



### **Agriculture and Environment Committee**

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The [Nature Conservation and Other Legislation Amendment Bill 2015 \(PDF\)](#)\*

( <https://legislation.govnet.qld.gov.au/Bills/55PDF/2015/NatureConOLAB15.pdf> )

The Bill includes a range of amendments to the *Nature Conservation Act 1992* (NCA) and related legislation to align the legislative framework with the government's commitments and priorities for the protected area estate. Amendments contained in the Bill will:

- reinstate 'the conservation of nature' as the sole object of the NCA
- reinstate the former national park (scientific), conservation park and resources reserve classes of protected area, and their associated management principles
- remove provisions that allow management plans under the NCA, *Marine Parks Act 2004* and *Recreation Areas Management Act 2006* to be amended without public consultation if the amendments relate to a change in State Government policy
- remove provisions that allowed the chief executive to grant stock grazing permits for emergency drought relief on six prescribed national parks until 31 December 2013 because they have become redundant
- revert rolling term leases (under the *Land Act 1994*) for agriculture, grazing or pastoral purposes back to term leases if they are within national parks (all classes), regional parks and forest reserves (noting that this will not affect rolling term leases for grazing on State Forests).

### **Comments by Mackay Conservation Group for the Agriculture and Environment Committee of Parliament:**

Mackay Conservation Group supports the proposed amendments but makes the following observations about the need for more reform of the NCA if it is to meet the requirements of the U.N. Convention on Biological Diversity to prevent long-term decline in biodiversity.

If 'the conservation of nature' is the sole object of the NCA why does mining take priority over protection of areas of high conservation significance within Resource Reserves and gazetted Nature Refuges?<sup>1</sup>

Mining is by its very nature destructive of ecosystems which cannot be restored, so cannot meet the prime requirement for 'conservation of nature'. The NCA cannot be in compliance with the U.N. Convention on Biological Diversity (CBD) which requires the conservation and sustainable

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<sup>1</sup> 27 Prohibition on mining, geothermal activities and GHG storage activities, NCA, pp.26-27

use of biodiversity as long as it contains Section 27 which allows mining in areas of high conservation value except National Parks

Biodiversity offsets are now the Queensland government's official policy in an attempt to mitigate the loss of areas of high conservation value to mining and ensure its impacts on biodiversity are sustainable as required in the CBD.

"Sustainable use" means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.<sup>2</sup>

Appendix I in this submission shows the shortcomings of the Queensland biodiversity offsets policy with regard to such mitigation efforts.

Because of section 27 in the NCA, mining is the largest major source of actual and potential adverse environmental impacts on nature which cannot be reversed, as more than eighty-five percent of Queensland is covered with mining exploration tenures.

Mining is a major source of export revenue but its value to the State is assessed in a short-term economic framework. There is no economic framework for assessing areas of high conservation value. Over the long-term the economic value of conserving areas of high conservation value may well outweigh income from mining and its full costs. A nature conservation act should provide for such comparison to ascertain where mining may not be in the public interest.

Sincerely,



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Research Analyst  
Mackay Conservation Group

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<sup>2</sup> CBD Article 2. Use of Terms.  
<https://www.cbd.int/convention/articles/default.shtml?a=cbd-02>