

# Nature Conservation (Protected Areas) Amendment Regulation 2025

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Andrew Powell, Minister for the Environment and Tourism and Minister for Science and Innovation provide this human rights certificate with respect to the *Nature Conservation (Protected Areas) Amendment Regulation 2025* made under the *Nature Conservation Act 1992*.

In my opinion, the *Nature Conservation (Protected Areas) Amendment Regulation 2025*, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

## Overview of the Subordinate Legislation

The *Nature Conservation (Protected Areas) Amendment Regulation 2025* (Amendment Regulation) is made under the *Nature Conservation Act 1992* (NC Act).

The authorising law for the Amendment Regulation is:

- section 45 of the NC Act prescribes that if the Minister and landholders concerned agree on a proposal that an area should be a nature refuge, and the management intent for the nature refuge, and the terms of a proposed conservation agreement for the nature refuge to be made between the State and the landholders, the Minister must, for the State, enter into the conservation agreement;
- section 46 of the NC Act prescribes that a regulation may declare a specified area of State land, or the area the subject of a conservation agreement, as a nature refuge;
- section 48 of the Act prescribes that a regulation may vary or replace a conservation agreement;
- section 64 of the NC Act prescribes that the Governor in Council may, by regulation, assign a name to, or alter the name of, a protected area or aggregation of protected areas; and
- section 175 of the NC Act prescribes that the Governor in Council may make regulations under this Act.

The primary purpose of the Amendment Regulation is to amend the protected area estate and make amendments to nature refuges. The Amendment Regulation amends the *Nature Conservation (Protected Areas) Regulation 1994* and involves consequential amendments of a machinery nature that are consistent with the objectives of the NC Act.

The amendments include:

- additions and redescriptions of two nature refuges; and
- declaration of 13 new nature refuges.

The conservation of nature in Queensland is supported by the dedication and declaration of protected areas representative of the biological diversity, natural features and wilderness of the State.

The process of selecting and approving protected areas involves the relinquishing of relevant rights or interests of interested parties such as other state departments, resource companies or lease holders, where relevant. This has been completed for all proposed amendments and the engagement with human rights has been considered during this process.

## Human Rights Issues

### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The following rights are engaged:

- Property rights (section 24 of the HR Act)

Section 24 of the HR Act is engaged in relation to certain actions in the Amendment Regulation.

The core aim of protected areas is to permanently preserve, to the greatest extent possible, the area's natural condition, to protect the area's cultural resources and values and provide for ecologically sustainable activities and ecotourism. The Private Protected Area Program partners with private landholders to support their sustainable land management goals through the establishment of private protected areas and through financial assistance programs.

Declaring new nature refuges or amending existing nature refuges engages the section 24 Property rights in relation to the use of a person's property. The Amendment Regulation does not limit or arbitrarily deprive a person of their property, as all relevant parties under sections 44 and 45 of the NC Act have been notified and consented to the nature refuge amendments. Landholders have been closely involved in the negotiation and development of their conservation agreements.

As part of the consultation process, a public notice was published on the Department of the Environment, Tourism, Science and Innovation's website on 29 January 2025 ([Consultation on proposed Amendments to the protected area estates | Department of the Environment, Tourism, Science and Innovation, Queensland \(desi.qld.gov.au\)](https://www.desi.qld.gov.au/consultation-on-proposed-amendments-to-the-protected-area-estates)), regarding consultation on proposed amendments to the protected area estate and seeking views in consideration of the HR Act, including Aboriginal peoples' and Torres Strait Islander peoples' cultural rights. Nil written responses were received in relation to Human Rights Act matters within the 28-day consultation period.

## Conclusion

I consider that the *Nature Conservation (Protected Areas) Amendment Regulation 2025* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

**ANDREW POWELL MP**  
MINISTER FOR THE ENVIRONMENT AND TOURISM  
MINISTER FOR SCIENCE AND INNOVATION

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