

Agriculture and Environment Committee  
Parliament House  
Brisbane Qld 4000  
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BirdLife Capricornia

Coowonga  
Qld 4702



28<sup>th</sup> November 2015

Dear Sir/Madam,

**RE: Nature Conservation and Other Legislation Amendment Bill 2015**

BirdLife Capricornia thanks you for the opportunity to comment on the Nature Conservation and Other Legislation Amendment Bill 2015. BirdLife Capricornia is an environmental organisation that is proactive in protecting the environment and educating others about environmental issues, with specific interest in birds, and the ecosystems that birds inhabit. We are an organisation of volunteers collecting bird survey data and providing education, advice and advocacy. We are located in Central Queensland, an area which hosts to a large contingent of existing or proposed large-scale development projects.

We strongly support the objectives of the Bill, but we have concerns that the bill does not adequately address some key areas. Our specific comments for the Agriculture and Environment Committee are as follows:

**Reinstatement of the object of the act and abolished classes of protected area**

We warmly welcome the 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 (Clause 7), and resources reserve.

**Return to public consultation with national park management plans**

We adamantly support Clause 27 which amends section 120A which concerns public notification. The 2013 Amendments to subsection (2)(a)(iii) allows amendments to be made to management plans without consultation if the amendment is being made to provide consistency with State government policy. Further subsection (3) requires only that details of the amendments and reasons for the amendments to be published on the department's website. The removal of subsection (2)(a)(iii) and the correspondent redundancy of subsection (3) is welcomed.

We suggest that the Committee also consider reinstatement of prior phrasing in the Act for section 115A. In 2013, for s115A, the phrasing in the Act was changed from 'Public Notice of draft plan' to 'Notice of draft plan' and further change was made so that the Minister was no longer required to publish the notice by gazette. Our understanding is that the Nature Conservation and Other Legislation Amendment Bill 2015 does not reinstate the requirement that the Minister publish notifications of draft plans by gazette. It is well understood the protection of natural resources and ecosystem management is highly complex and requires the involvement of an array of stakeholders and decision making systems that engage these stakeholders are required to 1) sustainably manage these resources and 2) ensure open and transparent management of public-owned assets. We suggest the Agriculture and Environment Committee work to strengthen the decision making process by reinstating the phrase 'Public Notice of draft plan' in s115A and requiring the Minister to publish the proposed changes by gazette notice, as well as on the department's website.

### **Removal of the term 'ecotourism facility' from the legislation**

In the 2013 Amendments to the Act, the term 'ecotourism facility' was inserted into section 35(1)(a) and we are concerned that this provision has not been removed from the Act. Currently, this section provides the capacity to allow the development of tourist resorts inside national parks, and it overrides the cardinal principle of the act, the conservation of nature. A century of park management in Queensland mainland parks will be overturned if tourist resorts are encouraged inside parks.

We strongly urge the Agriculture and Environment Committee to support the Amendments proposed in the Bill; however we also ask the Committee to consider our suggestions for strengthening the Act for better protection of nature for generations to come. The State Government should be highly commended for taking the crucial step in re-introducing conservation safeguards into legislation covering the state's significant protected areas, including national parks.

Yours sincerely,



Allan Briggs  
Secretary