From: Kay Kelly
To: Health and Community Services Committee
Subject: Abuse of our national parks!
Date: Sunday, 25 August 2013 6:52:20 AM

The national park estate is about 4.8% of Queensland - well below international recognised desirable standards, and certainly below the average in the various States and Territories of Australia.

Today the primary purpose of national parks is to afford protection to, and conserve, our natural heritage, landscape and cultural heritage. A secondary purpose is to allow people to commune with, and interact with, nature in passive ways. This well established management principle has been guiding management of national parks throughout the world, not only in Queensland. Even in the halcyon development days of the Bjelke-Petersen government, national parks served their primary purpose, and were not exploited to service the State's debts. According to Minister Dickson, the servicing of the State's debts is now the primary purpose of our wonderful national parks.

On 20 August 2013, the Hon S.L. Dickson, Minister for National Parks, Recreation, Sport and Racing introduced the *Nature Conservation and Other Legislation Amendment Bill (No2) 2013* into the House of Representatives. This builds on the already retrograde amendments to the *Nature Conservation Act 1992*. Before those amendments, the *Nature Conservation Act 1992* was at the cutting edge of conservation legislation. I agree that a review is warranted to strengthen the current legislation in light of its failure to arrest biodiversity decline. However this current Bill weakens the purpose of the 1992 Act and sets conservation in Queensland back decades.

The prime purpose of these amendments is no longer conservation of wildlife. The object of the Act is now being expanded. The number of tenures will be drastically reduced. It is claimed that the cardinal principle of management, that is - a national park is managed to the greatest possible extent for the permanent preservation of the areas natural condition - has not changed. Yet in the same breath, the Minister states management principles have been broadened. These statements negate one another. Other retrograde changes will result from the passing of this Bill.

The Hon. Steve Dickson is reported as stating that 'Unashamedly I am looking to make money out of this' - referring to throwing national parks open to developers and tourist operators. The Minister is certainly not making money out of the national parks as cow paddocks as $0.5M of taxpayers' money has been, or is being, spent on fences to keep stock in national parks. I understand that there are no agistment fees being collected, and if the arrangements are only short term, then why are some graziers spending significant sums in providing water to some holdings? There are far less expensive ways. I am well aware that sectors of the grazing industry have been lobbying Governments for some time to open up national parks for grazing. It appears that we are well past the thin edge of the wedge in having grazing in national parks on a

permanent basis. This is not the only threat. These areas were set aside to protect our biodiversity, but now will be adventure sites for four wheel drivers, quad bike and horse riders.

I implore your Committee to reject these extremely retrograde amendments, and restore some integrity to our national park system!

Yours sincerely

(Mrs) Kay Kelly

[redacted] OCEAN VIEW QLD 4521.

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From: Kay Kelly
To: Health and Community Services Committee
Subject: Nature Conservation and Other Legislation Amendment Bill (No. 2) 2013
Date: Monday, 9 September 2013 12:15:10 PM

Please take into account the following issues when your Committee considers the *Nature Conservation and Other Legislation Amendment Bill (No. 2) 2013:*

- The proposed amendment to the Object of the Act in Section 4 completely changes the purpose of the Act. No longer will it be primarily concerned with the conservation of nature, as is presently the case, but it will now have social, cultural and commercial use of protected areas as an object. This may look harmless at face value. However, the object of an Act is the first port of call by a court of law when interpreting any provision of an Act;
- Statements have been made that the amendments leave the cardinal principle for national park management untouched. By changing the Object, the cardinal principle has potentially lost much of its legal strength. It has been the foundation for the protection, to the greatest possible extent, of the natural and cultural resources on national parks. It relied on the Object for its mandate;
- Any submission should strongly propose that the amendments to the Object of the Act should be removed. It is clearly an attack on national parks, because the three proposed additions only refer to protected areas, when the Act also contains provisions relating to the conservation of wildlife outside protected areas. These proposed changes have no place in the Object. The additions are all presently encompassed by the management principles for each class of protected area, where certain uses are qualified in terms of the extent to which they can apply. By placing them in the Object in such a broad and unqualified manner changes the whole basis of the Act;
- The proposed abolition of 8 classes of protected area is a step too far with minimal gain and some potentially substantial losses. It is fair comment that no areas had been declared as wilderness areas, World Heritage management areas and international agreement areas. So nothing changes by abolishing them. However, nothing is gained either. WHMAs and IGAs could have a place in the future and, in fact, were considered for declaration in the past. Why remove that flexibility when its presence has absolutely no effect, financially or in terms of so-called green tape, on the management of protected areas?;
- Conservation parks and resources reserves have been abolished and rolled into a new class of protected area known as regional parks. The name should be objected to as it carries no implication of resource protection. When you combine two classes of protected area in a hierarchy, the resulting management principles tend to shift towards the lowest common denominator. That has happened with regional parks.
- The abolition of coordinated conservation areas is not a substantial loss. It has been used sparingly and its objectives can be achieved through nature refuges;
- The loss of national park (scientific) and national park (recovery) does need to be

reconsidered. The loss of these two classes of protected area achieves virtually nothing other than saving a few lines in the legislation. Rolling them both up and stuffing them into the national park class is a travesty and substantially undermines the level of protection that is afforded to national parks;

- National parks (scientific) satisfies the IUCN category of protected area generally known as a nature reserve (the term used in NSW). These areas involve strict protection and management for a particular conservation purpose. Public access is strongly controlled. This class of national park is used for parks that protect, inter alia, bridled nailtail wallabies (Taunton) and northern hairy-nosed wombats (Epping Forest). They sometimes require strong manipulation of the environment (including other native species) in order to ensure the survival of an endangered species. To simply absorb them into national parks and provide for a special management area (scientific) is unacceptable and unnecessary;
- Similarly, national park (recovery), which was designed to allow for restoration of land that was destined to become national park, has been absorbed into national parks. This also makes a mockery of national parks status as the restoration requirements could take many years to achieve. Once again, there is little to be gained and much to be lost by abolishing this class of protected area. A special management area (controlled action) has been created to cater for a national park on which this work is being carried out. National park (recovery) should be retained;
- National parks lose a lot by being obliged to absorb these two other protected area categories. The biggest loser is, in fact, the cardinal principle of national park management. Many activities that were legitimately carried out on national parks (scientific) and national parks (recovery) would be in breech of the cardinal principle. Consequently, the proposed action makes an absolute mockery of the cardinal principle and of national park status;
- Forest reserve has been abolished as a tenure. It was established to act as a holding tenure in the SEQ Forest Agreement process. Many State forests that were being transferred to national park status contained a number of encumbrances (e.g. grazing, occupation licences etc.) that had to be determined and negotiated before the land could be dedicated as national park. It has been an extremely useful holding tenure and there would appear to be no strong reason why it should no longer be available. Why wipe out that flexibility when it has served a very useful purpose in the past? The demise of forest reserve status would seem to reflect the governments desire not to transfer any State forests to protected area. In fact there is a move to return many forest reserves to State forest status. It is appropriate to argue that forest reserve tenure should be retained. As with other abolitions, there is nothing gained by its loss, but future opportunities have been lost if it no longer exists;
- Revocation of a forest reserve can also take place under the Forestry Act if the forest reserve is to become a State forest. The strong requirements making it difficult to revoke a forest reserve under the NC Act are effectively sidestepped in another Act. A resolution of Parliament would no longer be involved. Smoothing

the process of preventing forest reserves becoming protected areas has been facilitated by using another Act;

- The slow rate of production of management plans for protected areas was identified in an audit of the NC Act some three years ago as a major departmental failing. Action has been taken in the amendments to abolish the requirement for each park, or aggregation of parks, to have a management plan. That has been replaced with a requirement to prepare a management statement. The capacity to prepare a management plan is still available, though there is no compulsion and probably very little incentive;
- There would be a good case to argue in a submission that any park that was subject to activities that are contrary to the cardinal principle, such as tourist resort development and grazing, should have a management plan developed before such an activity could be authorised. That would ensure that the key values of the park had been clearly assessed and expressed;
- Management plans are required to go through a public consultation process. That process previously had two consultation steps, but has now been reduced to one. Management statements involve no consultation with the public prior to coming into force. It is important that some public feedback be facilitated. If that does not happen, then it's difficult to know what value the management statement actually has. It would be appropriate for the submission to include a request that management statements be subject to a single public consultation process.

(Mrs) Kay Kelly

[redacted]
OCEAN VIEW QLD 4521
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