




Speech By
Hon. Leanne Enoch

MEMBER FOR ALGESTER

Record of Proceedings, 15 February 2018

**NATURE CONSERVATION (SPECIAL WILDLIFE RESERVES) AND OTHER
LEGISLATION AMENDMENT BILL**

Message from Governor

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (6.23 pm): I present a message from His Excellency the Governor.

Mr DEPUTY SPEAKER (Mr Stewart): The message recommends the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

NATURE CONSERVATION (SPECIAL WILDLIFE RESERVES) AND OTHER LEGISLATION AMENDMENT BILL 2018

Constitution of Queensland 2001, section 68

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intitled—

A Bill for an Act to amend the Biodiscovery Act 2004, the Environmental Offsets Act 2014, the Environmental Protection Act 1994, the Forestry Act 1959, the Fossicking Act 1994, the Land Act 1994, the Land Title Act 1994, the Mineral Resources Act 1989, the Nature Conservation Act 1992 and the Vegetation Management Act 1999 for particular purposes

(sgd)

GOVERNOR

Date: 14 February 2018

Tabled paper: Message, dated 14 February 2018, from His Excellency the Governor recommending the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2018 [\[196\]](#).

Introduction

Hon. LM ENOCH (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (6.23 pm): I present a bill for an act to amend the Biodiscovery Act 2004, the Environmental Offsets Act 2014, the Environmental Protection Act 1994, the Forestry Act 1959, the Fossicking Act 1994, the Land Act 1994, the Land Title Act 1994, the Mineral Resources Act 1989, the Nature Conservation Act 1992 and the Vegetation Management Act 1999 for particular purposes. I table the bill and the explanatory notes. I nominate the Innovation, Tourism Development and Environment Committee to consider the bill.

Tabled paper: Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2018 [\[197\]](#).

Tabled paper: Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2018, explanatory notes [\[198\]](#).

I am pleased to introduce the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2018. This bill was previously introduced during the last term of government and was considered and reported on by the Agriculture and Environment Committee prior to lapsing at the dissolution of the last parliament. I would like to take a moment to acknowledge the former minister, the member for Murrumba, for all his work on the bill and his continued support of this work.

Some minor amendments have been made to the former version of the bill in response to recommendations made by the previous committee members. I would also like to acknowledge the efforts of the members of the previous committee. The amendments through this bill will establish a new class of voluntary privately managed protected area called a special wildlife reserve, which will provide a similar level of statutory protection to that afforded to national parks. This new class of protected area will apply to both freehold and leasehold tenures.

Establishing this special wildlife reserve mechanism will allow for protection of areas of exceptional conservation value on privately owned land and will be a significant incentive for private investment in Queensland's protected areas. This will be achieved by providing a high level of private land protection and ensure that investments in conservation will not be compromised by incompatible land uses. What this will create is a level of investment confidence on private land that is not available elsewhere in Australia and, when coupled with the state's extraordinary biodiversity values, the bill will serve to make Queensland a priority area for private investment in protected areas.

This bill will establish management principles for special wildlife reserves. These principles will provide a framework to guide management of special wildlife reserves by the landholder. Negotiation of special wildlife reserves will be entirely voluntary for landholders. A legally binding perpetual conservation agreement and an associated management program will be negotiated for each special wildlife reserve. In order to achieve the management principles for this class of protected area, the conservation agreement and management program will detail management outcomes and actions to ensure enduring protection of each special wildlife reserve's outstanding conservation values. This mechanism will be applied on a case-by-case voluntary basis in full consideration of state interests relevant to the proposal area and only with the consent of anyone whose interests in the area will be materially affected.

Protected areas are the most significant and visible means by which the people of Queensland seek to ensure the continued safeguarding of our internationally recognised and iconic biological diversity. In recent decades, the community has made an enormous contribution to the protection of Queensland's biodiversity through the establishment of nature refuges—a class of private protected area of which we now have 504 refuges, covering almost 4.45 million hectares. Nature refuges are managed to conserve their significant natural and cultural values and, unlike special wildlife reserves, they allow for the continuation of a range of other sustainable land uses.

Many nature refuges contain significant species and ecosystems not found in national parks or other state owned protected areas. While the contribution of nature refuges and their landholders to our protected area estate is unquestionable, some parts of our unique landscape are deserving of and require a level of protection that recognises their exceptional natural and cultural values. Currently, the only option for this level of protection in Queensland and, indeed Australia, is in the form of state owned and managed protected areas such as national parks. This situation does not recognise the significant efforts being made by the community to identify, acquire and manage areas of exceptional conservation significance and, until now, a disincentive to continued investment by the community has been the lack of protection that such areas are afforded.

This bill seeks to fill this gap in Queensland's protected area framework by providing a mechanism to deliver a high level of protection for areas of private land that have outstanding conservation values. In essence, this bill allows for the protection of any area based on its inherent values and future conservation management, not on its ownership by the state.

The bill I introduce today also contains amendments to the Nature Conservation Act, the Land Act, the Land Title Act and the Environmental Offsets Act to address particular matters of a technical or clarifying nature. Firstly, the bill includes administrative changes to the Nature Conservation Act to clarify the process for recording conservation agreements and protected area declarations on the land title and to allow effective monitoring and compliance for private protected areas and changes to the Land Act and Land Title Act to clarify and streamline the securing of conservation agreements over declared protected areas through land tenure processes. Secondly, the bill acknowledges that, where a private protected area has been declared over leasehold land, conservation is recognised as consistent with the purpose of the lease.

Thirdly, the bill also allows us to regulate environmentally relevant activities that are conducted partly within Queensland waters and partially beyond, but only within the Great Barrier Reef Marine Park. This amendment creates the capacity to implement important protections for our marine environment by recognising that neither nature nor pollution respect the arbitrary boundary between Queensland and Commonwealth waters. This amendment will support consistent and fair regulation in the Great Barrier Reef region to activities such as transshipping, which may be conducted either wholly in Queensland waters or across Queensland and Commonwealth waters.

Finally, the bill clarifies the administrative arrangements for approving offset proposals under the Environmental Offsets Act either before or after decisions are made under the new Planning Act 2016. This will allow for the approval of offset proposals before or after permits are granted, providing flexibility for proponents.

The introduction of this bill creates a new class of protected area with equivalent protection and management requirements as state owned national parks, but for application on private land. It clarifies and streamlines land title registration processes, it allows better regulation of activities that may harm the Great Barrier Reef and it clarifies and improves the flexibility of environmental offset approval processes. I commend the bill to the House.

First Reading

Hon. LM ENOCH (Alger—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (6.31 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 Innovation, Tourism Development and Environment Committee

Mr DEPUTY SPEAKER (Mr Stewart): Order! In accordance with standing order 131, the bill is now referred to the Innovation, Tourism Development and Environment Committee.

Portfolio Committee, Reporting Date

Hon. LM ENOCH (Alger—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (6.31 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Innovation, Tourism Development and Environment Committee report to the House on the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill by 9 April 2018.

Question put—That the motion be agreed to.

Motion agreed to.