



**Magnetic Island Community Development Assoc
Heritage Infrastructure and Planning Group
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Chair
Agriculture and Environment Committee
Parliament House
Brisbane Qld 4000
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**Amendments to the *Nature Conservation Act 1992* (Nature Conservation and
Other Legislation Amendment Bill 2015)**

The proposed amendments have significant implications for the Magnetic Island community for the following reasons:

- Nearly 70 per cent of the land environment of Magnetic Island is protected as part of the Magnetic Island National Park or Conservation Parks (now including transferred Unallocated State Land);
- The Island is surrounded by the Great Barrier Reef Marine Park;
- The island, in its entirety (protected estate + non-protected estate; terrestrial + marine environments), forms part of the Great Barrier Reef World Heritage Area;
- The island presents expressions of many World Heritage Values, including values which are uniquely expressed on the island at the scale of the entire WHA (ie, they occur on Magnetic Island and no-where else in the WHA)¹;
- There are also many other Matters of National Environmental Significance that occur on Magnetic Island, eg turtle nesting on our beaches, whale calving in bays, many migratory species, amongst others.
- The outstanding natural values of Magnetic Island are the major draw-card for our tourist visitors²; and
- The outstanding natural environmental of Magnetic Island is central to the population of permanent residents, as articulated in our own Community Plan.³

While we celebrate and are fiercely protective of our natural environment, we know that it is the central draw-card for the tourism industry, and we acknowledge the importance of tourism to this community, including tourism's contribution to the sustainability of this

¹ See Kenchington R and Hegerl E, 2005. World Heritage Attributes and Values Identified for Magnetic Island and the Surrounding Marine Environment. Report to the Commonwealth Department of Environment and Heritage; and also MICDA and MINCA 2004. Magnetic Island's World Heritage Values – a preliminary assessment.

² Murphy L, Moscardo G, Schurmann A, 2012. Understanding Magnetic Island Markets Visitor Survey, JCU/Sealink.

³ MICDA, 2013. Towards 2020: The Magnetic Island Community Plan 2013-2020.

http://www.whatsonmagneticisland.com.au/images/stories/handyinfo/magnetic_island_community_plan_march2013_final.pdf

community (including through the island business community and island based tourism operators). However, we are also very concerned about the vulnerability of the natural values, including World Heritage Values and other Matters of National Environmental Significance, upon which the viability of the island's tourism market is based. The Australian Government Department of the Environment shares our concern, and as you will know, administers the EPBC Act 1999 as amended and has developed a special policy statement for the application of the EPBC Act and Regulations to protect Matters of National Environmental Significance on Magnetic Island⁴. Incidentally, Magnetic Island is the only location in Australia to have received such treatment.

In this context

- we applaud the proposed amendments to the *Nature Conservation Act 1992* that are contained in the Bill and welcome in particular
 - reinstatement of the sole object of the act (the conservation of nature) and the reinstatement of three abolished classes of protected area – national park (scientific), conservation park, and resources reserve;
 - removal of special management areas (scientific) from the management principles of national parks (as a consequence of reinstating national parks (scientific));
- we remain concerned that this opportunity had not been taken to remove the other special management area provided for in the management principles of national parks in section 17 of the NC Act – special management area (controlled action). That would have gone a long way to reinstating the cardinal principle for the management of national parks, an election commitment of the present government. This could have been done by reinstating national park (recovery), or by redesignating all those areas as conservation parks'
- we request that other classes of protected area that were abolished should also be reinstated viz. Wilderness Area, World Heritage Management Area, International Agreement Area, and Coordinated Conservation Area. Regardless of the extent to which these protected areas had been used in the past, they all have a part to play in maintaining a range of protected areas that are in step with the global categories established by the International Union for the Conservation of Nature (IUCN);
- we are concerned that the term "ecotourism facility" which was inserted into section 35(1)(a) of the Nature Conservation Act in 2013, has not been removed from the legislation. This provision has the capacity to allow development of tourist resorts inside national parks, and it overrides the cardinal principle. Such development would overturn more than a century of park management on Queensland mainland parks where tourist resorts have been encouraged on private land adjacent to national parks but not inside parks. Theoretically at least, it should be possible for responsible ecotourism to co-exist with environmental conservation and protection of natural values. This is our Association's goal. Unfortunately, our concern about government capacity in balancing interests and protection of natural and WH values, stems from experience and in some cases the failure of government at all 3 levels, and their available regulatory instruments, to prevent the loss of some values. It is fair to say that the island has been the victim of 'death by 1000 cuts', and the tyranny of small decisions (with so many government departments and the application of many pieces of narrow contextual legislation).

⁴ [EPBC Policy statement 5.1 Region - Magnetic Island (2010):

<http://www.environment.gov.au/epbc/publications/pubs/magnetic-island-policy.pdf>

We support current initiatives by Queensland Parks and Wildlife Service (QPWS) working with Townsville City Council (Economic Development) (TCC) undertaking projects over the next few years to improve visitor infrastructure and experience on Magnetic Island. As part of these projects they are working with a new concept for orientating and getting people around a multi-use trail network on the island. To ensure a holistic approach QPWS and TCC will be working closely together and will be consulting with the community and key stakeholders including the island's Local Tourism organisation (LTO)⁵ in undertaking the projects.

We appreciate and are grateful for this opportunity to contribute comments to this matter of extreme importance to our community. We trust these comments and suggestions are of assistance and anticipate balanced progress of this initiative.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lorna Hempstead'.

Lorna Hempstead AM
Hon President

⁵ Tourism Business Operators of Magnetic Island (TOBMI)