AGRICULTURE AND ENVIRONMENT COMMITTEE

Members present:

Ms JR Howard MP (Chair)
Mr SA Bennett MP
Mrs J Gilbert MP
Mr LP Power MP
Mr R Katter MP
Mr EJ Sorensen MP

Staff present:

Mr R Hansen (Research Director)
Dr M Lilith (Principal Research Officer)

PUBLIC BRIEFING—NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL 2015

TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, 11 NOVEMBER 2015

Brisbane

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Committee met at 9.05 am

CHAIR: Welcome, ladies and gentlemen. I declare this meeting of the Agriculture and Environment Committee open. I acknowledge the traditional owners of the land on which this meeting is taking place today. My name is Jennifer Howard, the chair of the committee and the member for Ipswich. Other committee members are Stephen Bennett, the member for Burnett and the deputy chair; Julieanne Gilbert, the member for Mackay; Ted Sorensen, the member for Hervey Bay; and Linus Power, the member for Logan. We are expecting to be joined by Robbie Katter, the member for Mount Isa, but he is not here as yet.

These proceedings are being transcribed by our parliamentary reporters and broadcast live on the parliament of Queensland's website. The purpose of this meeting is to assist the committee in its examination of the Nature Conservation and Other Legislation Amendment Bill 2015. The bill was introduced by the Hon. Steven Miles, the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef, on 27 October and subsequently referred to the committee. The committee is due to report back to the parliament by 5 February 2016 and the report will help the parliament when it considers whether the bill should be passed. I remind everyone that the bill is not law until it has been passed by the parliament. Today the committee will be briefed by officers from the Department of National Parks, Sport and Racing.

CARPENTER, Mr Justin, Manager, Resource Sector Regulation, Department of Environment and Heritage Protection

FEELY, Mr Alan, Deputy Director-General, Economic Participation, Department of Aboriginal and Torres Strait Islander Partnerships

KLAASSEN, Mr Ben, Deputy Director-General, Queensland Parks and Wildlife Service, Department of National Parks, Sport and Racing

TRSTENJAK, Mr David, Principal Policy Officer, Queensland Parks and Wildlife Service, Department of National Parks, Sport and Racing

CHAIR: Welcome. Would you care to make a brief opening statement?

Mr Klaassen: We have a briefing pack that we would like to run through for the committee to explain the various provisions in the bill, so if you are comfortable with me doing that I was proposing to do that for about 15 minutes and then we will have some questions from the committee.

CHAIR: That would be great.

Mr Klaassen: Thank you very much for the opportunity to come and brief the committee and thank you to my colleagues from the other departments who have some other amendments in the bill which we will touch on later.

Amendments contained in the bill are primarily intended to reverse changes made to the Nature Conservation Act 1992, the Recreation Areas Management Act 2006 and the Marine Parks Act 2004 which occurred in 2014 and 2013. The amendments fall into five key areas and relate to matters that are inconsistent with the current government's commitments and priorities for the protected area estate. For the purposes of this briefing, the protected area estate includes certain lands and waters that the Queensland Parks and Wildlife Service has a role in managing. This includes regional parks, forest reserves and all classes of national parks under the Nature Conservation Act, recreation areas under the Recreation Areas Management Act and marine parks under the Marine Parks Act. Amendments are also being made to the Land Act 1994, which is administered by the Department of Natural Resources and Mines. These amendments are required to reverse changes to that legislation which can impact on the management of some terrestrial areas of the protected area estate.

I will now provide more detail about each of the five key areas of the amendments. The first will complete a priority task identified in the portfolio priority statement for the national parks portfolio. This requires an amendment to the Nature Conservation Act to reinstate the conservation of nature as the sole object of the act. The current object of the Nature Conservation Act includes additional matters beyond the conservation of nature. Examples of these matters include references to the social, cultural and commercial use of protected areas and the involvement of Indigenous people in the management of protected areas in which they have an interest. Removing these additional matters from the object is not anticipated to have any adverse impacts because they are already provided for in other areas of the act. Section 5 of the Nature Conservation Act outlines how the object of the act is to be achieved—for example, requiring that the use of protected areas is to be ecologically sustainable. This applies generally to all types of uses including any social, cultural and commercial uses and also provides that the use must be consistent with the values of the class of protected area in which it occurs. This is supported by other provisions in the legislation which provide for the granting of leases, agreements, licences, permits and other authorities for these types of uses within protected areas.

Another example in section 5 provides for the recognition of the interests of Aboriginal and Torres Strait Islanders in protected areas and their cooperative involvement in the conservation of nature. Section 6 of the act also provides that the act is to be administered in consultation with and having regard to the views and interests of Aborigines and Torres Strait Islanders. Section 20 also provides that national parks (Cape York Peninsula Aboriginal land) are to be managed in a way that is consistent with any Aboriginal tradition applicable to the area.

Section 17 outlines the management principles for national parks, stating that a national park is managed to provide for a number of matters including, amongst other things, to provide opportunities for ecotourism in a way consistent with the area's natural and cultural resources and values. All of these provisions existed prior to the object being amended in 2013. These provisions will remain in place and are unaffected by the bill.

Removing the reference to involving Indigenous people in the management of protected areas from the object of the act does not detract from these existing provisions. It will not restrict or prevent the exercise of native title rights or impact on any joint management arrangements the Queensland Parks and Wildlife Service has in place with Indigenous people. Reinstating the conservation of nature as the sole object of the Nature Conservation Act will provide clarity around the primary purpose of the act. It will allow the conservation of nature to take precedence over all other competing aspects of the act including, for example, the social, cultural and commercial use of protected areas.

The second group of amendments relates to reinstating three former classes of protected area under the Nature Conservation Act and their associated management principles. This will provide clarity around the different uses and management approaches that apply to the different areas. The first is the former national parks (scientific) class, which was amalgamated with the national parks class of protected area. National parks (scientific) have special values that lend themselves to research and scientific purposes. There are nine national park areas that were formerly national parks (scientific). Transitional provisions in the bill will provide that all of these areas will be reinstated as national parks (scientific). Currently these areas are national parks with special management area (scientific) declared over them. The management principles associated with the special management area (scientific) results in these areas having additional protections when compared to other national parks. The declaration and removal of a special management area is an administrative power available to the chief executive. If the special management area was removed, the additional management principles and protections would cease to apply. When reinstated, it will only be possible to downgrade a national parks (scientific) to a lower class of protected area through a resolution of parliament.

The other two former classes of protected area being reinstated are conservation parks and resources reserves. These classes of protected area were amalgamated into a new class called regional park. This has caused some confusion around the use of regional parks because they can be used for different purposes, depending on whether a resource use area has been declared over the park or not. Reinstating resources reserves and conservation parks and their associated management principles will provide a clear distinction between the two areas. Resources reserves have a lower level of protection than conservation parks because the management principles allow for the controlled use of natural resources. This allows for activities such as mining and the extraction of quarry material on resources reserves which are not consistent with the management principles of a conservation park. Transitional provisions in the bill will provide that all regional parks will be reinstated as either conservation parks or resources reserves.

Approximately 47 regional parks will be reinstated as resources reserves and 227 regional parks will be reinstated as conservation parks. It is not anticipated that reinstating these classes of protected area and the former management principles will have any adverse impacts including on any trustees, joint managers or authority holders associated with these areas. So if someone is currently conducting a tour in a regional park and it changes to a conservation park, there will be no impact on that tour operator. They can continue to do their business exactly the same as they are now.

To remove any doubt around that, the transitional provisions in clause 30 of the bill provide that a change in class does not affect instruments applying to an area even if the use authorised is not consistent with the management principles of the reinstated class of protected area. Further transitional provisions will also protect existing interests in these areas by allowing any references to the current classes in a document such as a contract or any other legal instrument to be taken to be a reference to the new class of protected area.

The bill will remove provisions that will become redundant as a consequence of reinstating the three former classes of protected area and their associated management principles. This includes provisions that allow special management area (scientific) to be declared over national parks and provisions that allow resource use areas to be declared over regional parks. All provisions relating to reinstating the three former classes of protected area are proposed to commence on 1 July 2016. This will align with the reporting period for the annual report on the administration of the Nature Conservation Act 1992 and will allow seamless reporting on each class of protected area next financial year. Having these provisions commence on 1 July 2016 rather than on assent is also required so that consequential amendments can be made to subordinate legislation to update all relevant terminology following passage of the bill.

The third area of amendment in the bill will simply remove section 173S from the Nature Conservation Act. This section contains redundant provisions that allowed stock grazing permits for drought relief to be granted on six prescribed national parks until December 2013. The provisions are incompatible with the government's commitment to ensure that the protected area estate is managed in accordance with the cardinal principle for the management of national parks. The cardinal principle is to provide to the greatest possible extent for the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values. The provisions expired in December 2013, and all 13 permits that were granted under these provisions have also expired.

The fourth group of amendments will remove an exemption that effectively allows management plans under the Nature Conservation Act, Marine Parks Act and Recreation Areas Management Act to be amended without public consultation if amendments relate to a change in state government policy. Management plans outline the future direction for the use and management of an area. Draft management plans are subject to extensive consultation and generally reviewed after 10 years through a transparent process involving public consultation. The current provisions potentially allow significant amendments to be made to management plans without considering the views of the local community which is not consistent with the current government's commitments that focus on consultation and consensus to achieve the best outcomes for Queenslanders.

The fifth group of amendments will amend the Land Act through reverting approximately 81 rolling term leases for agriculture, grazing or pastoral purposes within areas defined under the Land Act as nature conservation areas and specified national parks back to term leases. Nature conservation areas and specified national parks are two existing terms defined in the Land Act. Collectively these include regional parks, forest reserves and all classes of national park that the Queensland Parks and Wildlife Service has a role in managing. The amendments do not affect the vast majority of leases for agriculture, grazing or pastoral purposes which are located on state forests, of which there are approximately 755 leases, and rural leasehold land, of which there are approximately 1,800 leases. So people who have rolling term leases on those tenures will not be affected by this bill. It is just the 81 that are on the protected area estate.

Converting these authorities to rolling term leases has created the perception that they are perpetual leases, which is not considered appropriate for uses that may be inconsistent with the management principles of national parks, regional parks and forest reserves. Reverting rolling term leases in these areas to term leases will mean that any applications to renew the lease will only be assessed after 80 per cent or more of the term of the lease has expired, rather than at any time within the last 20 years of the term, which is currently the case for rolling term leases. This will allow decisions to be based on contemporary information. Returning to the former decision-making framework will allow the government to consider a broader range of matters when deciding whether

a use authorised by a lease should continue or not. As was previously the case, a decision to refuse the renewal of a term lease will not be subject to appeal unless the decision was based on the applicant not fulfilling the conditions of the lease.

While the consequences of reverting rolling term leases within the nature conservation areas and specified national parks to term leases may raise some concerns around fundamental legislative principles, the amendments are justified on the basis that they will provide a more appropriate framework to allow the government to meet its election commitment to ensure that the protected area estate is managed in accordance with the cardinal principle. Reverting to term leases will not impact on the remaining term of the lease, the conditions of the lease or any uses authorised by the lease.

Targeted consultation was undertaken with native title representative bodies and other key stakeholders in relation to these five groups of amendments. Consultation included a combination of face-to-face meetings, teleconferences and letters. The department met with representatives from the Wildlife Preservation Society of Queensland, the Queensland Tourism Industry Council, Tourism Events Queensland, AgForce, the National Parks Association of Queensland and Queensland South Native Title Services; held teleconferences with Cape York and Carpentaria land councils; and sent letters to the Australian Petroleum Production and Exploration Association and the Queensland Resources Council. Although a draft bill was not available at the time of consultation, the department outlined the five proposals and no concerns were raised about the amendments contained in the bill. However, Queensland South Native Title Services did ask if the explanatory material for the bill could indicate that the amendments to the object of the act were not intended to restrict or prevent the exercise of native title rights. This has been included on page 3 of the explanatory notes.

I will now briefly outline two other amendments contained in the bill. The first involves amendments to the Aboriginal Land Act 1991 that have been proposed by the Department of Aboriginal and Torres Strait Islander Partnerships. Section 174 of the Aboriginal Land Act expedites the conversion of certain protected areas into national parks (Cape York Peninsula Aboriginal land) by deeming the land through regulation to be transferable land. Currently, section 174 of the Aboriginal Land Act has the effect of making all national parks on Cape York Peninsula transferable land, but the section does not apply to other classes of protected area under the Nature Conservation Act.

The state is currently negotiating with the Aboriginal traditional owners, with the assistance of the Cape York Land Council and Balkanu Cape York Development Corporation, about the conversion of two regional parks to national park (Cape York Peninsula Aboriginal land). Amendments to the Aboriginal Land Act will streamline the process to make this happen by bringing regional parks within the scope of section 174 of the Aboriginal Land Act. These amendments are required to deliver the Cape York Peninsula Tenure Resolution Program, which has the dual functions of returning land ownership to Aboriginal traditional owners and protecting the outstanding natural and cultural values of Cape York Peninsula and jointly managing national parks (Cape York Peninsula Aboriginal land). Alan Feely from the Department of Aboriginal and Torres Strait Islander Partnerships will respond to any questions you have in relation to these amendments, which are contained in part 3 of the bill.

The second unrelated amendment is an amendment to the Environmental Protection Act 1994 proposed by the Department of Environment and Heritage Protection. The Environmental Protection Act 1994 was amended in 2013 to implement green-tape-reduction changes. Those changes included a provision that stops mining operators from being able to apply for an environmental authority under the current eligibility criteria and codes of environmental compliance for mining activities on 31 March 2016. As a result, new eligibility criteria and standard conditions, collectively referred to as ERA standards, for these lower risk mining activities need to be developed before that date.

The Department of Environment and Heritage Protection began developing new ERA standards for mining activities in early 2015 and has identified that it would be beneficial to extend the 31 March 2016 expiry date. This is because the existing ERA standards have been in place since 2001, and the department's view is that certain requirements need to be updated to reflect contemporary environmental management approaches. It is important that sufficient time is available to engage in an open and transparent process of consultation with affected stakeholders to test and ensure the merit of updating requirements and better ensure the practicability and effective implementation. To achieve this, the bill proposes the expiry date be extended by 12 months, to 31 March 2017.

Should the amendment not proceed and new mining ERA standards are not made by 31 March 2016, the streamlined approval process provided for by ERA standards will not be available for new smaller scale mining projects. This would mean that every new smaller scale mining project applied for after 31 March 2016 will need a detailed site-specific application until the new ERA standards can

be developed. As a result, significant and unnecessary delay costs and process requirements will be placed on proponents who are seeking an environmental authority to carry out these mining activities. Justin Carpenter from the Department of Environment and Heritage Protection will respond to any questions you have in relation to this amendment, which is contained in part 4 of the bill. That concludes my briefing. I am happy to take questions from the committee.

CHAIR: Thanks very much, Ben. Are there any questions?

Mr BENNETT: Mr Klaassen, I want to ask about the management plans issues that are contained in this bill. There are two parts to my question. There is a percentage of the estate that is under management plans now, and the plans we have should continue the management plan process into the future. When do we think we might get 80 per cent of our parks under management plan control, if you like?

Mr Klaassen: At the moment we operate with what are called management instruments, which can be either a management plan or a management statement. All national parks, with the exception of a few jointly managed national parks, have a management instrument, which is either a management plan or a management statement. We are working through to ensure that all regional parks will have a management instrument as well. Also, we are currently going through a process to prioritise our parks to work out what are those with the higher outstanding values that require a management plan. A park like Fraser Island, for instance, which has outstanding values, has an older management plan which will be reviewed at some stage. We are going through a process to identify which are suited to management plans and which are suited to management statements, and if one has a management statement but needs a management plan then there will be a process to review that over the next two to three years.

Mr BENNETT: To clarify, all of our estates have some sort of management instrument or management plan currently in place?

Mr Klaassen: All national parks.

Mr BENNETT: But our protected estates do not?

Mr Klaassen: I think the deadline was 30 June 2015 to have all regional parks with a management instrument. We achieved that, so pretty much the protected area estate has a management instrument.

Mr BENNETT: In your briefing, Mr Klaassen, you talked about commercial activities that are currently allowed under strict environmental protection. I believe you were at the estimates hearing when we mentioned that there were only two being reviewed by the department at the time about suitability under the new government's framework. Are you able to allude to whether under this bill, which is what we are talking about today, commercial activities will be allowed to continue in these protected estates?

Mr Klaassen: Are you referring to ecotourism specifically or to commercial activities generally?

Mr BENNETT: There are a whole heap of commercial activities. Ecotourism is one part of it.

Mr Klaassen: I will address it in two parts. Ecotourism remains in the act. That section of the act has not been amended. There is a new ecotourism implementation framework, which was released at DestinationQ in October. That sets out the government's broad approach on ecotourism which is that it is allowed to continue provided it is consistent with the principles of the act and the ecotourism projects are environmentally sustainable and give regard to the actual values of the park. There is no outright plan to say ecotourism is not going ahead, so that is pretty much still there.

In terms of the day-to-day commercial tourism operators that operate across parks—there are hundreds of those that are in place at the moment—they are unaffected by the bill. Their authorities will remain as they currently stand, and they can continue to operate in exactly the same way as they are at this point in time. So there are no impacts for tourism operators as a result of what is in this bill.

Mr KATTER: I am not sure to whom to address this question. There is a national park in my electorate where I heard that they switched the artificial water back on. It was found that there was birdlife that was benefitting from this. It is such an arid area. I found this very interesting. There are a lot of what were originally thought to be artificial environments or ecosystems but a lot of people have interpreted them as a positive contribution to the ecosystem or the area. Does that concept play a role in what you are doing here?

It is a grey area that I have really never had any certainty on. As most people would be aware, there was no surface groundwater in most of my electorate initially. Not much life was sustained at all. With the establishment of artesian bores 150 years ago, ecosystems have been created. This is very much a part of these parks. I heard that in one of those parks the water had been switched back on some years ago. I would like to have some feedback on that. Is that addressed in this bill?

Mr Klaassen: That issue is not covered in the bill. There are other management principles that govern what is acceptable and what is not acceptable in a national park. This part does not touch on those. I am aware of a couple of instances during the drought where people have been looking for alternative water sources and have been looking at national parks as a potential avenue for that. The legislative framework is very difficult.

Mr KATTER: That is not what I was alluding to, though. I was not referring to that. It was not because people were putting livestock in there or anything. It was an established national park that was clear of livestock.

Mr BENNETT: I refer to the sort of issue that the member for Mount Isa is raising. Given the current cardinal principle that has been talked about by the new government and referred to in the bill, it would not support artificial water on a national park, I would not have thought?

Mr Klaassen: That would not be supported by the current management principles.

Mr BENNETT: So what the member for Mount Isa is saying is that those bores would be turned off in those national parks under the cardinal principle of management instruments?

Mr Klaassen: The bores can be used for the purposes of managing the park. Where it becomes difficult is if an external party wishes to access the water and transport it off the park for their own private purposes. That is not consistent with the object of the act. If, as the park manager, we determine that we need to access the bore for the purposes of managing the park then that is appropriate.

Mr KATTER: That is the grey area for me. Nothing survives out there without groundwater. Initially there were no kangaroos, pigs or whatever else out there. Now it sustains life. We now have birds. A lot of people would see that as an enhancement of the environment. If the troughs or dams that are fed by the bores are not there, that has nothing to with livestock or people taking the water; it purely affects whatever ecosystems have established themselves around the water. I am really interested in the answer because I do not know. Does that apply in some areas or is that taken into consideration?

Mr Klaassen: Our general approach is to let the natural environment take its course. That is very difficult in times of drought. We do not have a lot of resources to be putting in artificial watercourses and bores, particularly in remote areas where we do not have staff. We would only look at it if it were a very specific species that was going to be threatened or there was some particular issue that required us to consider it from a management perspective. It is possible, but it is not something we do very regularly.

Mr SORENSEN: The explanatory notes say that the cost to government is going to come out of existing departmental allocations. Can you explain that a little more?

Mr Klaassen: There are not any significant costs to the department in implementing the amendments. The only one that potentially has some cost associated with it is signage—that is, changing the names. We have a rolling signage program and we actually had not completed changing all the names from 'conservation park' to 'regional park'. Some of signs will still be okay. The costs are not significant and can be met from within the existing departmental budget allocation. We are not looking for any additional money to implement what is in this bill.

Mr POWER: So not changing it might actually be a cost saving?

Mr Klaassen: In some cases, yes.

CHAIR: There was some talk of compensation for some of the farmers who were using the national parks for drought relief, was there not, or did I make that up?

Mr BENNETT: It ceased in 2013.

CHAIR: From December 2013.

Mr BENNETT: 2013 was the last time national parks were used for emergency grazing. That is correct, is it not?

CHAIR: I thought there was some compensation?

Mr Klaassen: No, there was no compensation for those graziers. They were given the opportunity to have their cattle on for a defined period of time—

Mr BENNETT: Christmas 2013.

Mr Klaassen:—which they used and were appreciative of. Then they moved the cattle out and have found alternative arrangements. It was purely a permit that allowed them to use it for six months and then move on.

CHAIR: You mentioned earlier that there are 81 farmers—

Mr Klaassen: Rolling term leases.

CHAIR:—rolling term leases currently operating. When are they due to expire? How long are the rolling term leases?

Mr Klaassen: The 81 are those that are on the protected areas—the national park, regional park, forest reserves. They do vary. There is one that expires later this year. There are six that expire before March next year. Twelve expire in 2016. They progressively go out to 2039, which is when the last two are due to expire. They are a legacy of when lands were a different tenure. They might have been a state forest and they were identified or transferred to a national park and the landholder was given a certain time within a lease. The understanding was that they would be looking to use their lease and then move their cattle to another tenure because it was to be national park rather than long-term grazing land. Those 81 will progressively expire over the next 24 years.

CHAIR: Do you have any evidence or data that shows the damage that is done to national parks by cattle grazing?

Mr Klaassen: We do monitoring to see what impacts are occurring. We liaise with the grazier as required to talk about stocking rates or putting fences or restricting access to certain areas. Most of them are quite good in that regard. Obviously with the drought things are quite tough. We need to be cognisant of that. There is not a lot of viable pasture out there in some places. Our view is that it is not consistent long term with the principles of having grazing on national parks. We will work collectively with the graziers to minimise the impacts. We do that across all areas.

Mr BENNETT: You are aware that letters are going out to some of those affected graziers now. Are you aware that some of those graziers were given 30 days to remove their internal fencing and destock? Are you aware of that event?

Mr Klaassen: No, I am not aware of that.

Mr BENNETT: We might ask if you can take that on board. I have a letter I can give you sent to Warro. I do not think Warro is a national park. A grazier who has had a legacy of 100 years access to that was given 30 days to destock and remove all of his internal fences. I am sure with the department's help we can find a solution in terms of transitional arrangements, considering it is coming up to Christmas and given he has to destock and do work to remove all the protection fences.

This is more a statement than a question; I do not expect you to answer. There is a lot of evidence that we have too that sensible, sustainable grazing can prevent things like buffel grass infestations. They do a lot of work with the national parks in maintaining fences and fencing off those areas of significance as well. I think it has been a long-term partnership that has had some success as well, as opposed to damage. That is my comment on some of the grazing activities on the 81 protected estates. We are concerned about the transition from term leases to rolling leases. Those 81 farmers will have trouble finding some economic benefit on marginal country as well. It was more of a statement than a question, was it not?

Mr Klaassen: It was. If I can comment on the Warro matter, I will set out the approach that we will be adopting. We are not saying to the grazier, 'Get out straightaway.' The lease will expire, and that happens. We will negotiate with the grazier to identify what issues there are. They can ask for a stock-mustering permit to give them additional time to remove cattle and infrastructure. There are cases of that already, where the cattle may have gone but we have issued a permit for them to remove their infrastructure because it is obviously important for them to be able to do that.

It is certainly not a case of, 'The lease expires in 30 days. Get out.' We will negotiate and be appropriate and recognise that, in many cases, these arrangements have been in place for a long period of time and they need a transition period. The objective is that, once it has expired, within a reasonable period the cattle and the infrastructure will be out of the national park.

Mr POWER: Would the letter and the accompanying documentation have made that position reasonably clear?

Mr Klaassen: I would have to check. I would hope it would, but if it has not I will review the letter.

Mr BENNETT: It was quite definitive. I think the minister is aware of it. I think he has been quite conciliatory in his approach. I thank the department for that as well.

Mr KATTER: Prickly acacia is probably the worst environmental issue that we have in my electorate. Despite the best of efforts of some well-meaning officers and managers on the parks, it is often said that the weeds are worse in the national parks in some of those areas. I mention prickly acacia in particular. There is a war on woody weeds. To be honest, I do not know how bad the prickly acacia is on the national parks. Is there a conscious effort to attack that issue with regard to the national parks? It is a big issue. It often is the case that the surrounding users are better at managing those problems than the parks themselves, which is probably more a question of resources.

Mr Klaassen: It does come down to resources. For each park we identify the priority weeds and pests that we are looking to deal with. Then it comes down to the available resources. With 301 national parks and over 250 regional parks, spreading the available dollars across all those is a challenge. Sometimes we do not get as much done as we would like. I am happy to get some further information if you have a particular park or area in mind that you want to have a discussion about.

Mr KATTER: Whether it is well-founded criticism or legitimate criticism, I am not sure. As you would probably be well aware, it is a source of a lot of concern. Someone may spend a lot of money on dogs and weeds and the neighbouring property might be owned by the government—a national park—and they do not feel it is being done to the same level as they are doing it. That is the sense of frustration that I encounter.

Mr Klaassen: Yes, and I do as well. We do have a good-neighbour policy and try to do the best we can with the resources we have. We would always encourage a neighbour, if they have concerns or issues, to approach the local ranger and have a discussion about them and see how we can go about working together to resolve the problem.

Mr BENNETT: Mr Feely, can I ask about Indigenous engagement and get you to explain a little more about the Cape York transfer. I was interested whether there was any movement for more cultural heritage or Indigenous engagement? Obviously, we have the problem of resourcing around the state. We do have under the Department of Environment and Heritage Protection sea ranger and land ranger programs in the top and the south but nothing in-between. Would you like to elaborate a little more on that?

Mr Feely: Yes. The first question was, I think, around the Cape York transfer?

Mr BENNETT: Yes, the transfer. Is it clause 4?

Mr Feely: Part 4. It has been a longstanding program since, I think, 1998 or 1999 when the tenure resolution program started—and it is still going now. We transfer either existing parks or we purchase new properties and transfer them, roughly 50 per cent to national park with Aboriginal freehold underneath as a joint-management park, and roughly 50 per cent to Aboriginal freehold, which they may then graze or do as they want to do with. We give them a hand with some of that. In the drafting of the legislation, I think in 2007, it specifically said 'national park'. There are a couple of areas on the cape that used to be called resource reserves and regional parks that we could not transfer, even though they were part of the dealing. So this is tidying that up to save us going through a process that opens a few other problems for us. It just goes directly from regional park to national park CYPAL. So it probably saves money, saves time, saves traditional owners time. It is a sensible amendment. That was the first question.

Mr BENNETT: The second part was more about what we can do with Indigenous engagement to help on the management issue of not only the cultural heritage but also the basic management of these vast estates that we have in Queensland. Is there any work happening with more cultural and Indigenous engagement in national park management?

Mr Feely: That is probably a joint question to Ben and me, but I will have a go from my point of view. We work all the time with the traditional owners to help them with their land trust, so they have a better capacity to manage. We provide some funding to help with that. We help them get access to different labour schemes, like Skilling Queenslanders for Work, to be able to build boundary fences and so forth, which gives them employment as well as helps them to manage the land a lot better.

We are also in the middle of trying to promote some more tourism opportunities with the tourism council, the traditional owners and ourselves, to look at more business opportunities on the southern half of the cape. We are working our way through that in consultation with Parks, but a lot of the opportunities are actually on Aboriginal freehold. We are pretty keen to promote that, including campgrounds, and we are trying to help them build a booking system. Yes, we do a lot of work in that regard, I guess, and are very keen to see that economic development on those lands continue, particularly on the Aboriginal freehold, which is a relatively simple tenure to takes things forward.

Mr BENNETT: So that is in the cape. Are there any other areas of significance in the other parts of Queensland?

Mr Feely: We do that sort of work all over the place. It varies. There has to be a level of interest to do it. You need to have a traditional owner group that is keen to take that forward. Some do; some do not. A classic example is that a little while ago the Treasurer announced an offsets deal, which we helped negotiate, a little bit north of your country. BHP are paying the traditional owners to manage the land the way they want to manage it and provide an offset at the same time. It is a real win-win. We are looking at trying to roll that out more broadly. There are a lot of different programs. We do a lot of work with the Quandamooka.

CHAIR: There is fairly significant traditional country around Carnarvon Gorge. Do we have a national park through there?

Mr Klaassen: We do have a national park through there.

Mr Feely: A couple.

Mr Klaassen: I am not aware of any specific programs out that way.

CHAIR: It has important cultural significance for Indigenous people.

Mr Klaassen: It does. On our staff we have a couple of traditional owners, and they regularly take tours to the Art Gallery and some of the special sacred places which are really excellent. If you do get the chance to go out there, you do need to see the Art Gallery.

Mr BENNETT: What about the marine parks? Is there more scope for Indigenous engagement in marine park management?

Mr Klaassen: We do that. There are a few partnerships that a couple of the resource companies have in place with some traditional owner groups to help support them getting back on sea country. There is probably more work that can be done in that space. It is definitely not as far advanced as the terrestrial space, but we continue to look at opportunities and how we can support traditional owners engaging with their country.

Mr Feely: There are other non-park related ones, too. There has been a lot of work done on land-sea rangers and some tourism opportunities around Mapoon. Again, it comes back to whether the groups are interested and keen to take it forward. Girrungun is a great example, at Cardwell. They are very keen to get involved in some more management opportunities there, both on-park and off-park. That has gone pretty well, I think.

Mr POWER: Just going back to the changes to the object of the act, my understanding is that in a previous iteration of the act it was changed such that other uses of these lands were of equal balance; is that fair to say? What difference does it make to change the basic objective?

Mr Klaassen: The way the object is currently, conservation of nature is one of many objects. It fits in with tourism, recreational, cultural and traditional owner perspectives. They are sitting on a par. Through this amendment, it is making it very clear that conservation of nature is the sole purpose of this act. Under the Nature Conservation Act, in managing national parks it is incumbent upon us as the managers to be mindful that conservation of nature is the primary objective.

Mr POWER: Would it be fair to say that it reasserts that conservation of nature is the primary goal, rather than have it equal with, say, commercial use, which was one of the previous ones?

Mr Klaassen: Yes, that is correct. Conservation of nature is the primary objective. As a park manager we need to have regard to the whole range of other interests and activities that occur on our parks, but they need to operate in the context of the primary purpose of protected area estate, which is to conserve nature, and they need to be mindful that that is what they are there for. Not primarily tourism purposes but conservation of nature is the main goal.

Mr SORENSEN: Can commercial operations still happen in marine parks in the future?

Mr Klaassen: Yes.

Mr SORENSEN: Crabbing, fishing and things like that?

Mr Klaassen: No changes are proposed through this bill. The Department of Agriculture and Fisheries is primarily responsible for regulations around crabbing, fishing and so forth.

Mr SORENSEN: In a marine park?

Mr Klaassen: In marine parks we set certain zones. The one you would be most interested in, obviously, is the Great Sandy Marine Park. That zoning plan is due for review before 2017, so a process is about to kick off to do that review. As part of that, there will be consultation around all the

different uses that occur in that marine park, to see whether the balance is right, what people's views are and so forth. This bill has no impact on that. That is a consultation process that goes through reviewing a piece of subordinate legislation.

Mr SORENSEN: With some of the other parks where you are taking over the leases and so on, will you have capacity numbers for people travelling through under commercial permits? For example, with Fraser Island you have a capacity number of people who can go through under commercial activity agreements.

Mr Klaassen: Fraser Island is a bit different. It is in what is called a QUEST area, a Queensland ecologically sustainable tourism area. The 81 parks that are covered by this are not in QUEST areas. They are already managed as national parks and will have a range of other authorities over them. The grazier will be using a certain part of it for grazing purposes, but generally that is country that is not necessarily as suitable for tourism purposes. We will have a look at what is compatible and what is incompatible and work it through, but there will not be a QUEST-type process for those parks.

Mr POWER: I notice there is a section on changes to leases. There was a capacity to grant rolling leases. How many rolling leases have been granted?

Mr Klaassen: On national park, none. The chief executive had to consent to the granting of a rolling term lease and none had been granted. We adopted the view that, because it was national park, there needed to be a higher standard. We needed to make sure that there was an appropriate review point for us to assess whether the grazing was appropriate or not. With the change of government there is a different policy position, so it has been decided that we will remove the rolling term lease provisions completely from protected area. In terms of the state forests, where there are about 755 rolling term leases, I do not have the numbers specifically but well over 600 of those have been approved to be rolling term. That was done and is continuing. It does not have any impact there.

With national park, the primary purpose, as we were talking about earlier, is conservation of nature. In terms of implementing that primary purpose, grazing is not consistent with that so, therefore, having a rolling term lease would not be consistent with the object and cardinal principle.

Mr POWER: Would it be fair to say that, with the ability of the CEO to determine the ecological value of those leases, a rolling term lease would be reasonably inconsistent with the primary objectives of the act?

Mr Klaassen: That is correct, yes.

Mr POWER: And that is why none had been granted?

Mr Klaassen: Yes.

CHAIR: How do these amendments compare to other states?

Mr Klaassen: I am not aware of any other state that has rolling term leases, for instance. We have done an analysis in terms of the objects of the act and it is a bit mixed. Some other states have more than the conservation of nature in their act, so recreation, tourism, traditional owners. That is in some states. In others, conservation of nature is more prevalent. We are not inconsistent, but I think Queensland, through changing the object, would be seen as having a higher standard than some other states around the purpose of a protected area estate. Likewise with management plans, I am not aware of any other state that had the provision to allow management plans to change without consultation and no other state has allowed emergency hardship grazing to occur. We would be back to being consistent with everyone else on that.

CHAIR: As there are no further questions, thank you so much for your time. Thank you, members, for your questions. I remind anyone who has an interest in this bill that the closing date for written submissions is 30 November. I declare the meeting closed.

Committee adjourned at 9.57 am