



Gecko - Gold Coast and Hinterland Environment Council Assn Inc.

ABN 90 689 258 843



30th November 2015

The Chair
Agriculture and Environment Committee
Parliament House, Brisbane Qld 4000.
aec@parliament.qld.gov.au

Dear Sir/Madam

Re: The Nature Conservation and other Legislation Amendment Bill 2015 (NCOLA)

Thank you for the opportunity to make a submission on this Bill, which is of great importance to those of us who accept some of the responsibility for the care of our National Parks and biodiversity. Gecko- Gold Coast and Hinterland Environment Council Assoc. Inc. (Gecko) is a not-for-profit environment association founded in 1989 and has been active for the past 26 years in protecting the environmental values and ecological sustainability of the Gold Coast, Queensland and, when appropriate, nationally.

Gecko welcomes this Bill, which in our opinion rectifies many of the problems with the previous amendments to the Nature Conservation Act and will improve the Government and community efforts to protect Queensland's unique biodiversity both within protected areas and without. We submit both those amendments we support and raise concerns about those amendments that have been omitted from the Bill.

We are pleased to note that the Bill undertakes the following actions:-

- Reinstatement of "the conservation of nature" as the sole object of the Act. This is particularly important when consideration is made of proposals for development and activities in protected areas that may be harmful to the integrity of the protected area.
- Reinstatement of national park (scientific) as a class of protected area. We believe that this category is essential to protect the most threatened areas of biodiversity as well as providing opportunity for experts in the field to undertake scientific studies.
- Reinstatement of the management principles of a national park (scientific), which will guide those with the task of managing our most important areas of biodiversity
- Reinstatement of conservation parks and resources reserves as separate classes of protected area and reinstating their management principles. The correct naming of a protected area assists not only in its management, but also in informing the community of the purpose of the reserve. The term regional park for a State conservation area was confusing to people on the Gold Coast as there are already Council regional parks.
- Removal of a provision that specified that an amendment to a management plan did not require consultation if the change was consistent with State government policy. We strongly

believe that consultation on matters relating to the management of conservation areas is essential especially given the high degree of concern and interest in such areas. There are occasions when State Government policy is not in the best interests of the conservation of biodiversity, so that this amendment will greatly improve the transparency and accountability of Government. We understand that the same provision is also to be amended in the *Marine Parks Act 2004* and the *Recreation Areas Management Act 2006*, which we support.

- Removal of an expired provision relating to grazing stock on national parks for emergency drought relief. We are particularly pleased to support this action as it was totally inappropriate to have cattle grazing in national parks, causing negative impacts on the ecosystems and the native species dependent on them.
- Amendment of the *Land Act 1994* to ensure that existing grazing leases on protected areas are no longer rolling term leases. We fully support this amendment as it must be recognised that such areas are intended for the conservation of nature and not to provide fodder for livestock. We understand that the holders of such leases have been given ample warning that such leases are not an automatic right of the lessee.

Gecko does have concerns with the following matters and strongly suggests that the Bill be amended further to address these concerns.

Of great concern to Gecko is the failure of this Bill to remove the term “ecotourism facility”, which was inserted into section 35(1)(a) of the Nature Conservation Act in 2013. This provision has the capacity to allow the development of tourist resorts inside national parks, and it overrides the cardinal principle. Retaining this item in the Bill has the capacity to enable inappropriate developments within national parks such as the cableway proposal to Springbrook National Park. The LNP amended the Act in April 2013 to include both a service facility and an ecotourism facility. However these clauses need to either be removed or defined and that definition needs to make it clear that there is no alternative site. Further it must be proved the facility cannot be provided outside of the park boundary, is not substantial in nature, that the terms are at least commercially equivalent to returns to the taxpayer if leased on private land, are not principally commercial in nature, etc. By leaving it in, it suggests that any nature based ecotourism 'facility' can occur - such as a resort. The proponent of the Bill may argue that the other clauses limit what can happen, but if that is the intention, then additional clarification is needed to be sure.

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.

Gecko requests that the other special management area provided for in the management principles of national parks, Section 17 – (Special management area (controlled action)) is removed to strengthen the reinstatement of the cardinal principle for the management of national parks. We also suggest that this could be achieved by reinstating national park recovery status for areas of high biodiversity or by designating all of these areas as conservation parks.

Gecko would also like to see the Government reinstate the other classes of protected areas such as Wilderness Area, World Heritage Management Area, International Agreement Area, and Coordinated Conservation Area as they all assist in protecting areas in line with the International Union for the Conservation of Nature (IUCN) categories.

Gecko fully supports the amendment of the *Aboriginal Land Act 1991* (ALA) to:

- establish a process to make regional parks on Cape York Peninsula transferable; and

- streamline the process to convert regional parks to jointly managed national park (Cape York Peninsula Aboriginal land (CYPAL)).

Thank you for your consideration of our submission.

Yours sincerely

Lois Levy

Vice President.

[a](#) [REDACTED]