



Queensland Outdoor Recreation Federation Inc.
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27th November 2015

Email - aec@parliament.qld.gov.au
Ms J. Howard MP
Chair
Agriculture and Environment Committee
Parliament House
Brisbane QLD 4000

Submission - Nature Conservation and Other Legislation Amendment Bill 2015

Dear Ms Howard,

I refer to the invitation to make a submission for your Committee's inquiry into the Nature Conservation and Other Legislation Amendment Bill 2015.

Queensland Outdoor Recreation Federation Incorporated (QORF) is a member-based, not-for-profit association charged with representing a coalition of outdoor recreation groups to advocate on behalf of the outdoor community. A key reason for establishing QORF in 1996 was to facilitate communication between different user groups and levels of government on outdoor recreation related issues.

QORF affirms the value of outdoor recreation, and encourages all people to recreate outdoors. QORF is recognised as the peak body representing the interests of the outdoor recreation sector in Queensland, which incorporates both nature-based recreation and outdoor education activities.

The Nature Conservation and Other Legislation Amendment Bill 2015 (the Bill) proposes amendments to legislation governing the protected area estate managed by Queensland Parks and Wildlife Service (QPWS). Queensland's protected area estate represents a landscape of great significance to nature-based recreation and outdoor education activities in our State. The department's website (<http://www.nprsr.qld.gov.au/parks/index.php>) lists the following outdoor recreation activities that can be undertaken in the protected area estate, with the number in brackets indicating the number of parks and forests across the State where each activity can be undertaken:

- Camping (165)
- Easy or short walks (183)
- Hiking (92)
- Fishing (75)
- Cycling (72)
- Trail bikes (29)
- Canoeing / kayaking (28)
- Horse-riding (39)
- Dogs permitted on leash (22)
- Camp fires permitted (58)
- Wheelchair access (78)
- Picnic area (150)
- Barbecue - wood/fuel/coin (49)
- Caravan / camper trailer / campervan sites (75)

There is also a range of other outdoor recreation activities that may be undertaken in Queensland's protected area estate that are not included in the above list, for example rock-climbing, mountain biking, slack-lining, abseiling, hang-gliding, geocaching, and four-wheel-driving.

The Explanatory Notes for the Bill outline the consultation that was undertaken in regard to the proposed amendments. Consultation is stated to have been carried out with Wildlife Preservation Society of Queensland, National Parks Association of Queensland, AgForce, Tourism and Events Queensland, Queensland Tourism Industry Council, Queensland South Native Title Services Ltd, Cape York Land Council Aboriginal Corporation and Carpentaria Land Council Aboriginal Corporation, in addition to informing the Queensland Resources Council and Australian Petroleum Production and Exploration Association of the proposals by letter.

QORF is disappointed that representatives from the outdoor recreation sector were not included in the initial consultation in relation to the Bill, despite the range of activities that are undertaken in the protected area estate. We would hope that the commitment to consultation with stakeholders would in future extend to all relevant stakeholders, and request that the Committee endorses this position.

QORF acknowledges the election commitment that was made by the current government "...to re-instate the conservation of nature as the sole object of the *Nature Conservation Act 1992*, and ensure that protected area estate is managed in accordance with the cardinal principal to preserve and protect natural conditions, cultural resources and values to the greatest possible extent." This commitment has been included in the Portfolio Priorities Statement for the National Parks portfolio, which was referred to in the Explanatory Notes for the Bill.

QORF suggests that committee could also have regard for the Portfolio Priorities Statement for the Sport and Racing portfolio in relation to this Bill: "Encourage and support all Queenslanders, especially those who can least afford it, to incorporate physical activity into their daily routine." Outdoor recreation presents a wide range of benefits to participants, including low-cost options for physical activity and opportunities to re-connect with nature.

QORF accepts that the object (s.4) of the *Nature Conservation Act 1992* (NCA) is being amended to re-instate the conservation of nature as the sole object of the NCA.

QORF's position is that the NCA should facilitate reasoned and reasonable nature-based recreation in Queensland's protected area estate. Reasonable nature-based recreation need not present a conflict with the conservation of nature. Outdoor recreation activities in Queensland's protected area estate can enhance the value placed on nature by our communities, creating additional advocates for further conservation of nature.

QORF accepts that there may be legitimate reasons to restrict public access to parts of the protected area estate, and therefore understands the reasoning behind the re-instatement of the "national park (scientific)" class.

However, QORF brings to the attention of the committee a serious issue in the Bill regarding educational and recreational activities in conservation parks:

Clause 9 of the Bill – Replacement of s.21 of the NCA – potential impacts on educational and recreational activities in conservation parks

In its current form, the Bill has potential to result in adverse outcomes for educational and recreational activities in conservation parks.

S15 of the NCA (which is not proposed to be amended by the Bill) states that the protected areas are to be managed in accordance with the management principles set out in the NCA. These management principles inform day to day management of the protected area estate, and provide the framework for the management plan for each particular area.

S17(1) of the NCA includes "education and recreation activities" in the management principles for national parks. S17(1) is not proposed to be amended by the Bill, meaning that educational and recreational activities that are conducted "in a way that is consistent with the area's natural and cultural resources and values" will continue to be allowed within national parks. QORF supports this position.

The Bill does propose to amend the management guidelines for conservation parks. Clause 9 of the Bill proposes the replacement of S21 of the NCA with new text. The text provided in the Bill for the proposed S21 does not allow for the provision of opportunities for educational and recreational activities within conservation parks.

The Bill in its current form would result in the absurd situation where educational and recreational activities would be allowed in Queensland's 320 national parks, but would not be allowed in the 227 re-instated conservation parks. This situation is contrary to the International Union for Conservation of Nature (IUCN) protected area management categories (which are referred to in the Explanatory Notes for the Bill), and it conflicts with the fact that conservation parks are specifically stated to be lower in the hierarchy of protection, as per S14 of the NCA (Clause 6 of the Bill).

It is suggested that Clause 9 of the Bill be amended to include text to correct this situation as follows:

Clause 9 Replacement of s 21 (Management principles of regional parks)

Section 21 –
Omit, insert –

21 Management principles of conservation parks

(1) A conservation park is to be managed to –

- (a) conserve and present the area's cultural and natural resources and their values; and
- (b) provide for the permanent conservation of the area's natural condition to the greatest possible extent; and
- (c) **provide opportunities for educational and recreational activities in a way consistent with the area's natural and cultural resources and values; and**
- (d) ensure that any commercial use of the area's natural resources, including fishing and grazing, is ecologically sustainable.

QORF believes that this proposed amendment will overcome this problem in the Bill, and strongly encourages the Committee to adopt this suggested amendment.

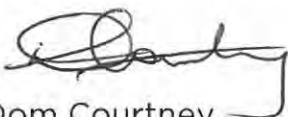
QORF welcomes the amendments outlined in the Bill regarding public consultation before making changes to management plans under the NCA, *Marine Parks Act 2004* and *Recreation Areas Management Act 2006*.

However, to achieve effective consultation, all relevant stakeholders whose interests are potentially affected by the management plans must be included in these conversations. To simplify this process in relation to outdoor recreation stakeholders, QPWS can notify QORF of proposed changes to specific management plans, and QORF will use its network to inform potentially affected recreation stakeholders and ensure that they are included in the opportunity to respond.

As the Executive Officer of the peak body for outdoor recreation in Queensland, I would appreciate the opportunity to appear before the committee at the public hearing on Wednesday 2 December 2015 to discuss this submission. I am able to appear in person at that hearing.

If there are any queries about this submission, please contact me by telephone on [REDACTED] by email [REDACTED].

Sincerely,



Dom Courtney
QORF Executive Officer