

# **Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2015**

Explanatory notes for SL 2015 No. 137

made under the

*Nature Conservation Act 1992*

## **General Outline**

### **Short title**

*Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2015*

### **Authorising law**

Sections 46(1), 50 and 175(1) of the *Nature Conservation Act 1992* (the Act).

### **Policy objectives and the reasons for them**

The objective of the amendment regulation is to declare eleven new nature refuges, amend seven existing nature refuges and revoke six existing nature refuges.

### **Achievement of policy objectives**

The declaration of these new nature refuges, amendments to existing nature refuges and the revocation of existing nature refuges will be achieved through the *Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2015* (Regulation Amendment) which amends Schedule 5 of the *Nature Conservation (Protected Areas) Regulation 1994*.

The declaration, amendment and revocation of nature refuges is routine business.

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

The Regulation Amendment is not only consistent with, but directly linked to, achieving the main object of the Act which is the conservation of nature.

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

The Regulation Amendment 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**

The core benefit of the declaration of nature refuges is the preservation of significant conservation values which may include, but are not limited to:

- Areas containing or providing habitat for threatened or near threatened flora or fauna species;
- Threatened habitats or vegetation types;
- Habitats or vegetation types poorly represented in existing reserves;
- Remnant vegetation;
- Corridors linking areas of remnant vegetation or existing reserves;
- Significant wetlands;
- Areas that contribute to the future resilience of the Queensland landscape; and
- Environmental values such as carbon sequestration.

Landholders are able to negotiate conservation agreements that allow their continued environmentally sustainable use of the land, providing for continuing productive use consistent with conservation values. Subject to any other relevant legislation and lease requirements, nature refuge landholders are free to continue to own and manage their land to generate an income as per the conditions negotiated in their conservation agreement.

The legacy created through a nature refuge provides an intrinsic social benefit to landholders who have invested significant effort in good management, particularly those who have a historical or family association with their property.

No appreciable costs to interests from a social, economic or environmental perspective have been identified as an outcome of this Regulation Amendment.

## **Consistency with fundamental legislative principles**

The Regulation Amendment is consistent with fundamental legislative principles.

## **Consultation**

Consultation was sought with the following departments / sections of departments, or their earlier departmental iterations: Department of Natural Resources and Mines, the Office of the Coordinator-General of the Department of State Development, Queensland Rail, Department of Transport and Main Roads, and Department of Agriculture and Fisheries.

Other parties consulted under section 44 and 45 of the Act where relevant include native title claimants, holders or their representatives, mining interest holders, financial institutions, sublessees, covenant holders and easement holders. Landholders have been closely involved in the development of their conservation agreements. Responses and consent have been received from consulted parties where relevant.

The Queensland Productivity Commission has advised that a Regulatory Impact Statement is not required under the *Statutory Instruments Act 1992*.

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