




Speech By
Robert Skelton

MEMBER FOR NICKLIN

Record of Proceedings, 1 September 2022

NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr SKELTON** (Nicklin—ALP) (5.16 pm): I rise in support of the Nature Conservation and Other Legislation Amendment Bill 2022. Firstly, I thank the Queensland Beekeepers' Association. I know there is a lot of buzz going on here and it has been a hive of activity. I send a personal thanks to the Sunshine Coast Beekeepers Association. If anyone is up my way, they should head to Yandina on a Saturday where you can actually get creamed honey, which is really hard to get these days, as well as many other products. I thank the State Development and Regional Industries Committee chair, the member for Bancroft; the deputy chair, the member for Lockyer; as well as the other members of the committee.

The bill is 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.

Mr Bennett interjected.

Mr SKELTON: I know. I am just mentioning all of the acts. The primary objective of the bill honours a commitment by the government. The bill provides a 20-year extension to allow beekeeping in specified national parks until 31 December 2044. It should be noted that the extension only applies to areas where beekeeping could be lawfully undertaken immediately prior to the transfer of the land. Under the Queensland Nature Conservation Act 1992, beekeeping is inconsistent with the cardinal principle for our national parks, which is an area of contention about which there has been much debate. Our national parks are for the permanent preservation of nature and the protection of the parks' cultural resources and values.

Under the 1999 South East Queensland Forests Agreement, the transfer of some Queensland state forests included NCA amendments to allow beekeeping to continue temporarily, until 31 December 2024. These amendments provided continued access to national parks by the beekeeping industry.

The value of the beekeeping industry to Queensland is commonly understood. It not only produces honey and other honey bee related products but also provides vitally important crop pollination services that support the entire horticultural industry. Loss of access to national park sites on 31 December 2024 would be detrimental to the supply of these services and products. The government has committed to this extension to provide the beekeeping industry with certainty of access for the near future. Twenty years is a long time into the future. These amendments were deemed necessary, as securing alternative beekeeping sites located outside of national parks has proven challenging. These 2022 amendments allow for an extension of time, provide for new work to be undertaken to seek alternative apiary sites, support adoption of industry best practice on protected areas and identify initiatives to assist industry to progressively relocate off park over the next 20 years.

The bill also corrects several minor errors and relocates certain administrative provisions that are replicated across three regulations into the Nature Conservation Act 1992. It will remove an outdated version of the intergovernmental agreement from the act and reference the current version via a definition. The outdated terminology of 'ministerial council' has been replaced with the equivalent state minister and Commonwealth minister in response to Commonwealth government reform in 2020. This reform replaced Council of Australian Governments meetings with the National Federation Reform Council and abolished the Wet Tropics Ministerial Council.

Very importantly, this bill provides needed enhancement to 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 by providing new offences for impersonating a forest officer and a ranger—Yogi Bear beware: they are after you, mate—and expanding existing obstruction offences so that they apply to obstructing conservation officers, authorised officers and inspectors in the performance of their functions.

The bill relocates powers of officers to seize and deal with things that are seized, administrative provisions relating to approved forms, and internal and external reviews of decisions from subordinate legislation into the NCA to reflect current practices. These amendments have been made necessary by several reported cases of persons purporting to be rangers or forestry officers when they are not, as referenced by the Hanna Barbera cartoons. These behaviours have adversely impacted on persons lawfully enjoying our abundant national parks and recreation areas.

Ms Bush interjected.

Mr SKELTON: I take that interjection from the member for Cooper. Hanna Barbera were the people responsible for Yogi Bear.

QPWS rangers within DES manage lands and waters under numerous acts. This change makes it illegal for a person to hold themselves out to be a ranger or a state forestry officer when they are not. For consistency of application, this provision is now being inserted in all these pieces of legislation.

The amendments also acknowledge the partnership with several First Nations groups to jointly manage national parks and Indigenous joint management areas. Aboriginal and other corporations partner with the state to care for land and sea through initiatives such as the Indigenous Land and Sea Ranger Program and the Looking after Country Grant program. Rangers employed or engaged by these organisations working directly with QPWS or on projects independent of QPWS are properly recognised in this bill. The definition of 'ranger' in the offence means that rangers employed in these partnerships are not captured by the offence provisions when performing their functions consistent with the DES agreed arrangements.

Impersonation of a QPWS inspector or officer remains an offence in the act. The amendment provides improved clarification regarding when an inspector or conservation officer is being obstructed. The amendment removes any doubt by clarifying that it is an offence to obstruct an inspector in the performance of a function or when they are exercising a power under this act.

Amendments also relocate the provision for the seizure of relevant things—appliances, vehicles, boats and aircraft—that are found on land without the landholder's consent, found abandoned on land or being used to commit an offence against the act for the protection of native wildlife outside protected areas.

The bill will achieve its objective of relocating into the NCA from subordinate legislation the powers of officers to seize and deal with things that are seized, administrative provisions relating to approved forms, and internal and external reviews of decisions. Transferring administrative provisions to the NCA is a streamlining amendment as they would be otherwise replicated across three regulations. Transferring seizure provisions ensures conservation officers have clear and appropriate powers that are not distributed across the NCA and three regulations. Relocated provisions are redrafted into a modern form based on a precedent that reflects current drafting practices and is acceptable to parliamentary committees.

The bill delivers on our government's commitment to a 20-year extension to beekeeping in our national parks, until 31 December 2044. This extension will only be applied in areas where beekeeping was already an existing use prior to the transfer of land to national park. The bill also enhances compliance and enforcement capacity within Queensland Parks and Wildlife Service managed areas. Finally, it will update and improve coordination and the operation of the legislation by correcting several errors, reflecting the changes to intergovernmental arrangements and providing consistency with contemporary drafting practices. I commend this bill to the House.