



**Bat Conservation
& Rescue QLD. INC.**
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**The Chairman
Health and Community Services Committee,
Parliament House
George Street, Brisbane QLD 4000
hcsc@parliament.qld.gov.au**

13 September 2013

Re: Submission to the Nature Conservation and Other Legislation Bill No (2) 2013

Bat Conservation & Rescue Qld (BCRQ) wish to lodge the following Submission in objection to the changes to the cardinal principals which govern National Parks. We hold grave fears for the natural systems and the flora and fauna presently protected under our National Parks system if these changes are adopted.

We need to strengthen, not weaken public and government perceptions regarding the importance of National Parks.

Communities have long fought for the preservation of Queensland's National Parks and protected public areas. Such is the case with the Lamington National Park where Romeo Lahey stated, "*The Reserves should be set apart forever for the use and benefit for our people as a whole and not sacrificed to the short-sighted greed of a few.*" This statement was included in a letter written to the Qld Lands Minister in 1955 and it was accompanied by a petition that was signed by more than 500 local residents. As a result, this area was declared Lamington National Park.

With a Queensland National Park Estate of only 4.8% and with this percentage well below accepted values for International and other Australian States and Territories, we cannot afford to have the protection and conservation of our Natural Heritage areas eroded further by the proposed amendments to the Nature Conservation and other Legislation Amendment Bill No (2) 2013. The proposed abolition of 8 Classes of Protected areas of this Bill weakens the Nature Conservation Act 1992 and is a retrograde step for the State of Queensland. As our State population expands and more areas are developed, the protection of National Parks become more critical.

BCRQ strongly oppose this Bill's objectives which will permit the commercial, cultural and recreational use of National Parks and other public lands. Many of these recreational uses will degrade and destroy the fragility, aesthetics and natural beauty of National Parks.

BCRQ also hold grave concerns for vast areas of National Park Estates if grazing of heavy hoofed animals is permitted. Of equal concern is the potential erection of many hundreds of kilometres of barbed wire fencing and the negative impact that this will have on wildlife. Barbed wire entrapment of many native species is a perennial problem and barbed wire fencing in National Parks can only add to the ongoing attrition suffered by so many native species.



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The reintroduction of grazing into National Parks will lead to small mammal extinctions, degradation of endangered eco-system, encourage the proliferation of weed species which will decrease flora and fauna diversity and deliver significant negative environmental impacts in the long term.

We base our objections on the following:

- *The proposed amendment to the Object of the Act in Section 4 completely changes the purpose of the Act. No longer will it be primarily concerned with the conservation of nature, as is presently the case, but it will now have social, cultural and commercial use of protected areas as an object. This may look harmless at face value. However, the object of an Act is the first port of call by a court of law when interpreting any provision of an Act.*
- *Statements have been made that the amendments leave the cardinal principle for national park management untouched. By changing the Object, the cardinal principle has potentially lost much of its legal strength. It has been the foundation for the protection, to the greatest possible extent, of the natural and cultural resources on national parks. It relied on the Object for its mandate.*
- *Any submission should strongly propose that the amendments to the Object of the Act should be removed. It is clearly an attack on national parks, because the three proposed additions only refer to protected areas, when the Act also contains provisions relating to the conservation of wildlife outside protected areas. These proposed changes have no place in the Object. The additions are all presently encompassed by the management principles for each class of protected area, where certain uses are qualified in terms of the extent to which they can apply. By placing them in the Object in such a broad and unqualified manner changes the whole basis of the Act.*
- *The proposed abolition of 8 classes of protected area is a step too far with minimal gain and some potentially substantial losses. It is fair comment that no areas had been declared as wilderness areas, World Heritage management areas and international agreement areas. So nothing changes by abolishing them. However, nothing is gained either. WHMAs and IGAs could have a place in the future and, in fact, were considered for declaration in the past. Why remove that flexibility when its presence has absolutely no effect, financially or in terms of so-called green tape, on the management of protected areas?*
- *Conservation parks and resources reserves have been abolished and rolled into a new class of protected area known as regional parks. The name should be objected to as it carries no implication of resource protection. When you combine two classes of protected area in a hierarchy, the resulting management principles tend to shift towards the lowest common denominator. That has happened with regional parks.*
- *The abolition of coordinated conservation areas is not a substantial loss. It has been used sparingly and its objectives can be achieved through nature refuges.*
- *The loss of national park (scientific) and national park (recovery) does need to be reconsidered. The loss of these two classes of protected area achieves virtually nothing other than saving a few lines in the legislation. Rolling them both up and stuffing them into the national park class is a travesty and substantially undermines the level of protection that is afforded to national parks.*
- *National parks (scientific) satisfies the IUCN category of protected area generally known as a nature reserve (the term used in NSW). These areas involve strict protection and management for a particular conservation purpose. Public access is strongly controlled. This class of national park is used for parks that protect, inter alia, bridled nailtail wallabies*



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(Taunton) and northern hairy-nosed wombats (Epping Forest). They sometimes require strong manipulation of the environment (including other native species) in order to ensure the survival of an endangered species. To simply absorb them into national parks and provide for a special management area (scientific) is unacceptable and unnecessary.

- Similarly, national park (recovery), which was designed to allow for restoration of land that was destined to become national park, has been absorbed into national parks. This also makes a mockery of national parks status as the restoration requirements could take many years to achieve. Once again, there is little to be gained and much to be lost by abolishing this class of protected area. A special management area (controlled action) has been created to cater for a national park on which this work is being carried out. National park (recovery) should be retained.
- National parks lose a lot by being obliged to absorb these two other protected area categories. The biggest loser is, in fact, the cardinal principle of national park management. Many activities that were legitimately carried out on national parks (scientific) and national parks (recovery) would be in breach of the cardinal principle. Consequently, the proposed action makes an absolute mockery of the cardinal principle and of national park status.
- Forest reserve has been abolished as tenure. It was established to act as a holding tenure in the SEQ Forest Agreement process. Many State forests that were being transferred to national park status contained a number of encumbrances (eg grazing, occupation licences etc) that had to be determined and negotiated before the land could be dedicated as national park. It has been an extremely useful holding tenure and there would appear to be no strong reason why it should no longer be available. Why wipe out that flexibility when it has served a very useful purpose in the past? The demise of forest reserve status would seem to reflect the government's desire not to transfer any State forests to protected area. In fact there is a move to return many forest reserves to State forest status. It is appropriate to argue that forest reserve tenure should be retained. As with other abolitions, there is nothing gained by its loss, but future opportunities have been lost if it no longer exists.
- Revocation of a forest reserve can also take place under the Forestry Act if the forest reserve is to become a State forest. The strong requirements making it difficult to revoke a forest reserve under the NC Act are effectively sidestepped in another Act. A resolution of Parliament would no longer be involved. Smoothing the process of preventing forest reserves becoming protected areas has been facilitated by using another Act.
- The slow rate of production of management plans for protected areas was identified in an audit of the NC Act some three years ago as a major departmental failing. Action has been taken in the amendments to abolish the requirement for each park, or aggregation of parks, to have a management plan. That has been replaced with a requirement to prepare a management statement. The capacity to prepare a management plan is still available, though there is no compulsion and probably very little incentive.
- There would be a good case to argue in a submission that any park that was subject to activities that are contrary to the cardinal principle, such as tourist resort development and grazing, should have a management plan developed before such an activity could be authorised. That would ensure that the key values of the park had been clearly assessed and expressed.
- Management plans are required to go through a public consultation process. That process previously had two consultation steps, but has now been reduced to one. Management statements involve no consultation with the public prior to coming into force. It is important that some public feedback be facilitated. If that does not happen, then it's difficult to know what value the management statement actually has. It would be



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appropriate for the submission to include a request that management statements be subject to a single public consultation process.

BCRQ is a not for profit organisation consisting of 132 members and our OBJECTIVES are:

- To provide accurate and informative education through literature, talks and community events to the general public about the importance of bats.
- To provide an efficient and humane service to rescue and rehabilitate sick, injured and orphaned bats and return them to the wild as soon as and whenever possible.
- To be active in the conservation of bats.
- To adhere to the guidelines as stated in the DEHP Code of Practice, 'Care and Rehabilitation of Orphaned, Sick or Injured Protected Animals by Wildlife Volunteers.'
- To operate as a not for profit volunteer organization.

On behalf of the Committee and members of Bat Conservation & Rescue Qld Inc

Denise Wade

Vice President