

**From:** [REDACTED]  
**To:** [Health and Community Services Committee](#)  
**Subject:** Submission to the Nature Conservation and other legislation Bill No 2 2013  
**Date:** Tuesday, 10 September 2013 10:12:05 AM

---

The Chairman  
Health and Community Services  
Parliament House  
George Street, Brisbane QLD 4000

The following is a Submission to the Nature Conservation and other legislation 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. While the original concept of a national park developed in the USA two centuries ago was for recreation the world has realised that the prime contemporary use of a national park is for conservation of natural heritage and maintenance of maximum biodiversity. Any change to this concept is strongly opposed.
- Statements made that the amendments leave the cardinal principle for national park management untouched are considered inaccurate. 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. By changing this objective the mandate to protect natural and cultural resources is diminished. Hence any change which reduces this protection is opposed.
- The amendments to the Object of the Act should be removed so as not to reduce the protection of the natural and cultural resources of national parks. The proposed change 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. Three 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. Nothing changes by abolishing them although there are many areas which if the government was genuine about natural heritage protection it would do so. However, nothing is gained either. World Heritage management areas and international agreement areas could have a place in the future and, in fact, were considered for declaration in the past. The removal of this flexibility is considered a retrograde proposal 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. Such a proposal is 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. Placing them into the common national park class substantially undermines the level of protection that is afforded to specific 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 nail tail 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. This further demonstrates the proposal to amend the act is nothing more than an aim to degrade the value of the natural heritage of Queensland.
- 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 breach 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. The retention of this flexibility should be retained as 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 appears to be 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. Every government asset should have a comprehensive management plan. National parks and associated reserves should be no different and in fact it is essential that formal management plans should exist to prevent individual interpretation of a 'management statement'. This can lead to inappropriate management based on an individual's interpretation at the time.
- 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. In principal all activities contrary to nature conservation should not be in national parks.
- 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. It would be appropriate that management statements be subject to a single public consultation process as the first step to the preparation of a management plan with a further public consultation step. This public consultation process in the preparation of park management plans has worked well in many jurisdictions in Australia resulting in improved management of natural heritage resources. This process should not be degraded. The pressed process is flawed and will not necessarily result in the optimum management of our national parks.

Queensland had long lagged behind the rest of Australia in its protection and management of natural areas for conservation. In the last decade or so much has improved. Many of the amendment proposals will turn back the clock to darker times when Queensland ecosystems were poorly represented in protected areas and these unprotected areas poorly managed. Queensland has many unique and wonderful ecosystems and any proposal to reduce the protection and allow degradation of these assets by inappropriate use of a national park or an area protecting the natural heritage of the state is opposed. I request that the content of this submission be

seriously considered and changes be made to the proposed act.

*Regards*

**Peter Maslen**

[REDACTED]

CLEVELAND QLD 4163



[REDACTED]