

27 August 2024

Tanya Plibersek
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

cc. Minister for Trade and Tourism Senator the Hon Don Farrell

RE: Nature Positive and Sustainable Tourism in National Parks and Marine Parks

Dear Ms Plibersek,

Thank you for providing me with the opportunity to consult with staff from your office last week. I am writing to seek further timely detailed discussions with the Department of Climate Change, Energy, the Environment and Water (DCCEW) staff regarding the Nature Positive Plan and proposed stages of legislative and regulatory change to the Environment Protection and Biodiversity Conservation (EPBC) Act.

Sustainable Nature-Based Tourism

Sustainable nature-based tourism provides opportunities for the public to appreciate and enjoy Australia's unique natural and cultural heritage. Unlike extractive industries, sustainable tourism supports these natural and cultural values while providing for economic and employment opportunities for local communities, particularly in regional Australia. Importantly, sustainable nature-based tourism can provide economic and employment opportunities for Aboriginal communities on country.

Because sustainable nature-based tourism typically operates in areas of high environmental and cultural heritage values, such as National Parks, these operations may fall under the jurisdiction of the EPBC Act. Sustainable tourism operations are typically small-scale operations on public land, therefore lack the revenue and profitability of extractive industries.

Due to the small scale of sustainable tourism operations, they lack the capacity to deal with the cost, inefficiency, complexity and unpredictability of dual and unnecessary State Government and Federal Government approval processes. This has the unintended impact of preventing sustainable tourism, which would otherwise support the values that the EPBC Act seeks to protect while still providing sustainable employment outcomes for Australians.

Sustainable Tourism in National Parks and Marine Parks

The Australian Tourism Industry Council strongly supports the expansion of protected areas such as National Parks and Marine Parks on public land and waters. Protected areas actively maintain our natural and cultural heritage and preserve these assets for future generations to enjoy.



Nature-based tourism provides access to our natural and cultural heritage, reduces the cost to government of providing safe access and is one of the few activities that can sustain employment in protected areas.

Protected areas are the responsibility of State Governments for land and asset ownership, management, conservation and regulation. Each State Government has ‘national park’ legislation which:

- Reserves land and waters in public ownership and management.
- Reserves land and waters in appropriate IUCN categories from wilderness areas to national parks and recreational reserves.
- Establishes a management plan for each reserve to sustain the environmental and cultural heritage values of the areas and provide for appropriate visitor access and enjoyment.
- Implements the management plan to achieve the objective of the protected area reservation including planning, conservation, land use and infrastructure and facilities.
- Provides for public facilities e.g. roads and lookouts and leasing and licencing of sustainable tourism businesses to operate in parks.

ATIC contends that it is the ‘national park’ legislation in each State which delivers the environmental management outcomes for these areas which are consistent with the objectives of the EPBC Act. While the EPBC Act can potentially override or veto State Government decisions in protected areas, it cannot provide the asset ownership and management needed to preserve the natural and cultural heritage values and visitor access of these areas.

Proposed National Park Legislation Accreditation

ATIC proposes that decisions under State ‘national park’ legislation be accredited or exempt under a revised EPBC Act to reduce duplication and complexity which is undermining State Government and tourism industry investment in protecting these assets and creating sustainable visitor access and jobs.

This accreditation or exemption would apply to the following Acts:

- New South Wales – National Parks and Wildlife Act 1974
- Tasmania - National Parks and Reserves Management Act 2002
- Victoria – National Parks Act 1975
- South Australia – National Parks and Wildlife Act 1972
- Queensland – Nature Conservation Act 1992
- Western Australia – Conservation and Land Management Act 1972.

This proposal is consistent with the intention of the Nature Positive Plan to be “better for the environment and better for business”. Reducing duplication and complexity in protected area management would provide “faster, clearer environmental approval decisions [which would] assist economic growth, increase employment and support a greater capacity to invest in environment and

social priorities,” as recommended in the Independent Review of the EPBC Act undertaken by Professor Graeme Samuel AC and published in 2021.

Consultation Sought

ATIC is seeking urgent consultation with appropriate DCCEEW staff to examine the Nature Positive legislative reform stages and the potential positive or negative impact on sustainable tourism, particularly in national parks and protected areas.

Please feel free to contact me on (08) 9416 0700 or ehall@tourismcouncilwa.com.au should you wish to discuss this matter further.

Yours sincerely,



Evan Hall
Chair
Australian Tourism Industry Council