




Speech By
Hon. Dr Steven Miles
MEMBER FOR MOUNT COOT-THA

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NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (2.43 pm): I present a bill for an act to amend the Aboriginal Land Act 1991, the Environmental Protection Act 1994, the Land Act 1994, the Marine Parks Act 2004, the Nature Conservation Act 1992, the Recreation Areas Management Act 2006 and the acts mentioned in schedule 1 for particular purposes. I table the bill and the explanatory notes. I nominate the Agriculture and Environment Committee to consider the bill.

Tabled paper: Nature Conservation and Other Legislation Amendment Bill 2015 [[1491](#)].

Tabled paper: Nature Conservation and Other Legislation Amendment Bill 2015, explanatory notes [[1492](#)].

I am pleased to introduce the Nature Conservation and Other Legislation Amendment Bill 2015. This government made an election commitment to ensure the protected area estate is managed in accordance with the cardinal principle to preserve and protect natural conditions, cultural resources and values to the greatest extent possible. This bill is an import and significant step in implementing this commitment.

This government is committed to consultation, and one of the things this bill delivers is the removal of the unnecessary and frankly offensive provision that allowed the government to change a protected area management plan without consulting the public. These are public assets. They are used and enjoyed by the public, and the previous government treated them as though they were merely the property of the minister.

The previous government's approach to the management of national parks showed the lack of respect for which they became well known. They did not consult with stakeholders who have a long history of volunteer activity, donations and passionate support for conservation. The LNP forced through changes to the laws that govern how our parks are managed in a way which signalled an intention—indeed, a willingness—to allow parks to be used in a range of ways that are incompatible with their primary purpose of conserving this state's nature for the enjoyment of the whole community and for the betterment of Queensland.

With this bill we are righting a wrong and restoring confidence and certainty that parks are going to be used for conservation purposes, for scientific purposes and for recreation purposes. We are ensuring that where there is commercial activity, such as ecotourism adjacent to or on a park, the guiding principle is to protect and conserve our natural and cultural assets for future generations to enjoy.

The bill amends the Nature Conservation Act 1992, the Land Act 1994, the Marine Parks Act 2004, the Recreation Areas Management Act 2006 and makes minor and consequential amendments to other acts. The amendments will reverse changes made by the previous government that are

incompatible with this government's priorities for the protected area estate. The bill also contains some unrelated amendments to the Environmental Protection Act 1994 and the Aboriginal Land Act 1991 that I will come to later.

The bill contains amendments in five key areas. Firstly, the bill will reinstate the conservation of nature as the sole object of the Nature Conservation Act so that the preservation of the natural condition of national parks will take precedence over other objectives. The additional matters that are to be removed from the object are references to social, cultural and commercial uses; community use and enjoyment; and the involvement of Indigenous people in management.

These matters will continue to be provided for elsewhere in the act. For example, the Nature Conservation Act, through a number of sections other than the object, articulates a commitment to involving Indigenous people in the management of protected areas. Reinstating the original object of the Nature Conservation Act will not impact on delivering this and will not change how the Queensland Parks and Wildlife Service works with Indigenous people, but it will clarify that protected areas are primarily for the conservation of nature.

Secondly, the bill will remove redundant provisions that allowed the chief executive to grant stock grazing permits for emergency drought relief on six prescribed national parks up until the end of 2013. These provisions, when active, only provided marginal short-term benefits to a small number of graziers and did not address the key issues around drought and destocking. The government, through the Drought Relief Assistance Scheme and other support services, offers a range of more equitable assistance measures, such as subsidies and rebates, that are available to all primary producers in drought declared areas.

Thirdly, the bill will reinstate the former national park (scientific), conservation park and resources reserve classes of protected area, and their associated management principles. This will restore the higher level of protection afforded to national parks (scientific) and clarify the management intent and uses that are appropriate for the different areas. Reinstating these classes of protected area will also provide better consistency with the International Union for Conservation of Nature categories of protected area.

Activities currently authorised on resource use areas will be able to continue to operate, as authorised, in the reinstated resources reserves. The intent is to reinstate the former conservation park and resources reserve classes to provide a clear distinction between these two areas which have different purposes.

The aim is to remove confusion surrounding the use and management of regional parks as they can be used for different purposes. For example, extractive industries may occur on a regional park or part of a regional park that has a resource use area declared over it, but not on other parts that are not declared a resource use area.

Fourthly, the bill will exclude leases used for agriculture, grazing or pastoral purposes on protected areas from the rolling term lease provisions under the Land Act. This change will allow the Queensland Parks and Wildlife Service to consider the appropriateness of the use when leases expire. The rolling term lease provisions have created a perception that these leases on national parks are perpetual. A decision by the chief executive to refuse an application for extension is appealable, which could undermine the ability of park managers to manage national parks in line with the cardinal principle.

Finally, the bill will amend the Nature Conservation Act to remove an exemption that allows management plans for protected areas to be amended without public consultation, if the amendments relate to a change in state government policy. Reversing this change will provide increased transparency and ensure that appropriate consultation can occur with the public.

The bill also contains amendments to the Aboriginal Land Act to streamline the process to convert regional parks on Cape York Peninsula to jointly managed national park (Cape York Peninsula Aboriginal land), otherwise known as national park (CYPAL). The Queensland government is committed to implementing the Cape York Peninsula Tenure Resolution Program. The program has the dual functions of returning land ownership to Aboriginal traditional owners and protecting the outstanding natural and cultural values of the Cape York Peninsula in jointly managed parks.

Under the program, all the national parks on Cape York Peninsula are transferrable, meaning that they can be transferred to Aboriginal ownership and converted to jointly managed national park (CYPAL) without first being revoked. To date, 16 national parks have been converted to national park (CYPAL) and five new jointly managed national parks (CYPAL) have been created, covering an area of around two million hectares. Two regional parks on Cape York Peninsula are scheduled for tenure resolution next year and an amendment is now required to allow the regional parks to be converted to national park (CYPAL) in the same way as the national park conversion process.

The bill also amends the Environmental Protection Act to defer the sunset clause for the expiry of the existing eligibility criteria for mining activities. The deferment allows for open and transparent consultation with stakeholders on eligibility criteria and standard conditions that have not changed since 2001. Deferring the sunset clause will not impact upon current stakeholders. Operators can continue to apply under the existing eligibility criteria and standard environmental conditions for certain environmentally relevant activities, as they currently do.

The Nature Conservation and Other Legislation Amendment Bill 2015 is a critical step in implementing our election commitment to ensure protected areas are managed in accordance with the cardinal principle—

Mr Cripps interjected.

Madam DEPUTY SPEAKER (Ms Grace): Member for Hinchinbrook, you will have ample opportunity to debate the bill.

Dr MILES:—to preserve and protect natural conditions, cultural resources and values to the greatest extent possible. I look forward to continuing to engage with our stakeholders about how we can improve our national parks for all Queenslanders.

This government recognises that there are wonderful contributions the private sector can make to conservation. There are opportunities for the private sector to contribute to parks in the ecotourism sector and there are going to be new opportunities for private sector landholders and corporations and philanthropic donors who want to provide land reserves which complement our national parks in an incredibly valuable way. We will be delivering more reforms in the future that allow ecotourism and private sector investment to play an increasingly stronger role alongside our traditional parks. I commend the bill to the House.

First Reading

Hon. SJ MILES (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (2.52 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Agriculture and Environment Committee

Madam DEPUTY SPEAKER (Ms Grace): Order! In accordance with standing order 131, the bill is now referred to the Agriculture and Environment Committee.