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13<sup>th</sup> September 2013

Dear Sir/Madam,

**RE: Nature Conservation and Other Legislation Amendment Bill 2013**

BirdLife Capricornia thanks you for the opportunity to comment on the proposed amendments to the Nature Conservation Act 1992. We hold great concerns regarding the proposed changes to the Act, which will undoubtedly weaken the primary purpose of the Act of protecting and conserving natural heritage, landscape and cultural heritage. Already, Queensland has the country's lowest level of protection in the National Reserve System (<http://www.environment.gov.au/parks/nrs/about/ownership.html#levels>), and holds nature park estate well below the internationally recognised desirable standards and well below the Australian average.

We find one major aspect of the Bill to be positive, that in which Indigenous people should be involved in the management of protected areas in which they have an interest, and we commend the Bill for that proposed change. Our concerns with the Bill are as follows:

**Commercial use of protected areas**

One objective of the Bill is that the Act allow for social, cultural and commercial use of protected areas in a way consistent with natural and cultural or other values of the area. In particular, commercial use of protected areas is extremely difficult to manage and assess for compliance and sustainability without significantly increasing departmental staff. Importantly, the implementation of commercial development in National Parks would require in-residence Rangers who would provide ongoing monitoring.

The Bill does not specify what types of commercial development will be allowed in protected areas, which opens the door to highly invasive and destructive commercial activities such as four wheel drivers and quad bikes. Allowing such destructive activities in areas set aside to protect biodiversity will severely diminish the ecosystem's resilience to natural fluctuations in climate, such as drought, cyclones and climate change.

National parks within Queensland cover less than 5% of the state and manage very diverse ecosystems from tropical coastal to inland desert ecosystems. Covering such a small percentage of the land area of Queensland there is little room for error with ecosystem

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management. Total area of protected area within Queensland is 4.02% of the state area; 3.81% of these are National Parks. In comparison, Victoria's protected areas equal 11.32% of total state area. (Ref: Wikipedia)

A common argument is that National Parks are "Locked Up" from Queenslanders however, a recent survey, commissioned by Queensland Parks and Wildlife Service, found that 70% of Queenslanders had visited a National Park in the last 12mths" suggesting that National Parks have an intrinsic value to Queenslanders.

### **Creation of Special Management Areas in National Parks**

The Bill includes creation of 'special management areas' on National Parks that will allow for 'special activities to take place, such as scientific research of the manipulation of an area's natural resources to achieve a conservation outcome'. The vague and open-ended designation of 'special management areas' will threatening natural ecosystems and biodiversity by allowing a wide range of management agendas which circumvent the need for special legislation prior to implementation. For example, areas where feral pests are prolific may be opened up to public shooting, areas with excess grass stocks may be opened up to cattle grazing, both of which may have considerable and unexpected consequences for wildlife in protected areas. These types of activities should only be exercised with a special mandate which has examined all the potential outcomes prior to implementation; however, this Bill negates that safety net and could have detrimental consequences.

To demonstrate how destructive some activities can be on wildlife in National Parks, we have outlined an example of the ongoing impacts of allowing cattle grazing in protected areas.

Proposed amendments to the Nature Conservation Act state *"The cardinal principle 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 the protection of its cultural resources and values, will not be changed"*.

Allowing grazing of National Parks as a drought refuge is fundamentally in conflict with this principle. Livestock grazing causes considerable damage to native ecosystems and creates a serious risk that further species will be pushed to extinction (Ludwig 2000). Queensland already has the unenviable record of losing the only mainland bird species to extinction since European settlement, the Paradise Parrot.

Granivorous(seed-eating) bird species have suffered serious declines in range and population across northern Australia since the introduction of grazing and associated habitat changes (Woinarski *et al.* 1993, Franklin 1999, Hannah *et al.* 2007). Within the Fitzroy River catchment in Central Queensland four finch species present at the time of European settlement are now locally extinct or very rare. The Eastern Star Finch once occurred from Cape York to northern NSW, but is now possibly extinct. The Southern Black-throated Finch was common in the Rockhampton area until the 1960s, but is now reduced to small remnant populations near Townsville and in the western Burdekin River catchment. The Diamond Firetail occurred across the Fitzroy River catchment, but its range has contracted far to the south. The Crimson Finch has declined from a

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range which covered most of the Fitzroy Basin to a small remnant in the Isaac-Connors catchment.

The Extinct Paradise Parrot was a granivore whose distribution was mostly in the Brigalow Belt, and was probably driven to extinction by 1930.

Declines in granivorous species of northern Australia have been linked to changes in vegetation structure and resulting changes to food resources caused by grazing and changed fire regimes (Woinarski *et al.* 1993, Franklin 1999, Hannah *et al.* 2007). Declines were most severe in the Brigalow Belt bioregion of eastern central Queensland.

Cattle grazing in long dry cycles prevents the formation of viable quantities of grass seeds which granivorous species depend on to survive (Woinarski *et al.* 1993, Franklin 1999). This effect is made worse by drought. In severe droughts the only remaining grass seed reserves may be in ungrazed National Parks. The eminent pioneer ornithologist Charles Barnard chronicled changes on his grazing property, Coomoolaroo in the Dawson River catchment, between 1873 and 1933 (Catterall and Woinarski 2003) He recorded the loss of waterholes and riparian vegetation in the early pastoral period, and described the effects of the severe “Federation Drought” of 1897-1901 when “no grass seeded for several years”. At the end of this drought Paradise Parrots and many other bird species were lost from the district, and have never returned. Although trapping was also a factor in bird decline, grazing was clearly a major cause.

In those days we did not have the network of National Parks we now have, so there was no ungrazed land with seed supplies to allow granivorous birds to survive. If we allow grazing in National Parks in drought, we are removing this emergency reserve at the very time it is most needed, and making further extinctions probable.

Industry groups such as MLA and AgForce support best management practices that progressively de-stock their land as drought becomes more probable. If we allow grazing as a fall back in drought, we will be encouraging less responsible managers to gamble on rain and hold on to stock too long, knowing they can always fall back on National Parks. This will be greatly to the detriment of our natural heritage.

### **Loss of staff in government departments**

An additional concern is the continuing loss of department staff (particularly the skilled staff with expertise in biodiversity management) who can monitor activities undertaken by commercial operators and advise them if they are meeting the provisions of the Act.

### **Amendments to public notification**

We are concerned by the proposed changes to the Act regarding ‘Public notice of draft management plan’ and ‘Public notice of draft amendment’. The Bill proposes that the Minister no longer has to publish the notice in newspapers, instead the Minister must only

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publish the notice on the department's website. The Bill also proposes to change the wording in this section from 'Public Notice' (Clauses 85 & 87, Heading sections 19 & 26, respectively) to 'Notice' and from 'public notice is given' (Clauses 85 & 87, sections 19(3) and 26(3), respectively) to 'notice is published'. These seemingly minute changes to the wording effectively take away the requirement that the public be notified about draft management plan changes and amendments. There is absolutely no justifiable reason that the changes in the public notification requirements should be amended in the Act.

We express concern at this perceived lack of an open and transparent decision making process regarding the approval process for commercial activities, in particular. It is well understood the protection of natural resources and ecosystem management is highly complex and involve an array of stakeholders and decision making systems that engage these stakeholders are required to 1) sustainably manage these resources and 2) ensure open and transparent management of public-owned assets. We suggest the decision making process be strengthened, not weakened, and be made available to the public for comment.

BirdLife Capricornia agrees that a review is needed of the legislation surrounding National Parks. However, the current legislation requires strengthening to arrest biodiversity declines in Queensland, not weakening as will occur under the proposed Bill. We are also concerned that the Prime Minister-Elect has promised to devolve 'approval bilaterals' under the EPBC Act to the States and Territories. There will be no independent umpire to rule on inappropriate developments and threats to matters of national environmental significance. We strongly urge the Health and Community Services Committee to recommend rejection of the Bill.

Yours sincerely,

Allan Briggs  
Secretary

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### References:

Woinarski, C.Z., Catterall, C.P., Driscoll, P.V., Hulsman, K., Muir, D. and, Taplin, A. 1993. Australian tropical savannas, their avifauna, conservation status and threats. *Birds and Their Habitats: Status and Conservation in Queensland, Queensland Ornithological Society Inc.* p. 45–63.

Catterall, C.P. and, Woinarski, J.C.Z. 2003. Birds of Coomooboolaroo, Central Queensland, from 1873 to 1999. *The Sunbird* 33:3 p77-98.

Donald C. Franklin. 1999. Evidence of disarray amongst granivorous bird assemblages in the savannas of northern Australia, a region of sparse human settlement. *Biological Conservation* 90:1p53–68.

Franklin, D.C., Whitehead, P.J., Pardon, G., Matthews, J., McMahon, P., and, McIntyre, D. 2005. Geographic patterns and correlates of the decline of granivorous birds in northern Australia. *Wildlife Research* 32:5 p399-408.

Hannah, D., Woinarski, J. C. Z., Catterall, C. P., McCosker, J. C., Thurgate, N. Y. and, Fensham, R. J. 2007). Impacts of clearing, fragmentation and disturbance on the bird fauna of Eucalypt savanna woodlands in central Queensland, Australia. *Austral Ecology*, 32: 261–276.

Ludwig, J. A., Eager, R. W., Liedloff, A. C., McCosker, J. C., Hannah, D., Thurgate, N. Y., Woinarski, J. CZ and, Catterall, C. P. Clearing. 2000. Grazing Impacts on Vegetation Patch Structures and Fauna Counts in Eucalypt Woodland, Central Queensland. *Pacific Conservation Biology* 6: 3, p254-272.

Lunt, I.D., Eldridge, D.J., Morgan, J.W., and, Witt, G.B. 2007. Turner Review No. 13. A framework to predict the effects of livestock grazing and grazing exclusion on conservation values in natural ecosystems in Australia. *Australian Journal of Botany* 55, 401-415.