



The Agriculture and Environment Committee  
Parliament House  
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30<sup>th</sup> November 2015

Dear Ms Jennifer Howard MP,  
Committee Chair

**National Parks Association of Queensland**

**Submission to**

**The Agriculture and Environment Committee:**

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

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Thank you for the opportunity to provide a submission to the Committee regarding the Nature Conservation and Other Legislation Amendment Bill 2015.

The National Parks Association of Queensland (NPAQ) is dedicated to promoting the preservation, expansion, good management and presentation of national parks in Queensland.

Established in 1930, NPAQ is an independent, not-for-profit, membership-based organisation. The association has played a pivotal role in the establishment of many national parks in Queensland. NPAQ's purpose is achieved through advocating for the protection, expansion and good management of national parks; fostering the appreciation and enjoyment of nature through a bushwalking and outdoor activities program; undertaking on-ground conservation and monitoring work; educating the community about national parks and their benefits; and supporting the development and application of scientific and professional knowledge in advancing national parks and nature conservation.

**Submission**

**NPAQ welcomes and fully supports the proposed reversal of the changes made in 2013 and 2014 to the Nature Conservation Act 1992, Recreation Areas Management Act 2006, Marine Parks Act 2004, Land Act 1994 and other Acts, through the NCOLA Bill.**

Despite some interest from various sectors regarding the broadening of the protected area concept, it is important to recognise that only in Queensland's national parks, can nature be truly protected in Queensland – all other forms of land tenure are vulnerable to various forms of land use impacts.

Protected areas are universally recognised as a key strategy in nature conservation and for their importance in conserving biodiversity. National parks are the last bastion for conservation, and are

essential to conserving our unique biodiversity and saving threatened species in decline. Queensland's national parks protect areas that are critical in preventing extinctions of some of the world's threatened mammals, birds and amphibians.

The amendments proposed in the Nature Conservation and Other Legislation Amendment Bill 2015 progress in the direction of restoring the primacy of nature conservation in Queensland's protected areas. The snowball effect of the previous changes led not only to the downgrading of nature conservation in protected areas, but to confusion of the very purpose of Queensland's national parks.

## 1. Object of the *Nature Conservation Act 1992*

**NPAQ endorses the reinstatement of the conservation of nature as the sole object of the *Nature Conservation Act 1992*.**

This amendment returns the intention of the Act to that for which it was created – the conservation of nature. Since inception, national parks have experienced challenges from competing interests. The conservation of nature through a system of state land protection attained a pinnacle in its lengthy journey in 1992 through the Act - which provided for nature conservation to take precedence over all other competing interests.

Additional matters, such as social, cultural and commercial use; and use and enjoyment by the community are adequately covered in other sections of the Act. Their inclusion in the Objects of the Act only serves to detract from the primacy of nature conservation and causes confusion as to the intention of our protected area estate.

However, whilst fully supporting the proposed amendments to the objects of the Act, the wording of other sections of the Act in relation to indigenous people does not appear to replace the full intention of s 4(a).

It is **recommended** that s 5 (f) be broadened to include "the involvement of indigenous people in the management of protected areas in which they have an interest under Aboriginal tradition or Island custom". This clause contributes to ensuring joint management by highlighting the importance of traditional owner consent, engagement and participation in matters affecting themselves and their land.

## 2. Classes of Protected Areas

**NPAQ endorses the reinstatement of three classes of protected areas and the reinstatement of the former management principles for these three areas:**

- National parks (scientific)
- Conservation parks
- Resources reserves

National park (scientific) involves strict protection and management for a particular conservation purpose, such as the protection of endangered species (eg northern hairy-nosed wombat or bridled nailtail wallaby), or for research purposes.

Identified by the International Union for Conservation of Nature (IUCN), this category of protected area frequently plays a role in "plugging the gaps" in conservation strategies by protecting key species or habitats in ecosystems.

Currently, these areas are covered by special management area declarations (an administrative power of the chief executive), which if removed, would cause the loss of the necessary additional management principles and protections. The proposed amendment allows for the downgrading of these areas only by a resolution of parliament.

Separation of conservation parks from resources reserves clearly reinstates the higher level of protection required for conservation parks and clearly distinguishes these parks from resource reserves, on which extractive industries can occur.

### 3. Stock grazing permits

**NPAQ endorses the removal of s 173 from the Nature Conservation Act 1992.**

Although the provisions are now redundant (stock grazing permits being granted until December 2013), NPAQ supports the removal of the provisions so that they cannot be re-activated.

Grazing of stock on national parks, even in times of drought, is not consistent with national park management principles - the protection of an area's natural resources.

### 4. Management plan consultation

**NPAQ endorses the amendment to remove the exemption that allows management plans under the *Nature Conservation Act*, *Marine Parks Act* and *Recreation Areas Management Act* to be amended without public consultation, if amendments relate to a change in state government policy.**

The current provisions allow significant amendments to be undertaken to management plans without the involvement of local communities and other stakeholders. The benefits of public consultation are well known – contribution to sustainable development and environmental protection, increasing abidance of laws and regulations, and promotion of good decision-making. Transparency and accountability in government decision-making should be on the increase, not lessening.

### 5. Rolling term leases on protected areas

**NPAQ endorses the amendment to the *Land Act 1994* to revert existing rolling term leases for agriculture, grazing or pastoral purposes on nature conservation areas or national parks back to term leases.**

In addition to removing the perception that such leases are perpetual leases, such reversion also encourages the finalisation of leases and the completion of transfer of the land to protected area management. Not only are rolling leases inconsistent with the management principles of protected areas, they allow renewal of the lease any time within the last twenty years of the term of lease. Reversion to term leases removes the ability to extend leases for activities that are inconsistent with the management principles of national parks.

Whilst acknowledging the very positive direction that the NCOLA Bill takes, NPAQ would like to raise several further points that the Bill does not address and propose further recommendations:

1. Amendments to **fully restore the cardinal principle** to the *Nature Conservation Act*, and hence the appropriate management of Queensland's national park estate.
2. Amendment to **remove the special management area (controlled action)** from s17 of the *Nature Conservation Act*. Continuing to allow the manipulation of national park tenure not only detracts from the cardinal principle but sends mixed messages, as this section is easily interpreted as allowing development or inappropriate activities on national parks.
3. Amendment to **remove ecotourism facility** from s35(1) (a) from the *Nature Conservation Act*, and allow no provision for tourist resorts within national parks. NPAQ is of the opinion that the

concept of tourism facilities (eco or otherwise) in national parks has not been fully reviewed, and the potential impacts not thoroughly investigated. More importantly, tourism facilities are incompatible with the cardinal principle of national park management – *“to provide, to the greatest possible extent, for the permanent perseverance of the area’s natural condition and the protection of the areas’ cultural resources and values”*. Encouraging, through various means, the continuation of developing tourism facilities on private land adjacent to national parks would be more cost effective and of considerably lower impact.

4. Amendments to **align the classes of Queensland’s protected areas** with the International Union for the Conservation of Nature (IUCN) protected area management global categories, through the reinstatement of:

- Wilderness Area
- World Heritage Management Area
- International Agreement Area
- Coordinated Conservation Area.

Thank you for considering NPAQ’s submission.

If required, I am available to appear before the Committee at a public hearing.

Yours sincerely



Michelle Prior  
President  
National Parks Association of Queensland

