



Australian Climbing Association (Qld) Inc

ABN 29 85 66 15 93 1

*The Australian Climbing Association (Qld) Inc is not a climbing club, but an umbrella organisation for Queensland climbing clubs.*

*Our mission is the promotion of recreational climbing through a focus on access issues.*

*We are the official point of contact between QPWS and the climbing community.*

*You can read our mission statement on our website. <http://www.qldclimb.org.au/>*

## Nature Conservation and Other Legislation Amendment Bill 2015

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### Submission to the Agriculture and Environment Committee

[Redacted]  
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[Redacted]

Level of Approval: executive committee

Date: 27<sup>th</sup> November 2015

### We submit a single point for consideration by the committee –

#### **Problem**

Given the government policy underpinning the Nature Conservation and Other Legislation Amendment Bill 2015 (“the Bill”), clause 9 results in unintended and adverse outcomes for recreational users of the proposed “conservation parks”. Rather than simply recasting “regional parks” back to their original classification of “conservation park”, clause 9 strikes out a core management principle in section 21 of the *Nature Conservation Act 1992*<sup>1</sup> – to provide opportunities for recreational activity within these estates. This leads to two problems.

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<sup>1</sup> all legislative references are to the *Nature Conservation Act 1992* as amended (“the NCA”).

First, by removing the obligation to provide opportunities for recreational activities, clause 9 *unintentionally* alters the essence of conservation parks – that they be presented to the public for sustainable recreational use.

Second, at a policy level, it would be anomalous for national parks, with their higher conservation status, to retain the imperative for recreational opportunity, if the lesser “conservation parks” were to lose that imperative. Further, this anomaly would weaken the consistency of purpose of the NCA, and therefore cause confusion in the management of recreational activity on the protected area estate.

The recreational climbing community is vulnerable to such adverse impacts of the legislation. Whilst it is possible to build a football pitch for footballers, and a swimming pool for swimmers, it is not possible to build a “Glasshouse Mountains” for climbers, so what happens within the parks and their management regime is of immediate concern to the community.

### **Remedy**

The management principle for a “national park” in paragraph (d) of subsection 17(1) provides that such parks are to be managed to “provide opportunities for educational and recreational activities in a way consistent with the area’s natural and cultural resources and values”. If an identical clause is inserted into the proposed management principles for a “conservation park”, after paragraph (c) of subsection 21(1), both of the above-mentioned problems would be avoided, without affecting the government’s legislative agenda. That is, the essence of a “conservation park” will be retained, and a legislative anomaly that could cause inconsistency of purpose and administrative problems would be avoided.

Who are the rock climbers?

First, modern rock climbers are not a few edgy guys with a length of Bunning’s rope. The modern rock climbing community *worldwide* consists of people of all ages, and from all walks of life. All use equipment that is certified to international standards, and all have been taught to self-assess the inherent risks of the sport.

Second, indoor climbing gyms are being opened across the country at an ever increasing rate. The very presence of these gyms enables competitive climbing, with state, national and world competitions seeing rapid uptake, leading ultimately to the next Olympic Games. To date, in Queensland, we have several hundred thousand people who have at least tried the sport. The vast majority of these people will be recreational rather than competitive in intent, and significant numbers are likely to turn up climbing outdoors.

Third, modern sport climbing is something quite new, and not to be confused with the traditional climbing of yester-year. The climbing community demographic is changing rapidly with the very young beginning to dominate the sport. Consider that one of the best climbers in the world today is 14 year old Ashima Shiraishi, whilst Australia’s 10 year old Angie Scarth-Johnson is right up amongst very best. The degree of empowerment of our youth by such role models should not be underestimated. We are witnessing the birth of a new popular sport, one that has sufficient appeal to prise a significant number of our youth from X-Boxes and screens, and to get them started in a life of healthy outdoor exercise.

### *And why does this issue matter to us?*

Outdoor climbers require cliffs, and given that the protected area estate arose on valueless lands, it comes as no surprise that the majority of our climbing crags are on such estates – after all, you can’t run cattle or grow timber on a cliff.

The “wildness” of the cliff environment is the essence of the outdoor climbing experience. With the “wildness” comes the need for self-reliance, judgement and competence. Climbers move from the indoor climbing gym to the outdoor environment because they value this environment and the challenge it presents.

This increasing population of outdoor climbers requires QPWS management. While history shows that climbers act to protect and sustain that natural environment, QPWS officers on the ground struggle with limited resources. Given this, it is inevitable that conflicts will arise – it is at this point that clarity of purpose within the NCA is vital.

As the proposed amendment stands, we are more likely to see different outcomes for our crags on national parks, as compared with those outcomes on conservation parks. In addition, given that conservation parks may be managed by local councils as trustee (rather than by QPWS), misunderstandings and inconsistent applications of clause 9 are likely to compound the problem.

### *Conclusion*

The youth of the rock climbing community, tomorrow’s voters all, will aspire to climb harder and better and further than the previous generation. Their aspirations will take in all available climbing opportunities offered by the protected area estate. Whether they will be encouraged or hindered in those aspirations depends very much on how effectively the balance between conservation and recreation is managed, something which in the final analysis will turn on the clarity of the NCA. Do this right, and the park system will gain thousands of stewards sustaining and voting for it into the decades to come. Do it wrong, muddle and confuse the issues, and parks will be alienated from their natural users until those parks become irrelevant and lost to future generations.

### *Request*

We respectfully request that s17(1)(d) of the current NCA be duplicated after s21(1)(c).