



Committee Secretary
Agriculture and Environment Committee
Parliament House
George Street
Brisbane QLD 4000

7 July 2017

aec@parliament.qld.gov.au

Re: Submission on the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017

Dear Sir/Madam,

Thank you for the opportunity to provide our views on the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 (The Bill).

Established in 1980, the Sunshine Coast Environment Council (SCEC) is the peak environmental advocacy organisation for the Sunshine Coast region. SCEC currently represents 65 member groups predominantly working in the areas of natural resource management, conservation, environmental restoration and protection and sustainability. This membership represents a collective of almost 10,000 individuals with a further 4,000 people as SCEC supporters.

It is on behalf of our members, supporters and wider community with whom we engage that we submit the following comment for due consideration.

I. Executive Summary

SCEC supports the introduction of Special Wildlife Reserves for Queensland to improve protection of areas of high conservation value under private ownership. SCEC considers that these reserves provide much needed protection for such areas, which can now be afforded an equivalent level of protection to that of national parks. SCEC highlights the critical importance of this higher protection, particularly against mining activities.

However, SCEC notes with concern the potentially detrimental ecosystem impacts that could arise from the following activities being allowed in Special Wildlife Reserves:

- educational and recreational activities;
- ecotourism; and
- grazing.

Further, SCEC is concerned that new service facilities on Special Wildlife Reserves could potentially allow the construction of oil and gas pipelines in areas of high conservation value.

Moreover, to ensure appropriate oversight and transparency SCEC submits that the following should be available for public access:

- Special Wildlife Reserve management programs;
- Ecotourism activities appropriate and specific to that reserve; and
- Government funding/budgeting of Special Wildlife Reserves.

In summary, SCEC welcomes the introduction of Special Wildlife Reserves as a critically important measure to address Queensland's currently lacking conservation framework. However, highlights that

- this is merely one of the required steps towards addressing Queensland's significant alarming land clearing issues and providing the necessary protection of the state's rich and unique biodiversity.
- private conservation areas should not come at the expense of appropriate expansion and management of public protected conservation areas such as national parks.

II. Recommendations

A. Amendment of *Nature Conservation Act 1992*

1. Special Wildlife Reserves

SCEC strongly supports the Bill's amendments to the *Nature Conservation Act 1992* (QLD) (the NTA) which establish a new category of voluntary, privately owned, protected areas established as Special Wildlife Reserves.¹ SCEC strongly supports the introduction of these reserves which provide landowners with the opportunity to protect ecologically valuable land through a legally binding perpetual conservation agreement and associated management program.²

Protection of habitat is an effective approach to biodiversity conservation. Accordingly, SCEC highlights the need for protected areas such as Special Wildlife Reserves to protect and conserve areas and species of ecological significance. It is vital that such areas receive the highest standard of protection, particularly against mining activities. However, while the contribution of private protected areas is crucial to developing a comprehensive and adequate network of conservation outcomes in Queensland, SCEC highlights that the introduction of Special Wildlife Reserves is merely one step towards addressing Queensland's significantly lacking conservation framework. Further, SCEC's view is that the greater proportion of protected area estate should be in public ownership.

¹ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 4 amending *Nature Conservation Act 1992* (QLD) s 14.

² The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 3 amending *Nature Conservation Act 1992* (QLD) s 5.

a) Management Principles of Special Wildlife Reserves

SCEC supports the introduction of the management principles which are to permanently protect the areas exceptional natural and cultural resources and values, protect the area's exceptional scientific values, present the areas cultural and natural resources and values and ensure the only use of the area is nature-based and ecologically sustainable.³ SCEC is further supportive that the terms of the conservation agreement must be consistent with these principles and are binding on landholder's successors in title.⁴ This is likely to assist in consistent, long-term conservation management of reserve areas. Further, SCEC highlights with support that a lease, licenses, agreements or permits in relation to special wildlife reserve land must be consistent with the management principles and conservation agreement for that reserve.⁵ SCEC believes it is critical that management programs are accessible by the public, particularly for reserves that receive government funding.

However, SCEC is concerned that as the Special Wildlife Reserves will be principally administered under the NCA the management actions and policy intent may not adequately provide for the necessary conservation outcomes. This is partially due to the continued absence of the cardinal principle as an object and the meaning of 'Conservation' in the NCA which is defined as "the protection and maintenance of nature while allowing for its ecologically sustainable use."⁶ In comparison, the International Union for the Conservation of Nature (IUCN) define conservation as 'the conservation of the ecosystems and natural habitats and maintenance and recovery of viable populations of species in their natural environments and, in the case of tame and cultivated species, in the environments where they have developed their specific characteristics'.⁷ SCEC highlights that protected areas ought to be principally managed according to the IUCN definition. This is particularly important as Queensland seeks to work towards the United Nations Convention on Biological Diversity targets, being 17% terrestrial protected area coverage, and the fundamental principles therein.

b) Conservation Priorities

SCEC would like to see the prioritisation of conservation for ecosystems and bioregions that currently lack appropriate protection. That is, each natural area has unique characteristics of irreplaceable value and this should be taken into consideration when determining conservation priorities. Accordingly, SCEC considers it vital that Special Wildlife Reserve areas are granted with such priorities principally in mind with regards to particular species and ecosystems in need of protection. This is critical to ensure areas, species and ecosystems of unique and high conservation value are not lost.

³ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 7 inserting new section 21B (1) *Nature Conservation Act 1992* (QLD).

⁴ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 12 inserting new section 43C (1) *Nature Conservation Act 1992* (QLD).

⁵ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 12 inserting new section 43K (1) *Nature Conservation Act 1992* (QLD).

⁶ *Nature Conservation Act 1992* (QLD) s 9.

⁷ See https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf page 13.

c) Educational and Recreational Activities and Ecotourism

SCEC notes that management of Special Wildlife Reserves allows for educational and recreational activities⁸ and ecotourism.⁹ SCEC acknowledges that ecotourism can be a valuable conservation tool, including assisting to increase awareness regarding threatened or endangered species. However, it is noted with concern that academic research has identified potential threats to ecosystems as a result of exposure to ecotourism which can cause modified behaviour and community structure of animals.¹⁰ It is vital that the effects of ecotourism on resources and ecosystems are closely monitored to avoid this. Ecotourism activities should be considered on a case by case basis with regards to each particular area to ensure that the high conservation value of that area is not undermined or damaged. Further, ongoing monitoring is critical to ensure the benefits of ecotourism are not outweighed by any destruction to ecosystems and biodiversity in reserve areas.

SCEC acknowledges the value and importance of recreational and open space, however highlights that with regard to Queensland's lacking conservation framework there is increased reliance on protected areas such as national parks. Such reliance is critical to maintain biodiversity. Accordingly, SCEC highlights that care must be taken to ensure recreational activities do not undermine the purpose of Special Wildlife Reserves. That is, conservation of ecologically valuable areas. Principal consideration should be given to the high conservation value of that area to ensure the appropriate protection that needs to be maintained. SCEC highlights that monitoring and careful management are critical to achieve this, requiring appropriate funding and adherence to management principles. Accordingly, SCEC highlights there should be detailed regulations of what can occur in each particular reserve area after an assessment of potential ecological impacts of the activity for that specific area. SCEC submits that allowable activities should be considered based on that evaluation process. Moreover, SCEC urges that such management and monitoring programs are accessible by the public. Such oversight is critical to ensuring reserve areas are maintained appropriately and in line with legislative requirements.

d) Grazing

SCEC considers that commercial and non-commercial grazing should be excluded from Special Wildlife Reserves. Research evidences the detrimental impact that grazing can have on biodiversity including direct loss of species, decline in species and genetic variability, alteration

⁸ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 7 inserting new section 21B (2) (b) *Nature Conservation Act 1992* (QLD).

⁹ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 7 inserting new section 21B (2) (c) *Nature Conservation Act 1992* (QLD).

¹⁰ Geoffrey, Benjamin, Diogo SM, Samia Eduardo Bessa, Daniel T Blumstein, 'How Nature-Based Tourism Might Increase Prey Vulnerability to Predators', *Trends in Ecology & Evolution* (2015) 30 (12) pp 755-765
<http://dx.doi.org/10.1016/j.tree.2015.09.010>.



of habitat and composition of forests and grasslands and harmful impacts on soil and water infiltration.¹¹ Accordingly, SCEC would like to see the Bill altered to exclude commercial and non-commercial grazing from Special Wildlife Reserves. Moreover, SCEC highlights the importance of excluding grazing from national parks with regards to areas of such significant conservation value and the evidenced detrimental impact caused by grazing.

e) Service Facilities

SCEC notes that the chief executive may grant a lease, agreement, licence, permit or other authority in relation to land in a special wildlife reserve if the use is for a new or existing service facility with landowner consent.¹² It is acknowledged that the management principles and conservation agreement for that reserve must be observed to the greatest possible extent, the use be in the public interest and be ecologically sustainable.¹³ However, a Service Facility is defined in the NCA to include a pipeline for oil and gas.¹⁴ Accordingly, SCEC is concerned that this provision could potentially allow for oil and gas pipelines to be constructed within Special Wildlife Reserves. This is alarming as this could potentially cause environmental damage within areas of high conservation value.

f) Prohibition on Mining , Geothermal Activities and GHG Storage Activities

SCEC strongly supports the prohibition on mining, geothermal activities and GHG storage activities on special wildlife reserves.¹⁵ Further, SCEC welcomes that the prohibition also applies to land in a protected area even if this land is subject to a tenure on which a mining interest, geothermal tenure or GHG authority could otherwise be granted.¹⁶ SCEC stresses the importance of this protection to ensure the ecological integrity of Special Wildlife Reserve estate.

g) Funding of Private Protected Areas

SCEC acknowledges the importance of privately owned protected areas in contributing to the much needed expansion of conservation estate in Queensland. However, SCEC would like to see the expansion of protected areas primarily acquired as public areas. SCEC notes the legacy upon which protected areas and national parks were established, that is through advocacy for conservation of nature as public assets. It is highlighted that this legacy should be honoured with sufficient budget prioritisation, resourcing and recognition. Accordingly, given that Queensland's national park estate is far from target goals, SCEC highlights the importance of

¹¹ See Australian Government Department of Environment and Energy 'Pressures on Biodiversity – Grazing Pressures' report <http://www.environment.gov.au/node/22060>.

¹² The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 12 inserting new section 43G *Nature Conservation Act 1992* (QLD).

¹³ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill clause 12 inserting new section 43G (c) *Nature Conservation Act 1992* (QLD).

¹⁴ *Nature Conservation Act 1992* (QLD) Schedule Dictionary - section 7.

¹⁵ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 8 amending *Nature Conservation Act 1992* (QLD) s 27.

¹⁶ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 8 amending *Nature Conservation Act 1992* (QLD) s 27.

ensuring that privately owned protected areas are not established at the cost of allocating appropriate funding for the expansion and management of public protected areas such as national parks. In this regard, SCEC highlights the importance of transparency of government funding for Special Wildlife Reserves and that such funding should be budgeted separately to that of public protected areas such as national park estate.

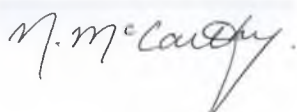
B. Great Barrier Reef Marine Park

SCEC strongly supports the amendments which allow for activities carried out partly within the state of Queensland and partly within Commonwealth waters if the area is within the Great Barrier Reef Marine Park to be considered an environmentally relevant activity.¹⁷ SCEC welcomes the increased responsibility of polluters regardless of water boundaries. This is vital as pollution can spread far beyond its source and commonly exceeds water territory boundaries, particularly concerning within areas of such high conservation value.

III. Conclusion

SCEC welcomes the introduction of Special Wildlife Reserves and considers that this will assist in the protection of areas of high ecological value in Queensland. SCEC supports this legislation which would place Queensland as the first state and indeed one of the first places in the world, to allow private funds to protect and conserve privately owned land. However, SCEC highlights that that this measure is just one of the required mechanisms to improve Queensland's currently lacking conservation framework. Moreover, SCEC reiterates the importance of public protected areas such as national parks and urges that privately owned protected areas should not be established at the expense of further expansion of public protected areas such as national parks.

Yours sincerely,



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Liaison & Advocacy



Liliaana Moran
Volunteer Campaigner

¹⁷ The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 clause 47 amending *Nature Conservation Act 1992 (QLD)* s 19.