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Thursday 28<sup>th</sup> March 2024

**Re: Submission on the Parks of Eastern Kangaroo Island Draft Management Plan**

To whom it may concern,

The Nature Conservation Society of South Australia (NCSSA) appreciates the opportunity to provide feedback on the Department for Environment and Water's *Parks of Eastern Kangaroo Island Draft Management Plan*.

Since 1962, the NCSSA has been a strong advocate for the protection of nature, with particular emphasis on nationally and state-listed threatened plants, animals and ecological communities, and the management of protected areas.

Relevant to this submission, NCSSA has had decades of involvement with conservation on Kangaroo Island, including:

- biological surveys
- campaigning for the Gosse Crown Lands to be added to Flinders Chase National Park
- fighting for the protection of Flinders Chase National Park against encroaching development, *and*
- several recovery and bushfire mitigation projects following the 2019–2020 bushfires.

### **Content of this submission**

NCSSA's feedback on the current park management plan focuses on the following key points:

- Issue 1:** The legislated requirements for park management plans
- Issue 2:** Striking an appropriate balance between conservation and recreational use of parks, with particular emphasis on the proposed cycling and walking trail network under development for Kangaroo Island
- Issue 3:** Commercial use of the parks estate, and how this may impact on both conservation values and equity of access to nature
- Issue 4:** Feedback on specific conservation measures for the Island, including feral animal control, weed management, fire management, and *Phytophthora* management.

These issues are discussed in detail in the submission appended to this letter. If you would like to clarify or discuss any of the issues in this submission please contact me on 0431 448 133, or via email at [kirsty.bevan@ncssa.asn.au](mailto:kirsty.bevan@ncssa.asn.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kirsty Bevan'.

Kirsty Bevan, CEO

## Appendix: Further outline of issues identified in cover letter

### Issue 1

#### Legislated requirements for park management plans

It is a requirement of the *National Parks and Wildlife Act 1972* (NPW Act), Section 38(1), that a management plan be made for each National Park. This is a key responsibility of the Minister.

NCSSA has noted in a previous submission that there is a trend in South Australia towards park management plans that cover multiple parks in sparse detail, that are divorced from their ecological and geographical context, and which are inadequate for the purposes of practical management. Such documents cannot accurately be considered *management* plans, but rather, *strategy* documents.

Unfortunately, the draft plan for the parks of eastern Kangaroo Island falls into the latter category. NCSSA therefore contends that it **does not meet the responsibilities of the Minister** under Section 38(1) of the NPW Act to write **management** plans for the 11 included parks.

NCSSA raised a similar point last year, in a submission on the draft *Parks of the Central Fleurieu Peninsula Management Plan*, which has since been adopted. NCSSA repeats the point that a strategic document is not adequate for effective park management, but notes DEW's previous response that:

*"[d]etailed and prescriptive information is out of scope for a strategic document of this type. Subordinate operational plans will include detail on specific management actions."*<sup>1</sup>

In line with that previous statement, the current draft plan for eastern KI parks (p.3) states that:

*"[w]hile the plan outlines the key priorities for management of these parks, detailed actions to address these priorities are developed and monitored at a park operations level. This approach ensures that the plan is flexible and able to guide a range of future challenges."*

Section 38(1) of the NPW Act does not make any provision for two levels of plan, comprising 'strategic documents' and 'subordinate operational plans', and this hierarchy does not have a basis in law. If the Minister wishes to formally differentiate between strategic plans and operational management plans, this would require amendment of the legislation.

If a formal distinction between different levels of management planning were to be legislated, it is essential for the transparency and accountability of conservation on public land that members of the public, and the Parks and Wilderness Council, continue to have a legislated role in developing both kinds of document, in line with current requirements under Section 38(3–10) of the Act.

#### ***Differences between strategic & operational management plans***

Currently, many of the parks of eastern KI are covered by an Island-wide management plan dating from 1987.<sup>2</sup> That document, although relatively brief on each park, is clearly management-orientated. The key ecological and geographical features of each park are outlined and mapped, grounding each plan in the physical world. For each park individually, the plan articulates clear management principles, a set of objectives that are

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<sup>1</sup> DEW (2023). Analysis of Public Submissions, Parks of the Central Fleurieu Peninsula Draft Management Plan 2023, comment #13, p.5. Available at <https://www.environment.sa.gov.au/topics/park-management/statewide-park-strategies/park-management-plans>

<sup>2</sup> Department of Environment and Planning (1987). Conservation Parks of Kangaroo Island Management Plan. Government Printer, Adelaide.

tailored to that park, and lists actions designed to meet those objectives. Of key importance, the **actions are prioritised in order of importance**. This format gives managers a clear and practical pathway of implementing for managing the park and its key attributes.

In that regard, the current draft strategic plan is a step backwards. It lacks timeframes or practical pathways for achieving any of its aims. The ‘challenges and opportunities’ paradigm used in the draft plan (see p.10) does not lend itself to implementation: risks are not ranked or managed based on the severity or likelihood; opportunities are not prioritised in order of importance, cost, or achievability; and nobody is identified as being responsible for advancing any actions to address any of these challenges or opportunities.

Therefore, while the draft plan expresses **intent** to manage these parks, it does not provide a practicable pathway to do so. It does not seem to provide the Minister with a way of meeting Section 40(1)(a) of the NPW Act, which compels the Minister to **carry out** the provisions of the management plan.

NCSSA urges NPWSSA/DEW and the Minister to re-commit to producing appropriately detailed management plans for all relevant parks, which:

- provide sufficient ecological and geographical detail to define the natural assets being protected,
- link intent with action, and
- comply with the legislative requirements of Sections 38(1) and Section 40(1)(a) of the *National Parks and Wildlife Act 1972*, to produce, consult on, and implement management plans.

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## Issue 2

### Balancing conservation & recreational use of parks

#### **Conservation values come first**

With the exception of Cape Willoughby Conservation Park, all of the Conservation Parks covered by this draft plan were established for the primary purpose of protecting and conserving nature. Where conflicts arise between the conservation values and the recreational values of Conservation Parks, NCSSA’s consistent position is that **conservation values must come first**, or the reason for their establishment is undermined.

An emphasis of the draft is expanding recreational use of KI’s parks as tourist destinations, notably the development of new walking and cycling trails, and opportunities for camping (Theme 3 of the plan). NCSSA appreciates the role that nature-based tourism plays in the South Australian economy and supports responsible development of opportunities for people to connect with nature. However, this must not come at the expense of eroding park conservation values.

Cutting trails through parks by definition involves clearing swathes through natural habitats. It increases human traffic and disturbance to wildlife, and increases ‘edge effects’ such as the spread of weeds, feral predators, the plant disease *Phytophthora*, and excessive herbivore grazing at habitat interfaces, by exposing more native habitats to degrading processes. Kangaroo Island is a nationally recognised biodiversity hotspot,<sup>3</sup>

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<sup>3</sup> DCCEEW (2022). Priority Places. Threatened Species Action Plan. Available: <https://www.dcceew.gov.au/environment/biodiversity/threatened/strategy/priority-places>

and South Australia has particular responsibility to protect KI's intact habitats and the species and ecological communities that comprise them.

The draft plan for the parks of eastern KI is scarce on detail about where new trails may go, and so it is difficult to comment on specific impacts. While the stated intent is that increased visitation will be **concentrated** in previously disturbed areas to prevent impacts to highly vulnerable conservation areas, the plan also leaves the way open for the future development of new walking, cycling and kayaking trails through parks that currently experience little human visitation, and for commercial tour operators to take visitors 'to experience the wild, remote parks of eastern KI under guidance'. This is deeply concerning to NCSSA as it would inevitably disturb and degrade habitat areas currently set aside exclusively for conservation.

NCSSA calls for transparency and consistency on where trails may and may not be considered within parks. The NPW Act allows for the creation of zones within reserves, which must then be maintained in accordance with the conditions specified in the management plan (Section 39). It may be beneficial to place moratoria on trail development in key areas via the creation of zones in order to protect key park assets, including outstanding natural features, key habitat areas of threatened species, or threatened ecological communities. This could be an effective way to reduce the risk of degrading park conservation values (Theme 1).

### ***Maintaining a distinction between different kinds of park***

Increasingly, there is a homogenisation of different park/reserve types, with increased emphasis on recreational use regardless of original park purpose. Care should be taken to maintain a distinction between Recreation Parks and Conservation Parks:

- Section 30(1)(a) of the NPW Act allows Conservation Parks to be proclaimed on land that should be 'protected or preserved **for the purpose of conserving any wildlife or the natural or historic features** of that land'.
- Section 34(1)(a) of the NPW Act, on the other hand, permits Recreation Parks to be proclaimed on land that should be 'conserved and managed **for public recreation and enjoyment**'.

None of the parks in this plan is a Recreation Park: all are Conservation Parks, and conservation should remain their focus. Degradation and disturbance of their natural habitats must be kept to an absolute minimum. Any recreational activities that are permitted within Conservation Parks should not conflict with the overall conservation purpose of these parks.

### ***The bigger picture of an Island-wide trail network***

NCSSA is aware that a Public Private Partnership trail development plan is being developed for the Dudley Peninsula, which is well advanced in its planning and consultation, and which would establish a trail through public and private lands, including three of the Conservation Parks included under the draft management plan (Baudin CP, Lashmar CP and Cape Willoughby CP).<sup>4</sup>

NCSSA notes that the draft park management plan also mentions an Island-wide walking and cycling trail strategy currently under development (p.16). In preparing this submission, NCSSA sought further information from NPWSSA about this broader trail strategy, including details about how advanced the planning is, and who is leading its development. A response from DEW on 28<sup>th</sup> February 2024 indicates that

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<sup>4</sup> Kangaroo Island Tourism Alliance (2023). Kangaroo Island Dudley Trail Master Plan. Final Report. TRC Tourism Pty Ltd. Available: <https://www.tourkangarooisland.com.au/industry/dudley-trail-master-plan>

this trail strategy is being managed by the National Parks and Protected Area Program Unit in collaboration with the consultancy TRC Trails and is currently in development. The draft trails strategy will then be developed in consultation with stakeholders on the Island.

An island-wide trail network strategy would be welcomed by NCSSA, and it looks forward to seeing a draft proposal in due course. Given the early stages of its development, it seems premature to include trail development proposals within the eastern KI parks plan. To enable fully informed public consultation on appropriate trail routes and alignment, knowledge of the bigger picture is necessary. Without knowledge of where trails might be considered, it is not possible to judge whether the trails strategy proposed in the draft management plan for eastern KI parks is reasonable or the best available option.

NCSSA therefore calls for a pause on all parks trail development until an Island-wide strategy has been put to public consultation.

### ***Specific conservation considerations for cycling trails***

An increased emphasis on cycling as a recreational activity within eastern KI's parks may introduce issues that need to be managed, over and above foot traffic from hikers. Cyclists can cover much greater distances than hikers, and thus pose a greater risk for spreading *Phytophthora* root-rot on their tyres over long distances.

This would be a particular risk if a future Island-wide trail network connected western and eastern KI, or if tour operators were to shuttle cyclists over long distances to trails on different parts of the Island. There is currently virtually no *Phytophthora* on eastern KI, and if it were spread from west to east, this could be devastating for eastern KI's parks, habitats, and species. This requires consideration from an Island-wide perspective.

The draft plan notes that *Phytophthora* could threaten Drooping Sheoaks (*Allocasuarina verticillata*) that are the food plants of the State *Endangered* KI Glossy Black Cockatoo (*Calyptorhynchus lathami halmaturinus*) and acknowledges a need to not cut trails through *Phytophthora* infested areas (p.6). However, it does not identify the specific risk of cyclists spreading *Phytophthora*.

Also requiring consideration is the threat that *Phytophthora* could pose to Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*) woodland on eastern KI, which is a Threatened Ecological Community (TEC) under the Federal *Environment Protection and Biodiversity Conservation Act 1999*.<sup>5</sup> This ecological community is unique to eastern KI, and stands of this TEC occur within and between the parks slated for inclusion in the Dudley Trail. It is imperative that walking/cycling trails not encroach on this habitat.

A further issue to consider specific to e-bikes is the potential for bushfires to be started via battery fires/explosions. Though rare, there have been real examples of this in South Australia.<sup>6</sup> The fire risk of e-bikes needs to be assessed and managed, especially if cycling is to be expanded within or near Kangaroo Island's parks where the potential for large-scale bushfires could be catastrophic.

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<sup>5</sup> *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), Conservation Advice for Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*) Woodland: <https://www.environment.gov.au/cgi-bin/sprat/public/publicshowcommunity.pl?id=102&status=Critically+Endangered>

<sup>6</sup> Forbes (2019). Electric road bike explodes on Adelaide hill-climb causing bushfire. <https://www.forbes.com/sites/carltonreid/2019/01/14/electric-road-bike-explodes-on-adelaide-hill-climb-causing-bushfire/?sh=20367909d91f>

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### Issue 3

#### Commercial use of parks

The draft plan for the parks of eastern KI paves the way for commercial tour operators to expand their use of parks infrastructure, for example by running multi-day private walking tours for fee-paying visitors that includes use of park trails, and by having privately managed on-park accommodation (e.g. Cape Willoughby lighthouse keeper cottages; p.17).

There is already a precedent for this on Kangaroo Island, with the heritage-listed Cape du Couedic Cottages within Flinders Chase National Park on western KI apparently unavailable for booking by general visitors via the NPWSSA website, but bookable as part of four-day private tour costing nearly \$3,000.<sup>7</sup>

The commercial use of the publicly-owned parks estate is a hotly contested issue at a national level. NCSSA's position is that the parks estate is a public good and should be managed by the public sector in alignment with park values. Management and use should not be outsourced to private, profit-driven entities, and 100% of any revenues (e.g. from guided tours) should be injected back into park management funds.

Where recreational use of eastern KI parks is permitted and deemed ecologically appropriate (see Issue 2 above), facilities should be available to all on an equitable basis. 'Premium' nature experiences on-park (see p.18) should not be the preserve of the wealthy, and high prices should not be a barrier used to limit visitor numbers by excluding sections of the community from enjoyment of nature. If there is a need to restrict tourist numbers visiting certain areas to limit ecological impacts, this should use mechanisms such as permitting, rather than restricting access via expensive guided tours.

While in Opposition prior to the last State election, Labor signalled its commitment to protect the parks estate against encroaching private development. It promised to repeal the Marshall Government's regulations that exempted private tourism developments in Flinders Chase National Park from standard processes governing planning and the protection of native vegetation. This promise was fulfilled once in Government. NCSSA calls on the Government to act consistently with this action by re-committing to protecting parks from the encroachment of commercial developments at the expense of conservation. Any development of trails, accommodation or other infrastructure within parks must be consistent with protecting the park's natural values and should remain under the control of NPWSSA.

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### Issue 4

#### Conservation of KI's natural values

NCSSA is overall supportive of the specific conservation measures mentioned in the draft plan for eastern KI parks, and the Island more broadly (Theme 1 and Theme 2). Resourcing of these actions will be key to their success in practice.

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<sup>7</sup> KI L4 Walk Notes: <https://www.auswalkingco.com.au/kangaroo-island-lodge-walk/>

### **Management of invasive species**

Island-wide **eradication of feral cats**, beginning on the eastern Dudley Peninsula, should greatly benefit small native fauna in the eastern KI parks. NCSSA is pleased to note that the plan acknowledges feral cats as a significant threat to native fauna, in contrast to a similar draft plan for the central Fleurieu Peninsula parks last year, where commitment to manage feral predators within parks appeared weak, and contingent upon specific evidence of decline in native species. Predator control should benefit not just threatened species, but also reduce threats to currently common species to ensure that they continue to thrive on the Island. Although not mentioned in the plan, cat eradication may eventually make it feasible to reintroduce locally extinct native species such as *Endangered quolls (Dasyurus maculatus)* to the Dudley Peninsula.<sup>8</sup>

NCSSA supports the intended **weed management** strategy for the eastern KI parks, which prioritises the control of highly invasive priority species such as bridal creeper, boxthorn and horehound, and the early detection and eradication of new weed incursions. Although supportive of the involvement of volunteers in monitoring and removing weeds, sufficient NPWSSA funds must continue to be dedicated to leading and supporting volunteers in this work, especially given the ecological and cost benefits of early intervention, before new weeds become established.

The root-rot pathogen, *Phytophthora cinnamomi*, is appropriately recognised in the draft plan as a key threat to native habitats within the parks of Kangaroo Island. In Theme 1 (p.12) it is acknowledged that the development of new tracks and walking trails introduces the risk of spreading *Phytophthora* through parks on shoes and vehicles. Awareness of this risk is positive, but it is imperative that NPWSSA/DEW staff have the final say on which habitats within parks are susceptible and must be avoided entirely, especially if there is commercial pressure to put trails into certain areas (see Issues 2 and 3, above). Risks may be mitigated to some extent, e.g. through education, restricting access to certain areas in wet conditions, and providing shoe-wash stations. However, it only takes one person not to comply with these measures to spread the pathogen and cause irreparable harm to native habitats and species. As mentioned above (Issue 2), specific consideration of the *Phytophthora* risks posed by increased numbers of cyclists on KI, especially if they are moving between western (*Phytophthora*-affected) and eastern (nearly *Phytophthora*-free) Kangaroo Island, needs to be thoroughly assessed and managed. The draft plan does not address this currently.

### **Sustainability of native herbivore grazing & browsing**

As stated in the draft plan, management of overabundant native herbivores may be necessary to limit impacts on native plants and habitats.

**Koalas** are not native to the Island and have a long history of causing harm to trees on KI. However, following the 2019–2020 bushfires, koalas sourced from KI have also served as an ‘insurance population’ of chlamydia-free animals, and koalas sourced from the island have since been bred successfully in captivity on the mainland.<sup>9</sup> NCSSA is unaware whether the intent is to maintain a large enough breeding population of wild koalas on KI to serve as an insurance population for the mainland in the longer term. If so, the most appropriate locations for their maintenance need to be defined. This would need to be balanced against any potential impacts on parks and the local native species they support.

Grazing impacts by **macropod** species within South Australian parks is an issue currently being considered more widely, with a proposal to manage overgrazing at a landscape scale currently out for public

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<sup>8</sup> <https://www.curtin.edu.au/news/media-release/ancient-bones-provide-clues-about-kangaroo-islands-past-and-future/>

<sup>9</sup> <https://www.environment.sa.gov.au/news-hub/news/articles/2024/01/koalas-breed-new-hope-for-survival-of-the-species>

consultation.<sup>10</sup> The draft plan for eastern KI's parks states an intent to manage western grey kangaroos and tamar wallabies where grazing levels are degrading native habitats (p.11). This includes non-lethal methods where feasible, or culling when this is impractical, including exploration of commercial harvest options.

NCSSA understands the need to limit macropod grazing impacts but is also mindful that the local population of western grey kangaroo is a sub-species that is endemic to Kangaroo Island (*Macropus fuliginosus fuliginosus*). If culling is required, there is greater need to maintain awareness of any potential demographic/genetic impacts on this short-range sub-species, which is theoretically more vulnerable to unintended decline than the widespread mainland populations of western grey kangaroo (*M. fuliginosus melanops*). Although commercial harvest of kangaroos in parks is permitted under the NPW Act under certain circumstances, it should also be noted that uptake of commercial harvest quotas for kangaroos in South Australia has been low in recent years: only about a fifth to a quarter of the permitted number of animals were harvested in 2021 and 2022,<sup>11</sup> suggesting low market demand.

### ***Fire management***

Fire management on eastern Kangaroo Island (Theme 1) is a key priority. Last year NCSSA strongly opposed DEW's proposal to instigate a controlled burn regime in the large Wilderness areas of western Kangaroo Island. However, the landscape context of the more built-up areas of eastern KI is very different, and NCSSA supports the continuation of the area's longstanding fire management regime.

NCSSA also supports the stated intent to maintain the specific fire regimes tailored to threatened species, the glossy black cockatoo and the southern brown bandicoot, which takes into account both actual and potential habitat. NCSSA also support the intent for ongoing research into the fire responses of KI's flora and fauna to better inform future practice.

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<sup>10</sup> <https://yoursay.sa.gov.au/total-grazing-pressure>

<sup>11</sup> DEW (2023). 2023 Quota Report. Commercial Kangaroo Harvest South Australia. Available: <https://www.environment.sa.gov.au/topics/plants-and-animals/sustainable-use-of-animals-and-plants/kangaroo-conservation-and-management/quotas-harvest-data>