

26th November 2009

Pitt & Sherry
GPO Box 94
Hobart, Tasmania, 7000
Attention: Catherine Nicholson



Dear Sir/Madam

Submission: Proposed Bay of Fires National Park

Thank you for the opportunity to comment on the proposed Bay of Fires National Park boundaries.

Launched in September 2001, the Tasmanian National Parks Association is a non-profit, non-government organization which gives the public a voice on issues that affect Tasmania's National Parks and other conservation reserves. Like similar associations in other Australian States, the Tasmanian National Parks Association provides a link between the community, park policy makers and other government and non-government organisations to identify and address issues concerning the ongoing management of Tasmania's reserve system and other areas of high conservation status.

The Tasmanian National Parks Association membership reflects a range of interests and expertise in relation to reserved land, and has within its membership considerable expertise in reserved land management and in natural and cultural values management. Further information about the Tasmanian National Parks Association can be found at www.tnpa.asn.au.

Given our objectives and interests, the Tasmanian National Parks Association (TNPA) makes the following comment in relation to the current state government proposal to reclassify the north section of the Bay of Fires Conservation Area and the Mount Pearson State Reserve into a new Bay of Fires National Park.

Comment in Relation to Proposed Boundaries

1 – Basis for Proposed Boundaries

Given the provisions of the *Nature Conservation Act 2002*, the TNPA are deeply concerned about the lack of justification from the government for –

1. creating a National Park in this area, and
2. the proposed boundaries.¹

Under the legislation a national park should be "A large area of land containing a representative or outstanding sample of major natural regions, features or scenery" the purpose of this classification of land being "the protection and maintenance of the natural and cultural values of the area of land while providing for ecologically sustainable recreation consistent with conserving those values".

Before the new national park is proclaimed (and in our view before consultation on the boundaries) these requirements must be publicly demonstrated to be met.

¹ On asking DPIPWE for information about the government decision making in relation to this matter so that TNPA could make informed comment, TNPA was advised that while there was an internal working document, the government was not prepared to make this publicly available.

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2 – What does the Proposed Park 'Protect' and 'Maintain'

Given the purpose of national parks under the legislation, the boundaries must be drawn to achieve the protection and maintenance of the natural and/or cultural values. The current proposed boundaries fail to demonstrate this (in part because we have not been told what values are being protected), and the North East Bioregional Network (May 2009) proposal for a new national park in the Bay of Fires region, suggests that the current proposed boundaries are far too narrow to achieve this.

The TNPA therefore argues that the government should reassess its proposal based on a comprehensive assessment of the range of natural and cultural values for the area, with boundaries that reflect values conservation and usable management boundaries (not land tenure blocks).

3 – Lack of Connectivity of the Proposed Park & Considering Management

The TNPA believes that the current proposal, which comprises two relatively small and disconnected land parcels, is completely inappropriate.

As well as needing to provide for the conservation of the values for which the land is reserved, matters such as connectivity and ease of management are also important considerations. Connectivity is extremely important and should be a feature of the Park (and it can be achieved in this instance given the adjacent Crown land, albeit of different tenure). Consideration of management requirements is also a key need in determining land management boundaries of any type, including for national parks.

4 – The NEBN Position - A Starting Point for Determining a the Park Boundary

The TNPA supports in principle the boundary proposed by the North East Bioregional Network's (NEBN) May 2009 proposal for a new national park in the Bay of Fires region. This group have undertaken considerable research into the values of the area (although the cultural values are not assessed in this document), and in our view and in relation to our points No.2 & 3 provide a considered and useful starting point for determining appropriate park boundaries.

In particular the TNPA support inclusion of the State forest areas behind Binalong Bay to promote connectivity, enable management access to the more coastal areas and to provide more logical and more manageable boundaries (TNPA understand there have been issues in the past with quarrying and other activities in this area encroaching into the conservation areas).

The TNPA also supports the other recommendations of the NEBN report.

4 – Role of Tourism

The TNPA would be extremely concerned if the current boundaries were being determined by use considerations, primarily tourism promotion, alone. This should not be a matter which is considered in determining the boundaries for a national park.

If tourism and recreation use is the primary intent for the area, then the appropriate public land use category is as a 'Nature Recreation Area' (refer *Nature Conservation Act 2002*).

5 – Need for Independent Review

It would appear from the initial government announcement to create a Bay of Fires National Park, that the creation of this national park is essentially a political decision. Given this, the TNPA strongly believes that there should be an independent assessment of this park proposal, in particular its boundaries.

The TNPA therefore recommends that there should be an independent assessment of the final proposed boundaries based on the requirements for national parks under the *Nature Conservation Act 2002*. In our view the appropriate body is the Tasmanian Planning Commission (using its RPDC equivalent function).

6 – Aboriginal Values, Boundaries and Management

The TNPA is aware that there are significant Aboriginal historical and archaeological values in the broad Bay of Fires Area, and that for these reasons the Aboriginal community has a strong attachment to this area.

In the TNPA's view it is critical that these values are assessed and a vision for their co-management is established before the national park boundaries are established, as this matter will have major implications for the boundaries (including how the proposed Bay of Fires National Park relates to Mt William National Park).

The government therefore needs to develop a position on how the Aboriginal values of the area are to be managed prior to determining the park boundary. The TNPA further suggests that this area (in full or part), given its Aboriginal heritage values, may provide an excellent pilot for Aboriginal co-management/partnership management in Tasmania, for example along the lines of initiatives in NSW in Jervis Bay, if the Aboriginal community is interested in developing such an approach.

Additional Comment (given there will be no additional public consultation)

7 – Revised Process for Establishing a Bay of Fires National Park

Given the above and the limited public consultation being proposed at present in relation to the current proposal for a Bay of Fires National Park, the TNPA recommends the following revised framework for establishing a Bay of Fires National Park –

- comprehensive review of the values and boundaries, with a proposal based on this work
- independent review of the proposal by the Tasmanian Planning Commission (TPC)
- public release of the proposed boundaries and their justification, plus proposed management for the park, and the TPC's comment
- revision of the proposal based on the above.

8 – Funding for Management

Given the current funding situation for the PWS, under which the PWS appears not to have sufficient resources to manage existing reserves, it is imperative that when the Bay of Fires National Park is created, which will have an additional resourcing impost, that the government provide sufficient additional resources for the ongoing management of the area. In the TNPA's view the first priority once the National Park is created is the development of a full management plan for the park.

Conclusion

In the light of the above, we strongly urge the government to –

1. re-assess its current proposal on a professional and scientific basis in line with the requirements for creating new National Parks under the *Nature Conservation Act 2002*;
2. to consider the boundaries put forward by the North East Bioregional Network (May 2009);
3. to have the revised detailed proposal assessed by an independent appropriately qualified body, for example the Tasmanian Planning Commission;
4. to undertake further public consultation which is informed by the above.

We also wish to reiterate our strong concern over the government's approach to the current proposal; specifically –

1. that the government has failed to explain why it intends to create a new national park in this area; and
2. the complete absence of information on, or indeed justification of, how the government arrived at its proposed boundaries.

The TNPA would be happy to meet with Pitt and Sherry and/or the government to discuss our submission further if that would be useful to you. Please contact me if you would like to meet or would like further information on, or clarification of, any points in our submission.

Yours sincerely

Anne McConnell

Spokesperson, Tasmanian National Parks Association.

cc Hon David Llewellyn, Minister with responsibility for the Nature Conservation Act 2002.