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The Chairman  
Health and Community Services  
Parliament House  
George Street  
Brisbane Qld 4000  
[hcsc@parliament.qld.gov.au](mailto:hcsc@parliament.qld.gov.au)

Dear Sir,

**Re: Nature Conservation and Other Legislation Bill No 2, 2013**

We wish to make a submission on the proposed changes to the Nature Conservation Act 1992

We are totally against any changes to the Nature Conservation Act (the Act), on the grounds that it will negate the principles for which the Act was set up.

The Act was set up with its Object as the conservation of nature, and the protection of native fauna and flora . These proposed amendments to the Object of the Act will strip the protection given to National Parks, by permitting social, cultural and commercial use of the parks, overriding the cardinal principle for which National Parks were created.

These proposed amendments to the Object of the Act must be removed. They have no place in the Object, referring as they do only to protected areas, whereas the Act has overarching provisions for the conservation of wildlife in areas other than those protected areas.

These proposed amendments are currently already covered by the management principles for each class of protected area, with various uses defined as to the extent they are permitted, therefore we contend that there is no need for them to be placed in the Object in an unqualified manner.

To do so will change the whole basis of the Act, which is the conservation of nature, and undermine the cardinal principle of the creation of National Parks.

We object to the proposed abolition of eight classes of protected area. While some areas may not have been declared as protected areas under the classification criteria there is no reason to abolish such classes. To do so would remove any flexibility to add areas under pre-defined classification in the future.

Removing the classes will have absolutely no effect on the management of already protected areas, so why abolish them and negate the provision for discretionary powers to add areas in the future

Why have conservation parks and resource reserves been abolished and rolled into something called a regional park?

We object to the name 'regional park'. It does not allow acknowledgement of the fact that a particular park may well have been created for the express purpose of conserving and protecting nature or natural resources. One name does not 'fit all'

The separate designations of national park (scientific) and national park (recovery) must remain. These are important for the specific protection of endangered species of wildlife.

A national park (scientific) may require special measures to ensure the survival of a particular species of endangered wildlife, including exclusion of the public and management of other species of wildlife. Under the heading of regional park such measures could, foreseeably, be deemed illegal, thus leading to possible species loss or extinction.

National park (recovery) was designed to allow time for restoration/rehabilitation of land that was destined to become national park. This process is something which could take many years to achieve, and require long term management.

This definition should remain and the land not be included in the overarching term 'national park', due to its special requirements.

To simply absorb these areas into national parks and provide merely special management areas (scientific) and special management areas (recovery) is unacceptable and unnecessary.

Under this proposal the cardinal principle of national park management will be extinguished, as many activities that were able to be legitimately carried out in national parks (scientific) and national parks (recovery) would now be in breach of the cardinal principle.

In our opinion, therefore, the proposed action is in breach of both the cardinal principle and the status of national parks.

Forest Reserve has also been abolished as a tenure. The reason for this tenure was to act as a holding tenure while the land was transferred to national park status under the SEQ Regional Forests Agreement. As State forest, there were many permitted activities which would no longer be allowed under national park tenure, and these had to be negotiated and settled before declaration as national park could take place.

We see no reason why the tenure should be abolished, as it has been an extremely important holding tenure. Why remove any flexibility, when it has been very useful in the past, and again, has no bearing on costings or the management of national parks.

We believe that there is a move to return many forest reserves to State forest status, under the Forestry Act, thus bypassing the strong requirements of the Nature Conservation Act against such action.

In our opinion this is a retrograde step, as these reserves serve as quasi national parks, affording protection to many species of native fauna and flora.

We maintain that the forest reserve tenure should be retained, as nothing will be gained by its removal, but future opportunities for its use will be lost if it no longer exists.

We oppose the amendment to abolish the requirement for each park, or aggregation of parks, to have a management plan, and replace it with a requirement for a management statement. This waters down the comprehensive nature of a management plan, and provides little incentive for any future preparation of such a plan in order to ensure the best possible outcomes for the park, and protection of key values.

At the very least, any park that is likely to be subject to activities such as development of tourist resorts, and grazing, which are contrary to the cardinal principle for which national parks are created, must have a management plan developed, subject to public consultation, and implemented, prior to any authorisation of such activity.

This would ensure that the key values of the park had been fully assessed and evaluated and that measures would be in place to safeguard such values.

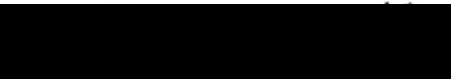
We note that the public consultation process for any management plan has now been reduced to one consultation, instead of two, and that management statements have no public consultation requirement.

As it would appear that parks now only require a management statement, not a management plan, this means that there is now no provision for public consultation, input, or indeed any public notification, prior to any arrangement coming into force.

Such a situation is unacceptable. Public input must be facilitated, in order to review and evaluate the management statement and ascertain how significant it actually is in enabling the preservation of the key values of the park.

We would therefore ask that there is provision for management statements to be subject to at least one public consultation process.

Yours faithfully,



Jill Chamberlain OAM  
President