

11 September 2013

Helen Kershaw  
[REDACTED]  
Caloundra Q 4551

The Chairperson,  
Health and Community Services Committee  
Queensland Parliament

Dear Sir or Madam,

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

Generally, the proposed amendments dilute sound legislation developed on a measured and scientific basis over many years for the specific purpose of the conservation of nature. Less than 5% of Queensland is national park or a protected area; passive recreation is already available within most of these areas; other recreational and commercial needs can be met elsewhere.

The proposals devolve power to the Minister and the government, by-passing public consultation and scientific rigour, and I strongly object to this.

**Object of the *Nature Conservation Act 1992***

I am particularly concerned that the cardinal principle of the *Nature Conservation Act 1992* will be lost in the proposed amendment s 4 Object of Act.

The addition of social, cultural and commercial activities to the Object of the Act changes the purpose of the Act and contradicts the very meaning of 'nature conservation'. In fact, from the Department of National Parks, Recreation, Sport and Racing's FAQs, it is clear that priority for nature conservation is not assured: 'The revised Object highlights that the *importance of nature conservation does not automatically override other values* in determining how protected areas should be managed' [my italics].

The proposed Object exposes protected areas and wildlife to potential adverse and unforeseen effects of these social, cultural and commercial activities.

There is no need to include these activities in the Object because they are 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.

## Management Planning

### Management statements

Proposed management statements do not guarantee the preservation of the conservation values of protected areas – again an undermining of the cardinal principle of nature conservation and this Act. This is made clear in the FAQs, where ‘The revised Act will specify the extent of powers for management statements under the Act—with a requirement to *consider* these planning instruments in managing an area and assessing authority applications, rather than *requiring adherence*’ [my italics].

It is unclear who or what body will have the power to determine whether a statement, rather than a full management plan, is appropriate.

### Management Plans

The intention of the amendments in relation to management plans (for the *Nature Conservation Act* and the *Recreation Areas Management Act 2006* and the *Marine Parks Act 2004*) makes a mockery of the validity of any plan *and* the public consultation process, where ‘The requirement for amendments to management plans to go through the public notice process and taking public submissions, is being removed, if the amendment is to make a change to reflect policy decisions of government. The Minister, rather than the Governor-in-Council, will be able to approve these amendments by gazette notice’ [FAQs].

Public notice of draft plans must be continued through newspapers to reach that sector of the population without access to digital communications.

### Terminology: Regional and National Parks

Changing the name of Conservation Parks and Resource Reserves to Regional Parks removes the important message to public users that an area has been reserved for its conservation values, or that resources are protected.

Merging National Parks (Scientific) and National Parks (Recovery) into National Parks dilutes the principle of sound National Park management, where activities legitimately carried out in the Scientific and Recovery NPs would not conform to the terms of National Park management. For the sake of reducing labels, basic principles of conservation and the flexibility inherent in existing protected area categories are lost.

### Forest Reserves

The proposal to abolish the Forest Reserve tenure removes the opportunity for future transferring of State Forests to protected areas. It has had great use as a holding status under the SEQ Forest Agreement, prior to national park status being determined, and should be retained for its flexibility and transitioning values.

Bringing the *Forestry Act* into play in changing the status of Forest Reserves to State Forest, without the requirement for a resolution in parliament, threatens a considered and democratic approach to determining the conservation values of our natural resources.

In conclusion, I believe any government has a moral obligation to ensure that Queensland's few remaining protected areas and associated wildlife are free from further human incursion. Should all or part of this bill become legislation I believe it will be a backward step for Queensland, with serious repercussions on the viability of nature into the future, especially with climate change impacts .

Thank you for the opportunity to make a submission regarding the Nature Conservation and Other Legislation Amendment Bill (No. 2).

Yours faithfully,

Helen Kershaw