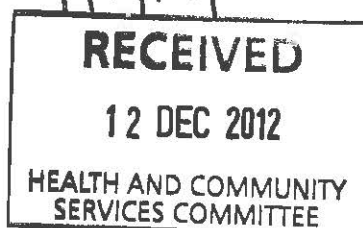


11 December 2012

Health and Community Services Committee
Parliament House
George Street
BRISBANE QLD 4000



Sub # 15

RE: Nature Conservation and Other Legislation Amendment Bill 2012

Dear Committee Secretary,

The Fitzroy Basin Association Inc (FBA) welcomes this opportunity to comment on the Nature Conservation and Other Legislation Amendment Bill 2012. FBA is the leading community-based organisation for sustainable natural resource management in Central Queensland. We are committed to long term sustainable use of our natural resources, and we value healthy ecosystems, a strong regional economy and a prosperous community. Membership of FBA comprises a broad cross section of the community, including representatives from sectors of Landcare, conservation, education, research, industry and agriculture as well as representatives from Indigenous groups and local and Queensland Government agencies.

FBA makes the following comments in relation to the proposed amendments to the *Nature Conservation Act 1992*:

- FBA opposes the Queensland Government's intention to allow 'ecotourism' facilities on national parks, national parks (recovery), national parks (Cape York Peninsula Aboriginal land) or indigenous joint management areas. Allowing private companies to develop permanent tourism facilities will compromise the purpose of national parks as our most strongly-protected conservation areas by admitting increasing impacts through fragmentation, illegal visitor behaviour, the introduction and spread of weeds and feral animals and drawing rangers' time away from on-ground management and into administrative and compliance activities associated with the lease holders. Queensland's protected area estate, at approximately five per cent of

the state's land area, already falls short of the national target of fifteen per cent. Allowing ecotourism developments in national parks will further hinder the attainment of this target.

- Contrary to the Queensland Government's statement that ecotourism facilities on national parks will provide new and unique opportunities to attract visitors to Queensland, parks in other Australian jurisdictions (e.g. Uluru-Kata Tjuta and Kakadu national parks in the Northern Territory) have deliberately removed existing overnight visitor infrastructure and located new facilities off-park to neighbouring land because of the environmental impacts that occurred. The government also states that allowing tourism facilities to be built on-park (as opposed to on neighbouring private property) will increase visitation to such areas, providing the government with additional revenue. There is no evidence to show that on-park tourism facilities would attract any additional tourists than facilities located on neighbouring land. In addition, any revenue that may be derived from ecotourism facility leases would be consumed through administrative costs, with any remaining monies forwarded to Treasury, and not to the direct management of the park in question, thereby providing no real benefit to the park.
- Nowhere in the Bill, nor the *Nature Conservation Act*, is 'ecotourism' defined. The word is often loosely used in the tourism industry to promote a sense of environmental responsibility, where in reality, ecotourism accreditations vary widely, with some operators being more sustainable than others. FBA is concerned that developers who can justify their 'ecotourism' credentials with the government will be allowed to develop tourist facilities in national parks that are not designed to the best environmental standard, nor in the public's best interest of retaining the park as an intact protected area. In addition, no limitations have been set on the maximum size or occupancy of any such 'ecotourism facilities', meaning that developers could argue that a large tourism facility is in the public interest, is 'ecologically sustainable' and can preserve the land's natural condition, cultural resources and values – similar to how mining companies currently justify their permanent environmental impacts through economic benefits and being in the 'public interest'.
- p6, Clause 8 Amendment of s35 (Chief executive's powers about permitted uses in national parks or national parks (recovery)). The amendment states that the chief executive may approve an 'ecotourism facility' or 'service facility' in a national park or national park (recovery) if

satisfied that the facility will provide to the greatest possible extent for the preservation of the natural condition of the land and protection of its cultural resources and values. Preserving the natural condition of the land and protecting cultural resources and values to the greatest possible extent should be the ultimate goal of park management. This indicates that no development should occur and that management practices on the park be fully devoted to preserving such natural and cultural values.

- FBA notes that while service facilities are evaluated subject to the clause “there is no reasonably practicable alternative to the use” (in relation to the siting of such a facility on a national park or national park (recovery)), this is omitted in the case of proposed ecotourism facilities – if evaluated according to the same clause as service facilities, it would quickly become apparent that ecotourism facilities could indeed be reasonably and practicably located off-park, on neighbouring or nearby private land.
- The power to approve ecotourism projects in national parks will rest with the Chief Executive (and with indigenous landholders in joint managed parks). The Queensland Government proposes to develop a supporting policy framework and associated procedures to back this decision-making process. FBA submits that the details of any policy framework or procedures must be subject to public consultation and contained within legislation. In addition, this framework must follow the same environmental impact assessment process that is required for developments off-park; this is even more crucial as such developments have the potential to threaten the core of the conservation estate in Queensland.
- The Queensland Government states that they have “...elected to proceed with tourism leases to facilitate increased tourism opportunities in Queensland...” (p12, NC&OLA Bill 2012 Explanatory Notes) even though conservation interests have expressed concerns regarding potential tourism impacts on national park values and the government fails to cite any examples of where similar ecotourism facilities have led to a measurable increase in park visitation.
- The Government openly admits (p1, NC&OLA Bill 2012 Explanatory Notes) that the basis for amending the *Nature Conservation Act 1992* is on the back of the tourism industry’s interest in building privately funded infrastructure projects on national parks and on adjacent land (emphasis added). As cited above, there are other park management jurisdictions in Australia

that have removed overnight tourism infrastructure from their national parks because of the environmental impacts that occurred. There is also no measurable disadvantage to tourism operators who locate their businesses on neighbouring private land as opposed to national parks, while there are many advantages, including greater flexibility in development options (i.e. developments are not subject to the stricter laws governing such a project within a national park); open and equitable public access will remain to all areas of the national park; and park fragmentation and its associated impacts will not occur.

FBA makes the following comments in relation to the proposed amendments to the *Forestry Act 1959*:

- The Bill proposes to remove the current limits on area and time (10 hectares and 7 years maximum) of occupancy of gas wells or gas and water pipelines within state forests. FBA submits that state forests are public assets and should be retained as such by not permitting further licences for destructive activities such as gas wells and infrastructure, and not renewing current licences at the end of the 7-year period. Allowing private companies to extract resources from state forests is primarily to the company's own benefit, and is not in the public interest.

In summary, FBA submits that allowing tourism developments in national parks is not in the public interest as it will lead to the degradation of the protected areas that are the state's key conservation assets. The government has ignored concerns from the conservation sector, instead deciding to support the tourism industry's bid to capitalise on Queensland's natural assets, without any compelling reason to do so. FBA also submits that allowing private companies to extract resources from state forests is primarily to the company's own benefit, and is not in the public interest; this requires resolution.

FBA thanks you for the opportunity to provide comment on the Nature Conservation and Other Legislation Amendment Bill 2012. If you have any questions regarding our comments, please contact Cassandra Bouna, Project Officer, on 07 4999 2820 or Cassandra.Bouna@fba.org.au.

Yours sincerely,



Paul Birch
Chief Executive Officer