



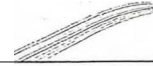
Impact Analysis Statement

Summary IAS

Details

Lead department	Department of the Environment, Tourism, Science and Innovation
Name of the proposal	Regulation Amendment to facilitate the grant of ecotourism facility authorities Amendments to allow for two additional prescribed uses for ecotourism facilities under Part 2 of Schedule 3 of the <i>Nature Conservation (Protected Areas Management) Regulation 2024</i>
Submission type	Summary IAS
Title of related legislative or regulatory instrument	<i>Nature Conservation (Protected Areas Management) Amendment Regulation (No. 2) 2025</i>
Date of issue	January 2025

Proposal type	Details
Minor and machinery in nature	The chief executive cannot grant a section 35 authority under the <i>Nature Conservation Act 1992</i> (NC Act) unless the use is prescribed under regulation – this being Schedule 3 of the <i>Nature Conservation (Protected Areas Management) Regulation 2024</i> (NC PAM Regulation). Section 141(2) of the NC Act prevents this power to grant an authority under section 35 from being delegated. Section 175 of the NC Act provides the Governor in Council with the power to make regulations under the NC Act with respect to the use of the land and activities in protected areas. This proposal facilitates a routine task of government and does not require Regulatory Impact Analysis as per Table 1 of the Queensland Government Better Regulation Policy. Further detail: This proposed Regulation Amendment will allow for the chief executive to grant an authority under section 35 of the <i>Nature Conservation Act 1992</i> (NC Act) for an ecotourism facility at two new prescribed locations. Those locations are: - approximately 22.5 hectares within Great Sandy National Park - approximately 5.5 hectares within Whitsunday Island National Park Great Sandy National Park ‘Habitat Noosa’ is an existing operation authorised under two <i>Land Act 1994</i> leases held by Ecocamp Pty Ltd, for the ecotourism facility (lot plan AMCH5358) and associated sewerage treatment plant (lot plan BMCH5358), granted in 1986 (under the now repealed <i>Land Act 1962</i> and



the *National Parks and Wildlife Act 1975*) for a term of 50 years, expiring on 25 October 2036. 'Habitat Noosa' is now seeking a new ecotourism authority under section 35 of the NC Act. DETSI is currently undergoing the assessment process and is in negotiation with 'Habitat Noosa' over commercial terms.

Whitsunday Islands National Park

The Ngaro Track is a new multi-day track built by Queensland Parks and Wildlife Service & Partnerships (QPWS&P) on Whitsunday Islands National Park. In 2024, QPWS&P ran an Expression of Interest process to identify a preferred commercial operator to manage two campgrounds along the Ngaro Track, operate guided tours and provide low-cost access to free and independent hikers. QPWS&P is now negotiating with an operator on the terms of a subsequent section 35 ecotourism authority.

The objectives of this Regulation Amendment are to allow the chief executive to issue an ecotourism facility authority for applications received and appropriately assessed under section 35 of the NC Act.

This Regulation Amendment is being made because the department has received, or reasonably expects to receive an application for an ecotourism authority within the prescribed areas.

While the Regulation Amendment allows for the chief executive to issue an ecotourism authority under the NC Act, it does not bind the chief executive to a decision for an authority to be granted.

Any application made under section 35 of the NC Act undergoes assessment in accordance with the provisions of the legislation, and a decision is made to grant an authority only where the chief executive is satisfied that all provisions have been met. The chief executive's decision-making power is independent of this Regulation Amendment.

Should the chief executive refuse an application for an ecotourism facility within the prescribed areas, the Regulation Amendment allows for a future application to be considered, and subsequently granted at the same identified site. Alternatively, a future amendment can be passed to remove the prescribed areas from the *Nature Conservation (Protected Areas Management) Regulation 2024*.

Patricia O'Callaghan
Director-General
Department of the Environment, Tourism
Science and Innovation

Date: 6.2.2025

Andrew Powell MP
Minister for the Environment and Tourism
Minister for Science and Innovation

Date: 10.2.25