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

Submission to Health and Services Committee

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Level of Approval: executive committee

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We submit a single point for consideration by the committee -

Clause 68 -replaces sections 113 to 116 of the NCA with new sections specifically providing for making and implementing management statements.

It is our contention that the desire to cut the red tape burden associated with management plans, although commendable, will have unintended consequences further down the line. It will encourage closed management and bureaucratic overreach, and thus actively work against the main aim of the Bill, which is to increase public involvement in Queensland's parks.

- 1) We understand -
 - a) the key importance of having a public document to signal management intent which, at a minimum -
 - i) enumerates the conservation values of an estate.
 - ii) enumerates the recreation values of an estate.
 - iii) describes the management strategy for sustainable 'presentation' of these values.
 - b) and that the existing mechanism for preparation of management plans has succeeded in producing but a handful of plans over the twenty years the NCA has been in force - this despite the clear legislative burden on the Minister to do so.
and thus it is clear that the current legislation is failing to achieve the purpose for which it was intended.
 - c) We assert -

- d) the value of the National Park system, as a public asset taking both conservation and recreation values, has not been nurtured as it might have been,
 - e) and that this is an unintended consequence of making conservation a cardinal principle of the NCA, a step which has allowed inaction to stand as a proxy for conservation.
 - f) and the current status of our parks, conservational, recreational and financial can be laid at the door of the failure to 'present'.
- 2) We therefore agree with the broad thrust of this NCA amendment in its attempt to remove barriers to public participation within the park system.
- 3) However Clause 68 significantly weakens the NCA clauses it replaces and sets the stage for unconstrained administrative power.
- a) Yes -
 - i) as per our point 1)b, we understand the cost of pushing every management plan to public consultation.
 - ii) we understand that for very many parks, a lesser 'management statement' would work, and that it would be a whole lot better than getting nothing done at all.
 - b) But -
 - i) the development of a management strategy for a given park requires analysis of information that resides outside of NPRSR.
 - (1) history has shown that it is a professional scientific subset of the recreational user group that best understands the conservation values of a given park.
 - (2) history also has shown that administration never keeps pace with the novelty of outdoor recreation
 - ii) thus, without some form of public consultation, the management of a park will be misinformed with the result that -
 - (1) the conservation values of the park will decline
 - (2) the recreation values of the park will decline
 - (3) affected user groups will become disenchanted and alienated with the ensuing loss of their stewardship.
 - c) It is true that provision is made for the Minister to call for an 'old style' management plan in cases where he feels the public interest would be best served -
 - i) and it is arguable that we only need go to the expense of public consultation in those cases where there is a sufficient level of public interest,
 - ii) but, as the Bill is worded, it is entirely up to the Minister's discretion whether or not public interest is sufficient, and even then, he has the power to decide that public consultation is unnecessary.
 - d) If the Bill is to achieve its aim of increasing public involvement within Queensland's parks, then it is axiomatic that it cannot simultaneously pull the teeth of public opinion. A mechanism has to be found that leaves the public with the statutory power to influence how their parks are managed, without causing the whole enterprise to founder under the cost of democracy.