



Department of
Environment and Science

Our Ref: CTS 02265/22

10 March 2022

Mr Peter Yaun
Communities for Sustainable Futures McPherson Range Group Inc
peteanddanni2@gmail.com

Dear Mr Yaun

Customer Complaint – Internal Review – Removal of facilities at Numinbah Forest Park, Springbrook National Park.

Executive Summary

In relation to the request for an internal review of the original customer complaint decision, given the information available to me, the Department of Environment and Science (the department) complied with the correct complaints process, pursuant to the Customer Complaints Management Policy and Procedure. The outcome, which was the removal of the facilities at Numinbah Forest Park, Springbrook National Park is reasonable in the circumstances.

Introduction

On, 10 February 2022 you requested an internal review of a decision originally made by the department on 6 May 2020.

Pursuant to the policy, I have been assigned as an internal reviewer. Please note that this internal review is not an investigation or re-investigation of a complaint. It is a systematic review of the complaints process applied and the outcome. The purpose of an internal review is to ensure the complaints process complied with the department's policy and procedural requirements.

As the internal reviewer, I can confirm that I –

- have no conflict of interest in relation to the matter;
- had no previous involvement in the matter;
- am more senior than the original Complaint Decision Maker;
- have the necessary expertise to deal with the matter, or am able to access appropriate advice;
- and
- have broad discretion to overturn previous decisions and apply remedies.

The matter was referred to the relevant business area, Queensland Parks and Wildlife Service for a determination. It has been conducted in accordance with the Customer Complaints Management Policy and Procedure to ensure the internal review meets the requirements of the *Public Service Act 2008* and the current Australian standard for handling customer complaints (AS/NZS 10002:2014). The department is committed to ensuring all internal reviews are managed in a responsive, efficient, effective and fair manner throughout the complaint management process.

Summary of Relevant Established Facts

The background and established facts to this matter are as follows:

- 23 April 2020 response provided from Senior Policy Officer, Office of the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts to Mr Peter Yaun (Ref CTS 06249/20)

- 5 May 2020 –works commenced to remove facilities from Forest Park, Springbrook National Park;
- 5 May 2020 – Email and request received from Ms Ros Bates MP making representation on behalf of Mr Peter Yaun regarding works at Numinbah Forest Park, Springbrook National Park;
- 6 May 2020 – response provided from the then Minister for Environment and the Great Barrier Reef and Minister for Science and Minister for the Arts, the Hon Leeanne Enoch to Ms Ros Bates MP; (CTS 09350/20)
- 1 June 2020 – response provided from Chief of Staff, Office of the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts to Mr Peter Yaun (Ref CTS 09365/20)
- 24 July 2020 – email with attached letter received from Mr Peter Yaun regarding the demolition of facilities from Forest Park.
- 3 September 2020 – response provided from Acting Executive Director, Southern Parks and Forest, Queensland Parks and Wildlife, Department of Environment and Science to Mr Peter Yaun (Ref CTS 16074/20) and
- 10 February 2022 – complaint lodged via DES online complaint feedback from Mr Peter Yaun.

Material Considered in Internal Review

In conducting the internal review, the following material has been considered; this includes laws, policies, standards and relevant research:

- *Nature Conservation Act 1994*;
- Procedural Guide Assessing the impact of Queensland Parks and Wildlife Service (QPWS) actions on natural and cultural values;
- QPWS Cultural Heritage Risk Assessment;
- Queensland Heritage Register; and
- Gold Coast Local Heritage Register.

The materials above were only considered to the extent that they relate to the internal review.

Applicant's Points for Lodging Internal Review

Grounds for internal review include:

- The works undertaken by the department did not comply with legislative instruments and the department's procedures and assessments process relevant to the management of Numinbah Forest Park, Springbrook National Park.

Findings

- Officers carried out the functions on behalf of the Chief Executive under the *Nature Conservation Act 1992* (refer s173P – the Act) and in accordance with powers to undertake a range of actions providing they are consistent with the intent of the tenure and performing duties under the Act and are necessary to support achieving the object of the relevant Act.
- Works were undertaken as per the 'Procedural Guide Assessing the impact of QPWS actions on natural and cultural values' and the 'QPWS Cultural Heritage Risk Assessment'.
- No assets at the Numinbah Forest Park, Springbrook National Park site were listed on the Queensland Heritage Register or the Gold Coast Local Heritage Register.
- No natural values were impacted.
- There is no legislative, policy or procedural requirement for community consultation for the nature of the works undertaken.
- The site remains publicly accessible.

Decision

- The works undertaken by the department were undertaken in accordance with the *Nature Conservation Act 1994* and relevant departmental procedural guides and assessment processes and no assets on the site were listed on the Queensland Heritage Register or the Gold Coast Local Heritage Register.

External Review

This internal review exhausts the department's complaint system processes. If you are dissatisfied with the review outcome, you can request an external review to be undertaken by the Queensland Ombudsman by contacting their office:

Telephone: 07 3005 7000

Freecall (outside Brisbane): 1800 068 908

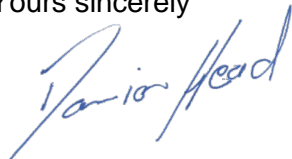
Online form: <https://www.ombudsman.qld.gov.au/make-a-complaint/MakeAComplaint.aspx>

Email: Ombudsman@ombudsman.qld.gov.au

Post: GPO Box 3314, Brisbane QLD 4000

Should you have any further questions or concerns in relation to the above, please contact Mr Nathan Oliver, Acting Principal Ranger (Gold Coast), South East Queensland Region, Queensland Parks and Wildlife Service and Partnerships of the Department of Environment and Science by email at nathan.oliver@des.qld.gov.au.

Yours sincerely



Damien Head

Executive Director

Southern Parks and Forests

Queensland Parks and Wildlife Service