



Speech by

**JOHN KINGSTON**

**MEMBER FOR MARYBOROUGH**

---

Hansard 28 November 2001

### **FRASER ISLAND**

**Dr KINGSTON** (Maryborough—Ind) (6.24 p.m.): I wish to address the overall management regime of Fraser Island and to identify the basic need to create a management plan and system enabled by the most effective legislation. The current unsuccessful, but sadly amusing, management activities on Fraser Island are reminiscent of a Shakespearian tragedy. Even the kookaburras are exiting the scene—dead.

The minister claims correctly that the island is suffering damage from overuse. His solution is closing off access to certain areas whilst admitting that he has no scientific basis for his decision to retreat to closures or for his choice of where the closures should occur. Closing off access to certain areas increases the human and vehicle density on public areas. That would suggest that the minister has responsibly researched the comparative resilience of differing zones and then logically determined those areas which can withstand access and those that require varying degrees of protection or remedial action. The most fragile and unique areas may warrant the exclusion of the public, exclusion which the minister can explain logically to the many stakeholders. Meanwhile his merry men stalk starving dingoes with shanghais and clay pellets. One wonders about the job description for a modern Fraser Island ranger.

The real concerns of real people include: one, that the island is not being managed in a way that will minimise damage; two, that damage is not being classified into lasting or transient and not being monitored; three, that resident and visitor enjoyment of the island and their involvement in constructive management is not being maximised—in fact, loss of amenity is occurring; and, four, that the triple bottom line of the island's operation is not being addressed—that is, measures of financial, environmental and social benefits are not being recorded and are not being maximised. Thus residents, tourism operators and visitors are all negatively impacted under the current knee-jerk management.

The audience in the gallery is proof positive of the negative impacts of this minister on Fraser Island and the lack of the consultative process expected under democracy. The government's management is a traditional regulatory regime. Environmental law research now acknowledges that such traditional regulatory regimes do not maximise the benefits of a national asset.

Currently, a mixture of legislation impacts on the island. Firstly, Fraser Island is subject to the World Heritage Convention; thus we have an international legal duty to protect, conserve and present to future generations the culture and natural values of the island. There is some legal controversy over the extent of that duty, but the Tasmanian dam case of 1989 suggests that it is 'the direct obligation' and 'a positive duty' of the state 'to do the entire amount it can, to the highest degree of its own resources'. The minister is on the World Heritage stage. The reaction to his performance will depend on his perceived role. Based on his performance to date, if he is playing the jester, then he may be judged successful.

The Tasmanian dam case then went on to examine what must be recognised under World Heritage legislation. Amongst the conclusions were the following: there is a duty 'to bring out the area's potentialities to best advantage'; there is a duty 'to introduce the heritage property to the world'; and there is a duty 'to convey the World Heritage to future generations'. Decreasing access does not seem compliant with any of the foregoing international duties. The World Heritage Committee—after offering what technical, financial and other support it can—may delete the site from the register unless its conditions show improvement. I am forced to ask: is the minister playing bluff poker in a daring bid to

get international financial aid for Fraser Island? Tonight is only an introduction to the complex problems of Fraser Island and I look forward to continuing this debate in the immediate future.

---