

## 4 Corporate overview



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## The Minister

Prior to the Australian Federal Election of 24 November 2007, the Hon Malcolm Turnbull MP was Minister for the Environment and Water Resources. Following the election, as a result of a change in government, the Hon Peter Garrett AM MP was appointed as Minister for the Environment, Heritage and the Arts on 3 December 2007.

Ministerial responsibilities in relation to the Director of National Parks include: the approval of proposals for establishment of Commonwealth reserves and conservation zones under the EPBC Act; approval of management plans for Commonwealth reserves; establishment and appointment of members of boards of management for Commonwealth reserves jointly managed with Aboriginal owners; resolution of disputes between the Director and boards of management, and approval of Commonwealth reserve use fees and other charges.



*Hon Peter Garrett AM MP at Namadgi National Park (an ACT government reserve), where he announced a \$180 million investment to accelerate the extension of Australia's National Reserve System. Minister Garrett is pictured here with Ngambri-Ngunnawal elder Matilda House Williams, who offered a traditional Welcome to Country at the launch, DEWHA graduate employee Clive Freeman and Matilda's granddaughter Krystal House.*

## The Director of National Parks

The Director of National Parks is a corporation sole established under Division 5 of Part 19 of the EPBC Act, and a Commonwealth authority for the purposes of the *Commonwealth Authorities and Companies Act 1997* (CAC Act). The corporation has a single director—the person appointed to the office named the Director of National Parks. The current office holder is Peter Cochrane.

The EPBC Act requires the Director to perform functions and exercise powers in accordance with any directions given by the Minister, unless the Act provides otherwise. Up to 30 June 2008 the Minister could also notify the Director under the CAC Act of general Government policies that are to apply to the Director (from 1 July 2008 such a direction is given by a General Policy Order issued by the Minister responsible for the CAC Act).

The EPBC Act provides for the proclamation and management of Commonwealth reserves and conservation zones. The term 'Commonwealth reserve' includes all the areas proclaimed under the EPBC Act with names such as national parks, marine parks, national nature reserves, marine national nature reserves, marine reserves and botanic gardens. This report generally uses the term 'reserves' to encompass all parks and reserves under the EPBC Act.

The Director of National Parks is responsible under the EPBC Act for the administration, management and control of Commonwealth reserves and conservation zones. The locations of the Commonwealth reserves and conservation zones are shown at Figures 1 and 2.

The Director is assisted by staff members of Parks Australia, a division of the Department of the Environment, Water, Heritage and the Arts. In 2007–08, under delegation from the Director, staff of the Australian Antarctic Division of the Department managed the Heard Island and McDonald Islands Marine Reserve while staff of the Marine Division managed the remaining Commonwealth reserves established in Commonwealth marine areas.

In this report, reference to Parks Australia refers to the Director of National Parks and Parks Australia staff members.

### Functions

The Director is responsible for the administration of Divisions 4 and 5 of Part 15 of the EPBC Act (Commonwealth reserves and conservation zones) and Regulations made for the purposes of those divisions. The functions of the Director as set out in subsection 514B(1) of the EPBC Act are:

- to administer, manage and control Commonwealth reserves and conservation zones
- to protect, conserve and manage biodiversity and heritage in Commonwealth reserves and conservation zones



- to contribute to the protection, conservation and management of biodiversity and heritage in areas outside Commonwealth reserves and conservation zones
- to cooperate with any country in matters relating to the establishment and management of national parks and nature reserves in that country
- to provide, and assist in the provision of, training in the knowledge and skills relevant to the establishment and management of national parks and nature reserves
- to carry out alone or in cooperation 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 Commonwealth reserves
- to make recommendations to the Minister in relation to the establishment and management of Commonwealth reserves
- to administer the Australian National Parks Fund
- any other functions conferred on the Director under any other Act
- to do anything incidental or conducive to the performance of any of the functions mentioned above.

### Other responsibilities

The current holder of the office of the Director of National Parks has been delegated functions and powers by the Minister for the Environment, Heritage and the Arts and the Secretary of the Department of the Environment, Water, Heritage and the Arts for programs that complement the Director's statutory functions. Parks Australia staff members administer these programs.

Under these delegations, the Director administered the National Reserve System Program and the Indigenous Protected Areas Program, both funded by the Natural Heritage Trust. These program outputs are reported in the annual reports of the Natural Heritage Trust and the Department of the Environment, Water, Heritage and the Arts. Under section 45 of the *Natural Heritage Trust of Australia Act 1997* the Director has been delegated the power to approve proposals to spend moneys within the meaning of the *Financial Management and Accountability Act 1997* in relation to the Natural Heritage Trust Reserve, to the limit of program funds approved by the Minister.

The Director also manages the Australian Biological Resources Study, and the development of Australian Government policy on management of Australia's genetic resources and the administration of Part 8A of the EPBC Regulations that regulates access to such resources in Commonwealth areas. Outputs of both programs are reported in the Department's annual report.