

Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2015

Explanatory Notes for SL 2015 No. 37

made under the

Nature Conservation Act 1992

General Outline

Short title

Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2015

Authorising law

Sections 29, 33, 64 and 175 of the *Nature Conservation Act 1992*

Policy objectives and the reasons for them

The objective of the regulation is to dedicate areas of unallocated State land as national park, regional park (general) and regional park (resource use area), and change the class of part of an existing regional park to national park.

Dedicating and declaring areas that protect the biological diversity of native wildlife and its habitat, provide for the ecologically sustainable use of protected wildlife and areas, recognise the interest of Aborigines and Torres Strait Islanders in protected areas and native wildlife, and encourage the cooperative involvement of landholders in the conservation of nature is a core component in achieving the conservation of nature (the objective of the *Nature Conservation Act 1992*).

Achievement of policy objectives

To achieve its objective, the regulation will amend:

1. Schedule 2 of the *Nature Conservation (Protected Areas) Regulation 1994* to dedicate:
 - a. an area of about 14,853 hectares being part of Blackbraes Regional Park described as lot 1 on AP19369, and amalgamate the area with the existing Blackbraes National Park; and
 - b. an area of about 151,059.215 hectares being unallocated State land described as lot 2 on SP271973 and lots 1, 8 and 9 on AP19376, and combine the area with the existing Currawinya National Park.

2. Schedule 3, Part 1 of the *Nature Conservation (Protected Areas) Regulation 1994* to dedicate:
 - a. an area of about 12.669 hectares being unallocated State land described as lot 2 on SP221270, and combine the area with the existing Maroochy River Regional Park; and
 - b. as Mount Blandy Regional Park an area of 358.9060 hectares being unallocated State land described as lot 83 on plan BON310.
3. Schedule 3, Part 2 of the *Nature Conservation (Protected Areas) Regulation 1994* to:
 - a. change the class of part of Blackbraes Regional Park being an area of about 14,853 hectares described as lot 1 on AP19369, and amalgamate the area with the existing Blackbraes National Park; and
 - b. dedicate as Currawinya Regional Park an area of about 38,402.48 hectares being unallocated State land described as lots 2 to 7 on AP19376.

Consistency with policy objectives of authorising law

The amendments to the *Nature Conservation (Protected Areas) Regulation 1994* are consequential amendments of a machinery nature that are consistent with the policy objectives of the *Nature Conservation Act 1992*, namely the conservation of nature achieved by an integrated and comprehensive conservation strategy for the whole of the State that involves, among other things, the dedication and declaration of areas representative of the biological diversity, natural features and wilderness of the State as protected areas.

Inconsistency with policy objectives of other legislation

The regulation provides for the dedication of two new regional parks, an increase in area of two existing national parks and one existing regional park, and a change in the class of part of an existing regional park to national park consistent with the policy objectives of other legislation relating to State land use and allocation.

Benefits and costs of implementation

The benefits of the regulation are that areas representative of the biological diversity, natural features and wilderness of the State will be added to the protected area estate.

Implementing the regulation is not considered to constitute significant subordinate legislation and will have negligible costs. The areas to be dedicated as national park and regional park will temporarily be unallocated State land (except for that area of Blackbraes Regional Park to become Blackbraes National Park) which will not increase costs to the State.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles in accordance with section 4(5) of the *Legislative Standards Act 1992*, namely it:

- (a) is within the power that, under an Act or subordinate legislation (the **authorising law**), allows the subordinate legislation to be made; and

- (b) is consistent with the policy objectives of the authorising law; and
- (c) contains only matter appropriate to subordinate legislation; and
- (d) amends statutory instruments only.

Consultation

Consultation has occurred with Private stakeholders, the Australian Government Department of Environment, the Department of National Parks, Sport and Racing, the Department of Agriculture and Fisheries, the Department of Natural Resources and Mines, the Department of the Premier and Cabinet and Queensland Treasury. The Office of Best Practice Regulation, Queensland Competition Authority advised that a Regulatory Impact Statement is not required.

All parties support the amendments.