

# Nature Conservation (Protected Areas) Amendment Regulation 2025

Explanatory notes for SL 2025 No. 16

made under the

*Nature Conservation Act 1992*

## General Outline

### Short title

*Nature Conservation (Protected Areas) Amendment Regulation 2025*

### Authorising law

Sections 44, 45, 46, 48, 64 and 175 of the *Nature Conservation Act 1992* (NC Act).

### Policy objectives and the reasons for them

The objectives of the *Nature Conservation (Protected Areas) Amendment Regulation 2025* (Amendment Regulation) are to provide for:

- additions to and redescrptions of two nature refuges; and
- declaration of 13 new 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 make additions to and redescrbe two nature refuges and declare thirteen new nature refuges.

This Amendment Regulation also includes minor amendments, such as updating of the plans that define the boundaries of 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 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 5: Nature refuges of the *Nature Conservation (Protected Areas) Regulation 1994* to:
  - a. declare an area described as the part of lot 62 on SP111654, containing an area of about 19.4 hectares, as the new Alford's Gully Nature Refuge, shown on plan PA1194, about 16 kilometres south-west of Boonah. The area contains a mosaic of complex vegetation types described across five regional ecosystems, the known presence of threatened flora species including the Boonah tuckeroo and Lloyd's native olive and provides suitable habitat for several threatened flora and fauna species;
  - b. declare an area described as lot 2 on RP804289, containing an area of about 5.3339 hectares, as part of the existing Bolger Bay Nature Refuge, and subsequently, redescribe the entirety of Bolger Bay Nature Refuge as lot 46 on plan EP191, lot 4 on RP743779 and lots 1 to 3 on RP804289, containing an area of 37.8339 hectares, shown on plan PA1176, about 13 kilometres north of Townsville. The area has known presence of the endangered koala, suitable habitat for several threatened species, contains several regional ecosystems with 'of concern' biodiversity status and/or have low representation in the protected area system, and provides connectivity with the surrounding protected areas on Magnetic Island, forming part of the Great Barrier Reef World Heritage Area;
  - c. declare an area described as the part of lot 1 on RP741576, containing an area of about 6.53 hectares, as the new Dendrolagus Nature Refuge, shown on plan PA1193, about 21 kilometres south of Atherton. The area has known and suitable habitat for several threatened flora and fauna species and provides landscape connectivity with the adjoining Bluff State Forest and the nearby Herberton Range National Park, Dendrophilia Nature Refuge, Stanbridge Forest Nature Refuge and Mount Hypipamee National Park;
  - d. declare an area described as the part of lot 3 on RP742525, containing an area of about 25.71 hectares, as the new Glenham Nature Refuge, shown on plan PA1171, about 32 kilometres north-west of Ingham. The area provides protection of threatened regional ecosystems, suitable habitat for threatened flora and fauna including the southern cassowary and provides landscape connectivity to the nearby Girringun National Park and Abergowrie State Forest;
  - e. declare an area described as the part of lot 1 on RP814141, containing an area of about 8.61 hectares, shown on plan PA1184, as the new Graham's Park Nature Refuge, about 5 kilometres east of Yungaburra. The area has a regional ecosystem with an 'of concern' biodiversity status, contains suitable habitat for several threatened flora and fauna species, and provides connectivity to the Wet Tropics World Heritage Area;
  - f. declare an area described as the part of lot 12 on SP254919, containing an area of about 38.04 hectares, shown on plan PA1189, as the new Hollindale Family Nature Refuge, about 5 kilometres north-east of Mount Tamborine. The area contains known presence of threatened flora and fauna species, suitable habitat for flora species *Cyperus semifertilis* and *Endiandra wongawallanensis*, and landscape connectivity with Tamborine National Park and Numala Community Nature Refuge;
  - g. declare an area described as lot 12 and the part of lot 13 on plan BK157101, shown on plan PA1182, containing an area of about 30.72 hectares, as the new LightHeart Forest Nature Refuge, about 23 kilometres south of Cooktown. The area contains

threatened regional ecosystems, provides suitable habitat for threatened flora and fauna species, and provides landscape connectivity with Ngalba-bulal and Annan River National Parks;

- h. declare an area described as the part of lot 342 on plan NR1040, containing an area of about 84.89 hectares, as the new Moonbeams Nature Refuge, shown on plan PA1183, about 6.5 kilometres south-west of Millaa Millaa. The area contains remnant vegetation of State significance with the known presence of several threatened species including the southern cassowary, lemuroid ringtail possum and tapping green eyed frog, and provides landscape connectivity with the adjoining Maalan National Park and Doug Clague Nature Refuge;
- i. declare an area described as the part of lot 53 on plan CC562, containing an area of about 94.53 hectares, as the new Mount Ridgley Nature Refuge, shown on plan PA1180, about 16 kilometres south-east of Toowoomba. The area has known presence of the endangered koala, suitable habitat for several threatened species, and a regional ecosystem that has low representation in protected areas;
- j. declare an area described as the part of lot 1 on RP57500, containing an area of about 33.35 hectares, as the new North Ridge Nature Refuge, shown on plan PA1166, about 6.5 kilometres east of Maleny. The area has the known presence of and suitable habitat for several threatened flora and fauna species, including the koala, Richmond birdwing butterfly, greater glider, and scrub turpentine;
- k. declare an area described as the part of lot 104 on plan CI4335, containing an area of about 184.3135 hectares, as the new Quad's Nature Refuge, shown on plan PA1164, about 38 kilometres south of Mackay. The area has remnant vegetation that forms part of a bioregional corridor and provides suitable habitat for the endangered koala;
- l. declare an area described as lot 2 on RP733654, lots 11 and 12 on RP738429 and lot 19 on RP738466, containing an area of about 12.713 hectares, as part of the existing Rainforest Rescue Nature Refuge, and subsequently, redescribe the entirety of Rainforest Rescue Nature Refuge, as lot 2 on RP733654, lots 11 to 13 and 15 on RP738429, lots 7 to 9 on RP738430 and lots 16 to 19 on RP738466, containing an area of 27.831 hectares, shown on plan PA1188, about 28 kilometres north of Port Douglas. The area has known habitat for the endangered southern cassowary and landscape connectivity with several protected areas, and the Wet Tropics World Heritage Area;
- m. declare an area described as the part of lot 55 on RP887894, containing an area of about 35.84 hectares, as the new Rakuen Nature Refuge, shown on plan PA1191, about 18 kilometres south-west of Port Douglas. The area has known habitat for the threatened cassowary, contains suitable habitat for several threatened flora and fauna species, and provides landscape connectivity with the adjoining Mount Lewis National Park and nearby Thylogale Nature Refuge and Pademelon Haven Nature Refuge;
- n. declare an area described as the part of lot 3 on RP49356, containing an area of about 21.44 hectares, as the new Rowlands Nature Refuge, shown on plan PA1163, about 13 kilometres west of Gympie. The area contains threatened and underrepresented regional ecosystems, habitat for the endangered koala, and landscape connectivity with King Conservation Park and King State Forest; and
- o. declare an area described as the part of lot 4 on SP323017, containing an area of about 3.12 hectares, shown on plan PA1170, as the new Zoomers Nature Refuge, about 9 kilometres south of Rathdowney. The area has suitable habitat for several threatened species and provides connectivity with the adjoining Wild Mountains Nature Refuge.

## **Consistency with policy objectives of authorising law**

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

- the Governor in Council may make regulations under the NC Act;
- the 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 are often places of important cultural and spiritual significance for Traditional Owners.

Each area of land being added to the protected area estate was transferred for conservation purposes.

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 the Department of the Environment, Tourism, Science and Innovation's (DETSI) administration and ongoing management of associated areas are met through existing annual budget allocations.

In accordance with *The Queensland Government Better Regulation Policy*, an Impact Analysis Statement was prepared in relation to the regulatory proposal. It was determined that the proposal is minor and machinery in nature and does not result in a substantive change to regulatory policy or new impacts on business, government, or the community. No further regulatory impact analysis is required.

## **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 a likely to have, an interest in the proposal areas have been consulted. Feedback from stakeholders consulted about the Amendment Regulation was generally positive and responses and consent have been received from consulted parties where relevant.

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 proposal.

The proposal to add to and redescribe two nature refuges and subsequently declare 13 nature refuges is in accordance with the NC Act. A public notification of the increase and redescription of two nature refuges and declaration of 13 nature refuges was published on the Department of the Environment, Tourism, Science and Innovation's website 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 28-day consultation period, and DETSI progressed the proposals accordingly.

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