



**Gecko - Gold Coast and Hinterland Environment Council** Assn Inc.

ABN 90 689 258 843

Gecko House, 139 Duringan Street, Currumbin, Qld 4223.  
Telephone 07 5534 1412 Facsimile 07 5534 1401  
info@gecko.org.au www.gecko.org.au

13<sup>th</sup> September 2013

Health and Community Services Committee  
Nature Conservation and Other Legislation Amendment Bill (no 2) 2013  
[hcsc@parliament.qld.gov.au](mailto:hcsc@parliament.qld.gov.au)

Dear Sir/ Madam,

**Re: Submission to Nature Conservation and Other Legislation Amendment Bill (no 2) 2013**

Gecko- Gold Coast and Hinterland Environment Council (Gecko) welcomes the opportunity to have input into the Nature Conservation and Other Legislation Amendment Bill (no 2) 2013

Gecko- Gold Coast and Hinterland Environment Council Assoc. Inc. is a not-for-profit environment association founded in 1989 and has been active for the past 23 years in protecting the environmental values and ecological sustainability of the Gold Coast, Queensland and, when appropriate, nationally.

Gecko considers that these amendments to the cardinal principal as proposed are unnecessary and expose our most precious natural areas to unwarranted risk of degradation. People of vision put aside our national parks because they recognised that it was essential to have some areas specifically for conservation. It is also true to say that the national parks have never been “locked up” and have always been open for visitation and the enjoyment of

nature. It may be true that they have not been adequately promoted or that sufficient interpretation has not been available, but the parks were always open for people to enjoy. This Bill will have direct consequences for the management and use of our protected areas which are repositories of biodiversity. The new activities which are now proposed for our National Parks and protected areas do not further the concept of environmental protection and this legislation sets up conflicts which did not previously exist when the cardinal principle was enshrined in legislation as the protection of nature.

Our detailed comments are presented below in table form for ease of reference.

Our organisation also has some concerns that the Community Services Committee is examining this legislation when previous inquiries into draft legislation such as the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012 and The Nature Conservation (Protected Plants) and Other Legislation Amendment Bill 2013 have gone through the Agriculture, Resources and Environment Committee. The current draft legislation covers many of the same considerations and, at the very least, the Committee would have a greater familiarity and understanding of the issues involved.

Issue	Comment	resolution
To increase access to national Parks and other public lands	<p>National Parks have always been fully accessible to the public provided there are suitable access roads and trails so it is misleading to suggest the legislation needs to be changed to increase this access. The issue is more likely to lie in the perceived inadequate marketing of national parks to the public and tourism industry.</p> <p>There is also the issue of management. Insufficient funds have been made available for management over at least 10 years has resulted in some access trails being closed because of safety matters. This is particularly true of areas that have sustained damage from cyclones, floods and wild weather.</p>	<p>An audit of accessibility for each park and protected area to determine the need for increased accessibility should be undertaken and a plan devised to improve any deficiencies.</p> <p>The Department of National Parks could improve their marketing of areas suitable for increased accessibility</p>
Change of the Object from nature	This change fails to recognise that national parks were created for the	High impact recreation should be in

<p>conservation</p>	<p>protection of nature by people of vision. Australia and Queensland biodiversity is in decline due to human settlement and development over most of the land mass. The small areas (5%) left for national parks should not be expected to provide for inappropriate recreational activities as well e.g. 4WD vehicles; horse riding; trail bikes. These activities are more suited to separate recreational areas of lower environmental/ ecological value.</p> <p>The language is contradictory in proposing that national parks are both for conservation and recreation. When there is a conflict of these objectives which will prevail? Which will prevail will be left to legal or bureaucratic interpretation.</p> <p>For these reasons we strongly object to the objects of the Act being expanded as proposed.</p>	<p>areas of low conservation value.</p> <p>The legislation should clearly state the precedence of the several objectives.</p>
<p>Reduce the number of protected area tenure classes</p>	<p>The reduction of classes is too extreme and reduces the possibility of future declaration of areas at a higher level of protection such as wilderness area and World Heritage management areas and International Agreement areas.</p> <p>Consolidation of NP scientific and NP recovery designations into national parks fails to recognise the special nature of scientific areas and the extra protection they need. Abolishing the scientific category is contrary to the IUCN category to ensure strict protection of areas of exceptional conservation value.</p> <p>Recovery status is in jeopardy if high impact uses are permitted as this will degrade their ecological values further.</p> <p>The designation of regional park as a catchall for all conservation areas is too broad, and will in fact conflict local government designations of regional parks. A regional park designation fails to acknowledge the</p>	<p>We recommend the retention of National park scientific and recovery for management purposes and compliance with IUCN recommendations.</p> <p>We would like to see the difference between conservation and regional park retained.</p> <p>Allow the possibility of future declarations for wilderness area and World Heritage management areas and International Agreement areas.</p> <p>Undertake the review and consultation of the forest reserves</p>

	<p>ecological values of both conservation areas and resources reserves and will result in less stringent management principles.</p> <p>The change proposed for the tenure of forest reserves is premature and should not be considered until after the review and fuller public consultation. Moreover the currently stringent requirements of forest reserve revocation under the NC Act will be made ineffective through the application of the Forestry Act. A resolution of Parliament will no longer be required and this will prevent forest reserves from becoming protected areas, even though this might be a desirable outcome for conservation purposes.</p>	<p>tenure prior to the removal of this tenure.</p> <p>The new designation of Special Management Areas is superfluous.</p>
<p>Revise the management principles for protected areas consistent with the new tenure classes</p>	<p>The abolition of the requirement for Management Plans for each NP fails to recognise that the new allowed activities in National Parks may be in conflict with the cardinal principles. Where such new activities as grazing and tourist resort development are to be introduced, a management plan should first be in place to ensure that the key values of the park are identified so that they will not be adversely impacted by new activities. The public consultation process will ensure impacts are minimised to the greatest extent possible. The requirement for a simple Management Statement (which does not involve public consultation) will be inadequate to ensure enduring protection for the natural values of our National Parks when conflicting uses are imposed.</p> <p>National Parks belong to the people of Queensland and not to the government of the day and excluding them from the decision making process is unacceptable.</p>	<p>We recognise that Management Plans are costly but in the long run they will save the government money by preventing harmful activities.</p> <p>A simple Management Statement ( for which it is intended not to require input from the public) does not indicate the “how” of managing a protected estate and does not differentiate between the different management needs of individual parks. What guidance is given in this area? We request that, at a minimum, the development of a management statement involves at least one round of public consultation and that a statement for each park (where a management plan or statement does not already exist) is drawn up prior to</p>

		<p>new uses being permitted.</p> <p>There is too much Ministerial discretion allowed in making amendment to Management Plans or statements and opportunities for public objection to substantial changes to the management of any national park must be retained under the Act. To remove this opportunity is a failure of democratic process.</p>
Management Plans for Marine Parks	<p><b>Division 4 Amendment of Marine Parks Act 2004</b> Our comments regarding the need for effective and transparent public consultation in the development of management plan apply to the Marine Parks Act as well. Due to the greatly expanded fishing and recreational effort evident along our coastal areas and the growth in the number of recreational boats Gecko believes it is imperative that detailed management plans should be developed for all marine reserves. A management statement, uninformed by public consultation is unlikely to deliver the best possible conservancy of marine reserves.</p>	<p>Retain the requirement for marine reserves to have management plans developed through public consultation.</p>
Resource use areas	<p>When considering the tiny area of Queensland dedicated to environmental protection (less than 5%) it is completely unacceptable that mining, geothermal activities and GHG storage are to be imposed on conservation areas. National Parks are specifically excluded from mining activities, however all the protected areas that are being rolled into the category of Regional Park will be threatened by these new and damaging activities.</p>	<p>We strongly advocate for the declaration of resource use areas in regional Parks to be removed from the provisions of the Bill.</p>

Relationship of this Bill to the Forest Reserves	Finalisation of this draft Bill will apparently precede the review of forest reserves which is still underway. To date there has been no indication of public consultation into any changes to forest tenure classes being undertaken and the new classifications which currently remain under the Nature Conservation Act and are relevant to this consultation.	We recommend that any changes to the Nature Conservation and other legislation amendment Bill be deferred until the review of forest reserves and tenures is complete.
--	---	--

Examination of the provisions of this draft Bill once again highlights the regrettable decision to separate National Parks and other protected areas from the portfolio of the Minister for the Environment, who is charged with the protection of biodiversity of Queensland (and Australia). Placing National Parks under the Recreation, Sport and Racing Portfolio removes the environmental oversight that should prevail. It is our understanding that the Environment Minister now only has an advisory role in development applications. It does not appear that there is even a requirement for this Minister to be consulted in matters that may negatively impact upon the nature conservation and biodiversity values of Protected Areas.

Gecko members urgently request that the Committee recommend that the cardinal principle of conservation of nature remain the priority over any proposed recreational or cultural activity. Over the long term encouragement of high impact activities will not only reduce our threatened biodiversity, but also cost more in management.

Yours sincerely

Lois Levy,

President