

Forestry (State Forests) and Other Legislation Amendment Regulation 2025

Explanatory notes for SL 2025 No. 7

made under the

Forestry Act 1959

Nature Conservation Act 1992

General Outline

Short title

Forestry (State Forests) and Other Legislation Amendment Regulation 2025

Authorising law

Section 97 of the *Forestry Act 1959* (Forestry Act)

Sections 29, 33, 46, 48, 64, 70E and 175 of the *Nature Conservation Act 1992* (NC Act).

Policy objectives and the reasons for them

The objectives of the *Forestry (State Forests) and Other Legislation Amendment Regulation 2025* (Amendment Regulation) are to provide for:

- redescription of one state forest;
- redescription of two forest reserves;
- revocation of parts of five forest reserves for dedication as part of existing national parks;
- amalgamation of two national parks;
- redescription of five national parks;
- additions to ten national parks;
- declaration of five new nature refuges;
- addition to one nature refuge; and
- redescription of two nature refuges.

The core aim of dedicating new or amending existing 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 amendment will redescribe one state forest, revoke in part five forest reserves, make additions to ten national parks and one nature refuge, redescribe five national parks, amalgamate two national parks, redescribe two nature refuges and declare five new nature refuges.

The proposal to revoke parts of five forest reserves and subsequently dedicate them as protected area is part of the long-term forest reserve transfer process in Queensland. While in this tenure, further assessment of the conservation values has been undertaken to dedicate the land to the appropriate class of protected area.

This Amendment Regulation also includes minor amendments, such as updating of the plans that define the boundaries of national parks or protected areas using contemporary survey and mapping technology. Reasons for these updates include correcting area calculation errors, boundary consolidation following tenure actions and updating plan information (including updating area calculations where necessary) to improve clarity, accuracy and transparency for the protected area and forest estate reporting system. Correcting administrative errors and amending descriptions will meet description requirements under the *Land Act 1994*.

Achievement of policy objectives

To achieve its objective, the Amendment Regulation amends:

1. Schedule: State forests of the *Forestry (State Forests) Regulation 1987* to:
 - a. redescribe the entirety of Watalgan State Forest as lots 1 to 5 and 898 on AP23651, containing a total area of about 2,023.0058 hectares (a decrease of about 73.7773 hectares), using contemporary survey and mapping technology and standards, about 40 kilometres north-west of Bundaberg.
2. Schedule: Forest reserves of the *Nature Conservation (Forest Reserves) Regulation 2000* to:
 - a. revoke part of Alcock Forest Reserve, described as lot 2 on AP14613, containing an area of about 1.6 hectares, to allow the area to be dedicated as part of the existing Tully Gorge National Park, about 56 kilometres north-west of Cardwell;
 - b. redescribe the entirety of Danbulla West Forest Reserve as lots 4 and 10 on AP23903, containing a total area of about 25.7752 hectares (an increase of about 0.0552 hectares), using contemporary survey and mapping technology and standards; and subsequently, revoke part of Danbulla West Forest Reserve, described as lot 4 on AP23903, containing an area of about 25.44 hectares, to allow the area to be dedicated as part of the existing Danbulla National Park, about 13 kilometres north of Atherton;
 - c. revoke part of Japoon Forest Reserve, described as lot 2 on AP13766, containing an area of about 0.8 hectares, to allow the area to be dedicated as part of the existing Japoon National Park, about 22 kilometres south-west of Innisfail;
 - d. redescribe the entirety of Malbon Thompson Forest Reserve as lots 1 to 3 on AP23595, containing a total area of about 5,954.5974 hectares (an increase of about 19.6445 hectares), using contemporary survey and mapping technology and standards; and subsequently, revoke part of Malbon Thompson Forest Reserve, described as lots 2 and 3 on AP23595, containing a total area of about 5,952.8974 hectares, to allow the area to be dedicated as part of the existing

Malbon Thompson Range National Park, about 21 kilometres south-east of Cairns;

- e. revoke part of Mount Fisher Forest Reserve, described as lot 2 on AP13774, containing an area of about 4.6 hectares, to allow the area to be dedicated as part of the existing Maalan National Park, about 52 kilometres west of Innisfail.
3. Schedule 2: National parks of the *Nature Conservation (Protected Areas) Regulation 1994* to:
- a. amalgamate Yungaburra National Park, described as lot 433 on plan NR3314, containing an area of about 5.4481 hectares, with the existing Curtain Fig National Park, about 10 kilometres east of Atherton; and subsequently, redescribe the entirety of Curtain Fig National Park as lot 176 on SP345994, containing an area of about 209 hectares (an increase of about 5.4926 hectares), using contemporary survey and mapping technology and standards. The amalgamation improves compliance and management of the national park;
 - b. dedicate an area described as lot 5 on plan DS219 and lots 6 to 11 on plan USL39395, containing a total area of about 430.6646 hectares, as part of Curtis Island National Park, about 21 kilometres north of Gladstone. Dedicating this area as national park will enable improved management of pest species which are impacting ecosystems on the island and within the adjacent Curtis Island National Park. The island itself is considered to contain significant conservation values due to its connectivity with nearby tidal wetlands and the presence of habitat for threatened species, including the endangered eastern curlew;
 - c. dedicate the revoked area of Danbulla West Forest Reserve, described as lot 4 on AP23903, containing an area of about 25.44 hectares, as part of Danbulla National Park, 13 kilometres north of Atherton. The dedication of this area provides connectivity to Danbulla National Park and increases protection of essential habitat for the endangered northern bettong and northern quoll;
 - d. dedicate an area described as lot 183 on plan CWL3118, containing an area of about 5.19 hectares, as part of Girramay National Park, about 19 kilometres south of Tully. The dedication of this area to national park increases protection of endangered open forests and high value regrowth as part of the Wet Tropics World Heritage Area and essential habitat for the mahogany glider and southern cassowary;
 - e. dedicate an area described as lot 4 on SP131219, containing an area of about 52.7 hectares, as part of Girringun National Park, about 56 kilometres north-west of Ingham. The dedicated area is part of a riparian landscape corridor and contains wetland communities rich in biodiversity, including endangered melaleuca forests on floodplains. The addition will assist national park management and compliance;
 - f. dedicate the revoked area of Japoon Forest Reserve, described as lot 2 on AP13766, containing an area of about 0.8 hectares, as part of Japoon National Park, about 22 kilometres south-west of Innisfail. This area forms part of a vegetation corridor as part of the Wet Tropics World Heritage Area and increases protection of essential habitat for endangered and vulnerable species, including the southern cassowary;
 - g. dedicate the revoked area of Mount Fisher Forest Reserve, described as lot 2 on AP13774, containing an area of about 4.6 hectares, as part of Maalan National Park, about 52 kilometres west of Innisfail. The addition will consolidate the national park boundary. There are plans to revegetate the area and restore native vegetation to enhance conservation values for the national park;

- h. redescribe the entirety of Malbon Thompson Range National Park as lots 4 to 20 on AP23595, containing a total area of about 620.0846 hectares, using contemporary survey and mapping technology and standards, about 21 kilometres south-east of Cairns; and subsequently, dedicate the revoked area of Malbon Thompson Forest Reserve, described as lots 2 and 3 on AP23595, containing a total area of about 5,952.8974 hectares, as part of Malbon Thompson Range National Park. The addition contains endangered wet eucalypt open forest and coastal vegetation communities in the Wet Tropics World Heritage Area, essential habitat for endangered species, including the southern cassowary and enhances protection over a 35-kilometre habitat corridor across the Malbon Thompson Range;
 - i. dedicate an area described as lot 141 on AP20035, containing an area of about 61.6 hectares, as part of Millstream Falls National Park, about 62 kilometres west of Innisfail. The addition increases protection of endangered riverine and bluegum open forests;
 - j. redescribe the entirety of Mount Etna Caves National Park as lot 117 on AP23594, containing an area of about 536.9575 hectares (a decrease of about 45.5931 hectares), using contemporary survey and mapping technology and standards, about 25 kilometres north of Rockhampton. A new plan was produced for the national park to provide updated boundaries following recent tenure actions affecting the area;
 - k. redescribe part of Paluma Range National Park, described as lot 126 on plan CWL3516, as lot 126 on AP23895, containing an area of about 2.0634 hectares (an increase of about 0.0434 hectares), using contemporary survey and mapping technology and standards, about 68 kilometres north-west of Townsville. A new plan was produced for part of the national park due to the original plan being lost or destroyed and an image being unavailable;
 - l. redescribe the entirety of Tuchekoi National Park as lot 210 on AP23586, containing an area of about 383.4896 hectares (an increase of about 0.7126 hectares), using contemporary survey and mapping technology and standards, about 123 kilometres north of Brisbane. A new plan was produced for the national park to provide updated boundaries following recent tenure actions affecting the area;
 - m. dedicate an area described as lot 234 on plan CWL208, containing an area of about 45.5195 hectares, as part of Tully Falls National Park, about 52 kilometres south-west of Innisfail. The addition increases protection of of-concern highland vine and fern rainforest and endangered southern cassowary habitat;
 - n. dedicate the revoked area of Alcock Forest Reserve, described as lot 2 on AP14613, containing an area of about 1.6 hectares, as part of Tully Gorge National Park, about 56 kilometres north-west of Cardwell. The area contains endangered wet eucalypt open forest that provides essential habitat for endangered frogs and spotted-tail quoll (northern subspecies) and is part of the Wet Tropics World Heritage Area.
4. Schedule 5: Nature refuges of the *Nature Conservation (Protected Areas) Regulation 1994* to:
- a. declare an area described as part of lot 25 on SP104706, containing an area of about 2.94 hectares, as part of the existing Cooloothin Creek Nature Refuge; and subsequently, redescribe the entirety of the nature refuge as part of lot 25 on SP104706, containing an area of about 98.7071 hectares (a net decrease of about 2.29 hectares due to correction of calculation errors on the previous plan), shown

- on PA1174, about 12 kilometres north-west of Noosa. The area has known presence of the threatened koala, suitable habitat for several conservation significant flora and fauna species, and landscape connectivity with Great Sandy National Park, Cooloothin Conservation Park and Tewantin National Park;
- b. declare an area described as lot 3 on plan BND18, containing an area of about 1,372.4914 hectares, as the new Parrattamow Creek Nature Refuge, shown on plan PA1181, about 20 kilometres north-west of Augathella. The area contains known habitat for the threatened koala, supports several threatened regional ecosystems, provides suitable habitat for several threatened flora species, and connects to Parrattamow Creek, a regionally significant biodiversity corridor;
 - c. declare an area described as lot 29 on plan HLN6, containing an area of about 94.69 hectares, as the new Rosser Rainforest Nature Refuge, shown on plan PA1167, about 71 kilometres west of Mackay. The area contains habitat suitable for several threatened species, remnant and regrowth vegetation that provides connectivity to Eungella National Park, and catchment protection for the upper reaches of the Broken River;
 - d. declare an area described as lot 31 on SP117262, containing an area of about 6.314 hectares, as the new Samsonvale Koala Nature Refuge, shown on plan PA1168, about 6 kilometres north-east of Dayboro. The area forms part of a landscape corridor providing increased range, mobility and viability for species that utilise the nature refuge and the adjoining North Pine Dam Nature Refuge, including the threatened koala. This heightens the importance of the land as part of a large, protected area tract with long term viability as a refugia for ecosystems and species;
 - e. declare an area described as lot 78 on SP315915, containing an area of about 8.625 hectares, as the new Shipwreck Bay Nature Refuge, shown on plan PA1179, about 26 kilometres north of Port Douglas. The area contains known habitat for the southern cassowary, landscape connectivity with protected areas within the Wet Tropics World Heritage Area, suitable habitat for numerous threatened fauna species, and a mosaic of vegetation types described across four regional ecosystems;
 - f. declare an area described as part of lot 2 on RP203773, containing an area of about 22.69 hectares, as the new The Douglas Hockly Nature Refuge, shown on plan PA1165, about 7 kilometres east of Hampton. The area contains threatened and underrepresented regional ecosystems and suitable habitat for threatened species such as the koala, black-breasted button-quail and powerful owl;
 - g. redescribe the entirety of the existing Toomba Nature Refuge as lot 5369 on SP262315, lot 1 on plan DP52 and part of lot 2 on plan DP60, containing a total area of about 47,359.55 hectares, shown on plan PA1175, about 55 kilometres west of Charters Towers. The area provides protection for threatened regional ecosystems, suitable habitat for several threatened species, protection of an extensive area of lakes, streams, swamps and springs, and landscape connectivity with Great Wall National Park.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the Forestry Act and NC Act, namely:

- the Governor in Council may make regulations under the Forestry Act and NC Act;

- the revocation of forest reserves may occur for dedication to a protected area if the chief executive has reviewed the reserve and after a notice of the proposed designation is published and any feedback is considered;
- the dedication and declaration of areas representative of the biological diversity, natural features and wilderness of the State as protected areas; and
- the cooperative involvement of landholders in the conservation of nature.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

Protected areas provide conservation and ecosystem services which have indirect economic value and positive benefits to society. Protected areas also provide special places for recreation and tourism activities and are often places of important cultural and spiritual significance for Traditional Owners. Upgrading forest reserve areas allows for this land to be preserved in perpetuity for the benefit of the community.

Each area of land being added to the protected area estate was transferred for conservation and/or boundary management purposes. As encumbrances have now been resolved, transitioning this land to protected area tenure will formalise tenure for the land to ensure that the Queensland Parks and Wildlife Service within the Department of the Environment, Tourism, Science and Innovation (DETSI) can manage it as a protected area in accordance with the NC Act for the benefit of the environment and community.

The updating of plans allows the resolution of boundary and area issues and improves clarity, accuracy and transparency of protected areas.

Implementing the Amendment Regulation is in the public interest, is not considered to constitute significant subordinate legislation and will have negligible costs.

Costs relating to DETSI's administration and ongoing management of associated areas are met through existing annual budget allocations.

In accordance with *The Queensland Government Better Regulation Policy* (the Policy), a Summary Impact Analysis Statement was prepared in relation to the regulatory proposals. It was determined that the proposals are minor or machinery in nature and do not require regulatory impact analysis.

Consistency with fundamental legislative principles

The Amendment Regulation has been drafted with regard to, and is consistent with, the fundamental legislative principles as defined in section 4(5) of the *Legislative Standards Act 1992*.

Consultation

Stakeholders that currently have, or are likely to have, an interest in the proposal areas have been consulted such Energy Queensland and Powerlink Queensland. Feedback from stakeholders consulted about the Amendment Regulation was generally positive.

In relation to the amendment to nature refuges under the *Nature Conservation (Protected Areas) Regulation 1994*, all relevant parties under sections 44 and 45 of the NC Act have been notified and, where relevant, consented to the nature refuge amendments. Landholders have been closely involved in the negotiation and development of their conservation agreement.

The Office of Best Practice Regulation was notified of the proposals in accordance with the Policy.

The proposal to revoke parts of five forest reserves and subsequently dedicate them as national park is part of the long-term forest reserve transfer process in Queensland. In accordance with section 70E(3) of the NC Act, the purpose of revoking the dedication of the forest reserves is to allow them to become protected area. In accordance with section 70K of the NC Act, public notification of the proposed transfer of the forest reserves to national park was notified on the department's website. The notification included all other proposals in the amendment, also seeking views in consideration of the *Human Rights Act 2019*, including Aboriginal peoples' and Torres Strait Islander peoples' cultural rights. Nil written responses were received in the 35-day consultation period, and DETSI progressed the proposals accordingly.

No further external consultation was required on the amendments under the *Forestry (State Forests) Regulation 1987* or the amendments under the *Nature Conservation (Protected Areas) Regulation 1994*, as the amendments are machinery in nature.