



Mr. Trevor Ruthenberg MP
Chair
Health and Community Services Committee
Parliament House
Brisbane 4000

Email address – hcsc@parliament.qld.gov.au

13th September 2013

Dear Mr Ruthenberg

**RE: Submission on Nature Conservation and
other Legislation Amendment Bill (No 2)2013**

I have been directed by the State Council of the Wildlife Preservation Society of Queensland (Wildlife Queensland) to forward a submission for consideration by your committee on the above legislation.

Wildlife Queensland is one of the most respected wildlife-focused conservation groups in Queensland. With over 5000 supporters spread across numerous branches throughout Queensland, Wildlife Queensland is a strong voice for our wildlife and its habitat.

Wildlife Queensland is apolitical. Our aims include;

- **Preserve** the flora and fauna of Australia by all lawful means
- **Educate** the community in an understanding of the principles of conservation and preservation of the natural environment
- **Discourage** by all legal means, the possible destruction, exploitation and unnecessary development of any part of the natural environment.
- **Encourage** rational land use and proper land planning of existing and future development, and the use of the natural environment and its management.

Wildlife Queensland welcomes the opportunity to make comment. Wildlife Queensland appreciates the necessity to review legislation periodically with a view to clarify or strengthen this legislation. However on this occasion Wildlife Queensland is totally opposed as the changes in Section 4 completely negates the purpose of the former *Nature Conservation Act* 1992 prior to the LNP Government's amendments. The conservation and protection of nature is no longer the object of the Act. In Minister's Dickson's speech on 20 August 2013 he states 'Currently the object of the Nature Conservation Act is limited to the conservation of nature' perhaps that is why it is so titled. The Minister further stated 'The cardinal principal of national park management, that a national park is managed to the greatest possible extent for the permanent preservation of the area's natural condition and protection of its cultural resources and values, will not be changed.' The fact that the objects of the Act are to be expanded the cardinal principle will no longer be the primary driver of

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management of the national park estate. It is surprising that a Minister of the Crown does not appreciate that expanding and broadening the objects of the Act all components must be considered. Social, cultural and commercial use of national parks must be taken into consideration and legally have standing when interpreting any provisions of the Act. Whether or not the Minister is of the opinion the cardinal principle remains unchanged the broadening of the object of the Act has diminished the legal standing of the cardinal principle.

Wildlife Queensland strongly recommends the object of the Nature Conservation Act remains unchanged. The proposed changes are clearly an attack on national parks by a Government that has little to no understanding of the internationally recognised primary purpose of national parks. Currently the national park estate is less than 5% well below the recommended international standard of 17% and far less than the average of all other States of Australia that figure being about 12%. The proposed amendments to the object of the Nature Conservation Act could in fact see several of the current national parks or at least parts thereof downgraded under IUCN classification scheme

Wildlife Queensland is also opposed to the proposed abolition of 8 classes of protected area.

The loss of national park (scientific) and national park (recovery) should be reconsidered. These two classes of protected area have very specific management guidelines and amalgamating them into a generic national park category will undermine the protection afforded to biodiversity. National park (scientific) currently involves strict protection for a specific purpose as is the situation with Taunton National Park (scientific) that affords protection to the very endangered bridled nailtailed wallaby. Currently there are seven such parks in Queensland each protecting and attempting to ensure recovery of particular species.

As for national parks (recovery) such class was applied to areas designated to be national parks in the future. Under this class activities were permitted to restore the area to achieve national park status and such activities were deemed totally inappropriate in a national park. Furthermore restoration of habitat may in fact take many years. To include such areas as national park prior to restoration is unacceptable. It is noted that the Bill includes the creation of special management areas on national parks that will allow for special activities to take place. This is also to be used to negate the need for grandfathering provisions. Wildlife Queensland is of the view that such arrangements add a degree of complexity and also the special management areas and conditions that will be attached are not available for perusal. It is buying a pig in a poke and not transparent. Accountability and transparency are the hallmarks of sound government and on this occasion this Bill fails the the transparency test.

While several classes have not been used to date including wilderness areas, World Heritages Management areas and international agreement areas, consideration has been given to these in the past and may again be in the future. Why remove this flexibility? As none of these classes are currently in use, Wildlife Queensland cannot understand how such presence of such classes in the legislation adds complexity. It is far more cost effective to retain them now than revisit the legislation in the future.

The classes conservation park and resource reserve have been omitted and such existing reserves rolled into a new class known as regional parks. Is this to allow such parks to be turned into recreational parks or themed parks? The name 'regional park' fails to reflect that such areas have conservation value. This omission of any reference to conservation undoubtedly will be reflected in the management guidelines and yet again management of biodiversity will not be one of the primary management objectives.

Coordinated conservation areas while rarely used served a useful purpose. It was a mechanism by which lands with varying tenures and owners may be managed in accordance with an agreed

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management strategy so that beneficial outcomes could be achieved for the conservation of wildlife and its habitat. As it is well recognised that current strategies are failing to even arrest the decline in biodiversity let alone reverse it, Wildlife Queensland was optimistic that this class had the potential to enhance outcomes in protecting our natural heritage with minimum restriction on landholder's rights.

Forest reserve has also been omitted. This class was introduced to facilitate the transfer of State Forests to the Protected Area Estate the outcome of the South East Queensland Forest Agreement process. Its purpose was to serve as a holding tenure. Several of the State Forests earmarked for transfer to Protected Area Estate were subject to a range of encumbrances that had to be negotiated and settled prior to the area being gazetted as a national park or whatever class of tenure was appropriate. Little is to be gained with the loss of this flexibility.

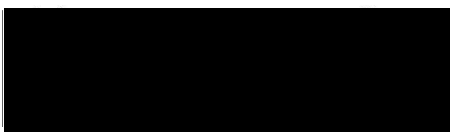
Another area of major concern is the approach to management plans. Wildlife Queensland is well aware of the background to the need to address this issue. Wildlife Queensland also supports the need for a review of the management plan process but the amended approach is not the answer. Management plans and or management statements are required for all protected areas. Certain national parks will require far more detailed management plans than others depending on a range of issues. Visitation may be one factor but the risk to wildlife and its habitat may require a level of detail even though park visitation may be low. Wildlife Queensland would strongly advocate that any national park subject to activities that conflict with the cardinal principle of management must have a detailed management plan prepared and implemented after all the Minister in his first reading speech stated that the cardinal principle of management will not be changed. What is even more concerning is the Minister may ignore all the notification and consultation processes that the Bill intends to modify and reduce public input anyhow for a range of reasons.

Wildlife Queensland is not opposed to all aspects of the Bill. Amendments enhancing the capability of conservation officers to perform their duties are supported. Also the ability to act against individuals providing false or misleading information is strongly endorsed. Wildlife Queensland strongly supports the rights of Aboriginal and Torres Strait peoples to practice and participate their traditional customs. However selling meat or other products sourced from dugong or turtle from commercial premises is not in keeping with such customs or practices and creating an offence for such activity has merit.

Conclusion

Wildlife Queensland appreciates the opportunity to comment. When the *Nature Conservation Act* 1992 was introduced it was at the cutting edge of conservation legislation. Over time amendments have strengthened this legislation. Is it time for a review? Most definitely should be the answer in the opinion of Wildlife Queensland. Unfortunately this Bill sets the conservation of our natural heritage and management of our biodiversity back years. Wildlife Queensland is opposed to the bulk of this Bill.

Yours sincerely

A solid black rectangular box redacting the signature of Des Boyland.

Des Boyland, Policies and Campaigns Manager on behalf of Wildlife Queensland