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5 September 2013

Health and Community Services Committee  
Parliament House  
Brisbane, Qld, 4000.

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### To the Committee Chair

Re: *Nature Conservation and Other Legislation Amendment Bill (No. 2) 2013*

The Townsville Branch of the Wildlife Preservation Society of Queensland wishes to make the following comments on amendments proposed by this Bill. We regret that the very short time (two and a half weeks) allowed for the study of several lengthy and complex documents, and personal circumstances that have shortened this period still further, prevent a more thorough submission.

*We strongly support the submission in preparation by our parent body, Wildlife Queensland.*

Our organization has maintained an active interest in, and concern for, Queensland's National Park heritage for over 40 years. We strongly support the **cardinal principle** of park management, namely that such management must "*provide, to the greatest possible extent, for the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values.*"

We support adequate resourcing of Parks management and we actively encourage public appreciation of the conservation, scientific and aesthetic values of our National Parks through our program of field outings, many of which visit both National and Conservation Parks. Our Branch has a very long history of involvement with the Townsville Town Common Conservation Park, being the first community group to call for its protection as long ago as the early 1970s.

#### **1. Regarding the cardinal principle**

While the proposed changes acknowledge the cardinal principle (quoted above), which should underlie all management plans, actions and decisions, it appears that the changes to 'management objectives' proposed in the new Bill render this acknowledgement little more than lip service. Indeed, by giving equal importance to other management principles, such as the provision of recreational, educational and ecotourism opportunities, the cardinal principle is no longer 'cardinal' but essentially weakened, and potentially even negated.

We fully recognize that the provision of the above-mentioned opportunities is one of the valuable attributes of many National Parks, but must remain *secondary* to the overriding function of the Parks - which is the conservation of nature. Management of, or for, the provision of such opportunities should never be allowed to compromise the cardinal

principle. Further, the broad term “recreational opportunities” and even “eco-tourism opportunities” can cover a very wide range of activities which, unless specifically defined and restricted to those that are low-impact and nature-based, could be extremely detrimental to the Parks and severely conflict with their primary purpose of nature conservation.

Similarly, even the provision of educational opportunities could fundamentally conflict with conservation principles and management – *unless such provision is clearly made subordinate to the cardinal principle.*

The following statement is particularly concerning: *“the new provisions mean that nature conservation does not automatically override the other supplementary outcomes in determining how protected areas will be managed.”* (Explanatory notes, Division 5, Clause 24, page 23)

## 2. Regarding non nature-based activities in Parks

We strongly oppose any relaxation of management regarding permissible activities within National and Conservation Parks. Management must continue to ensure that Park use is nature-based and ecologically sustainable. Activities that conflict with this requirement have no place in our Parks.

For example, cattle-grazing, quad-bike riding, horse-riding and off-road 4WD driving are NOT suitable activities for our Parks. Such activities can lead to the introduction and spread of weeds, erosion, trampling of vegetation, increased compaction of tracks, degradation of creeks and waterholes, increased bush-fire and other safety risks, and noise pollution. These activities are also likely to create conflict between Park visitors, by degrading the experiences of low-impact users such as bush-walkers, bird-watchers, nature photographers, artists etc, whose use is both nature-based and ecologically sustainable.

## 3. Regarding the amendment of tenure classes

Under the proposed legislation Conservation Parks (as in the Townsville Town Common) are to be combined with Resources Reserves and will be renamed Regional Parks. We deplore the removal of "Conservation" from the title of Conservation Parks. The new title implies, and will certainly give the public the impression, that these areas are for general use, and not necessarily related to nature conservation. We note that the permitted "uses" of Regional Parks will include unspecified commercial use, and grazing.

The following statement is of concern:

*“In particular, the management principles of a regional park [will?] retain a focus on allowing for commercial use of natural resources while retaining an emphasis on conserving an area’s natural and cultural values.”* (Explanatory notes, p.3)

This concern is reinforced by the statement (Explanatory Notes, p.45) that Clause 117 *“provides management principles for the new class of protected area known as regional park. These management principles focus on access for recreational and commercial activities, **while maintaining a level of protection for the natural and cultural values of the land.**”*

Just what level of protection is “a level”? How much will the natural and cultural values of these former Conservation Parks be compromised by commercial and other activities? How much emphasis will be retained on conserving an area’s natural and cultural values?

The type of commercial activity and commercial use of natural resources that may be permitted in these parks needs to be specified. Commercial activities like guided walks or bus tours on formed roads, for example, may be perfectly compatible with conservation requirements provided numbers are kept within appropriate limits. Others, such as horse

trail-rides or high impact sports, or those that interfere with native species or natural ecosystems, are not.

In relation to grazing, we are aware that limited grazing has been used as a management tool to control invasive plants in some Conservation Parks, including the Townsville Town Common. We accept that in some cases grazing may be appropriate for this purpose, where it is strictly controlled. For reasons outlined above we oppose the introduction of grazing for non-conservation purposes.

#### **4. Regarding public access to National Parks**

Queensland has a very tiny proportion of its land (4.8%) set aside as National Park. These areas should not be degraded or reduced by the encroachment of high impact activities, or the intrusion of commercial ventures where these will occupy land within parks that were previously open to all, not just to paying clients. Our two submissions on the establishment of eco-lodges within the Parks (December 2012 and June 2013) outline our opposition to the establishment of private commercial ventures occupying land within National Park boundaries and explained how public access to Parks could be encouraged and increased by means which do not involve any alienation of National Park land.

#### **5.Regarding changes to public consultation and review**

National and Conservation Parks are a part of our heritage as Queenslanders and Australians. They are public lands. We are therefore deeply concerned by the intention to limit or remove opportunities for public consultation, input and review when management changes are being made or management plans or statements are being written. Streamlining of administrative procedures may be beneficial, even advisable, in certain areas but where it becomes merely short-cutting or a *denial of the opportunity for public scrutiny and comment*, it has dangerous implications.

#### **Conclusion**

In conclusion, the repeatedly expressed intention to 'open up' National Parks for public access should never be used as an excuse or justification for opening up those parks to inappropriate activities, for weakening management regimes, for reducing public scrutiny of management policy and practices, or for compromising that essential cardinal principle.

Some of the most effective ways to encourage greater access by those who want to enjoy and experience them without exploiting or harming them, are to provide adequate management resources and personnel and to continue to work co-operatively with volunteer conservation and revegetation groups, in order to:

- maintain and upkeep existing facilities to proper standards,
- enable better feral animal and weed control,
- provide more interpretive tours and activities by already experienced and trained QPWS staff, and
- provide much more accessible and visitor-friendly means and opportunities to obtain information about individual Parks and to interact with QPWS staff

With regards,

Liz Downes  
President.



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8 September 2013

Health and Community Services Committee  
Parliament House  
Brisbane, Qld, 4000.

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**To the Committee Chair**

Re: *Nature Conservation and Other Legislation Amendments Bill (No.2) 2013*

**Please accept these comments as supplementary to those made in our submission dated 5/9/13.**

**1. Regarding changes to the Object of the Act.**

The implications of these changes were referred to in our first submission (point 1. Regarding the cardinal principle) but our comments there related these implications to changes in management objectives. We feel bound to point out that what is termed the "broadening" of the Object of the Act (Explanatory notes, p. 2) amounts to a direct attack on the cardinal principle as the very foundation of the Act.

By defining the existing object (ie "*the conservation of nature*" through "*an integrated and comprehensive conservation strategy for the whole of the State*") as "**narrow**" we are given to understand that the object of the Nature Conservation Act is not really nature conservation at all - or at least only so far as that can be accommodated with all the other objectives which are to be "*explicitly provided for.*" (Explanatory notes, page 2.)

It is unacceptable, and hardly reassuring, to state that these amendments, which will explicitly provide for recreation and commercial uses, will nonetheless allow "*a focus*" to be retained on "*the primary purpose of nature conservation*" – when nature conservation no longer appears to be the primary purpose of the Act. (Explanatory notes, p.2)

The existing object of the Act should not be altered. Nature conservation must remain the sole object of the Act and the focus placed upon it must be primary. This does not preclude other uses but it ensures that the cardinal principle of management remains "*to the greatest possible extent, the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values.*"

**2. Regarding reduction in number of tenures**

Our first submission addressed this issue in relation to the intention to combine Conservation Parks and Resource Reserves into one tenure, with the new title of Regional Park (point 3. Regarding the amendment of tenure classes).

In addition to the grave concerns expressed about that measure, we now also wish to comment on 1) the intention to abolish the tenures of National Park

(Scientific) and National Park (Recovery) and include these areas in the National Park tenure class, 2) the intention abolish the Forest Reserve tenure, and 3) the intention to abolish the tenure classes of Wilderness areas, World Heritage Management areas and International Agreement areas.

**With regard to 1) abolition of NP (Scientific) and NP (Recovery) tenures.**

This proposal seems particularly problematic. These separate tenure classes were created for good reason. Our understanding is that a National Park (Scientific) is established to protect a particular endangered species, and that the National Park (Recovery) tenure covers land that is intended for full National Park status after significant restoration work is complete. Each needs to be managed in specific ways, and each may need specific activities or works to be carried out, which are distinct from the management, activities or works appropriate for National Parks 'proper'. Indeed they may even conflict with the management principles operating in National Parks. We support the view that abolishing these distinctions in tenure and incorporating these separate classes of protected areas into National Parks 'proper' will have an adverse impact on the status of National Parks and will potentially weaken the cardinal principle of management.

**With regard to 2) abolition of Forest Reserve tenure**

Our understanding is that this tenure covered areas of former state forest land, which were intended to be declared as National Parks. What is the reason for abolishing this tenure? Does it indicate these areas will now not be transferred to National Park?

**With regard to 3) abolition of wilderness area, WHMA and IAA tenures.**

We accept that these tenures might seem superfluous since no such areas have been declared to date. However since there appears to be no administrative, management or financial benefit to be gained by removing these tenures, we support the view that retaining them will allow a flexibility that may well be advantageous in the future.

We ask you to regard these additional comments as forming a part of our submission dated 5/9/2013 and thank you for taking them into consideration.

With regards

Liz Downes  
President.