

## Submission to Land Tenure Inquiry (Inquiry)

By Dr Jan Aldenhoven



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I make this submission from the experience of being a wildlife filmmaker, qualified biologist and someone who enjoys the recreation and inspirational opportunities afforded by protected areas in Queensland.

### Summary

I submit the Inquiry should support\uphold:

- An increase in the percentage area of Queensland under national park
- The cardinal principle for protection of national parks
- Recognition of the value of ecosystem services of national parks and protected areas
- Strengthening legislation and regulation to protect national parks, not watering it down
- Location of high-impact activities such as horse riding, motorised trail bike riding, events, excessive 4WD activity away from national parks
- Location of commercial activities such as resorts, restaurants off-park, i.e. not on national park
- Recognition of native title and joint management between the state and traditional owners
- Protection of nature refuges from mining and quarrying
- Transparent, timely consultation with all stakeholders, particularly with regard to potential changes to legislation

### The importance of National Parks

As a wildlife filmmaker, I have travelled extensively throughout Australia and overseas working in many protected areas. With this background of experience, I appreciate the imperative of ensuring the rich diversity of our natural assets is adequately represented in protected areas, particularly national parks. These assets include native flora and fauna, diverse ecosystems, geology and landscape beauty. National parks also protect cultural heritage (both Indigenous and non-Indigenous). I am concerned that given the state's diversity in these values, inadequate representation of the diversity is currently protected in national park. **Less than 5% of Queensland is national park: the percentage should be increased.**

Queenslanders live in a time when people are becoming aware of the significance of climate variability and how that impacts on the natural world. This knowledge emphasises the need to ensure we protect large areas with interconnecting corridors to allow species and ecosystems to adapt to change.

Large tracts of intact natural ecosystems have the best chance of remaining resilient into the future.

We depend on natural ecosystems for many important services: maintenance of clean air and water, climate maintenance, flood regulation, the creation of soils, a repository from which dispersal of species can be generated to replenish surrounding areas, recreation, eco-tourism, scientific study, education, inspiration, relaxation, cultural identity, religious and spiritual values. These services have real economic and

social value and have been well documented in the literature e.g. the Intergovernmental Platform on Biodiversity and Ecosystem Services. Reference: <http://www.ipbes.net/>

In order that these ecosystem services are maintained, our natural areas need appropriate protection. Without that protection, the loss of services will end up being a cost to all of us.

The need for protection is embodied in the cardinal principle that prescribes how national parks should be protected and managed:

*"The cardinal principle for managing national parks is to provide, to the greatest possible extent, for the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values.*

*Natural condition means protection from human interference – allowing natural processes to proceed. Protecting a park's natural condition can require considerable action. This is what park management is all about.*

*Other management principles for national parks are:*

*to present the park's cultural and natural resources and their values; and  
to ensure that park use is nature-based and ecologically sustainable."*

The above is quoted from the government's website:

[http://www.derm.qld.gov.au/parks\\_and\\_forests/managing\\_parks\\_and\\_forests/principles/index.html](http://www.derm.qld.gov.au/parks_and_forests/managing_parks_and_forests/principles/index.html):

In short, national parks are managed for nature first.

Australia signed the Convention on Biodiversity as of June 1993 and our obligations came into force in December 1993. Under the Convention, Queensland also has obligations to carry out good stewardship in maintaining the state's biodiversity.

"In biodiversity terms, Australia is a mega-diverse country with a notably high proportion of terrestrial and marine endemic species. Australia's biodiversity makes a significant contribution to its economy and is regarded as an important part of the nation's heritage. It is essential to the identity and culture of Australia's Indigenous peoples". Reference:

<http://www.environment.gov.au/biodiversity/publications/cbd/first-national-report.html>

"The Australian government's central piece of environmental legislation, *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides the legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places defined in the Act as matters of national environmental significance". Reference:

<http://www.environment.gov.au/biodiversity/legislation/index.html>

High-impact recreational and commercial activities are not compatible with the cardinal principle or the state's obligations under the EPBC Act, nor with the

Queensland Biodiversity Strategy nor the Queensland Parks and Wildlife Service Master Plan for protected areas.

Activities that can be considered high-impact are horse riding, motorised bike riding, events and excessive 4WD driving. Such activities can be better assigned to areas outside national parks.

Similarly, commercial developments such as resorts, restaurants and shops should be built outside national parks, not inside. Keeping accommodation businesses outside of national park works well at Carnarvon Gorge National Park.

The reason for excluding high-impact activities is to preserve the values of national parks for the long term. High-impact activities open the country to more tracks, erosion, invasive exotic species and increased fire risk. Motorised bikes are also noisy spoiling the amenity of those that visit parks to enjoy nature.

The Inquiry should support an active program to implement an increase in the national park estate to more than 5% for the benefit of people today and into the future and provide for high impact uses outside of the national park estate.

The Inquiry should uphold the values of the cardinal principle and ensure that principle is not eroded through any changes in legislation.

### **Joint Management of Protected Areas**

I support the move to resolve native title claims including through joint management of protected areas with their Traditional Owners and note in particular the Indigenous Land Use Agreements resulting in joint management with the Quandamooka people of North Stradbroke Island.

I note the Acting Director General for the Department of National Parks, Recreation, Sport and Racing in his paper to the Inquiry urges the government to formulate a policy position regarding joint management of protected areas outside those areas that currently have joint management, namely Cape York and North Stradbroke Island.

I submit the government should consult Indigenous representative bodies, Traditional Owners, stakeholder groups and concerned individuals in formulating what this policy position should be.

### **Protecting Nature Refuges under the Nature Conservation Act 1992**

I recommend the Nature Conservation Act should be amended to protect Nature Refuges from mining and quarrying.

The Bimble Box Nature Refuge controversy has exposed the flaw that such important reserves have no protection in law from mining, gas and petroleum exploration or development. This undermines the long-term integrity of the Nature Refuge system in Queensland. It also makes a mockery of the investment that the public has made in setting aside refuges, believing they were ensuring protection of significant natural assets for future generations.

It's crucial the NCA is amended to give Nature Refuges protection from mining.

Australia's commitments under the Biodiversity Convention mean that Nature Refuges should be protected from mining. To do otherwise would be in breach of our obligations.

If Queensland fails to protect Nature Refuges from mining, it stands to lose all the financial contributions that landowners and the public at large make to this crucial component of our protected estate.

### **Consultation with Stakeholders**

I urge the government to fully consult those stakeholders and individuals concerned about the natural environment at all stages of preparing any changes or additions to environmental legislation. The process should be transparent and open and allow enough time for public comment.

In general the environmental sector is mostly made up of volunteers and has fewer resources than commercial sectors to make submissions in short time frames, particularly if legal advice is needed. Therefore adequate time lines for consultation are imperative.

I make particular mention of North Stradbroke Island. It has a special piece of legislation, *The North Stradbroke Island Protection and Sustainability Act 2011*. This Act has significant impact on the island's environment and community as it determines when sandmining ends. If any changes are anticipated to the Act, the island community and the public at large should be fully consulted at every stage, well in advance of any changes being developed.

### **Conclusion**

In conclusion I submit that the national parks and other protected areas we have in Queensland are precious. They have been carefully chosen for the values they have. It's very important that this Inquiry ensures that current legislation and regulation to protect them is not eroded, but strengthened.

Sir David Attenborough has brought the wonderment and beauty of the planet's natural treasures to us for half a century. He has travelled the length and breadth of the earth and when asked to name the loveliest place he has been to, he said "northern Queensland". "Absolutely fabulous ... wonderful birds, rainforest, Barrier Reef, space, mountains. Magnificent." The Sydney Morning Herald, July 28 2012.

That someone of Attenborough's knowledge and experience should select Queensland out of the whole world reminds us of the natural gifts we have and the responsibility to ensure they survive.

We are fortunate to still have the choice to preserve our natural environment and recognise the values and services it provides. People in many parts of the world no longer have that choice because their natural environment has already been destroyed. We may be the last generation to have this choice. We must proceed wisely.

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