrangements have been agreed to between the Commonwealth and the States in relation to environmental assessment. If arrangements were agreed to relating to nature conservation, duplication of effort would be avoided and matters of mutual national and State interest would be identified. The Committee considers that the arrangements should clearly state the role of ANPWS in the States and identify matters upon which its advice and assistance would be sought. Further, if the arrangements clearly stated that land would not be acquired by the Commonwealth for the purpose of establishing Commonwealth managed parks without consultation with the States, much of the present distrust of Commonwealth intentions would be overcome. Accordingly, the Committee recommends that:

**administrative arrangements be agreed to, between the Minister for Home Affairs and Environment and State Ministers responsible for nature conservation, on the operation in the States of the *National Parks and Wildlife Conservation Act 1975*.**

38. Of particular concern to the Western Australian Government are those provisions of the National Parks Act relating to Aboriginal land. Section 18 of the Act allows the Director to assist and cooperate with Aboriginals in managing land for the purpose of the protection and conservation of wildlife.

39. Western Australian Government officers stated that Section 18 leaves the way open for the intrusion by the Commonwealth into an area which has been traditionally a State responsibility. The officers stated that State administration is deeply involved in both conservation and Aboriginal matters and is quite able to carry out the functions which this Section would hand over to the Director of the Australian National Parks and Wildlife Service. The officers could see no benefit for either the Aboriginals or wildlife conservation insofar as Western Australia is concerned.

40. The Director of the Australian National Parks and Wildlife Service stated that Section 18 of the Act does not apply generally, but rather can only be applied after the Minister for Aboriginal Affairs is convinced that the Service is dealing with the traditional owners. In the case of State land it can be applied only with the agreement of the State Minister for Aboriginal Affairs. In the case of land vested in other than the State, the Commonwealth or the Aboriginals themselves, it can only be applied with the approval of the owners of the land. The Director further commented that Section 18 of the Act has never been applied in Western Australia.

41. The Committee believes that Section 18 of the Act may cause conflict between the Commonwealth and the States. While the Committee accepts that there is a role for the Australian National Parks and Wildlife Service in respect of Aboriginal lands in the States, it believes that any action should only be taken after detailed consultation with the State concerned.

42. The Committee accepts the argument of Western Australian Government officials that this section permits the intrusion of the Commonwealth into areas that are traditionally State responsibilities. However, the total repeal of Section 18 is not supported as this would preclude any special expertise developed by the Commonwealth Service being used for the benefit of the management of fauna and flora in Aboriginal areas. It is the Committee's view that if Section 18 were amended to require consultation this would overcome the criticisms. Accordingly, the Committee recommends that:

**Section 18 of the *National Parks and Wildlife Conservation Act 1975* be amended to require extensive consultations with State Governments before it is invoked.**

## **Commonwealth Land**

43. The Commonwealth owns and administers considerable land in the States, much of which is of scenic or scientific interest. Most of this land is used for defence or navigation purposes. In addition to land used for specific purposes, the Commonwealth is, from time to time, offered gifts of land to be managed as conservation areas.

44. The Committee was informed that the Department of Defence requires much of its land to be maintained in a relatively natural condition. The Department of Defence consults with the Australian National Parks and Wildlife Service in land management compatible with its acknowledged nature conservation value and its use for defence purposes. The Committee firmly endorses the continuing consultative arrangements between the Department of Defence and the ANPWS.

45. The Department of Transport controls considerable areas of offshore islands and coastal lands on which are located navigational aids. The Australian National Parks and Wildlife Service advised the Committee that offshore islands, and to a lesser extent coastal lands, often have greater nature conservation significance than their physical extent would suggest. This is primarily because their relative isolation has affected the evolution of species and ecosystems. Such areas are often of special importance as breeding sites for sea birds. The significance of many Australian offshore islands is further enhanced by populations of terrestrial plants and animals which are either rare or extinct on mainland Australia or sub-species of mainland species. Offshore islands are generally free from introduced predators, wildfire and livestock.

46. It is present Government policy to convert to unmanned operation 20 lighthouses around Australia within the next 5 years. The presence of manned light stations on isolated offshore islands has acted as a restraint and deterrent upon persons who might otherwise kill or disturb wildlife or cause destructive wildfires. The conversion of navigation stations to automatic facilities will in some instances remove the deterrent.

47. The Australian National Parks and Wildlife Service in conjunction with the Department of Transport is currently developing guidelines designed to minimise environmental damage during the de-manning of light stations and the routine operation and servicing of both automatic and manned stations. During this work it has become apparent that some islands are in need of a greater degree of nature conservation management and protection than is currently possible and that the de-manning program will amount to a marked decrease in official surveillance of some important island environments.

48. At present this land is not protected by either Commonwealth or State nature conservation legislation. Although the Department of Transport recognises the importance of areas under its control, limited resources and the Department's primarily navigational role preclude management in the manner warranted by the status of the areas. The Committee believes that those Commonwealth controlled coastal areas with significant conservation value should be protected under nature conservation legislation. The Committee understands that for legal reasons it is not possible to declare land under State nature conservation legislation nor is it necessarily desirable to transfer to the States ownership of Commonwealth property for which there is a continuing Commonwealth use. The most effective way to protect significant areas would be their declaration as conservation zones under the National Parks and Wildlife Conservation Act.

49. In keeping with the Committee's belief that in general no parallel Commonwealth parks service should operate in the States, the Commonwealth Government should request State Governments to provide staff from the State conservation authorities to undertake ranger and park management functions. Any costs incurred by the States should be reimbursed by the Commonwealth Government. Where navigation stations



are to remain manned, Department of Transport personnel should be given the necessary powers under Section 36 of the Act to perform the duties of rangers. Accordingly, the Committee recommends that:

- for those areas in which light stations are to remain manned, Department of Transport personnel be provided with the necessary powers under Section 36 of the *National Parks and Wildlife Conservation Act 1975* to perform the duties of wildlife officers; and
- additional costs incurred by the Department of Transport for nature conservation activities be paid from the Australian National Parks and Wildlife Service appropriation.

50. The Committee would expect management plans to be developed by the Australian National Parks and Wildlife Service in consultation with the Department of Transport and relevant State authorities. The Department of Transport's only objection to the declaration of lands as conservation zones would be if the result was to inhibit its ability to use the area for purposes related to navigational safety and communications. This should present no problems if the management plans take full account of navigational priorities. Any additional costs incurred by the Department of Transport should be met from the ANPWS appropriation rather than from the navigational aids vote. If the Department of Transport were to be assured of full reimbursement of costs incurred in managing its facilities in keeping with their conservation value, that Department is more likely to give this activity the priority it warrants.

51. The Committee recommends that:

- the *National Parks and Wildlife Conservation Act 1975* be amended to enable those areas of Commonwealth-owned land considered to be of nature conservation value to be declared as conservation zones;
- before any declaration takes place there be full consultation between the Australian National Parks and Wildlife Service and the relevant Commonwealth and State authorities;
- States be requested to provide staff to manage any areas so declared; and
- the Commonwealth Government reimburse the States for any costs incurred.

52. While the discussion in the previous paragraphs concentrated on coastal land administered by the Department of Transport the Committee believes that its conclusions could be applied to all land of nature conservation value which is owned by the Commonwealth.

53. The Department of Administrative Services has responsibility for the disposal of surplus Commonwealth property. The Committee received no evidence to suggest that there are any consultative arrangements between the Australian National Parks and Wildlife Service and the Department on the disposal and future use of land considered to be of nature conservation, heritage or recreational value.

54. The Committee believes that there should be consultation and that land deemed to be of significant nature conservation, heritage or recreational value should be disposed of under conditions compatible with that status. Ideally such land should be offered to the States on condition that it be proclaimed under State national parks legislation. Accordingly, the Committee recommends that:

- the Department of Administrative Services and the Australian National Parks and Wildlife Service enter into formal agreement by which the Department would refer for advice all proposals to dispose of land which may have nature conservation, heritage or recreational significance; and
- should any of this land be considered of significant nature conservation, heritage or recreational value it be offered to the States on condition it be managed as a conservation area under State legislation.

## Land Purchases

55. Various Commonwealth Governments have recognised the need for Commonwealth Government financial assistance to States to enable them to undertake programs relating to nature conservation. This assistance has been made possible by the passing of the *States Grants (Nature Conservation) Act 1974* and later the *Environment (Financial Assistance) Act 1977*. The major purpose for the first Act was to assist the States in the acquisition of land considered to be of national significance. The South Australian Government was particularly critical of the fact that grants for these purposes have not been made in the last two or three years.

56. The Australian National Parks and Wildlife Service commented that many States experienced difficulties in working within the financial constraints imposed by the Commonwealth, but despite these problems the States were able to acquire significant areas of land. The Service considered that the States saw this program as being very important.

57. The Committee notes that in the last two financial years no monies have been allocated for the purchase of land other than to finalise agreements reached in previous years. Given that the Committee has only limited information available, it is unable to evaluate this program in relation to the whole range of Commonwealth Government activities in many other areas.

58. The Committee considers that it may be necessary for land to be proclaimed as parks or reserves to enable Australia to fulfil its obligations under international treaties and conventions relating to nature conservation. The Committee believes that money should be made available to the States to purchase land to enable Australia to meet its obligations under international agreements. The Committee supports the re-introduction of a land funding program, and accordingly recommends that:

**the Commonwealth Government at the request of State Governments and on the advice of the Australian National Parks and Wildlife Service provide financial assistance to the States to purchase land to enable the implementation of programs required by international treaties and conventions relating to nature conservation.**

59. The Committee would expect that as only limited areas of land would be involved the expense to the Commonwealth would be comparatively small.

## External Territories

60. The Commonwealth Government has defined the role of ANPWS in the external territories as providing an advisory service to the administering authorities with respect to the management of wildlife, parks and reserves according to guidelines approved by the administering authorities and with regard to the local situation. In its recent announcement on the review of Commonwealth functions the Government stated that except where the Commonwealth is requested by a territory to maintain full control, operation of non-marine parks, other than through management advice is to be left to territory administrations to conduct under delegation.

61. The national park on Christmas Island is protected by regulations under the National Parks and Wildlife Conservation Act. An officer of the Service advises and assists the Administrator in conservation and related matters. Early in 1981 ANPWS published a report dealing with the distribution of Abbott's Booby on Christmas Island. Similarly, an officer at Norfolk Island provides advice to the Norfolk Island Council and Administrator on conservation issues. The Service is preparing a plan of management for areas on the Island at the request of the Council.

62. Although the wildlife regulation-making power of the National Parks and Wildlife Service Act extends to the external territories, wildlife is protected by a wide range of

other legislation. These include the Wild Animals and Birds Ordinance (Colony of Singapore) as amended, Christmas Island and Cocos (Keeling) Islands Birds Protection Ordinance (1913), Norfolk Island Territory and Wildlife Conservation Ordinance No. 23 of 1977 as amended, Ashmore and Cartier Islands Animal and Birds Protection Ordinance (1969), the Australian Antarctic Treaty (Environment Protection) Act 1980, and the Antarctic Marine Living Resources Conservation Act 1981.

63. The Department of Home Affairs and Environment has developed ordinances to give effect to agreements and conventions relating to migratory birds and endangered species. Separate ordinances have been made for the Territory of Ashmore and Cartier Islands, the Territory of Cocos (Keeling) Islands, the Territory of Christmas Island and the Coral Sea Islands Territory. The former Department of Home Affairs advised that it is the intention that in the administration of the legislation, the advice and guidance of officers of the Australian National Parks and Wildlife Service will be sought at the technical level whenever the occasion arises. It is further proposed that in other external territories where officers of the Service are stationed, appropriate powers under the legislation will be delegated as far as possible to those officers.

64. The Committee was advised that the Norfolk Island Government proposes to introduce a Bill which will cover the provisions of the ordinances mentioned previously. It is Government policy that laws affecting Norfolk Island should be developed as local laws rather than for Australian legislation to apply.

65. The Department of Science and Technology is responsible for the administration of the Australian Antarctic Territory and the Territory of Heard Island and McDonald Islands. The principle Acts of these territories are the *Australian Antarctic Territory Act 1954* and the *Heard Island and McDonald Islands Act 1953*. The Department advised that all major policy initiatives concerning Antarctica are referred to the Antarctic Inter-departmental Committee of which the Australian National Parks and Wildlife Service is a member. The Department works closely with the ANPWS in the formation of new policies and legislation in this area. In 1979 the Government established the Antarctic Research Policy Advisory Committee on which ANPWS has official observer status.

66. One of the earliest wildlife protection measures taken under the 1961 Antarctic Treaty was the adoption of Agreed Measures for the Conservation of Antarctic Fauna and Flora. Australia implements the Agreed Measures under the *Antarctic Treaty (Environment Protection) Act 1980* which is administered by the Antarctic Division of the Department of Science and Technology.

67. The Convention on the Conservation of Antarctic Seals was signed in 1972 and sets catch limits and closed seasons. The Department advised that regulations for the implementation of this Convention can be enacted under either the National Parks and Wildlife Conservation Act or the Antarctic Treaty (Environment Protection) Act and the Department is presently investigating under which Act the regulations should be promulgated.

68. The Convention on the Conservation of Antarctic Marine Living Resources was finalised in May 1980 and while the Departments of Science and the Environment and Foreign Affairs had prime carriage of the Convention negotiations, ANPWS played a major role in determining Australia's position. Legislation to ratify the Convention has been passed.

69. The *Whale Protection Act 1980* which will be administered by ANPWS prohibits the taking of whales within three miles of the Australian Antarctic Territory.

70. Fauna and flora on the Territory of Heard Island and McDonald Islands are protected by the nature conservation laws of the Australian Capital Territory.

71. Regulations for the implementation of the Australia/ Japan Migratory Birds Agreement have been promulgated under the Australian Antarctic Territory Act and the Heard Island and McDonald Islands Act.

72. The Committee commented in its report on Trafficking in Fauna in Australia that varying provisions in State legislation make a standardised approach to nature conservation in Australia difficult. The Committee is concerned that in addition to six State fauna acts, the Commonwealth now has superimposed a multiplicity of territory ordinances. The former Department of Home Affairs advised that even though it was within the power of the National Parks and Wildlife Act to make regulations relating to territory parks and wildlife the decision to use separate ordinances was made at Ministerial level. The Department further advised that it does not matter whether an act of the Commonwealth Parliament or local ordinances applies as long as the content of the law and its implementation is adequate.

73. Notwithstanding the comments of the former Department of Home Affairs and the former Department of Science and the Environment, the Committee believes that separate pieces of legislation could lead to unnecessary difficulties in nature conservation in the future. While accepting that it is Government policy that Norfolk Island should have control of its own affairs, this argument does not apply to those territories which at this stage do not have any prospect of self-government. The Committee notes that separate ordinances have been made for migratory birds and endangered species despite the fact that the National Parks and Wildlife Act clearly states that these conventions fall within the ambit of the Act.

74. The Committee believes that there is no justification for separate wildlife ordinances to apply to external territories, particularly those for which there are no immediate proposals for self-government. Accordingly, the Committee recommends that:

**the Commonwealth Government examine the feasibility of standardising legislation relating to nature conservation in the external territories by way of regulations under the National Parks and Wildlife Conservation Act 1975.**

#### **Australian Capital Territory**

75. The Nature Conservation Ordinance 1980 provides legislative protection for native fauna and flora throughout the Australian Capital Territory both in their natural habitat and other specified locations. The legislation replaces a variety of ordinances relating to nature conservation in the A.C.T. The Department of the Capital Territory advised that the legislation should facilitate the continued integration of conservation and nature reserve management activities with those of agriculture, horticulture, forestry, urban development and other land management programs.

76. The Ordinance was developed in consultation with the Australian National Parks and Wildlife Service. The Committee accepts assurances from both the Australian National Parks and Wildlife Service and the Department of the Capital Territory that this legislation adequately protects fauna and flora in the Territory. This is another example of the introduction of additional legislation when the National Parks and Wildlife Conservation Act could have been applied to protect fauna and flora in the A.C.T.

77. The Ordinance provides for the appointment of a Nature Conservation Advisory Council whose function it is to make recommendations to the Minister on all aspects of nature conservation in the Territory. The Committee believes that the Australian National Parks and Wildlife Service, with its national and international expertise, should be represented on the Council. Accordingly, the Committee recommends that:

**the Australian Capital Territory Nature Conservation Ordinance 1980 be amended to require the inclusion of a representative of the Australian National Parks and Wildlife Service as a member of the Nature Conservation Advisory Council.**

**78.** The Department of Capital Territory is responsible for the management of urban and non-urban parks and reserves in the Australian Capital Territory. One of the most important areas in the A.C.T. is Gudgenby Nature Reserve which was gazetted in May 1979. It contains some of the most rugged and visually attractive alpine and sub-alpine areas in the region, an important wilderness area, extensive areas of lowland forest, river and creek systems and significant areas of cleared or partially cleared land formally used in low intensity live-stock grazing and adjoins a proposed national park in N.S.W.

**79.** The Department has been working on a draft management plan for several years. The Joint Committee on the Australian Capital Territory in its report on Tourism in the A.C.T. (March 1980) was critical of the delay in publication of the draft plan. The Department advised that Committee that staff shortages had delayed its release. The plan has still to be released.

**80.** The Committee is concerned that the Australian National Parks and Wildlife Service has not been consulted in the preparation of the plan given that its staff consists of highly expert personnel drawn from State and Territory wildlife services (including the A.C.T.), international organisations and academic institutions and who are experienced in the preparation of such plans.

**81.** The Committee wrote to the Joint Committee on the Australian Capital Territory seeking its views on the role of the Australian National Parks and Wildlife Service in the A.C.T. and in particular, Gudgenby Nature Reserve. Although that Committee felt it was not in a position to comment, the then Chairman, the late Senator John Knight, and Mr Ken Fry M.P., Member for Fraser, provided the Committee with their personal views.

**82.** Senator Knight commented that he believed that over the years Department of the Capital Territory officers and rangers have built up considerable expertise concerning the Gudgenby area. He expressed concern about any further fragmentation of administration in the Territory. He considered that proposals to link Gudgenby with parks in New South Wales and Victoria could be made more difficult if the Australian National Parks and Wildlife Service were involved as the two State Governments concerned might be more hesitant in dealing with them than with the Department of the Capital Territory.

**83.** Mr Fry commented that while he has always believed that the Australian National Parks and Wildlife Service should have an overall policy input into the management plan for Gudgenby Reserve, the actual management should remain in the hands of the Department of the Capital Territory and that it would be both professionally and economically indefensible for it not to remain so. Mr Fry believed that some formal arrangements should be made for integrating the management of Gudgenby with the Snowy Mountains National Park and he presumed that the Australian National Parks and Wildlife Service would wish to initiate such action.

**84.** The Committee is aware of debates in the A.C.T. House of Assembly concerning resources made available for the development of Gudgenby and of criticisms of its classification as a 'Nature Reserve'.

**85.** It is apparent that the delays in the development of the reserve and of the plan of management are due to the lack of resources. Within a department as large as the Department of the Capital Territory and with such a wide variety of activities there is a danger that town management considerations could take precedence over non-urban nature conservation priorities.

86. The Department of the Capital Territory is opposed to any suggestion that management of this important area be transferred wholly or in part to any other organisation.

87. It is disturbing that the development of Gudgenby and the plan of management has taken so long. One solution would be to declare the area under the National Parks and Wildlife Conservation Act. Declaration under the Act would require the Australian National Parks and Wildlife Service to prepare a plan of management as soon as possible. While the Committee does not consider this necessary, action needs to be taken to enable the plan to be developed quickly. Accordingly, the Committee recommends that:

- the Minister for the Capital Territory ensure that a plan of management for Gudgenby Nature Reserve be prepared without delay; and
- if necessary officers of the Australian National Parks and Wildlife Service be seconded to the Department of the Capital Territory to assist in the preparation of the plan of management.

### Marine Parks

88. The Australian National Parks and Wildlife Service believes that at a national level steps should be taken which would identify and delineate an integrated system of marine parks and reserves that would afford protection to representative areas of Australia's marine environments including areas within the coastal sea of the mainland, islands and external territories. As a first step in the process the Service commissioned the Centre for Environmental Studies at Macquarie University to undertake a study related to requirements for marine parks and reserves in Australian waters. The Centre reported in April 1978.

89. Under an agreement made at the 1979 Premier's Conference relating to marine parks and reserves it was established that:

- general division of responsibility in the parks or reserves within the outer limit of the territorial sea (3 miles) would be established under State legislation; and
- parks or reserves beyond would be established by Commonwealth legislation with management responsibilities determined after consultation between the State concerned and the Commonwealth.

90. In its review of Commonwealth functions the Government stated that ANPWS was to maintain control of marine parks. The Committee welcomes the Commonwealth's commitment to marine parks.

91. The Committee was advised that South Australia believes that marine reserves of national or international significance, whether or not they are beyond the 3 mile limit, should be controlled by the Commonwealth on a bilateral basis with the States.

92. A list of marine areas of conservation significance is shown at Appendix 5. The list is not exhaustive as there has been no systematic survey of the Australian coastline made with the aim of delineating areas of particular marine conservation importance on a national or international level. There are considerable stretches of the Australian coast where there is little detailed information on marine fauna and flora. The Committee believes that there are a number of coastal areas which warrant declaration as marine parks and would support any efforts made to enable this to proceed. The Committee recommends that:

- the Commonwealth Government consult with relevant State and Territory Governments with a view to establishing as marine parks those areas considered of national importance.

93. The Committee believes that the Great Barrier Reef Marine Park Authority is a suitable model for administering any areas so declared.

## Conclusions

94. The Committee believes that the States are competent in managing parks and wildlife. While in general not supporting a parallel system of Commonwealth parks in the States, the Committee acknowledges that the Commonwealth must be able to use its powers to declare parks and reserves in the States if declaration of such areas is considered to be in the national interest. The Committee believes that the Commonwealth Government should have access to independent policy advice relating to nature conservation matters and supports the continuation of a strong independent Commonwealth conservation authority namely, the Australian National Parks and Wildlife Service responsible through the Minister to the Parliament.

95. The Committee believes that there is a role for the Australian National Parks and Wildlife Service to play in the development of national policies, coordination of State activities and research and investigations which have national implications. In addition the Committee strongly supports the use of the *National Parks and Wildlife Conservation Act 1975* for nature conservation purposes in areas for which the Commonwealth has responsibility.

### 3 Great Barrier Reef Marine Park Act

#### Purpose

96. *The Great Barrier Reef Marine Park Act 1975* makes provision for 'the establishment, control, care and development of a marine park in the Great Barrier Reef Region'. In his second reading speech on 22 May 1975, the then Minister for the Environment (Dr Cass) described the Bill as building on the foundations of a 'coordinated approach to the protection and management of this nation's natural resources' already established by the enactment of the *National Parks and Wildlife Conservation Act 1975* and the *States Grants (Nature Conservation) Act 1974*.

#### Great Barrier Reef Marine Park Authority

97. The Act established the Great Barrier Reef Marine Park Authority. The functions of the Authority, defined in Section 7 of the Act are:

- to make recommendations to the Minister in relation to the care and development of the Marine Park including recommendations, from time to time, as to
  - (i) the areas that should be declared to be parts of the Marine Park, and
  - (ii) the regulations which should be made under the Act;
- to carry out, by itself or in co-operation with other institutions and persons, and to arrange for any other institutions or persons to carry out, research and investigations relevant to the Marine Park;
- to prepare zoning plans for the Marine Park;
- such functions relating to the Marine Park as are provided for by the regulations; and
- to do anything incidental or conducive to the performance of any of the foregoing functions.

98. The Authority is a three member statutory authority comprising two part-time members and a full-time Chairman. One of the members is appointed on the nomination of the Queensland Government.

#### The Great Barrier Reef Consultative Committee

99. Section 20 of the Act established the Great Barrier Reef Consultative Committee, a joint Commonwealth/Queensland advisory body. *The Committee must include one member of the Authority and no fewer than 12 other members, of whom not less than one-third may be nominated by the Queensland Government. Members hold office for a period of three years. The Committee has, at present, 15 members: seven nominated by the Commonwealth, seven by the Queensland Government, and the Chairman of the Great Barrier Reef Marine Park Authority.*

100. The functions of the Consultative Committee, as laid down in Section 21 of the Act, are:

- to furnish advice to the Minister, either of its own motion or upon request made to it by the Minister, in respect of matters relating to the operation of the Act; and
- to furnish advice to the Authority in respect of matters relating to the Marine Park, including advice as to the areas that should be parts of the Marine Park, referred to it by the Authority.

101. *The Great Barrier Reef Marine Park Amendment Act 1978* covered a number of minor adjustments to facilitate the administration of the Act. As well as amending the Schedule to the Act as mentioned below, the amendments included changes to the Authority's representation on the Consultative Committee, and to the qualification requirements for the Authority's Chairman.



## Great Barrier Reef Marine Park

**102.** The Great Barrier Reef Marine Park Region is defined in the Schedule (Section 3) to the Act. This Schedule was repealed by the *Great Barrier Reef Marine Park Amendment Act 1978* and replaced by another Schedule which closed the Region at Cape York. The Region includes the entire Great Barrier Reef with the exception of its northern extremity in Torres Strait, and covers an area of approximately 350,000 square kilometres. It is anticipated that ultimately the Great Barrier Reef Marine Park will include the entire Reef and adjacent waters in one park extending from Lady Elliott Island in the south, to the tip of Cape York.

**103.** The northern boundary of the Great Barrier Reef Region is at present the northern most tip of Cape York but the Reef continues northward into the Torres Strait. The Torres Strait protected zone has been established by the Torres Strait Treaty between the Australian and Papua New Guinea Governments. The Committee believes that the Australian waters in this area should be included in the schedule to the Act and managed as an integral part of the Great Barrier Reef Marine Park. It is acknowledged that negotiations between the Australian and Papua New Guinea Governments will be necessary to ensure that treaty obligations are fulfilled. The Committee recommends that:

**the Australian Government negotiate with the Papua New Guinea Government measures which would enable the Torres Strait region to be administered as part of the Great Barrier Reef Marine Park.**

**104.** Areas become part of the Marine Park following a Proclamation by the Governor-General, in which he declares an area, specified in the Proclamation, to be a part of the Marine Park, and assigns a name to that area. To date the only area to have been declared is the Capricornia Section, consisting of the Capricorn and Bunker Groups and Lady Elliott Island, and including only 2.4% of the entire Region.

**105.** The Act provides that any Proclamation shall not occur until a report from the Great Barrier Reef Marine Park Authority on the area to be declared has been considered by the Executive Council. The Authority stated in evidence that its policy has been to make that report a comprehensive assessment of the resources involved in the section and of its ecological characteristics. The Authority also considers it relevant to include in the report an indication of the activities carried out in the section of the Region under consideration, which in itself is a large task involving a resource study. The Authority pointed out that its staff level is restricted by a ceiling and that the normal procedures required under the Act will therefore necessarily take a long time.

**106.** Following declaration by the Governor-General the Act stipulates that zoning plans for the area must be prepared 'as soon as practicable'. The Authority defined a zoning plan as a 'separation of the Marine Park into zones in such a way that incompatible activities are physically separated and activities within each zone are controlled so that the ecology of that section of the Reef is not endangered'. In his statement to the Senate on 9 October 1979, the then Minister for Science and the Environment (Senator Webster) pointed out that a marine park differs substantially from a national park which protects the natural landscape and allows only limited use. The Great Barrier Reef is already widely used and enjoyed and the park will need to be designed to allow reasonable use while conserving the Reef. Widespread public interest in the Reef, together with the varied uses made of the Region, led to inclusion in the legislation of a statutory two-stage public participation process during the development of zoning plans.

**107.** Following declaration, public notices must be placed in the national press advertising the Authority's intention to prepare zoning plans and calling for public submissions. All comments are considered and appropriate information and suggestions included in

the draft zoning plan. Following completion of the draft zoning plan public notice is again given and the plan is placed on display for further discussion and comment. The statutory requirement is that on each occasion a minimum period of one month is required for public consideration and comment. The Authority stated that, in the case of the zoning plan for the Capricornia Section, the period was 'a little over eight weeks' as the zoning plan was the first, and it was considered that organisations representing several interests would require more time to coordinate a response. According to its Second Annual Report (1977-78) the Authority is committed to ensuring that people who will be directly affected by zoning and management plans as well as interested members of the general public can contribute to the zoning plans.

**108.** Only after this public consideration can the Authority submit the recommended zoning plans, together with representations from the public, for review, approval and tabling in the Commonwealth Parliament. This review under the Act is carried out by the Minister for Home Affairs and Environment, but following the 14 June 1979 Agreement between the Prime Minister and the Premier of Queensland, a Ministerial Council consisting of two Federal and two State Ministers was set up. This Council reviews the zoning plan before its formal submission by the Authority to the Minister for Home Affairs and Environment. If the Minister accepts the plan, it is laid before both Houses of the Parliament. Either House, within 20 sitting days after the plans have been tabled in that House, may pass a resolution disallowing the plans.

### **Cooperative Measures**

**109.** Cooperation between the Commonwealth and Queensland in the management of the Great Barrier Reef has existed since the establishment in May 1970 of the Joint Royal Commissions into Exploratory and Production Drilling for Petroleum in the Area of the Great Barrier Reef. The Commissions reported on 1 November 1974.

**110.** The Act, which was assented to on 20 June 1975, established the Great Barrier Reef Marine Park Authority, which provides an avenue for consultation between the Commonwealth and Queensland at officer level. The Chairman of the Authority stated that:

. . . so far the Authority model has been successful. Because there is a Queensland appointee on the Authority there is a degree of automatic co-ordination built into the arrangements . . . I believe it would be a useful model for joint management programs which have major relevance to both Commonwealth and State responsibilities.

**111.** The Act established the Consultative Committee which provides a forum for contact and discussion between Commonwealth and State Government agencies, as well as between the public and private sectors, various user groups and conservationists. It creates a mechanism for the groups represented on it to provide specialised advice to the Marine Park Authority and to the Minister for Home Affairs and Environment.

**112.** On 4 June 1979 the Prime Minister announced the Commonwealth's decision as a result of its examination of the report by the Royal Commissions referred to above. The Prime Minister stated that:

. . . there should be no further exploration for petroleum in the Great Barrier Reef region and that there should be no renewal of petroleum exploration permits in the region until the results of both short and longer term research are known.

**113.** On 14 June 1979 the Prime Minister and the Premier of Queensland signed an agreement establishing the Great Barrier Reef Ministerial Council. A Ministerial statement delivered by Senator Webster on 9 October 1979 described the Council as a clearly recognisable forum for consultation and co-ordination at the Ministerial level.

The statement went on to say that the Commonwealth Government saw the development of the Ministerial Council as being entirely in keeping with its approach to proper sharing of responsibilities between the Commonwealth and the States. It was decided that the Council would comprise Commonwealth and State Ministers representing marine parks, conservation, science and tourism.

**114.** Both the Prime Minister and the Premier confirmed in their joint agreement that it was the policy of their respective Governments to prohibit any drilling on the Reef, or any drilling or mining which could damage the Reef.

**115.** They agreed that the Great Barrier Reef Marine Park Authority would continue to have responsibility for declaration of areas of the marine park, for zoning plans and for research, but that after proclamation, the day-to-day management of sections of the marine park will be undertaken by officers of the Queensland National Parks and Wildlife Service, who, in discharging those duties, will be responsible to the Authority.

### **Offshore Constitutional Settlement**

**116.** Assent was given on 29 May 1980 to the offshore legislative package passed by the Commonwealth Government at the end of its 1980 Autumn Sittings. The legislation described by the Attorney-General as 'a unique achievement in the history of Commonwealth and State relations' resulted from agreement reached at the Premiers Conferences of 1977, 1978 and 1979. The coastal waters legislation gives each State the same powers with respect to the adjacent territorial sea (including the sea bed) as it would have if the waters were within the limits of the State. In December 1975 the High Court ruled that the Federal Government had ownership and control of the territorial seas and up-held the *Seas and Submerged Lands Act 1973*. This means that up until the coastal waters legislation is proclaimed the Commonwealth has sovereignty, title and power over the three mile territorial seas.

**117.** While the Coastal Waters (State Title) Act gives States title to the three mile limit, the Region as defined in the Great Barrier Reef Marine Park Act will be subject to the operation of the Marine Park Act. Until the Park is declared however, the Queensland Government can allow mining or any other activity in the region without the need for Commonwealth consent.

### **Australian National Parks and Wildlife Service**

**118.** The Committee sought evidence on the degree of cooperation between the Great Barrier Reef Marine Park Authority and the Australian National Parks and Wildlife Service. The Chairman of the Authority stated that the two agencies:

. . . were spawned contemporaneously and from the same source so there has been a lot of communication and cooperation . . . We have consulted the Australian National Parks and Wildlife Service in the preparation of the zoning plan and everything else in which they have expertise.

The Director of ANPWS stated that there is a 'fair amount of cooperation' but that there could be 'some duplication of effort'.

**119.** The Director of ANPWS was for three years a member of the Great Barrier Reef Consultative Committee. Members of that Committee are appointed by the Minister for a term of three years. When the then Minister for Science and the Environment announced the new membership in October 1979, ANPWS was not represented.

**120.** The Committee believes that, given the cooperation between the two agencies and the degree of expertise of the Australian National Parks and Wildlife Service in matters of concern to the Great Barrier Reef Marine Park Authority and the Consultative

Committee, a representative of ANPWS should be a member of the Consultative Committee. At present, the only member of that Committee to be specified in the Act is a member of the Authority. The Committee recommends that:

**Section 22 of the *Great Barrier Reef Marine Park Act 1975* be amended to require the inclusion as a member of the Consultative Committee, a representative of the Australian National Parks and Wildlife Service.**

**121.** Sub-section 32 (5) of the Act provides that a zone may be declared by a zoning plan to be a 'special zone' and that 'a zone that is so declared shall be managed in accordance with the National Parks Act as if it were a park or as if it were a reserve'. The Australian National Parks and Wildlife Service is responsible for preparing the plan of management for any area declared a special zone.

**122.** The Director of ANPWS explained special zones as follows:

Their purpose was essentially to provide areas within a marine park which would be almost like nature reserves and in which the emphasis would be on the protection of the Reef and the flora and fauna of that Reef.

**123.** The Committee notes that in the Capricornia Section of the Marine Park, the only area to have been declared to date, the following zoning categories have been used:

- *General Use 'A' zone*—to provide opportunities for reasonable use, to provide areas for trawling, and to provide for replenishment areas where fishing and collecting are prohibited for limited periods to enable resource stocks to regenerate;
- *General Use 'B' zone*—to provide opportunities for reasonable use, to protect reefs from the potential effects of trawling and commercial shipping, to provide for replenishment areas where fishing and collecting are prohibited for limited periods to enable resource stocks to regenerate, and to provide for seasonal closure areas to protect from human intrusion some important bird and turtle nesting sites;
- *Marine National Park Zone 'A'*—to provide for the protection of the natural resources of the area while allowing recreational activities, limited recreational fishing and approved research;
- *Marine National Park Zone 'B'*—to provide for the protection of the natural resources of the area while allowing the public to appreciate and enjoy the relatively undisturbed nature of the area free from the disturbing influences of fishing and collecting;
- *Scientific Research Zone*—to provide an area where approved research can be carried out protected from the influences of recreational activities, fishing and collecting; and
- *Preservation Zone*—to preserve areas of the Reef in their natural state undisturbed by man except for the purposes of scientific research, and to provide protection around some islands where important turtle and bird nesting sites occur.

**124.** No special zones have been declared and, considering the range of zones provided in the Capricornia area, the Committee is at a loss to understand in what set of circumstances the necessity for declaring such a zone would arise. The zones mentioned above range from an area where, according to the Chairman of the Authority, most existing activities will be permitted, through an area where all the activities normally permitted within a national park are permitted, to a 'preservation zone' where activities will be highly restricted except for observational research.

**125.** The Committee believes that the existing zoning areas cover most potentialities and believes further that, even if a special zone were to be deemed necessary for any reason, the most appropriate body for developing a plan of management must be the Great Barrier Reef Marine Park Authority. The Committee considers that, given the situation that two Commonwealth agencies with specific responsibilities for park management exist, the most appropriate working relationship must be that each concentrates on its specific area of responsibility. Clearly, cooperation and consultation would

avoid serious duplication of effort and this cooperation would be facilitated by implementation of the Committee's recommendation in paragraph 120, but the Committee believes that the Great Barrier Reef Marine Park Authority should be the only Commonwealth agency directly involved in the Management of the Great Barrier Reef Region. Accordingly the Committee recommends that:

**Sub-section 32 (5) of the *Great Barrier Reef Marine Park Act 1975* be deleted.**

**126.** The Act does not require the Authority to prepare a plan of management for any area in the region. The Committee believes that this may be necessary, particularly for those areas zoned as marine national parks. The Committee recommends that:

**the *Great Barrier Reef Marine Park Act 1975* be amended to require the Great Barrier Reef Marine Park Authority in consultation with the Australian National Parks and Wildlife Service to prepare plans of management for those areas zoned as marine national parks.**

### **Declaration**

**127.** The Committee has noted the many occasions on which the Government has expressed its commitment to protection and preservation of the Great Barrier Reef. In his Ministerial Statement in the House on 4 June 1979 the Prime Minister referred to the Reef as a 'national asset' and said:

No part of the reef is going to be damaged by an activity that takes place on the reef or off the reef. . . . If there is any doubt about an activity and its effect on the reef, that activity will not take place.

In the article on 'The States and offshore rights' referred to previously the Attorney-General stated:

The Government is aware of its national and international responsibilities for the reef and has retained all the power it needs to fulfil those obligations.

**128.** The Prime Minister stated, in a speech to the Second World Wilderness Congress in Cairns on 9 June 1980, that plans are well-advanced for the proclamation of the Great Barrier Reef Marine Park, 'a marine wilderness of international standing' significant not only as 'the largest coral reefs in the world but also as a major and growing tourist attraction'.

**129.** The Prime Minister went on to mention the discussions between the Commonwealth and Queensland Governments regarding a proposal to nominate the Reef for inclusion in the World Heritage List — a list of properties forming part of the world's natural and cultural heritage. The Prime Minister stated his certainty that the Reef will be accepted for inclusion with resultant benefits in terms of world recognition.

**130.** On 8 July 1980, the Great Barrier Reef Region was entered into the Register of the National Estate, maintained by the Australian Heritage Commission. This move was foreshadowed by the Prime Minister in the speech mentioned above, and he stated that such action:

obliges Commonwealth Government Ministers, departments and agencies to ensure that any actions which they propose to take which may have an adverse effect on the Great Barrier Reef, as part of the National Estate, are proceeded with only after the most careful consideration and then only if there is no prudent and feasible alternative.

**131.** The next logical step in protection is to incorporate the entire Reef as the Great Barrier Reef Marine Park.

**132.** The Committee considered the desirability of the whole Region being declared immediately. Section 38 of the *Great Barrier Reef Marine Park Act 1975* provides that, except for research purposes, no operations for the recovery of minerals shall be carried on in the Marine Park. The effect of immediate declaration of the whole Region would

therefore be to preclude all mining, except for research, below low water mark on the Queensland mainland coast between just north of Bundaberg to the tip of Cape York Peninsula.

**133.** The Committee believes that drilling for oil should be prohibited in the Region, but it believes that a total prohibition of other mining activities, such as extraction of gravel deposits from below low water mark, for approximately 80% of the eastern Queensland coast would be unreasonable and unjustified. Some of these activities would have negligible or no effect on the Reef and are normal coastal operations throughout Australia and elsewhere.

**134.** A course of action is required which will at once provide protection to the Reef from oil drilling and allow reasonable operations for the recovery of minerals to occur on most of the Queensland coast. Immediate declaration of the whole Region, with the exclusion from the Park of a narrow strip say 5km wide, from low water mark on the Queensland mainland, except where there exist good reasons for the Park to extend to the coast, would be the logical first step. It would have to be accompanied by an unconditional undertaking by the Commonwealth Government that oil drilling or any other activity likely to damage the reef in the small part of the Region excluded from the Park would be subject to essentially the same administrative inhibitions and processes as apply to the Park itself. Those processes are defined in Section 31 of the Act. They require a resolution to be passed by each House of Parliament in pursuance of a motion of which notice has been given not less than 15 sitting days of that House before the motion is moved.

**135.** The question then arises whether the Commonwealth has the power to ensure that these steps are followed. The former Minister for Science and the Environment has stated that protection of the Reef from oil drilling and other activities can be achieved through the Commonwealth moving quickly to declare as a marine park, any section of the Reef which is threatened in any way or through the power of the Governor-General under Section 66 (2) (e) of the Act to make regulations regulating or prohibiting acts (whether in the Marine Park or elsewhere) that may pollute water in a manner harmful to animals and plants in the Marine Park.

**136.** The Committee considers that these mechanisms would be sufficient to achieve control of the sections of narrow coastal strip excluded from the Park.

**137.** The Act specifies that zoning plans for declared areas must be prepared 'as soon as practicable' after declaration. The Committee is not suggesting that the Authority be required to produce a zoning plan for the entire declared area at once. The Authority need not produce zoning plans any faster than in the present situation. However, while areas are being zoned progressively, the whole Region will be receiving the protection afforded by the legislation.

**138.** The Act specifies that areas may be declared only after receipt and approval by the Executive Council, of a report on the area to be declared. The Committee believes that this Report need not be the exhaustive research work that it was in the case of the Capricornia Section. This research stage can come after declaration, either before or as zoning plans are prepared.

**139.** The Committee is aware of the clause in the Act which states that regulations may not be applied to areas for which zoning plans have not been drawn up, if more than twelve months have elapsed since declaration (Sub-section 66(5)). The Committee notes that protection against mining is provided by declaration alone and that no regulations are required for this purpose.

**140.** The Committee concludes that despite any administrative problems involved in immediate declaration of the entire Reef, the protection inherent in Sub-section 38 (2)

and in paragraph 66 (2) (e) is too important to be postponed. Accordingly the Committee recommends that:

**the area described in the Schedule of the *Great Barrier Reef Marine Park Act 1975*, excluding sections of a strip 5km wide along the Queensland mainland coast where there are not strong environmental or other reasons for the Marine Park to extend to low water mark, be immediately declared under Section 31 of the Act.**

**141.** While the Committee believes that it would be unreasonable to declare the whole Region as a marine park there will be many areas within the Region where it is essential for the park to extend to the low water mark. Under no circumstances should the Commonwealth Government enter into any agreement with the Queensland Government which would preclude such areas being declared.

### **Offshore Islands**

**142.** The Act does not apply to islands within the outer boundaries of the Region other than to those islands owned by the Commonwealth. Most of the islands in the Region are part of the State of Queensland and accordingly come under sole Queensland control. Concern was expressed that this situation could enable land use in these areas incompatible with the Marine Park.

**143.** The Committee was advised that a number of these islands are designated as national parks under Queensland legislation and that land use is compatible with the Marine Park. The Committee again notes that Section 66 (2) (e) of the Act enables the Governor-General to make regulations:

regulating or prohibiting acts (within the marine park or elsewhere) that may pollute water in a manner harmful to animals and plants in the marine park.

### **Consultation**

**144.** The Committee was disturbed that the Act does not require Commonwealth departments or instrumentalities to consult with the Authority or alternatively require the Authority to provide advice to the Minister on matters relating to the Great Barrier Reef Region. The Committee believes that this is a serious shortcoming of the legislation and recommends that:

**the *Great Barrier Reef Marine Park Act 1975* be amended to make it mandatory for the Authority to advise the Minister on any proposed action by Commonwealth departments or instrumentalities which are likely to affect the region.**

## 4 Commonwealth Involvement in the Northern Territory

### Introduction

145. When the Committee tabled its first report (October 1979) evidence had not been given by the Northern Territory Government. A submission has since been received and this chapter will not only comment on the National Parks and Wildlife Conservation Act, but also briefly covers some of the areas dealt with in the first report as they relate to the Northern Territory. As well as taking formal evidence from Northern Territory Government officials and representatives of the Northern Lands Council, the Committee held informal discussions with Federal Parliamentary representatives for the Northern Territory. The question of uranium was not canvassed during the inquiry and this matter will only be discussed as it affects Kakadu National Park.

### Environmental Protection and Heritage Acts

146. The Northern Territory Government commented that the *Environment Protection (Impact of Proposals) Act 1974* and the *Australian Heritage Commission Act 1975* in their present form apply to the Northern Territory and do not recognise the powers granted to the Territory under the *Northern Territory (Self-Government) Act 1978*. The N.T. Government believes that these Acts should be amended to exclude Territory authorities, and arrangements should be agreed to between the Territory and the Commonwealth Governments as is the case with State Governments.

147. The Committee stated in its first report that until comprehensive environmental legislation is introduced in each State the Impact of Proposals Act should continue to be invoked for a wide range of proposals. Similarly, the Committee commented that while there is no specific heritage legislation in the Territory the Australian Heritage Commission Act should not be amended to preclude its operation in the Territory.

148. The Committee notes that the Northern Territory Government intends soon to introduce its own environmental legislation and understands that it will be based on the Commonwealth Act. The Northern Territory Government is proceeding with the development of heritage legislation.

149. With the introduction of complementary Territory legislation the Committee sees no reason why the Territory should not be treated in the same manner as the States. Accordingly, the Committee recommends that:

administrative arrangements be agreed to between the Commonwealth and Northern Territory Governments relating to the respective responsibilities of each Government in the area of environmental protection and protection of the national heritage.

150. The Committee further recommends that:

those recommendations contained in its first report relating to the States should be read to include the Northern Territory.

### National Parks and Wildlife Conservation Act

151. The Northern Territory Government has no objection to the *National Parks and Wildlife Conservation Act 1975* as it relates to the Northern Territory except for those sections of the Act that specifically refer to Uluru National Park and the Alligator Rivers region. The Northern Territory Government believes that the Act should be amended to restrict the powers of the Director in the Northern Territory and that the Act should apply to the Territory in the same manner as it applies to the States.



152. In the following paragraphs the Committee proposes to discuss areas of specific concern. The evidence is complex and sometimes contradictory. The Committee does not propose to comment in detail on each point made. Detailed arguments can be found on pages 1539 to 1662 of the Transcript of Evidence.

### **Uluru National Park**

153. Uluru National Park was proclaimed under the National Parks and Wildlife Conservation Act on 24 May 1977. Agreement to this action was obtained from relevant Commonwealth ministers, the Majority Leader of the Legislative Assembly and members of the Northern Territory Reserves Board. The agreement made it clear that day to day management of the park would be with the Northern Territory Reserves Board and its successor.

154. While the Director of ANPWS considered that this was in fact the situation, the Chairman of the Northern Territory Conservation Commission did not feel that there had been full delegation of management responsibility. He claimed that it was necessary to obtain approval from Canberra to undertake even minor works. The Director argued that the only requirement was that a quarterly acquittal of expenditure under broad headings be provided.

155. Clearly, the problems associated with the management responsibilities for the park have not improved since the Committee tabled its report on the management of Ayers Rock—Mt Olga National Park in 1977. Other Committees including the House of Representatives Select Committee on Tourism have observed the unsatisfactory nature of the management arrangements for the Park. The Committee believes that the only way of overcoming the problem would be to define clearly the respective roles of Commonwealth and Territory authorities and to provide formally the Chairman of the Northern Territory Conservation Commission with the necessary powers to undertake his responsibilities.

Accordingly, it is recommended that:

- a Memorandum of Understanding be agreed to between the Commonwealth Government and the Northern Territory Government which would delegate management responsibilities of the Director of the Australian National Parks and Wildlife Service for Uluru National Park to the Chairman of the Northern Territory Conservation Commission; and
- the Commonwealth Government provide funds on an annual basis for capital works and running expenses associated with Uluru National Park and that the Northern Territory Government be required to submit annually an audited statement of income and expenditure.

### **Kakadu National Park**

156. Arrangements for the proclamation and management of Kakadu National Park arose from the recommendations of the Ranger Uranium Environmental Inquiry. That inquiry made recommendations about the area to be declared as a national park, the proclamation of the park, park management and Jabiru township. Most of the recommendations of the Ranger Inquiry were accepted by the Commonwealth Government.

157. In order to implement the recommendations, negotiations were entered into with the Northern Land Council and the traditional owners. Agreements reached with the Northern Land Council were:

- that the park be proclaimed under Commonwealth legislation;
- that it be managed by the Director of the Australian National Parks and Wildlife Service;
- that the township be located within the boundaries of the park; and
- that the land be leased by the Aborigines to the Commonwealth Government.

**158.** The Northern Territory Government strongly objects to the management arrangements for Kakadu National Park. The Territory Government believes that the recommendations of the Ranger Inquiry were made without full knowledge of the direction that self-government would take. The Northern Territory Government provided the Committee with examples of the existence of sound, working relationships between the Conservation Commission and Aboriginal groups in various areas. The Government argued that the question of Aboriginal rights and uranium mining should not in themselves be a justification for continuing Commonwealth control of Kakadu National Park. Although at present the area was leased from local Aboriginals to the Director of ANPWS the Territory Government argued that it could just as readily negotiate a leasing agreement with local Aboriginals.

**159.** The Conservation Commission of the Northern Territory advised that the arrangement reached with the Aboriginals in the administration of the Cobourg Peninsula is an example of how the Territory can work with Aboriginal groups. The Cobourg Peninsula Aboriginal Land and National Park Act was assented to on 20 July this year. The Act provides among other things for the establishment of a Land Trust and an Administrative Board consisting of Aboriginal traditional owners and government nominees and the payment of a rental to the traditional owners, and that the Conservation Commission will manage the land on behalf of the Board.

**160.** The Conservation Commission advised that the major difference between the arrangements at Cobourg and those at Kakadu, in respect of Aboriginal interests, are that at Cobourg the traditional owners have a daily, direct involvement with land and community management (they have a majority vote on the Board and may retain Northern Land Council advice) while at Kakadu their input into management rests upon consultation between themselves and ANPWS officers constrained by a Plan of Management already agreed to, on their behalf, by the NLC. Resettlement and economic support at Cobourg is guided by the Board. At Kakadu, such support is split between ANPWS, Departments of Aboriginal Affairs and Community Development and Gagadju Association, with physical assistance coming, in part, from the Oenpelli Outstation Resource Centre. The coordination of medical, education and economic development at Kakadu is shared by a variety of Government and other organisations. At Cobourg the Board, which is directly representative of all the clans, is directly responsible for land and community management.

**161.** The Committee sought the views of the Northern Land Council which advised that the exclusive overall control of stage one of Kakadu National Park by ANPWS was a condition of the leasing of this area as a national park. It was claimed that local Aboriginals have generally been satisfied with the administration of the park by ANPWS.

**162.** The Northern Land Council acknowledged that the Northern Territory Conservation Commission is making substantial moves to develop policies which take account of Aboriginal interests in the land. Nevertheless, the Northern Land Council has not yet had time to assess the strength of the Commission's commitment to Aboriginal rights and would not support, at this time, any change in the administrative arrangements. The local Aboriginal Association at Kakadu opposes any changes to the administrative arrangements.

**163.** Since the Committee completed taking its evidence, the Government announced its decisions relating to the role of the Australian National Parks and Wildlife Service in the Northern Territory. The decisions were that operation of parks should be left to the Territory Government and that essential Commonwealth interests in Kakadu National Park be maintained. It is unfortunate that the Government made its decisions relating to park management in the Northern Territory before this Report was available. The

Committee's inquiry covered many of the matters included in the review and while the Government was aware of the inquiry no approach was made seeking the Committee's views. This Report would have been of great assistance to the Government.

**164.** The Committee is unsure of the meaning of the decisions but considers that 'essential Commonwealth interest' is in fact maintaining ANPWS personnel in Kakadu. It is the Committee's belief that for the time being the management arrangements for the Park should not be changed.

**165.** The Committee believes that it is essential for the Commonwealth to remain involved in the management of Kakadu National Park because of its World Heritage status and the new and visionary management principles being developed and applied by ANPWS.

**166.** The Committee notes the obvious conflict between the Commonwealth and Northern Territory Governments concerning the roles of each Government in the management of Kakadu National Park but believes that no changes should be made until at least the Plan of Management is reviewed in 5 years time. It is recognised that the Park is located in the Northern Territory and Territory views must be taken into account in its management. The Committee supports the continuing involvement of the Northern Territory Conservation Commission by way of secondment of its officers to work as park rangers. Accordingly, the Committee recommends that:

- the Australian National Parks and Wildlife Service maintain full control of Kakadu National Park at least until the Plan of Management is reviewed in 5 years time.

### **Jabiru Township**

**167.** Jabiru township will be located within the boundaries of the park and will grow to be the third or fourth largest town in the Territory. Northern Territory Government officers pointed to possible difficulties in a large town being governed in a manner different to other towns in the Northern Territory. The Committee too is concerned that regulations relating to the village could be in conflict with Northern Territory regulations relating to other areas. Accordingly, the Committee recommends that:

- as far as possible regulations relating to Jabiru village be similar to those applying to other townships in the Northern Territory;
- as far as possible regulations applying to Kakadu National Park be similar to those applying to other conservation areas in the Northern Territory; and
- as far as possible officers of the Northern Territory Government have the same powers in respect of Jabiru village as they have in other townships in the Northern Territory.

## 5 Environmental Data and Reporting

### Availability of Data

**168.** In order to properly, efficiently and effectively protect the environment, data must be available to the decision makers. The Department of Home Affairs and Environment believes that major gaps presently exist in the data available. Australia lacks information to describe adequately the present conditions of even major environment components.

**169.** Environmental data is available from a variety of sources but on a largely uncoordinated basis. A number of Commonwealth and State Government departments and agencies collect and publish statistics which relate to the environment. These data however do not provide comprehensive coverage of the broad environmental spectrum. In addition private industry has assembled a significant amount of data which has been collected in the development and monitoring of projects and in the preparation of environmental impact statements.

**170.** At the Commonwealth level the Australian Bureau of Statistics (ABS) is the main body responsible for the collection and organisation of national statistics. The ABS presently publishes a wide range of data relevant to environmental issues, including statistics on harvesting activity, mining and manufacturing activity, human settlement and transportation. The statistics collected by ABS relate mainly to economic and social data and generally do not cover such areas as air and water quality. Other Commonwealth agencies concerned with the collection of data relevant to the environment include the CSIRO, the Heritage Commission and the Bureau of Meteorology.

**171.** The States have prime responsibility for the maintenance of environmental quality and hence for environmental monitoring and the production of statistics relating to environmental conditions. Each State has established its own priorities for the collection and reporting of environmental data. Because of differing needs and priorities the extent of data available varies between States. Data from one State is often not directly comparable with corresponding data from another.

**172.** Both the United Nations and the OECD have recently launched studies aimed at finding out how much environmental information is available in their member countries. A major conclusion of the Australian response to a United Nations questionnaire on the availability of environmental statistics was that statistics relating to the state of the Australian environment were not systematically collected, collated or disseminated at the national level. As part of a study conducted by the OECD, member countries were asked to supply a range of national environmental data on matters which it viewed as significant and considered would be widely held. A summary of the response taken from the OECD report on the results of the survey is shown in Appendix 7. This table shows that Australia lags behind most other OECD countries. Of the 16 member countries responding to the questionnaire only Greece and Switzerland have a higher ratio of no data to complete data for the aspects covered in the survey. Where partial data is indicated in the table this generally indicates that less than 10 percent of the data requested was readily available at the national level in Australia. The OECD is in the process of producing a second report and the Australian Government will be requested to provide data.

**173.** The problems associated with lack of or accessibility of environmental data have been noted by the Committee in many of its inquiries.

**174.** The Inquiry into Off-Road Vehicles revealed a lack of quantitative data on the effect of ORVs on a variety of ecosystems and on assessments of the carrying capacity of various land types. The Committee was restricted in its ability to make judgements of conservation measures in its Fauna Trafficking Report because of the lack of data on

the population and distribution of species of indigenous fauna. The lack of detailed scientific data on populations and distributions of marine biota was repeatedly drawn to the Committee's attention throughout the Oil Spills Inquiry. This lack of detailed data makes it extremely difficult to assess changes that have taken place after an oil spill has occurred. The Inquiry found that the impact of marine oil pollution is difficult to predict as there is little data on the physical factors which effect oil, such as wind, tidal movements and sea temperatures.

**175.** In its Coastal Management Inquiry the Committee found that there is a serious lack of information on the coastal zone which hampers planning and management authorities in making appropriate decisions. Although some information on the coastal zone exists it is frequently not available to those who need it and data collected by many different instrumentalities is often in non-compatible forms.

**176.** The Committee has yet to complete its Hazardous Chemicals Inquiry but is concerned at a serious lack of data in many areas. There is no official data available on usage of pesticides by either volume or region. The effect on the environment of agricultural sprays and their consequent effect on health, quality of life and water resources cannot be proved or disproved because of lack of substantial scientific evidence on a regional basis. Only recently have moves been made to establish comprehensive cancer registers and they are not yet fully operational. The initial examination of statistics on work time lost due to occupational diseases indicates a serious shortage of data available in this area.

**177.** In its Urban Environment Inquiry the Committee noted that much Commonwealth data is published only on a national or State basis which is of little assistance to decision makers at local or regional levels.

**178.** Commonwealth authorities have commented that lack of environmental data is a major obstacle to the practical achievement of the objectives of the Environment Protection (Impact of Proposals) Act. The National Capital Development Commission advised that the objective evaluation of complex environmental issues often requires a considerable amount of supporting data which is not readily available and is sometimes difficult to collect. The Commission stated that even when such data has been collected it is often not known by proponents. No amount of environmental review will provide the answer to an environmental problem when the basic data is lacking. It is the Commission's view that resources should be allocated to allow coordination and collection of environmental data to maintain a register of available data. The Commission believes that such a use of resources may be more valuable than concentrating resources on the routine environmental scrutiny of individual projects. Other Commonwealth authorities support the Commission's view.

**179.** Industry organisations are concerned at the lack of availability of data. The Western Australian Chamber of Mines, given certain safeguards, would support the formation of a State environmental data bank. Readily available information on the environment, the Chamber believes, would raise the present low scientific level of public debate on environmental issues. The Chamber believes that standard formats for classifying and cataloguing data should be used to facilitate storage, retrieval and the wider use of data. Of those that provided information to the Committee only the Queensland Chamber of Mines and the Mineral Sands Producers Association believe that a solid base of data exists and that there are no data deficiencies which would prevent a practical resolution of environmental problems.

**180.** At present the Department of Home Affairs and Environment is undertaking preliminary studies directed towards the development of a practical, generally acceptable framework for the organisation of environmental statistics on both a regional and a national basis. A further objective of the study is to produce the first regionally-based

statistical report on the state of the Australian environment. The study, the Australian Environmental Statistics Project (AESOP), is discussed later in this Chapter.

### **State of the Environment Reports**

**181.** There has been growing international interest in the related areas of environmental statistics and state of the environment reporting. This has derived largely from the rise in the general level of the environmental awareness, coupled with a growing recognition that environmental considerations have not been reflected adequately, if at all, in the economic and social statistics which have been available to decision makers and the community at large. It was suggested to the Committee by the former Department of Science and the Environment that there is a general belief that environmental statistics should be developed to correct this imbalance and make available the environmental information necessary for rational formulation, implementation and evaluation of policies.

**182.** The Economic Commission for Europe, the United Nations Environment Program, the United Nations Statistical Office and the Organisation for Economic Co-operation and Development have all initiated studies in this area and a number of major reports on the international situation have been, or are being produced.

**183.** Compendia of environmental statistics and/or state of the environment reports have been produced by the United States of America, Japan, Canada, the United Kingdom, Israel, France, the Federal Republic of Germany, Finland, Norway and Sweden. State of the environment reports can be predominantly statistical, interpretative or a combination of both. A summary of the scope and the nature of environmental reporting by other countries is shown in Appendix 8.

**184.** Although the purpose of these reports varies markedly they generally are perceived as having direct policy application in that they can:

- assist policy makers to determine the effectiveness and cost-effectiveness of existing environmental policies and standards;
- provide information about the broad inter-relationships between environmental and economic conditions and so assist policy makers to assess the likely impact of a change in policy in one area upon conditions in the other;
- provide information on trends and so assist in the formulation of anticipatory policies;
- provide a background against which to undertake specific environmental studies thereby reducing significantly the time, effort and expense required for their formulation; and
- contribute greatly to the environmental information base available to the general public and so to more informed public debate on environmental issues.

### **International Obligations**

**185.** The Council of the Organisation for Economic Co-operation and Development on 8 May 1979 adopted a recommendation on reporting on the state of the environment. The Council recommended that member countries:

- reinforce their co-operation within the OECD with a view to improving the environmental information and environmental reporting;
- intensify efforts to improve knowledge, information statistics and indicators on the state of the environment in order to contribute to the evaluation:
  - of the state of the environment;
  - of activities that have an impact on the environment; and
  - of environmental policies themselves;with emphasis on important areas in which comparable and practicable indicators can at the present stage be defined;
- prepare periodic national reports on the state of the environment and its changes over time.

One of the aims of the Australian Environmental Statistics Project is to fulfil the obligations placed upon Australia by this recommendation.

### **Australian Environmental Statistics Project**

**186.** The Australian Environmental Statistics Project (AESOP) is directed towards the following three main objectives:

- the development of a practical, generally acceptable framework for the organisation of environmental statistics in Australia;
- the definition of a set of Australian environmental regions to serve as the spatial basis for the organisation and reporting of Australian environmental statistics;
- the preparation of the first regionally based statistical report on the state of the Australian environment.

**187.** The first phase of the project involved discussions with interested authorities on the project's nature, scope and objectives, the preparation of firm proposals for the project's development, definition of a tentative set of Australian environmental regions and the development of a tentative statistical framework.

**188.** The next phase will involve mainly the testing of the proposed framework to assess its practicability and relevance to use and needs. It is proposed that this be done through two pilot studies. In the first pilot study the tentative framework will be applied in full to the Gippsland Region in Victoria. Agreement has been reached at Ministerial level between the Department of Home Affairs and Environment and the Victorian Ministry for Conservation for officers of the two Ministries to collaborate in studies relating to the region. The second pilot study will involve application of one sector of the tentative framework, that relating specifically to harvesting activities, across all regions.

**189.** The former Department of Science and the Environment commented that these pilot studies should encompass on a limited scale almost the full range of tasks associated with application of the framework on a national basis. They should expose any marked weakness in the framework or difficulties in its practical application and provide opportunity for its initial design to be tempered by experience.

**190.** The final phase planned for the project relates to the preparation in full of the first national state of the environment report for Australia.

**191.** The CSIRO in collaboration with the former Department of Science and the Environment has published a working document on provisional environmental regions for Australia.

### **State of the Australian Environment Report**

**192.** The former Department of Science and the Environment provided the Committee with details of the likely content of the first National State of the Environment Report. The main features of the report will be:

- statistics presented in relation to specific environmental regions;
- statistics organised in accordance with a framework which provides for the integration of statistics of human activity with those on environmental conditions;
- statistics on human activity grouped into categories based upon, and fully compatible with, divisions in the Australian standard industrial classification developed by the Australian Bureau of Statistics;
- time series data provided wherever possible to assist in identification of trends; and
- presentation of statistical information geared as far as practicable to ease of comprehension and structured to provide ready reference to specific data of interest.

**193.** It is important to note that the report will be restricted to the organisation and presentation of statistics and will not contain any interpretative commentary.

### **Australian Bureau of Statistics**

**194.** The Australian Bureau of Statistics informed the Committee that it was aware of the increasing concern that many people in Australia and overseas have for the national environment and of the need to have information available for rational formulation, implementation and evaluation of policies.

**195.** ABS advised that they were pleased to be consulted and were willing to advise and assist the Department of Home Affairs and Environment. The development of a framework is an extremely complex task and the approach adopted by the Department in developing the framework and testing by pilot studies is sound.

**196.** In response to the query as to what demand there has been for environmental data, ABS advised that the only express contact with regard to environmental statistics has come from the Commonwealth Department of Home Affairs and Environment. ABS commented that other users of statistics may have contacted them for what appeared to be agricultural or manufacturing statistics but which were in fact used for environmental purposes. No approaches have been made by the States specifically for environmental statistics.

**197.** Finally, ABS advised that the project is potentially a duplication of the Commonwealth and State Year Books and other publications which are currently produced.

### **Australian Conservation Foundation**

**198.** The Australian Conservation Foundation believes that the quality of discussion of environmental matters would be improved if there is available appropriate data recorded in such a way as to allow both interstate and international comparisons and informed comment on developments in relation to environmental matters. ACF told the Committee that there is a very great need to establish a conceptual framework for the collection of environmental statistics within Australia. There are clear indications that much information has been accumulated by the States without any clear idea of how it is to be used. If the Department of Home Affairs and Environment can provide the framework it will avoid a lot of wasted work.

**199.** ACF is concerned that the report envisaged by the Department will contain no commentary. ACF sees the role of commenting as more valuable than that of accumulating, and suggested the report produced by the US Council on Environmental Quality as an ideal model. It was acknowledged that some States may object to a Commonwealth body commenting on State matters. ACF believes that if comment is to be independent it must be set in an organisational pattern which will encourage independence and saw the former Advisory Council on the Environment as a possible solution.

**200.** ACF advised that there is a very clear need for environmental statistics in Australia. It seems to ACF that the major environmental controversies in Australia have all had their origins in lack of information.

### **The States**

**201.** The Department of Home Affairs and Environment has not sought a commitment from the States on the proposal to produce an Annual Report on the state of the Australian environment. The Committee was concerned that the views of the States should be obtained, particularly as State cooperation would be required if a meaningful report was to be produced.

**202.** The New South Wales Government provided a submission which contained the attitudes of various State departments and authorities. A number of authorities commented that there was a lack of data in many areas and that data collection by various departments should be done by using comparable methods in order that data may be



stored and retrieved easily. The Department of Lands for instance, collects environmental information prior to making any land use decisions. This environmental information is contained in numerous files within the Crown Lands Office and as such is fragmented and not readily available. The Planning and Environment Commission pointed out that much of the pre-decision environmental data is merely descriptive, not analytical and of little use in future comparisons.

**203.** The Victorian Government is cooperating with the Commonwealth Department of Home Affairs and Environment in the development of a national environmental statistics framework. The Victorian Ministry for Conservation believes that the program should be encouraged as it will allow a more consistent approach to the collection and organisation of environmental statistics as well as integration with other forms of statistics. The national state of the environment report should assist analysis of policy options for resources used and environmental management. If produced regularly such reports will provide information on trends and will assist in anticipating problem areas in the future.

**204.** The Tasmanian Government advised that data needed to take full account of all benefits and costs can be extremely complex and is rarely available to the full extent necessary. Limitation of funds available to environment protection agencies necessarily restricts the ability to collect essential environmental data. The Government advised that some attempt is currently being made at the national level and Tasmanian Government agencies are cooperating with the Commonwealth in this area.

**205.** The Western Australian Government advised that in the short term a statistical report on the national environment would be of limited use to Western Australia due to the broad nature of such a report. Information provided would not be sufficiently detailed to make the report of particular use and value for ongoing land use planning at the micro level within the State. However, such a national report would be useful for the provision of broad based knowledge on the Western Australian environment.

**206.** On the other hand the State commented that the report would be a distinct advantage to Western Australia and other States in that it may be seen as forming the nucleus of a data bank which may gradually expand to encompass more detailed information and thereby become a valuable source of readily accessible environmental data. As far as Western Australia is concerned a comprehensive report on the national environment being prepared by the Department of Home Affairs and Environment possesses attributes which should be viewed as potentially advantageous in the long term.

**207.** The Western Australian Government believes that ultimately it would be of benefit for the statistical report to contain descriptive commentary but initially this comment should be restricted to the national level. State collaboration on the Australian Environmental Statistics Project should be carried out under the aegis of the Australian Environment Council.

**208.** The South Australian Government has supported the Australian Environmental Statistics project from its inception since it believes that present environmental information is collected in a fragmented and inconsistent way by many agencies of various governments. It recognises that long term policy planning is dependent on an information base which reveals trends, and that ideally the data base is sufficiently detailed and up to date to provide adequate input to management decisions. It also recognises that it is a costly and time consuming exercise to collect much of the information that is required for environmental management.

**209.** The South Australian Government therefore supports the work being done by the Department of Home Affairs and Environment and the Victorian Government in attempting to define a national environmental statistics framework. This framework

will provide a consistent basis for all States to use in collecting data which is often being taken now in a different format and is therefore not as useful as it could be.

**210.** The South Australian Government recognises that the Commonwealth often has a need to report to various international organisations on questions relating to the state of the environment in Australia and offers its cooperation in providing what data it has to the Commonwealth for this purpose. Similarly the Commonwealth often becomes involved in interstate discussions relating to environmental quality and management and needs to have access to data that is consistent from State to State. For these reasons the South Australian Government believes that the Commonwealth Department of Home Affairs and Environment is the appropriate body to define an environmental statistics program and to collect the data taken by the States and collate it in the agreed format. Reports detailing previous data should be published by the Commonwealth on a regular basis and made freely available. The South Australian Government notes that the Australian Environmental Statistics project has been nominated by the Commonwealth Government to carry out this work.

**211.** The Queensland Government advised that in its view there are more urgent priorities than the production of national reports and the collection of environmental statistics to which resources would need to be allocated. It advised that Australia is quite different from the majority of countries presently practising national reporting on the state of the environment. With Australia's relatively low population, clearly defined urban/industrial centres remote from each other in a regional sense and the enormous variation in geographic and climatic settings, a national reporting system could do nothing more than string together a great deal of environmental information of little, if any, usefulness to any particular State or Territory once compiled. The Queensland Government advised that if data were required for any particular aspect, for example air quality, it is now readily accessible for all significant areas by simply contacting the relevant State or Territory agency responsible for the collection of such data.

**212.** The Queensland Government firmly believes that the cost of establishing an organisation or of expanding existing organisations to report on the state of the Australian environment is not justified at the present time and available funds should be directed to the solution of the well-documented environmental problems. Queensland recognises that the Commonwealth sometimes finds it necessary to compile reports for international bodies. In such instances the States, through the Australian Environment Council, are ready to provide assistance.

### **Conclusions**

**213.** During this and previous inquiries the Committee received considerable evidence on the lack of data available in Australia to enable sound environmental decisions. The Committee believes that the Australian Environmental Statistics Project is the first significant attempt to assemble and disseminate environmental data on a national basis. While noting that a number of States, individuals and organisations are concerned about the lack of data available and supported the Commonwealth's environmental statistics project, the Committee acknowledges that the Queensland Government is opposed and some organisations are less than enthusiastic about some of its aspects.

**214.** According to the ABS the only approach which has been made requesting environmental data has been from the Department of Home Affairs and Environment, although the Bureau commented that data requested by others could have been used for environmental purposes. The Queensland Government doubted that the project would be of use and believed resources could be better used elsewhere. The Committee is particularly concerned that limited resources be allocated to those areas of most need.

The project could duplicate the information already published in Commonwealth and State Year books, as well as other publications.

**215.** The Committee acknowledges the meaningful objections of the Queensland Government and notes in particular the comment that data is available and freely exchanged between various agencies in each State and Territory. However, the Committee cannot ignore the comment of the New South Wales Government that information is collected in a manner that often makes it difficult for organisations within New South Wales and even within various sections of an individual agency to reach meaningful and useful decisions because of the varying methods of collection, storage and presentation. The Environmental Statistic Project could, in part, assist in overcoming these problems.

**216.** The Queensland Government believes that Australia does not experience the environmental problems of Western Europe, North America or Japan and it is not valid to use the approaches of these countries as a justification for the introduction of environmental reporting in Australia.

**217.** The Committee does not accept that changes in environmental conditions are fully known or understood in Australia at present. Changes have occurred and continue to occur since European settlement of Australia. Vast areas of land have been cleared for agriculture. Natural resources are being exploited and there are extensive pressures on coastal areas caused by urban and industrial development. Properly collected and presented statistics enable comparisons over time and will ensure that problems are identified and that proper remedies can be taken.

**218.** Although there were objections to the project the Committee supports its continuation. The initial task is to develop a framework which will use data which is already available, but which is not readily accessible or currently presented in a usable form. The Committee believes that if better use is made of the vast amount of statistics available, a more effective use of resources will result. Accordingly, the Committee recommends that:

**the Australian Environmental Statistics Project be allocated the necessary resources to enable its completion.**

**219.** It is apparent that the study will concentrate on the collection of statistics related to the physical or natural environment. While it is important to be aware of the impact of man on the natural environment it is equally important to be able to determine the effect on man, particularly human health, of changes in the natural environment. In order to assess the influence on health of such factors as the use of agricultural sprays, industrial emissions and contamination of water supplies, regional data on the incidence of birth defects, cancer and other epidemiological data need to be available. The Committee considers it essential that the Australian Environmental Statistics Project be expanded to include these statistics. Accordingly, the Committee recommends that:

**the Minister for Home Affairs and Environment direct his Department to include social (particularly human health) statistics in the Australian Environmental Statistics Project.**

**220.** The former Department of Science and the Environment advised that a decision as to whether further statistical reports on the state of the Australian environment should be produced will be made following the publication of the first report. The Committee believes that the statistical report is potentially the most significant environmental document yet to be produced in Australia. It is important because it is not project specific and can be applied to the whole range of environmental issues. While the first report may need to be modified in some ways, statistical reports on the state of the Australian environment should be published on a regular basis. In addition, to help overcome the problems of lack of data the statistical report should clearly identify those

areas where additional statistics are required. This report should be tabled by the Minister in the Parliament. The Committee recommends that:

**a statistical report on the state of the Australian environment be produced on a regular basis and that report be tabled in the Parliament by the Minister for Home Affairs and Environment.**

221. Central statistical agencies overseas are generally responsible for the publication of environmental data. The Australian Bureau of Statistics has had little previous involvement in the organisation of statistics specifically from an environmental perspective. While the Committee would expect a close collaboration with ABS it believes that the publication of the statistical report, at least for the time being, should be the responsibility of the Department of Home Affairs and Environment.

222. The Australian Conservation Foundation supported the publication of a statistical report but considered that the project should be developed to produce a report which contained commentary as well. ACF cited the United States Council on Environmental Quality Report as an ideal model.

223. The Council of Environmental Quality reports annually on the state of the American environment. The report is extensive and contains many hundreds of pages of commentary. It includes major events for the year including introduction of legislation, major pollution incidents and results of national and international conferences. An extensive section of the report comments on conditions and trends in areas such as air and water quality, environmental health, energy and population. Appendix 9 contains a table of contents of a typical Council of Environmental Quality Report.

224. The Committee agrees that a similar report prepared by the Department of Home Affairs and Environment should be produced in Australia. Accordingly, the Committee recommends that:

- **the Australian Government adopt as a matter of policy the production, at regular intervals, of a comprehensive state of the environment report; and**
- **the report be tabled in the Parliament by the Minister for Home Affairs and Environment.**

225. It is recognised that some States may be reluctant to provide data which could lead to State by State comparisons. It is only with the cooperation of the States that a report as comprehensive as the Council of Environmental Quality's Report could be produced. The Committee believes that this is a matter which should be discussed by the Australian Environment Council as early as possible. Accordingly, the Committee recommends that:

**the Minister for Home Affairs and Environment at the earliest opportunity seek State co-operation through the Australian Environment Council in the production of a comprehensive state of the environment report.**

226. The Committee notes with concern that in comparison with the majority of countries in the OECD, availability of national environmental data in Australia is poor. Every effort should be made to overcome these shortcomings to ensure that Australia is recognised as a responsible member of the international community in the area of environment and conservation.

(J.C. HODGES)  
*Chairman*

September 1981

**DISSENT BY MR HOWE, DR JENKINS AND MR WEST**

1. Pursuant to Paragraph 18 of the Committee's Resolution of Appointment we add this dissent to the Committee's report.
2. The Report does not address fully the concept of Commonwealth involvement in natural areas of national and international significance. The term 'national park' is used throughout Australia to designate areas protected under Commonwealth, State or Territory conservation legislation. Apart from Uluru, Kakadu, the Great Barrier Reef and a park on Christmas Island, all are administered by State or Territory Governments.
3. We firmly believe that some areas of national and international significance should be administered by the Commonwealth as truly 'National' national parks under Commonwealth legislation. A distinct advantage of such a system would be recognition of the national status of these areas. Areas so declared would be likely to receive more appropriate resources, and to be administered and protected in the national interest, free from purely local or State pressures. We would envisage only a small number of these parks, but that as a group they would represent outstanding areas of Australia's natural heritage.
4. In the following paragraphs we refer specifically to those sections of the Report with which we disagree.
5. The statement in paragraph 41 asserts that Section 18 of the Australian National Parks and Wildlife Act may cause conflict with the States. We cannot accept this as being the case. Section 18 allows ANPWS to assist Aboriginals with conservation of the wildlife and landforms on land occupied by Aboriginals. However, this section can be invoked only after agreement has been reached with the owners of the land. The State Minister for Aboriginal Affairs must agree to such measures before the Director of ANPWS can carry out management on State land.
6. We reject the assertion of Western Australian Government officials that this section permits the intrusion of the Commonwealth into areas that are traditionally State responsibilities. This section is designed to allow the Commonwealth to assist Aboriginals to preserve the land they live on if the States are unable or unwilling to carry out this function.
7. The Western Australian Government is known for its opposition to Aboriginal land rights and their criticism of Section 18 may stem from their refusal to acknowledge the basic right of Aboriginals to own their traditional lands. It is noted that no other States were critical of this section of the Act.
8. No amendment to Section 18 is necessary and accordingly we dissent from paragraphs 41 and 42 of the report.
9. We fully endorse the Committee's view in paragraph 51 that Commonwealth owned land in the States should be appropriately protected under the National Parks and Wildlife Conservation Act, but do not accept that ANPWS staff should be totally excluded from on ground management activities as is implied in the recommendation contained in paragraph 51. Clearly if a small area of Commonwealth land adjoins a State national park it would be administratively sensible for State rangers to be involved in its management. However, to exclude ANPWS personnel from all land would deny them the opportunity to gain valuable on ground experience. Little conflict should arise with the States as only Commonwealth land for which there is a continuing Commonwealth use would be involved.

10. Paragraphs 127 to 141 of the Report relate to the declaration of the Great Barrier Reef Region as a marine park under the Great Barrier Reef Marine Park Act.

11. We agree with the Committee's conclusion that no oil drilling should be allowed in the Region. However it is absurd to allow the Queensland Government to have control over a 5 km wide strip off the coast and around Queensland islands and emergent reefs and assume that it would not allow any oil exploration or drilling in these waters.

12. Queensland has consistently opposed and delayed the declaration of the Marine Park and the Queensland Premier is on record as recently as 3 July 1981 as saying that there were large areas in the reef region where there was no coral and where authorities said oil mining would do no damage.

13. The Ministerial Council established by agreement between the Prime Minister and the Queensland Premier which gives Queensland a veto over park declaration is simply a means to formalise Queensland intransigence and delay further park declaration.

14. By its passage of the Petroleum (Submerged Lands—Miscellaneous Amendments) Act which will open up petroleum exploration and drilling in the Coral Sea right up to the border of the Region and its handing over of control of the Territorial Sea in the Region to Queensland, the Federal Government is encouraging a pincer movement of oil exploration which places the reef at great risk.

15. While any portion of the reef region is not protected as a marine park then all of the reef is at risk. The reef ecosystem does not end arbitrarily at the edge of the 5 kilometre territorial sea but extends to the shoreline and is influenced greatly by coastal land use, water runoff and other factors. Many reefs are located within 5 kilometres of the coast and must be protected, yet the Queensland Government has repeatedly opposed their inclusion in the proposed sections of the Park. An oil well blowout of the magnitude of Ixtoc 1 in the Gulf of Mexico in June 1979 would pollute more than 1000 kilometres of coral reefs and coastline.

16. It is essential to protect the entire Great Barrier Reef Region from oil drilling and exploration. Therefore we recommend that:

- the area described in the schedule of the Great Barrier Reef Marine Park Act 1975 be immediately declared a marine park under section 31 of the Act.

17. Under the Act mining is the only activity which is prohibited in the Park. Activities such as dredging for harbours could be allowed in the Park subject to proper environmental conditions which would be outlined in a plan of management.

18. The Great Barrier Reef is part of Australia's and the World's heritage and we cannot allow it to be threatened by parochial and vested interests.

19. We disagree with the Committee's conclusions and recommendations relating to the management of Uluru National Park contained in paragraph 155 of the report. We firmly believe that the Australian National Parks and Wildlife Service should maintain control of the Park. We see no justification for handing over control of an existing Commonwealth national park which is of national and international significance. We believe that ANPWS should be even more directly involved in the management of the Park than it is at present. Accordingly, we recommend that:

- the Commonwealth Government maintain full management control of Uluru National Park; and
- the extent of involvement of Northern Territory Government officials in the management of the Park be a matter for the Australian National Parks and Wildlife Service to determine.

20. We note that the report recommends that management arrangements for Kakadu National Park should not be changed at least until the Plan of Management is reviewed in 5 years. While we recognise that any plan of management for a park may need to be modified after some time, we oppose any review which would change Kakadu's status

as a Commonwealth park or would in any way diminish the role of ANPWS in its management.

B. L. HOWE

H. A. JENKINS

S. T. WEST

## LIST OF WITNESSES

AGNEW, Mr C. J.	Manager of Mines, Alcoa of Australia Limited, Kwinana
ALFREDSON, Mr I. D.	Member of the Legislation Committee of the Queensland Chamber of Mines, Brisbane
ANDERSON, Mr D. W.	First Assistant Statistician, Economic Censuses and Surveys Division, Australian Bureau of Statistics, Canberra
ANDREWS, Mr G.	Assistant Chief Planner, Heritage and Conservation, New South Wales Planning and Environment Commission, Sydney
ATTWOOD, Ms A. P. J.	Co-ordinator, Environment Action Group, Women's Electoral Lobby, Adelaide
BARKER, Q.C., Mr I. M.	Member, Northern Territory Conservation Commission, Darwin
BARTHOLOMAEUS, Mr W. N.	Executive Member, Conservation Council of Western Australia Inc. and Campaign to Save Native Forests (Western Australia), Perth
BOLTON, J. C., Lt-Col.	Senior executive Officer (Environment), Defence Facilities Division, Department of Defence, Canberra
BOURKE, Mr M.	Director, Australian Heritage Commission, Canberra
BOURNE, Ms E.	Co-ordinator, Queensland Conservation Council, Brisbane
BOWEN, Mr B. K.	Director, Department of Fisheries and Wildlife, Perth
CALVERT, Mr R. G.	Acting First Assistant Secretary, Environment Protection Division, Department of Environment, Housing Community Develop Development, Canberra Assistant Secretary, Proposals Assessment Branch, Department of Science and the Environment, Canberra
CASSIN, Mr K.	Administrator, Corporate Affairs Division, Victorian Chamber of Manufacturers, South Melbourne
CHALLEN, Mr R. H.	Member, Environmental Committee, Australian Coal Association, Sydney
COLE, Mr D. A.	Honorary Secretary, Conservation Council of South Australia Incorporated, Adelaide
CONNELL, Dr D. W.	School of Australian Environmental Studies, Griffith University, South Melbourne
CORNISH, Mr P. C.	Acting Director, National Parks and Wildlife, Department for the Environment, Adelaide
CRAWFORD, Dr P. J.	Acting First Assistant Secretary, Department of Environment, Housing and Community Development, Canberra
CROOK, Mr R. D.	Executive Director, Petroleum Institute Environmental Conservation Executive, Australian Institute of Petroleum Ltd, Melbourne
DENT, Mrs E.	Member, Women's Electoral Lobby, Adelaide
DULLEY, Mr J. E.	Assistant Statistician, Agriculture, Transport and Construction Branch, Australian Bureau of Statistics, Canberra
DUNK, Mr W. P.	Assistant Director (Assessments), Ministry for Conservation, East Melbourne
ECCLES, Mr P. B.	First Assistant Secretary, Coastal Services Division, Department of Transport, Canberra



ELENIUS, Mrs E.	Project Officer, Nature Conservation Council of New South Wales, Sydney
FREEMAN, Mr W.	Chief Executive Officer, Australian Chemical Industry Council, South Melbourne
GAWAN-TAYLOR, Mr M.	First Assistant Secretary, Strategic Planning and Resource Allocation Division, Department of Transport, Canberra
GILES, Mr M. D.	Assistant Statistician, Demography and Social Branch, Bureau of Statistics, Canberra
GILPIN, Dr A.	Assistant Director, Environment Control, State Pollution Control Commission, Sydney
GRANO, Mr T. A.	Solicitor, Consultant to Murphyores Incorporate Pty Ltd, Brisbane
HARDY, Mrs B. R.	Seacliff, S.A.
HARE, Mr W.	Media Officer, Campaign to Save Native Forests, Perth
HENRY, Mr R. J.	School of Australian Environmental Studies, Griffith University, Nathan
HIGGS, Mr H. J.	Director of Environment, Department of Science and the Environment, Canberra
HILL, Mr D. G.	Deputy Director, Australian Conservation Foundation, Melbourne
HILL, Mr M. A.	Assistant Director, Australian National Parks and Wildlife Service, Canberra
HOLLICK, Dr M. F. G.	Kalamunda, W.A.
HUGGETT, Mr J. W. E.	Senior Assistant Secretary, Airport Planning and Development Branch, Department of Transport, Canberra
HUNT, Mr P.	Assistant Secretary, Defence Facilities Division, Policy Development Branch, Department of Defence, Canberra
INGLIS, Mr G. R.	Director, Projects and Assessment, Department for the Environment, Adelaide
JAMES, Mr P. C.	Deputy Director, National Trust of Australia (New South Wales), Sydney
JENKINS, Mr C. F. H.	President, National Parks Authority of Western Australia, Nedlands
JOHNSTONE, Mr D. A.	Director, National Parks and Wildlife Service, Sydney
KELLEHER, Mr G.	Chairman, Great Barrier Reef Marine Park Authority, Canberra
LENNON, Ms J. L.	Senior Planning Officer, Ministry for Conservation, East Melbourne
LETTS, Dr G. A.	Chairman and Director, Northern Territory Conservation Commission, Alice Springs
LEWIS, Dr J. W.	Member of the Environmental Committee of the Queensland Chamber of Mines, Brisbane
LITTLEWOOD, Mr G. E.	Member of the Environmental Committee of the Queensland Chamber of Mines, Brisbane
LOWRY, Mr I. B.	Legal Officer, Australian Paper Manufacturers Ltd, South Melbourne
MCCABE, Mr R. J.	Chairman, Queensland Conservation Council, Brisbane
McKENRY, Dr K.	Head, Environmental Statistics Section, Environmental Studies Branch, Department of Science and the Environment, Canberra

McRAE, Dr D.	Assistant Secretary, Environment Studies Branch, Department of Science and the Environment, Canberra
MATTHEWS, Mr N. R.	Assistant Secretary, Road Projects Branch, Department of Transport, Canberra
MOLESWORTH, Mr S. R.	Member of the Executive Committee, Conservation Council of Victoria, Melbourne Chairman, Environmental Law Section, Law Institute of Victoria, Melbourne
MOSLEY, Dr J. G.	Director, Australian Conservation Foundation Inc., Melbourne
MUIR, Mr R. K.	Director, Rail Branch, Department of Transport, Canberra
MURPHY, Mr W.	Managing Director, Murphyores Incorporated Pty Ltd, Brisbane
MURRAY, Mr P. J.	Chairman, Environmental Committee, Australian Coal Association, Sydney
NORMAN, Dr N. E.	Chairman, Environment Committee, Victorian Chamber of Manufacturers, South Melbourne Chief Chemical Engineer, Australian Paper Manufacturers Ltd, South Melbourne
OVINGTON, Prof. J. D.	Director, Australian National Parks and Wildlife Service, Canberra
PARKES, Mr B. J.	Member of the Industrial Environment Committee and the Automotive Emissions Committee, Petroleum Institute Environmental Conservation Executive, Australian Institute of Petroleum Ltd, Melbourne
PATERSON, Mr K. F.	Assistant Director, Technical, Australian Mining Industry Council, Canberra
PORTER, Mr C. F.	Director, Department of Conservation and Environment, Perth
PRATTEN, Mr C. H.	Chairman, Nature Conservation Council of New South Wales, Sydney
REEVES, Ms A. E.	Member, Women's Electoral Lobby, Adelaide
REEVES, Mr P. R.	Councillor, Conservation Council of South Australia Inc., Adelaide
RICHMOND, Mr T. J. P.	Acting Assistant Director, Australian National Parks and Wildlife service, Canberra
RUTHERFORD, Mr J. A.	Member, Environmental Law Section, Law Institute of Victoria, Melbourne
SIBLY, Mr J. M.	President, Conservation Council of South Australia Inc., Adelaide
SIMPSON, Mr G.	Member of the Queensland Legislative Assembly for the seat of Coorooora
SINCLAIR, Mr J.	President, Fraser Island Defenders Organisation Ltd, Maryborough
SOMERVILLE, Mr J. G.	Treasurer, Nature Conservation Council of New South Wales, Sydney
STEVENS, Dr P. R.	School of Australian Environmental Studies, Griffith University, Nathan
STOCK, Mr E.	President, Australian Littoral Society (Member Body of the Queensland Conservation Council), St. Lucia
SWARTZ, Mr G. L.	Deputy Director, Ministry for Conservation, East Melbourne

TEDDER, Mr J. L. O.	Executive Director, Conservation Council of South Australia Incorporated, Adelaide
TEMBY, Mr A. L.	Member of the Industrial Environment Committee and the Automotive Emissions Committee, Petroleum Institute Environmental Conservation Executive, Australian Institute of Petroleum Ltd, Melbourne
THOMPSON, Mr K.	First Assistant Secretary, Environmental Division, Department of Science and the Environment, Canberra
WALKER, Mr R. N.	General Secretary, Australian Council of National Trusts, Sydney.
WALLIN, Mr K. C.	Executive Officer, Environmental Committee, Australian Coal Association, Sydney.
WILLCOX, B. A., Lt-Col. RANR.	Member, Environmental Committee, Australian Coal Association, Sydney.
YENCKEN, Mr D. G. D.	Chairman, Australian Heritage Commission, Canberra.

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- (1) Includes witnesses whose evidence related only to the Committee's First Report. In addition the Committee received written advice from each State Government and Commonwealth Government departments on matters relevant to this report.

## LIST OF EXHIBITS

1. MURPHYORES INCORPORATED PTY LTD  
extract 'Fraser Island Environmental Inquiry Final Report—Findings October, 1976'.
2. MURPHYORES INCORPORATED PTY LTD  
'Aboriginal Land Rights—An Opportunity to Contribute—Mining Review, April 1978'.
3. MURPHYORES INCORPORATED PTY LTD  
'Fraser Island Environmental Inquiry—a Critique'.
4. VICTORIAN STATE GOVERNMENT  
'Guidelines for Environment Assessment and Environment Assessment Act 1978'.
5. PETROLEUM INSTITUTE ENVIRONMENTAL CONSERVATION EXECUTIVE
  - (a) 'Oil Industry Environmental Costs and the Consumer'.
  - (b) 'Environment, Resource and Energy Conservation: Lead in Petrol'.
  - (c) Reprint of a Paper Presented at a Technical Conference of The Institution of Engineers, Australia, Townsville 1976.
  - (d) Hydrocarbon Vapour Emission Survey in the Sydney Basin Area.
  - (e) Comments by Australian Institute of Petroleum Ltd on Proposed Amendments to Clean Air Regulations of the State Pollution Control Commission of NSW (SPCC) April 1978.
  - (f) Effect of Proposed Legislation on the Gasoline Marketing Industry.
  - (g) 'Energy Conservation and Exhaust Gas Filter Developments 1978'.
6. PETROLEUM INSTITUTE ENVIRONMENTAL CONSERVATION EXECUTIVE  
'Final Report on the Economic Impact of Environmental Regulations on the Petroleum Industry—Phase II Study'.
7. COMMONWEALTH GOVERNMENT DEPARTMENT OF DEFENCE  
'Triad'—Autumn 1979 No. 13.
8. NEW SOUTH WALES STATE GOVERNMENT
  - (i) An Assessment of Photochemical Smog in the Sydney Region.
  - (ii) Environmental Impact Assessment of Flood Mitigation Works and Dams.
  - (iii) Principles and Procedures for Environmental Impact Assessment in New South Wales: Environmental Standard EI-4.
  - (iv) Annual Report of the State Pollution Control Commission: For the year ended 30 June 1978.
  - (v) Australia's 100 Years of National Parks.
  - (vi) 1978 Annual Report — National Parks.
  - (vii) The Heritage Act, 1977.
  - (viii) Two advertisements by the State Pollution Control Commission of NSW dated 19 October 1977 and 20 December 1977.
9. DEPARTMENT OF SCIENCE AND THE ENVIRONMENT
  - (a) Australian Environmental Statistics Available at a National or State Level—A Preliminary Compilation.
  - (b) Human Activity and the Environment.
10. GREAT BARRIER REEF MARINE PARK AUTHORITY
  - (a) Great Barrier Reef Marine Park Capricornia Section—Zoning Plan—April 1980.
  - (b) Great Barrier Reef Marine Park Capricornia Section—Understanding the Zoning Plan—April 1980.
11. NORTHERN TERRITORY GOVERNMENT
  - (a) Correspondence and Documents regarding Commonwealth and Northern Territory Policies towards Northern Territory National Parks—1976-1980.

- (b) Northern Territory Communications and Position Papers regarding Kakadu—  
December 1979–May 1980.
12. NORTHERN TERRITORY GOVERNMENT  
Comments on plan and management for Kakadu National Park.
  13. NORTHERN TERRITORY GOVERNMENT  
Discussion Paper on lease agreement between Australian National Parks and Wildlife Service and the Northern Land Council.
  - 14A. NORTHERN TERRITORY GOVERNMENT  
Lease agreement between the Australian National Parks and Wildlife Service and the Northern Land Council.
  - 14B. NORTHERN TERRITORY GOVERNMENT  
Memorandum of Lease.
  - 14C. NORTHERN TERRITORY GOVERNMENT  
Proposed Northern Territory Land Rights Legislation.
  15. NATIONAL PARKS AND WILDLIFE SERVICE  
News Release on Ayers Rock—Mt Olga National Park.
  16. NATIONAL PARKS AND WILDLIFE SERVICE  
Letter from ANPWS to NT Conservation Commission on Operational Expenditure.
  17. NATIONAL PARKS AND WILDLIFE SERVICE  
*Question in NT Legislative Assembly from Mr Perkins to Chief Minister.*
  18. NATIONAL PARKS AND WILDLIFE SERVICE  
Aboriginal Housing Uluru National Park.
  19. NATIONAL PARKS AND WILDLIFE SERVICE  
Letter from Central Land Council concerning Aboriginal Housing.
  20. NATIONAL PARKS AND WILDLIFE SERVICE  
Press statement of 24 June 1980 concerning Aboriginal Housing.
  21. NATIONAL PARKS AND WILDLIFE SERVICE  
Information Paper on the Establishment and Development of the Township of Jabiru.
  22. NATIONAL PARKS AND WILDLIFE SERVICE  
Various papers relating to the development of Jabiru.
  23. NATIONAL PARKS AND WILDLIFE SERVICE  
*Letter from Jabiru Town Development Authority relating to dog control.*
  24. NATIONAL PARKS AND WILDLIFE SERVICE  
Media release on Kakadu National Park and Jabiru.
  25. NATIONAL PARKS AND WILDLIFE SERVICE  
Correspondence relating to Fisheries Management.
  26. NATIONAL PARKS AND WILDLIFE SERVICE  
Correspondence relating to botanical survey.
  27. NATIONAL PARKS AND WILDLIFE SERVICE  
Correspondence from the Education Department of NT relating to a field study of Kakadu.
  28. NATIONAL PARKS AND WILDLIFE SERVICE  
Chronology of events re Kakadu National Park.

**RESEARCH, INVESTIGATIONS AND SURVEYS FUNDED BY  
AUSTRALIAN NATIONAL PARKS AND WILDLIFE SERVICE 1979-80**

<i>Project</i>	<i>Consultant</i>	<i>Chief Investigator</i>
<b>Queensland</b>		
Ecology and conservation of dugong	James Cook University of North Queensland	Dr G. E. Heinsohn
Fauna Survey of McIlwraith Range	Queensland National Parks and Wildlife Service	Dr J. Winter
<b>Queensland/New South Wales</b>		
Red Kangaroo, arid zone studies	Dr N. Denny	Dr N. Denny
Ecology and physiology of the cane toad	University of New England	Dr E. van Beurden
<b>New South Wales</b>		
Kosciusko National Park preparation of data base	National Parks and Wildlife Service of New South Wales	Dr S. R. Kessell
<b>Victoria</b>		
Ecology of feral cats	Department of Crown Lands and Surveys	Dr B. Coman
<b>Tasmania</b>		
Investigation of short-tailed shearwaters in Tasmania	Tasmanian National Parks and Wildlife Service	Dr I. Eberhard
<b>Western Australia</b>		
Survey of humpback whales off Carnarvon, Western Australia	Trustees of the Western Australian Museum	Mr J. L. Bannister
Survey of southern right whales off the southern coast of Western Australia	Trustees of the Western Australian Museum	Mr J. L. Bannister
Analysis of the biological status of the stock of sperm whales taken off Albany, Western Australia	Trustees of the Western Australian Museum	Mr J. L. Bannister
<b>Northern Territory</b>		
Conservation and management problems of the rock art of Kakadu National Park associated with nest building wasps and termites	CSIRO	Dr I. Naumann
Archaeological research, Kakadu National Park	Australian National University	Sterring committee
Survey of aboriginal art sites, Kakadu National Park	Museums and Art Galleries Board of the Northern Territory	Mr G. Chaloupka
Survey of animal ecology in the Kakadu National Park	University of Queensland	Dr J. Kikkawa
Reconnaissance survey of tidal wetlands—Kakadu National Park	Queensland Conservation Council	Mr E. Hegerl
Survey of estuarine fish—East Alligator River	CSIRO	Dr G. Murphy
Aerial survey of saltwater crocodile nesting habitat in the Alligator Rivers Region	University of Sydney	Dr G. Grigg
Floristic inventory of Kakadu National Park	CSIRO	Dr Hj. Eichler
Selective photography of the plants and vegetation of Kakadu National Park	CSIRO	Mr C. Totterdell
Effects of differing fire regimes on the vegetation and soils in the Kakadu National Park	CSIRO	Mr P. Cheney

<i>Project</i>	<i>Consultant</i>	<i>Chief Investigator</i>
	<b>Australia</b>	
Survey of endangered Eucalypts	Prof. L. D. Pryor	Prof. L. D. Pryor
Investigation of field study centres in Australia	Kurringai College of Advanced Education	Mrs J. B. Webb
Economic evaluation of national parks	Australian National University	Prof. S. Harris
Field Atlas of Distribution of Australian Birds	Royal Australasian Ornithologists Union	Dr S. Davies
A survey of public attitudes to national parks	Australian National University	Mr J. W. Bennett
Survey of humpback and southern right whales off the Australian East Coast	Australian Museum	Dr W. H. Dawbin
Survey of humpback whales off Southern Queensland and northern New South Wales	University of Queensland	Dr M. M. Bryden

*Source:* Australian National Parks and Wildlife Service

## MARINE AREAS OF CONSERVATION SIGNIFICANCE

(other than the Great Barrier Reef)

### **Coral Sea Islands Area**

Commonwealth responsibility, areas of considerable importance as representative coral reef habitats isolated from mainland influence and surrounding islands of significance to marine sea bird and turtle conservation.

### **South West Tasmania**

Area of importance as representative of cold temperate marine habitat.

### **Lord Howe Island**

Most southerly eastern Australian coral reef area, of importance because of presence of temperate and tropical components in marine fauna and flora.

### **Norfolk Island**

Of similar importance to Lord Howe in that the fauna and flora are mixed temperate and tropical species, with some endemics, in an area isolated from mainland influences.

### **Heard and MacDonald Islands, Australian Antarctic Territory**

Marine systems in these areas and in waters off the Australian Antarctic Territory are much less diverse than the temperate and tropical systems elsewhere on the Australian coastline and representative areas should be delineated and protected.

### **Ningaloo Reef Tract, North West Shelf, Western Australia**

The Ningaloo Reef Tract is an Indian Ocean fringing coral reef along an arid and fragile part of the coast. The area is potentially one of the most accessible coral reefs on the mainland coast and the only major mainland fringing coral reef.

### **Abrolhos Islands, Western Australia**

The Abrolhos group are the most southerly western extent of coral reef formation and provide habitats similar to that in the east of Lord Howe area, except that western temperate and Indian Ocean tropical faunas and floras intermix.

### **Christmas Island, Ashmore and Cartier Reefs and Cocos Keeling Areas**

These areas are important tropical Indian Ocean areas, isolated from mainland influences with some degree of endemism present on the fauna and flora.

### **Shark Bay, Western Australia**

Some of the hypersaline areas of Shark Bay contain the only Australian examples of stromatolites, important algae concretions considered to be representative of some of the earliest marine systems. The Shark Bay examples are of international significance, as there are very few areas in the world where conditions permitting stromatolite growth still pertain. The area also has considerable importance from a dugong conservation view.

### **Wessell Islands, Northern Territory**

The Wessell Islands are an island chain extending from the Arnhem land coast into the Arafura Sea and are an important coral reef habitat. There is, however, little recent information on their marine fauna and flora.

### **Sir Edward Pellew Islands, Northern Territory**

Areas in the Sir Edward Lett Pellew Group are important dugong habitat and are representative of Gulf of Carpentaria Marine habitats.

### **Wellesley Islands, Queensland**

Similar considerations apply to these as to the Sir Edward Pellew Group.

### **Dampier Archipelago Sloping Point/Mt Burrup Peninsula**

An area on the western end of the inner North-west Shelf which would provide a varied series of inshore marine habitats. Tidal range is less than that further to the west and the area would provide a good representation of mainland coastal and inshore island marine habitats ranging from sand to mangrove areas and rock and coral reefs.



Possible impacts on these habitats from major development of port facilities at Dampier would have to be carefully assessed.

**Macquarie Island**

The island was proclaimed as a Sanctuary in 1933 and as a Nature Reserve in 1972 under the Tasmanian National Parks and Wildlife Act 1970. The marine flora and fauna are subantarctic and have affinities with Kerguelen. Large algae, especially *Durvillea* and *Macrocystis* are an important component, with red algae, sponges, hydroids and hyozoans also important. The fish community is much less diverse than that in southern Tasmania.

Protection of the adjacent marine areas would extend the protection already applied to the island itself, would provide additional safeguards for the sea birds, elephant seals and for seals using the island for breeding and resting and would protect a significant example of subantarctic marine flora and fauna.

*Source:* Australian National Parks and Wildlife Service.

**RESEARCH AND STUDIES FUNDED BY THE GREAT BARRIER REEF MARINE PARK  
AUTHORITY 1979-80**

<i>Project</i>	<i>Researcher</i>	<i>Objective</i>
1. Curriculum Materials Project	Mr B. Armour, Townsville College of Advanced Education	Produce education resources material in the Great Barrier Reef for general use by upper primary school students and teachers
2. Green Island Economics Study	Mr R. O'Hara, Mr M. Gobbings, Cameron, McNamara & Partners Ltd	To evaluate the existing and alternative uses of Green Island and its reef as a tourist/recreational resource
3. Benthos (Coral Baseline) Survey of reefs in the proposed second section of the marine park	Great Barrier Reef Marine Park Authority	A survey of coral communities to assess their distribution within the proposed second section of the marine park
4. Coral Trout Surveys in Capricornia	Great Barrier Reef Marine Park Authority	Refinements of diving survey technique and conduct of surveys at Capricorn and Bunker reefs to determine state of coral trout populations
5. Boat Ramp surveys in Capricornia	Great Barrier Reef Marine Park Authority	Surveys at boat ramps adjacent to the Capricornia Section to determine catch, effort and economic information about Reef fishing by people using their own boats
6. Zoning Strategy Study	Ms D. Anderson and Mr D. Pitts, Environment Sciences and Services	Prepare zoning strategies for the Capricornia Section including: - inventory of existing data, usage impacts and constraints developments of, and comparisons between, alternative strategies
7. Economic Analysis of Commercial and Recreational Fishing in Capricornia	Mr G. McDonald, Griffith University	Accurately identify the economic value of the Great Capricornia fishery, using information on monetary value of Reef fish catches, fishing effects, investment and cost structure
8. Benthos (Coral Baseline) Survey of Capricornia	Great Barrier Reef Marine Park Authority	Completion of a survey of coral communities to assess their distribution within the Capricornia Section
9. Analysis of Coral Baseline Data	Dr T. Done, James Cook University of North Queensland	Refine existing programs and methods for producing computer maps and produce maps collating the available coral baseline survey data
10. Refinement of Coral Baseline Methodology	Dr T. Done, James Cook University of North Queensland	Refine coral baseline and monitoring methodologies, analyse coral survey data and develop a classification of major reef community types
11. Amateur Fishing Study	Great Barrier Reef Marine Park Authority	Assess, through the analysis of amateur fishing club catch records, the population fluctuations of reef fish stocks and the possible impact of fishing on these stocks
12. Geomorphological Study of Capricorn and Bunker Reefs	Dr P. Davies, Bureau of Mineral Resources	Develop a classification of reefs, according to their age, which would be of use in reef management
13. Evaluation of LANDSAT	Great Barrier Reef Marine Park Authority and CSIRO	Assess use of LANDSAT imagery, facilitate large scale surveys of coral growth and monitor the condition of reefs

<i>Project</i>	<i>Researcher</i>	<i>Objective</i>
14. Ground Truth Evaluation	Ms D. Kuchler, James Cook University	Investigate the usefulness of LANDSAT imagery and aerial photography as remote sensing methods for small scale survey of coral reef communities
15. Engineering Properties of Coral Reef Platforms	Dr H. Bock, James Cook University	A preparatory study towards the probably construction of artificial platforms on exposed reefs for use as research outposts, navigational aids and tourist facilities
16. Scientific advice on three areas along the Great Barrier Reef	Great Barrier Reef Committee	Provide scientifically based reports on the physical and biological resources of three areas of the Great Barrier Reef: <ul style="list-style-type: none"> <li>- between Lizard Island and Innisfail;</li> <li>- off Townsville;</li> <li>- the Swain Reefs;</li> </ul> and identify current and appropriate usage of these areas.
17. Reef Region Data Base Review—1946-1980	Australian Travel Industry Association, Brisbane	Review and analyse the growth or decline of the tourism industry sector servicing the Great Barrier Reef Region
18. Research and Planning of Information Facilities on the Great Barrier Reef	Cameron, McNamara & Partners Ltd	Assess the type of programs and facilities required in the Great Barrier Reef Region using the Whitsunday area as an example; and the role which various public and private organisations should play in an integrate information/education facility
19. Reef Tourism Attitudinal and Economic Assessment Study	Unisearch Pty Ltd	Assess the attraction and/or competitiveness of the Great Barrier Reef, coast and hinterland to holiday makers at a selection of sites in the Great Barrier Reef Region, coastal islands and the mainland

Source: Great Barrier Reef Marine Park Authority.

## AVAILABILITY OF DATA

		Countries															
		Australia	Canada	United States	Japan	Germany	Belgium	Denmark	Finland	France	Greece	Norway	Netherlands	United Kingdom	Sweden	Switzerland	Turkey
<i>Tables</i>																	
<b>Land</b>																	
I:	Major physical characteristics of land use	P	C	C	C	C	C	C	C	C	C	C	C	C	C	P	—
IIA:	Land use (selected critical zones)	P	P	C	P	P	P	P	—	C	—	P	P	C	P	P	—
IIIB:	Land use—Conservation of natural areas and protection of landscape	P	C	C	C	P	C	C	C	C	P	C	C	P	P	—	P
III:	Selected land use transformation	P	P	C	P	—	P	P	—	—	—	P	C	P	P	—	—
IV:	Use of fertilisers and quality of the soil	P	P	C	C	P	P	C	C	C	—	P	C	C	C	P	C
<b>Noise</b>																	
I:	Percentage of population exposed to daytime traffic noise exceeding various noise levels	—	—	C	—	P	P	P	—	C	P	C	P	C	P	P	—
II:	Number of people exposed to various noise levels around airports	—	C	C	C	P	P	C	C	C	—	C	C	C	P	P	—
III:	Number of complaints about noise	—	—	P	C	—	P	P	—	P	P	P	P	C	—	—	—
<b>Hazardous substances and/or contaminants</b>																	
I:	Commodity balance of selected hazardous substances	C	C	C	C	—	C	P	—	C	—	P	C	C	C	—	P
II:	Selected samples of concentration of contaminants	—	C	C	P	—	C	—	—	P	—	—	P	P	C	—	—
III:	Incidence of accidental spills and leakages	—	—	C	P	—	P	P	—	C	—	P	P	P	P	—	—
<b>Air</b>																	
I:	Annual emissions of air pollution in 1965, 1970, 1975 (million tonnes) (by source and pollutant)	C	C	C	P	C	P	P	C	C	C	C	C	P	C	P	P
II:	Annual concentrations of air pollution in selected urban areas and industrial areas by pollutants in 1965, 1970, 1975 (mg/m <sup>3</sup> )	P	C	C	C	—	C	P	—	C	P	C	C	C	C	P	P
III:	Percentage of national population exposed to outdoor concentrations of air pollution in excess of specified levels	—	C	C	P	—	C	—	—	P	—	P	P	C	C	P	P

<b>Water</b>																	
I:	Annual withdrawal of water (million m <sup>3</sup> ) by category of users, in 1965, 1970, 1975	P	C	C	C	C	P	C	P	C	C	P	C	C	P	—	P
II:	Capacity of waste water treatment plants by nature of treatment, in 1965, 1970, 1975	P	P	C	C	P	P	P	P	P	—	C	P	C	—	—	
III:	Annual emissions of water pollutants by sources and treated pollution in 1965, 1970, 1975	P	P	C	P	P	P	P	P	P	P	C	C	P	—	—	
IV:	Annual mean concentration and concentration in low flow conditions in selected rivers	—	C	C	C	C	C	—	—	C	—	—	C	P	—	—	
<b>Solid waste</b>																	
I:	Amount of solid waste generated by municipalities, industries and mining	—	P	C	P	P	C	P	C	C	P	P	C	C	C	—	—
II:	Disposal methods	P	C	C	C	C	C	P	C	C	P	P	C	C	C	—	P
<b>Coastal zones</b>																	
I:	Length of coastlines and populations in coastal zones in 1965, 1970 and 1975	P	P	P	—	—	C	C	C	C	—	—	C	—	C	—	C
II:	Coastal land use (in %) in 1950 and 1975	—	—	P	—	—	C	—	—	—	—	—	—	—	—	—	C
IIIA:	Annual direct emissions of pollutants into the sea from the coastal settlements	—	C	P	—	—	P	—	C	P	—	—	P	—	P	—	—
IIIB:	Annual direct emissions of pollutants into the sea from rivers and streams in 1965, 1970 and 1975	—	—	—	—	—	P	—	P	P	—	—	—	—	P	—	—
<b>Natural resources</b>																	
I:	Forests	P	C	C	C	—	C	C	C	C	—	C	C	C	C	P	—
II:	Fish	P	C	C	C	—	C	—	C	P	—	P	C	C	C	—	—
III:	Minerals	—	C	C	C	—	—	—	—	C	—	P	P	C	P	—	—
IV:	Fossil fuels	P	—	C	C	P	C	—	—	P	—	—	C	C	C	C	—
<b>Wildlife</b>																	
I:	Population and habitat	—	P	C	—	C	P	—	P	C	—	P	C	C	C	P	—
II:	List of protected, threatened and extinct species	C	C	C	C	C	C	—	C	C	—	P	C	C	C	P	C
III:	Game reserves	—	C	C	P	P	C	—	C	C	—	C	—	P	P	P	P
IV:	Hunting and fishing	—	C	C	P	P	C	—	C	C	—	P	P	C	C	—	P

C = Complete or nearly complete data

P = Partial data

— = No data

Source: Department of Science and the Environment

## OVERSEAS NATIONAL STATE OF THE ENVIRONMENT REPORTS

<i>Country</i>	<i>Title of publication</i>	<i>Years</i>	<i>Legislative arrangements</i>	<i>Responsible agency</i>	<i>Scope and nature</i>
Canada	Human Activity and the Environment	1978		Statistics	Presentation of statistical series detailing human activities which have a potential for imposing stress on the natural environment within a thematic framework related to the environment
Finland	Environmental Statistics	1973, 1977		Central Statistical Office	Contains two parts of almost equal length: a text section appraising the state and development of the environment and a section with supplementary data arranged under three major headings: (i) Natural environment (ii) Man-made environment (iii) Special questions relating to the environment
France	'Environment et Cadre de Vie' 2 Volume	1974, 1978		Ministry of Culture and Quality of Life	Substantial statistical report covering a wide area of environment, housing, and selected socio-cultural activities e.g. leisure
Germany, Federal Republic of	Environmental Protection Section of National Statistical Yearbook	1977	Law on Environmental Statistics of 15 August 1974		Waste disposal—water supply and waste water treatment
Hungary	Collection of Environment Statistics, 1975	1975		Central Statistical Office	Five major headings: (i) Land and soil (ii) Water economy (iii) Main factors influencing the state of the air and meteorological conditions (iv) Inhabited places (v) Health and accidents
Japan	Quality of the Environment in Japan	1969-77	Annual report to Diet (House of Parliament)	Environment Agency	Outline of the present state of the environment, which represents both the product of past environmental policies and the starting point for future administrative resources. It further analyses environmental problems from the viewpoints of regional conditions and environmental administration at the local level. The various problems encompassed by the economic impact of pollution control expenditures and by the development and application of preventive technology are also discussed

Netherlands	General Environmental Statistics	1974-76	Central Bureau of Statistics	Major headings: (i) Area, soil and climate (ii) Population (iii) Housing (iv) Outdoor recreation (v) Agriculture (vi) Land development and water management (vii) Industrial production (viii) Traffic and transport (ix) Finances/economics (x) Emissions (xi) Concentrations (xii) Treatment and storage of refuse (xiii) Concentrations in food intake by population (xiv) Natural environment (xv) Public health (xvi) Standards
Norway	Environmental Statistics	1976	Central Bureau of Statistics	Designed primarily for those who require a broad review of the various statistical areas involved, and thus may be regarded as a volume of environmental indicators. The volume covers Population, Air, Water, Area and soil, Plants, Animals, Food, Bedrock and deposited energy, Emissions and recycling, Noise and natural disasters
Poland	Environmental Protection	1975		Six major headings: (i) Water economy and pollution and protection of water (ii) Industrial air pollution and protection of the air (iii) Industrial and municipal wastes (iv) land use hazards and protection of soil (v) Forests and other areas of special environmental values, hazards and protection (vi) Hygiene and control of the state of the environment
Poland	Environmental Protection and the Water Economy	1976		
Poland	Compendium of Statistical Indicators (categories) for Planning and Management Purposes of Environmental Protection	1976		Six major headings: (i) Water resources, water economy and water protection (ii) Air pollution and air protection (iii) Land and soil protection (iv) Forests and other fields of special environmental value, hazards and protection (v) Industrial and municipal wastes (vi) Conditions of environmental health
Sweden	Year Book of Environmental Statistics	1975-77		Four major headings: (i) Background information (ii) Factors affecting the environment (iii) The state of the environment (iv) Environmental protection
United Kingdom	Digest of Environmental Statistics	1976	Department of the Environment	Brings together statistics relating to environmental protection and conservation under these major headings: (i) Air (ii) Water (iii) Land and waste disposal (iv) Conservation (v) Background and related tables.

Country	Title of publication	Years	Legislative arrangements	Responsible agency	Scope and nature
United States	Environmental quality	1970-77	National Environmental Policy Act of 1969 Annual report of the Executive Office of the President to Congress	Council on Environmental Quality	Best single source of information on environmental conditions and policies. Seven major headings: (i) Air quality (ii) Water quality (iii) Environmental health (iv) Energy (v) Non-renewable resources (vi) Population and human Settlements (vii) Economics



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