




Speech By
Hon. Meaghan Scanlon

MEMBER FOR GAVEN

Record of Proceedings, 24 February 2022

NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. MAJ SCANLON** (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (11.42 am): I present a bill for an act to amend the Forestry Act 1959, the Marine Parks Act 2004, the Nature Conservation Act 1992, the Nature Conservation (Animals) Regulation 2020, the Nature Conservation (Plants) Regulation 2020, the Nature Conservation (Protected Areas Management) Regulation 2017, the Recreation Areas Management Act 2006, the State Penalties Enforcement Regulation 2014, and the Wet Tropics World Heritage Protection and Management Act 1993 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the State Development and Regional Industries Committee to consider the bill.

Tabled paper: Nature Conservation and Other Legislation Amendment Bill 2022 [202](#).

Tabled paper: Nature Conservation and Other Legislation Amendment Bill 2022, explanatory notes [203](#).

Tabled paper: Nature Conservation and Other Legislation Amendment Bill 2022, statement of compatibility with human rights [204](#).

I am pleased to introduce the Nature Conservation and Other Legislation Amendment Bill 2022. The primary purpose of the bill is to deliver on a commitment this government made to the Queensland beekeeping industry. This bill will provide up to a 20-year extension to existing arrangements that enable beekeeping to occur on certain national parks. The extension applies to areas where beekeeping was an existing use prior to the transfer of the land into the national park estate. The current arrangements are due to expire on 31 December 2024; however, the government is providing industry with greater certainty by extending these arrangements for up to 20 years, to 31 December 2044. In addition to providing certainty regarding future access to beekeeping sites on national parks, this extension will also provide time to examine options for transitioning beekeeping activities to other lands outside of national parks in the future.

This bill will also enhance the Department of Environment and Science's capacity to respond to misconduct on Queensland Parks and Wildlife Service managed areas such as state forests, marine parks, recreation areas and national parks. It will do this by inserting several new offences and amending some existing provisions to support rangers doing their important work and to make it safer for the general community when visiting these areas.

The opportunity has also been taken to correct several minor errors and to relocate certain administrative provisions that are replicated across three regulations into the Nature Conservation Act 1992 and update them to meet contemporary drafting standards and practices. The bill will also address changes to intergovernmental arrangements between the Commonwealth and the state in relation to the Wet Tropics of Queensland World Heritage area and correct minor errors identified in two acts.

Commercial beekeeping in national parks is a legacy issue associated with the transfer of state forests to national parks through the state forest transfer processes occurring in the late 1990s and early 2000s. It was intended for beekeeping to be relocated to suitable sites outside of national parks

by 31 December 2024; however, finding sufficient and appropriate alternative sites has been challenging, and the government recognises that the loss of access to national park sites in December 2024 would have a detrimental impact on the supply of the products and services provided by beekeepers. Amendments to the Nature Conservation Act are therefore being made to provide an extension of time until 31 December 2044. This will allow beekeepers to continue applying for apiary permits on land where beekeeping was an existing use prior to it being dedicated as national park. The extension will apply to existing national park lands where beekeeping is already accommodated and to any future national parks created where lawful beekeeping activities occurred prior to the land being added to the protected area estate. New efforts will be made with stakeholders during this time to seek alternative sites off national parks, support adoption of industry best practice on protected areas and identify initiatives that will assist the industry to progressively relocate off-park over the next 20 years.

Unrelated to the beekeeping amendments, this bill makes several amendments to address recent instances where people have either falsely represented themselves as a ranger or obstructed an appointed Queensland Parks and Wildlife Service officer in the performance of the officer's functions. Rangers and other officers appointed by the Queensland Parks and Wildlife Service within the Department of Environment and Science work hard to ensure visitors to our state forests, marine parks, protected areas and recreation areas have a safe and enjoyable nature based experience. Unfortunately, some people in the community seek to undermine this work.

The bill will insert new offences for impersonating a forest officer and impersonating a ranger and also amend the existing obstruction offences in the Marine Parks Act 2004, the Nature Conservation Act 1992 and the Recreation Areas Management Act 2006 to clarify that it is an offence to obstruct appointed officers when they are performing functions under these acts. These amendments will enhance the Department of Environment and Science's capacity to take action for misconduct on Queensland Parks and Wildlife Service managed areas, provide staff with increased support by making it an offence for the public to obstruct them when performing their duties and help to continue to make parks and forests enjoyable places to visit.

The bill will also relocate a number of existing provisions from subordinate legislation into the Nature Conservation Act. This is a result of the statutory review of some of the act's regulations in 2020, where the Office of the Queensland Parliamentary Counsel identified certain administrative and seizure provisions that, while maintaining current policy intent, are better suited to primary legislation. Relocating the administrative provisions for making approved forms and for internal and external reviews of decisions under the act will streamline the legislation by removing regulatory duplication across three regulations.

The transfer of seizure provisions will ensure conservation officers have clear and appropriate powers and actions that are not distributed across the act and three regulations. The continuation of these provisions allows officers, under certain circumstances, to seize and deal with things to protect the cultural or natural resources in a protected area or prevent injury, suffering or loss of Queensland's native wildlife.

The bill also makes necessary consequential amendments to the State Penalties Enforcement Regulation 2014 to correct referencing to penalty infringement notice offences for tampering with things seized under the act. The Office of the Queensland Parliamentary Counsel has also taken the opportunity to redraft the administrative provisions to meet current drafting standards and redraft the seizure provisions into a modern form based on a precedent that is acceptable to parliamentary committees.

In unrelated amendments, the bill will update the Wet Tropics World Heritage Protection and Management Act 1993 to reflect changed intergovernmental arrangements between the state and Commonwealth in relation to the Wet Tropics of Queensland World Heritage area. These changes were agreed by national cabinet following a review of the former COAG ministerial councils by Mr Peter Conran AM. An outdated version of the intergovernmental agreement will also be removed from a schedule of the act and changes will streamline the process for making consequential amendments to the Wet Tropics Management Plan 1998 following associated changes to the act.

The bill will also correct several minor errors and omissions in the Wet Tropics World Heritage Protection and Management Act and the Nature Conservation Act. These relate to correcting a spelling error and inserting and updating several cross-references to other sections of the legislation that were not identified when previous amendments were made to these acts.

In conclusion, passage of the bill will deliver on the government's commitment to grant a 20-year extension to allow beekeeping on national parks until 31 December 2044 in areas where beekeeping was an existing use prior to the transfer of land to national park. The bill also makes a number of amendments to enhance compliance capacity within Queensland Parks and Wildlife Service managed

areas and will update and improve the operation of the legislation by correcting several errors, reflecting changes to intergovernmental arrangements and providing consistency with contemporary drafting practices.

First Reading

Hon. MAJ SCANLON (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (11.51 am): 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 State Development and Regional Industries Committee

Madam DEPUTY SPEAKER (Ms Lui): In accordance with standing order 131, the bill is now referred to the State Development and Regional Industries Committee.

Portfolio Committee, Reporting Date

Hon. MAJ SCANLON (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (11.51 am), by leave, without notice: I move—

That, under the provisions of standing order 136, the State Development and Regional Industries Committee report to the House on the Nature Conservation and Other Legislation Amendment Bill by 8 April 2022.

Question put—That the motion be agreed to.

Motion agreed to.