



Queensland

# Nature Conservation Legislation Amendment Regulation (No. 1) 2013

## Explanatory Notes for SL 2013 No. 164

made under the

*Nature Conservation Act 1992*

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## General outline

### Short title

The *Nature Conservation Legislation Amendment Regulation (No. 1) 2013*.

### Authorising law

Sections 29, 33 and 64 of the *Nature Conservation Act 1992*

### Policy objectives and the reasons for them

The dedication and declaration of protected areas is a core component in achieving the conservation of nature (the objective of the *Nature Conservation Act 1992*). This proposal is not considered to constitute significant subordinate legislation.

On average the Department of Environment and Heritage Protection will propose between 20-30 protected area declarations each year. The primary reasons for such proposals are to advance the protection of representative samples of biological diversity across all Queensland ecosystems. Secondary reasons include protecting important cultural heritage values, wildlife corridors and landscape values.

## **Achievement of policy objectives**

Protected areas are the appropriate tenure in which to achieve conservation security of public land in perpetuity. There is no reasonable tenure alternative to achieve similar conservation outcomes.

The dedication of protected area achieves conservation of nature through:

1. Providing permanent protection, to the greatest possible extent, for the area's natural and cultural values by excluding uses that are inconsistent with the management principles of the protected area; and
2. Subsequent management of the land, native wildlife, habitat and biodiversity values in a manner consistent with the management principles and approved management plans for the protected area; and
3. The cooperative involvement of Traditional Owners in protected area conservation where appropriate.

## **Consistency with policy objectives of authorising law**

The amendment legislation is consistent with the objectives of the *Nature Conservation Act 1992*, that is, the conservation of nature.

## **Inconsistency with policy objectives of other legislation**

The regulation is consistent with the policy objectives of other legislation. It provides for land dedication and declaration consistent with other state laws relating to State land use and allocation.

## **Benefits and costs of implementation**

Protected areas provide conservation and ecosystem services that have indirect economic value and positive benefits to society. Protected areas also provide special places for recreation and tourism activities and are often places of important cultural and spiritual significance for Traditional Owners.

There are ongoing management costs associated with the management of protected areas undertaken by the Queensland Parks and Wildlife Service.

This includes active management such as prescribed burning, weed and feral animal control and the provision of visitor services and infrastructure.

### **Consistency with fundamental legislative principles**

The regulation is consistent with fundamental legislative principles.

### **Consultation**

Consultation has been undertaken with the Department of National Parks, Recreation, Sport and Racing; Department of Natural Resources and Mines; Department of State Development, Infrastructure and Planning; Department of the Premier and Cabinet; and the Office of Best Practice Regulation regarding the proposed amendments to the protected areas. All relevant parties agreed with the proposals.

The Office of Best Practice Regulation, Queensland Competition Authority has advised that a Regulatory Impact Statement is not required.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Environment and Heritage Protection.