



Cairns and Far North Environment Centre Inc.

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The Health and Community Services Committee

Sent by email [hcsc@parliament.qld.gov.au](mailto:hcsc@parliament.qld.gov.au)

13 September 2013

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

The Cairns and Far North Environment Centre (CAFNEC) is the peak environment organisation for the region from Cardwell north to Torres Strait and from the coast west to the Gulf of Carpentaria. CAFNEC is a non-profit, community organisation that has been operating for over 30 years with the aim of encouraging the community to value, protect and restore the natural environment.

Please find below our comments on the Nature Conservation and Other Legislation Amendment Bill (No. 2) 2013. CAFNEC wishes to express its very strong objections to the content and intent of the Newman Government's proposed changes to the *Nature Conservation Act 1992* (NC Act). In brief, the proposed amendments effectively prevent the Act from achieving the conservation of nature. The proposed amendments have been introduced with minimal publicity and there is no evidence of state-wide consultation scientists, the conservation sector, and most importantly, protected area managers.

- 1. The weakening of protection for nature in national parks in Queensland**, as presaged in changing the Object of the Act from "conservation of nature" to "social, cultural and commercial use of protected areas". This turns the Act on its head, and robs Queensland of legislation to establish areas dedicated to the conservation of nature. As a result of these amendments, there will be no Queensland parks where nature conservation comes first, regardless of what they might be named.
- 2. Changing the management principles of national parks.** Although the explanatory notes state that the cardinal principle is to be retained, the changing of the Object of the Act dilutes the legal strength of the Object for nature conservation and renders the cardinal principle meaningless.
- 3. The abolishment of a number of classes of protected area.** Specifically ASH is particularly concerned about the loss of tenure declarations such as wilderness area, World Heritage Management Area, and International Agreement Area.
- 4. The introduction of a new class, regional park, to encompass conservation parks and resources reserves.** The concept of an outdoor nature-related recreation park would have been acceptable had it been established under a separate Act and only if it did not diminish the protected estate dedicated to nature conservation.
- 5. Abolishing the forest reserve tenure**, thus robbing Queensland of a critical store of land selected for its conservation value and destined to become national park or other protected tenure.
- 6. Coalescing several types of national park (scientific, recovery) together into the national park tenure**, hence diminishing the special purposes of these tenures and the potential for outcomes related to their purposes. Including them as national parks is wrong. National park (scientific) and national park (recovery) may be heavily modified for special conservation purposes and access needs to be strictly controlled. These two classes breach (for conservation purposes) the cardinal principle of "national park", hence cannot be included in the same classification.
- 7. Abolishing the requirement to prepare management plans** for all protected areas. Management statements are toothless.
- 8. Removing the democratic consultation processes** which has allowed the community to be fully engaged in the decision-making process about national and marine parks.



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9. **Bypassing the parliament and reserving powers to the Minister.** Clearly this provides for purely political and unchallengeable decisions about land use and access.

**Recommendations**

1. **The Object of the Act must not be changed.** Recreational and commercial uses are already accounted for in other parts of the Act.
2. **Retain the eight classes of protected area.** The classes of protected area need not be of consequence to park users – their intent is instead to how the land is managed. That some may not have been used is irrelevant. Why close off these options? No stated purpose is achieved by abolishing them. On the contrary, retaining them maintains flexibility.
3. **Retain present national park tenures** (scientific), national park (recovery), and forest reserve.
4. **Retain present declarations** for Wilderness area, World Heritage Management Area, and International Agreement Area.
5. **Rename proposed Regional parks according to their use** - e.g. Outdoor Recreation Park. By definition (their use) they do not qualify to be included in the national park estate.
6. **Mandate Management Plans in national parks for approved activities which breach the cardinal principle.** Such plans to be prepared *before* the activity can be approved, and only *after* an assessment of the values and condition of the park. Such management plans to be published for public consultation, with time frames suited to the lay public including those without internet access.
7. **Delay further progress of the Bill** to allow for a *real* consultation process to take place. The consultation process must actively involve those who understand best how national parks need to be managed – the parks rangers. Input from other stakeholders, such as scientists and the conservation sector, also needs to be incorporated into an amended Bill. The result can only be a strengthened and expanded National Parks system, which will be an asset for all the people of Queensland for generations to come.

Please contact our office if you have any queries regarding the points above.

Sincerely,

Anna McGuire

Coordinator