



Birds Queensland
(Queensland Ornithological Society Inc.)
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PO Box 3784
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The Chair
Agriculture and Environment Committee
Parliament House
Brisbane Qld 4000

Dear Sir/Madam

SUBMISSION RE: THE **NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL 2015**

Birds Queensland is pleased to provide the following submission in relation to the above Bill.

Birds Queensland, in conjunction with Birdlife Southern Queensland, made extensive submissions to the previous Queensland Government strongly opposing the *Nature Conservation and Other Legislation Amendment Bill 2012*, many of the changes enacted by the passing of that Bill now set to be reversed under the Bill currently being considered. Those previous submissions addressed to the Hon. Peter Dowling MP of the Health and Community Services Committee dated 14 December 2012 are annexed hereto.

Having regard to our previous submissions, Birds Queensland welcomes:

- the proposed amendments to the *Nature Conservation Act 1992* that are contained in the Bill including and in particular, 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, and Resources Reserve.
- the removal of Special Management Areas (Scientific) from the Management Principles of National Parks (as a consequence of reinstating National Parks (Scientific)).
- Amending the *Land Act 1994* to ensure that existing grazing leases on protected areas are no longer rolling term leases. Our support for this amendment is based upon the proviso that the amending legislative provisions do actually achieve the goal set out in the Explanatory Notes (*"This will enable incompatible leases to be phased out upon expiry, and enable the government to allow these lands to be protected for the purpose they were intended"*) and providing that irreversible damage is not done to the relevant 'protected areas' prior to the expiration of the said leases.

We are disappointed that the Government is not acting to remove the other Special Management Area provided for in the Management Principles of National Parks in section 17 of the *Nature Conservation Act 1992*, namely Special Management Area (Controlled Action). That would have enhanced the reinstatement of the cardinal principle for the management of national parks, an election commitment of the Government. We urge that the Bill be amended to reinstate the National Park (Recovery) classification, or to redesignate all those areas as Conservation Parks.

We further humbly request that other classes of 'protected area' that were abolished should also be reinstated, namely Wilderness Area, World Heritage Management Area, International Agreement Area,

and Coordinated Conservation Area. Such action would help to provide flexibility to conservation planning in response to the increasing effects of climate change and maintain a range of protected areas that are in step with the global categories established by the International Union for the Conservation of Nature (IUCN).

We express our continuing concern that the term “ecotourism facility”, which was inserted into section 35(1)(a) of the *Nature Conservation Act 1992* in 2013, has not been removed from the legislation. This provision has potential to allow the development of tourist resorts inside national parks, which in our view is clearly contrary to the cardinal principle. Furthermore, 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.

We thank you for the opportunity to provide this submission.

Yours sincerely



Dr Richard Noske
President
Birds Queensland (Queensland Ornithological Society Inc.)



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Sent via email: aec@parliament.qld.gov.au on 30 November 2015



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ANNEXURE

The Honourable Peter Dowling, MP
Health and Community Services Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Minister Dowling,

RE: Your Ref: 11.1.9. The Nature Conservation and Other Legislation Amendment Bill 2012

We write to you as concerned citizens representing over 1,200 members of BirdLife Southern Queensland and Birds Queensland, who are active in research, conservation, and education regarding Australia's birds. We are not a partisan organisation, and note that bird conservation has more often than not transcended partisan differences.

We wish to register our objections to the Nature Conservation and Other Legislation Amendment Bill 2012 now that more details of the amendment have been released and express our shock that this amendment was introduced by the Minister for National Parks, Recreation, Sport and Racing.

This amendment marks a huge step backward, and one which could result in unprecedented impacts on the natural environment which we, as Queenslanders, value and, which support the highest diversity of birds in Australia. We object to this amendment for the following reasons:

1. National Parks in Queensland need increased, not diminished, protection.
2. Private service-oriented facilities and eco-tourism infrastructure have no place in National Parks, due to their potential to make unwanted impacts on our Parks.
3. The experiences currently available in National Parks are available to everyone with minimal cost involved. Private 'for profit' infrastructure development will add 'exclusivity' to those areas with the potential to actually reduce access to Queenslanders who are less well off.
4. Sustainable eco-tourism requires focus on protecting the resources that tourists come to see and experience. Best practice examples of eco-tourism throughout the world demonstrate that eco-tourism can become the sole source of income for states and regions, but only when the resource is protected.
5. National Parks should provide the experiences in the natural world that Queenslanders enjoy and want their great-great-grand children to be able to experience. These are places of tranquillity where we should expect to be able to experience a sense of timelessness among diverse wildlife populations and wilderness while gaining insight into Queensland's environment before Europeans arrived only 240 years ago.
6. Changes to the Forestry Act 1959 will result in habitat loss and increased fragmentation of habitat.
7. The proposal to repeal the current Brisbane Forest Park Act 1977 results in diminished protection for any land still covered under the act, than would be available under more recent or proposed legislation.

We have provided further information on these points below.

1. National Parks need increased protection, not diminished protection:

The total land area in National Parks in Queensland is *under* 5%. This is significantly less than other states. There is a strong argument that our National Park areas need to be increased. Recent research suggests that many threatened species occur completely outside the existing network of protected areas in Australia, providing supportive evidence of our legitimate concerns about any activity, such as infrastructure developments, with the potential to negatively impact on our National Parks. We have provided a link to this research for your information:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1523-1739.2010.01587.x/abstract>

2. The ongoing decline of biodiversity in Queensland and Australia:

We live in a time when, if anything, existing practices need to be *strengthened*, better resourced, and made more effective for the future of Australian biodiversity. The current Minister for National Parks, Recreation, Sport and Racing has proposed an amendment which will weaken biodiversity protection, and does not increase resourcing, potentially resulting in increased negative impacts to Queensland's already threatened natural resources.

We are shocked that such an amendment would be proposed by a minister charged with stewardship of Queensland's National Parks, as this amendment clearly ignores over 50 years of improving management and scientific understanding. Evidence in support of our concerns is listed below: *"...there have been major declines in many components of biodiversity since European settlement and data on pressures suggest that many species continue to decline"*

<http://www.environment.gov.au/soe/2011/summary/index.html>

Tim Flannery highlights Australia's extinction crisis, and how existing practices are not enough to slow the rates of losses in biodiversity and threatened species. <http://www.quarterlyessay.com/issue/after-future-australias-new-extinction-crisis>

Increasing the amount of area in parks may help mitigate this loss of biodiversity, but it is clear that much more intensive management of existing National Parks and other lands will be required to arrest the ongoing loss of biodiversity.

3. The experiences available in National Parks should be available to everyone:

Throughout the world, National Parks have continued to be a place where *all* citizens regardless of economic status, can find a similar experience. We feel that privatisation of services in parks in Queensland could reduce this equity of experience.

4. Sustainable eco-tourism means focusing on the *protection* of the resources that tourists come to see and experience:

There are many examples of best practice eco-tourism throughout the world that demonstrate that eco-tourism can become the main source of income for states and regions, but only if the local natural resources are well protected and actively managed. One example is a state of northern Germany where huge numbers of visitors are accommodated in highly managed areas, mostly outside of the parks. Visitation is restricted to the majority of natural places in the region, and visitors are taught about their biodiversity. See <http://www.mynatour.org/destination/ecotourism-germany-beach>.

Part of the appeal of these places is the vast, largely untouched natural areas that visitors are next to, and by prioritising the management of these areas or improving their condition, they continue to attract millions of tourists each year. In the USA, from National Parks to urban parks, there are best practice examples of ways to minimise or avoid impacts on fragile, pristine places, while providing education about what can be found in those areas.

5. National Parks should provide the experiences Queenslanders enjoy and want their great-great-grandchildren to be able to enjoy:



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This amendment will allow for infrastructure projects within a small proportion of Queensland's total area. Yet within this small area (less than 5% of Queensland) are places that can provide a glimpse into what Queensland was like for many thousands, and in some cases, many millions of years, before the relatively recent arrival of Europeans. Such experiences can be compromised by infrastructure of any kind, and we'd suggest such infrastructure should be sought in the 95% of Queensland that is outside National Parks, even if just outside the existing park boundaries.

For members of BirdLife Queensland and Birds Queensland and other birdwatchers living in or visiting this state, National Parks provide natural, unspoiled places where a large diversity of birds, including many rare tropical and sub-tropical species, can be observed in their natural habitats. The more buildings, roads, or other infrastructure in an area, the more diminished that unique within-park experience becomes. Similarly, tourists visiting parks seek opportunities to view beautiful landscapes and unique wildlife, and to experience the wonder that comes with being in a pristine, non-anthropogenic landscape. The experiences likely to be provided by having infrastructure in the park, could on the other hand, be just as meaningful and interesting if placed outside the existing parks.

6. Changes to the Forestry Act 1959 will result in habitat loss and increased habitat fragmentation:

Current practices within state forests, especially those related to the road networks associated with CSG developments are further fragmenting remnant patches of native vegetation, and the changes being proposed here would simplify obtaining approval for such activities for longer periods, with potentially larger impacts. There is already a vast body of literature showing the disastrous impact of habitat fragmentation on bird populations in eastern Australia.

7. A repeal of the Brisbane Forest Park Act 1977 could diminish protection for areas covered by this Act:

We acknowledge these concerns may be misplaced, given changes in tenure to much of this estate, but the legislation written in 1977 appears to exclude activities which are not excluded in current or proposed new legislation regarding those areas.

Proposed alternatives to promote eco-tourism without risking further impacts to parks

We propose the following suggestions to promote eco-tourism in this state:

- i. Protect and increase the amount of area in the existing national parks. People come to the Great Barrier Reef because it is vast, the biggest area of natural and protected coral ecosystems in the world. Their visitation is managed and restricted. All National Parks need to be managed with the same understanding. It is the pristine nature of the resource that attracts people, and visitors will accept managed and restricted access.
- ii. Explore the global cases of best practice natural resource conservation coupled with economically beneficial eco-tourism. Those examples will not resemble anything likely to come out of the proposed amendment.
- iii. Improve management of parks, especially the control of feral animals and weeds, and landscape level planning based on an understanding of the ecosystems in those areas. Without resourcing

- to tackle these problems, tourists will be increasingly less enamoured by the natural wonders found in Queensland.
- iv. Manage visitors by providing places where high numbers can get a taste of local wildlife, can learn about the unique biodiversity found in Queensland, and provides views of spectacular landscapes. All of these things can be done outside the existing National Parks, in wildlife reserves, and scenic areas.
 - v. Maintain parks as a place where visitors can choose to go, if they want a natural experience where they can get closer to some of the amazing things they learned about outside the park. Activities within the parks should be kept to those with the lowest possible impact, with some camping and trails.
 - vi. *Avoid privatising parks, in which visitors learning about the natural resources in the park can be forgotten under what are viewed as more economically profitable ventures.*

Finally, the belief that this amendment will save tourism in Queensland is flawed as it will result in an erosion of the value of the places that draw people to our State. This legislation supports a belief that somehow regulations serve only to make things difficult for those who are looking to earn money. This is clearly not the case and, as the Minister whose portfolio includes National Parks, we urge you protect our parks and ensure that the current level of protection is, *at the very least*, maintained.

Yours sincerely

Judith Hoyle | Convenor
BirdLife Southern Queensland

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Date delivered to State Parliament 14th December, 2012