




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 27 March 2019

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

 **Dr ROWAN** (Moggill—LNP) (3.13 pm): I rise today to oppose the passage of the Nature Conservation (Special Wildlife Reserve) and Other Legislation Amendment Bill. At the outset, I would like to place on record my appreciation and acknowledge the invaluable and fine work done by our Queensland Parks and Wildlife Service and associated staff in managing large areas of Queensland entrusted to them as national parks.

The Queensland Parks and Wildlife Service successfully manages and maintains such lands and marine environments, retaining original flora and fauna, as many parts of our state become more urbanised due to expanding human populations. Our national parks are a very valuable recreational destination for Queenslanders as well as visitors from interstate and overseas. As such, they also provide revenue for our great state.

The cardinal principle adopted by the Queensland Parks and Wildlife Service for managing national parks is to provide so far as possible for the permanent preservation of their natural condition and the protection of their cultural resources and values. Protecting a park's natural condition can, however, require considerable action. This is what national park management is all about.

I note the primary objective of this bill is to establish a special wildlife reserve as a new class of voluntary, privately managed protected area that would provide for a similar level of statutory protection to that afforded to a state managed national park. I also note that the special wildlife reserve would apply to freehold and leasehold tenures.

The bill claims to establish management principles for special wildlife reserves. The bill also stipulates a legally binding perpetual conservation agreement and an associated management program to be negotiated for each special wildlife reserve. The question arises then: what happens should this relationship break down? What happens should the respective parties disagree over the interpretation of the management program provisions? Where do the parties go to resolve these matters?

I note in the explanatory notes it is claimed that the legislation seeks to encourage private investment in Queensland's protected area estates with the knowledge that investment will be offered protection from incompatible land uses such as mining and forestry. I note the omission of the word 'grazing' here. I hope that throughout the course of discussions surrounding this bill the minister provides some clarity and appropriate explanation with respect to this point. I note later in relation to consultation on the bill the explanatory notes make the following statement—

Some interest groups did, however, argue for the continuance of certain activities on special wildlife reserves (e.g. commercial grazing, forest harvesting, mining), however this is not considered compatible with the intent of the legislation.

Grazing can be an effective tool in the management of fire and pest risks and I note this practice is not being considered as an appropriate activity as part of a future management program.

The legislation before us today is substantially the same as the bill that was originally referred to the agriculture and environment committee prior to the dissolution of the parliament for the 2017 election. Back in the 55th Parliament when the bill was first proposed, I commenced reading through the explanatory notes in relation to this legislation. At first this sounded like a reasonable proposal and a financial benefit for government and the taxpayers of Queensland. Let me read out just why it was I thought this concept may have some merit. It states—

Private protected areas, such as special wildlife reserves proposed in the Bill, are extremely cost-effective for government as acquisition and on-going management costs are met by the private sector. Use of public monies to fund government delivery of incentives and landholder services is a significantly cheaper, efficient and more far-reaching means of realising the same conservation outcome, and meeting protected area targets, compared with acquisition and on-going management of state-owned protected areas (e.g. national parks).

Unfortunately, that is where the potential financial savings ended and the potential as well as direct and indirect costs commenced. It goes on—

Core costs for government implementation of the Bill include: Assessment and negotiation of a proposed special wildlife reserve *(e.g. staffing, field inspections, reporting, administrative checks, drafting of a conservation agreement, assessment and review of management program); on-going monitoring and landholder services (e.g. staffing, provision of advice, property visits, compliance checks); and incentives (e.g. funding for assistance with on-ground threat mitigation measures).

The apparent risk of an increase in bureaucracy in order to deliver an outcome that was supposed to reduce financial expenditure of the state government then became apparent, and so I read on. It continues—

Initially, the creation and management of special wildlife reserves will be undertaken by the Department of Environment and Science ... staff within the existing NatureAssist budget allocation. It should be noted that this model is likely to have some impact on recruitment of nature refuges and landholder support of the almost 500 nature refuges declared within Queensland. It is anticipated that DES may require one additional full-time equivalent position for every five to 10 special wildlife reserves that are created; again dependent on factors identified above.

Based on the department's own reasoning, if the 500 declared nature refuges are made into special wildlife reserves, we can potentially expect to see an additional 50 to 100 departmental staff being engaged by the department. So much for a saving!

The more I look at this bill the less I see a building of our protected estates and the more I see a building of a further bureaucratic empire in Queensland. There will be staff focused on process metrics—checking this; inspecting that; making sure they have filled out all the required paperwork, potentially in triplicate, and that is before the administrative support staff are put on to ensure all the paperwork is sent off to the relevant filing cabinet.

Of significant concern is the very real prospect of a default by the owner and deliverer of a special wildlife reserve or its associated management being referred back to the state government. The minister should advise the House how it is she intends to address these legitimate concerns. Neither farmers nor park managers welcome invasive pests and weeds, and it is in the interests of both to contain and/or eradicate them. In addition, what happens to the property should the leaseholder meet financial difficulties which reduce their capacity to undertake appropriate land management? What happens if the department deems the landholder has failed a compliance check and the parties disagree? These are matters the minister needs to address. They should be clarified before this House considers enacting such far-reaching legislation.

The Law Society said this is not good law, and I agree. The Queensland Law Society making this damning comment is prima facie evidence of draft legislation that is fundamentally flawed. I also note other concerns raised by stakeholders during the Agriculture and Environment Committee's consideration of the bill. At the committee's public hearing, Balkanu said it was concerned there is the potential to misuse special wildlife reserves to lock up country from economic development. As quoted in the committee report, Balkanu said—

Generally our position overall is that for traditional owners in [Cape York] meaningful employment and economic opportunities are critical. We have always been about looking at conservation while also ensuring that we protect economic opportunities for traditional owners in the Cape.

The Innovation, Tourism Development and Environment Committee, in its report on this bill tabled to parliament last year, noted the serious concerns expressed by the Cape York Land Council Aboriginal Corporation with respect to the potential impacts of the bill on native title rights and interests. The committee found it necessary to issue this recommendation to the minister—

The committee recommends that the Minister work with Traditional Owners to ensure their concerns in relation to native title are addressed.

As the LNP shadow minister for Aboriginal and Torres Strait Islander partnerships, this recommendation is an indictment of the way this government worked with Aboriginal and Torres Strait Islander peoples to get the legislation right. Whilst further consultation is welcome, it is ultimately far too

little far too late, although I acknowledge there will be amendments introduced and debated this afternoon as part of this legislation.

The Liberal National Party is also concerned that this bill will not only take large areas of Queensland out of production but also have a negative impact on neighbouring property owners as a result of an increase in pests, weeds and general biosecurity risks. Such concerns were also expressed in evidence provided by the Queensland Farmers' Federation.

I also support the request made by AgForce to the Agriculture and Environment Committee that neighbouring properties of any proposed special wildlife reserve be included on the list of interested parties for ministerial notification. There is a very real prospect that a proposed special wildlife reserve may impact on neighbouring agricultural properties by the inappropriate management of potential pest, weed and fire risks in the future.

The Queensland Beekeepers' Association also raised the concern that, if passed, this legislation will force them off more areas. They requested that the clause in the Nature Conservation Act which bans the keeping of bees from 31 December 2024 not be applied to these reserves. I also noted the comments of the Queensland Resources Council. They expressed concerns regarding the risk that land use interests other than conservation could potentially be 'blocked by vexatious special wildlife reserve proposals'.

There are certainly significant ongoing concerns around the legislation. I also acknowledge the submissions and contributions of the National Parks Association of Queensland, Bush Heritage Australia, the Australian Wildlife Conservancy and Healthy Soils Australia.

Unfortunately, this legislation will lock up land and potentially cause grief and heartache for many property owners trying to manage pests and weeds on their land. The LNP will oppose the bill given the sheer volume of concerns that continue to be left unaddressed by this Labor government, the strong submissions of many stakeholders and the sovereign risks and harm to economic development that this legislation poses to Queensland.