

## **Submission to the Nature Conservation and Other Legislation Amendment Bill (No 2) 2013**

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The Nature Conservation Act 1992 came into effect when I was Director of the Queensland National Parks and Wildlife Service. It is a good Act and has served Queenslanders and their natural heritage well over the intervening 20 years. Why, then, is it being amended?

The rationale for these major changes, as stated in the Explanatory Notes, is perplexing. The Notes state: “These amendments contribute to the Queensland Government’s commitment to open national parks for the enjoyment of all Queenslanders and to deliver improved access.”

What does this mean?

Each year Queensland’s national parks attract 27 million domestic visits, an extraordinary number given the state’s population of just 4.7 million. This shows the affection Queenslanders have for their parks. More evidence for this comes from a recent survey that found 70 per cent of Queenslanders had visited a national park in the previous 12 months. A further 7.9 million international visits also occur. Visitation to national parks generates much-needed income for regional areas.

Parks are often (unfairly) criticised for ‘locking up’ land, though the above visitation figures show this criticism is a myth. In fact, national parks are the most *welcoming* of all forms of public land.

If parks are already receiving high numbers of visitors, why is the legislation being overhauled? Put another way, who – or what – is being *denied* access to national parks? Clearly, it’s not people.

Activities that are incompatible with the Object of the Act *are* denied access. This is appropriate, and includes damaging activities such as grazing, logging, mining and inappropriate tourism.

The Object of an Act is its foundation stone; the rest of the Act and its Regulations flow from the Object. If you change the Object, you fundamentally change the Act, and this is what is proposed in these Amendments.

The Object of the Nature Conservation Act 1992 is the ‘conservation of nature’. This Object guides the legislation to achieve this nature conservation goal.

The Explanatory Notes state that the Object is to be amended to include “the social, cultural and commercial use of protected areas in a way consistent with the natural, cultural and other values of the areas”. “Commercial use” is not defined and no examples of “commercial use” are given, though mining is specifically excluded in national parks. The Notes are silent on grazing, logging and tourism developments.

As part of an amended Act's revised Object, these "commercial uses" would have equal status with "protection of nature" in determining how national parks are to be managed. This dramatic change to the Object is of grave concern, as it will open the way for "commercial uses" that may damage or destroy habitats of rare, threatened or endangered species, and potentially 'lock up' areas currently used by visitors.

The lack of information regarding "commercial uses" is a significant flaw in the Explanatory Notes. This should be rectified so the community is better informed and able to comment. Without this, the submission process is deficient, and one could be forgiven for thinking the government's intention to 'open' national parks to 'commercial uses' is simply to pave the way for activities that would be inappropriate under the present Object.

This thought is reinforced by the proposal to abolish national park management plans in favour of management statements. Management plans are area specific; they identify the natural and cultural assets to be managed; set goals and timelines; and, most importantly, provide opportunities for the community to participate in the management and planning process.

It is ironic, that on the one hand, the government wants to 'open' national parks but on the other wants to *deny* Queenslanders the opportunity to comment on management plans and participate in the management planning process. Management statements will *not* be open to public scrutiny.

One reason for this may be that the community would oppose a management plan that foreshadowed grazing, logging and/or inappropriate tourism in a national park. By abolishing management plans, the government is removing this potential source of embarrassment.

In order to allay community concern about being 'locked out' of the planning process, parks proposed for grazing, logging, or other potentially damaging activities, should have management plans developed and public comment invited, well in advance of the activity taking place. The proposed activities should also be subject to cultural and environmental impact assessments.

#### Conclusion

Rather than opening up national parks, the proposed Amendments are likely to close park areas to visitors if grazing rights, logging concessions and/or tourism leases are allowed. Queenslanders will also be locked out of participating in the management planning process.

No legitimate reasons have been given for the wholesale changes being proposed to the Nature Conservation Act 1992. On the contrary, the evidence suggests that the present Act, with minor exceptions, has stood the test of time well, and is delivering on its nature conservation Object. The Act is also providing nature-based recreation for millions of Queenslanders, and interstate and overseas visitors, who in turn underpin regional Queensland's economy.