

Operational policy

Community Relations and Partnerships

Good Neighbour policy

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of Environment and Science (the department). Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.

Policy subject

This policy outlines the position of the Queensland Parks and Wildlife Service and Partnerships (QPWS&P) for developing and sustaining positive relationships with neighbours and the local community to manage common issues across boundaries.

Definitions

Assistance dog means a dog trained and registered to perform identifiable physical tasks and behaviours to assist a person with a disability to reduce the person's need for support.

Country is the area of a First Nation person's land, including the water, air, plants, animals and sky. Rights, interests, and obligations to care for Country exist, regardless of a native title claim or determination.

First Nations peoples Aboriginal and Torres Strait Islander peoples are First Nations peoples and were the first peoples of Australia who inhabited this continent for thousands of years prior to colonisation. Aboriginal and Torres Strait Islander peoples have an inherent spiritual connection to the lands, waters and sky and this connection carries with it custodial obligations to care for and protect Country as outlined in lore and custom. First Nations peoples is a modern term that can be used in both singular and plural contexts.

First Nations partner is used in this policy to mean the First Nations peoples who own or are the Traditional Custodians working with the department to care for and protect Country.

Forest includes forest reserves, State forests and timber reserves under the *Forestry Act 1959*.

Local community, for the purpose of this policy, is a social group of any size whose members reside in a specific locality or have a connection to the country and can include special interest groups and other people that reside in close proximity.

Neighbour, for the purpose of this policy, includes any person, family, community, corporation, partnership, trust or association, as well as local, State and Commonwealth agencies that own, are responsible for, or live on land or waters adjacent or near to QPWS&P managed areas. Neighbours are not limited to the people who share common boundaries.

Pest means any animal, plant, pathogen or disease capable of causing negative impacts on the environment, economy or social and cultural values and human health, whether or not listed as restricted or prohibited matter under the *Biosecurity Act 2014*.

Private protected area means land managed under a conservation agreement between the landholder and the State, (under Part 4, Division 4 of the *Nature Conservation Act 1992*) as a nature refuge or special wildlife reserve.

Protected Area includes national parks, conservation parks and resources reserves under the *Nature Conservation Act 1992*, including Indigenous-owned national parks jointly managed by First Nations landowning entities and QPWS&P.

Background

QPWS&P has management responsibility for approximately 13 million hectares of terrestrial protected areas and forests across Queensland. Most of these lands are managed collaboratively with First Nations partners under various statutes and agreements. This policy refers to these collectively as “QPWS&P managed areas”.

QPWS&P also has management responsibilities for marine parks declared under the *Marine Parks Act 2004*, fish habitat areas declared under the *Fisheries Act 1994* and the Great Barrier Reef Marine Park (managed in partnership with the Commonwealth). While the principles of this policy can be applied to all QPWS&P management, the scope of this policy is QPWS&P managed areas.

Parks and forests are administered in accordance with principles set down in legislation that provides for the conservation and protection of natural and cultural values, production in forests and, in many cases, also allow for a variety of uses. This legislation also integrates First Nations peoples' rights and interests into the management of protected areas where they have an interest under Aboriginal tradition or Island custom.

First Nations peoples' rights and interests over Country can include native title rights and interests formally recognised through a determination by the Federal Court under the Commonwealth's *Native Title Act 1993*. Distinct from native title, all First Nations peoples have traditional cultural rights to care for Country. There are many First Nations groups partnering with QPWS&P to varying degrees as owners, joint managers or co-stewards of lands within their Country.

For example, in the Cape York Peninsula Region and in Quandamooka Country - Minjerribah (North Stradbroke Island) and Mulgumpin (Moreton Island), QPWS&P works in partnership with First Nations peoples to manage more than two million hectares of protected area under formal statutory joint management arrangements. Under these arrangements, First Nations peoples represented by a Land Trust, Aboriginal Corporation or Native Title Representative Body Corporate are the freehold landowners of the underlying land under the Queensland *Aboriginal Land Act 1991*, and the State and Indigenous landowning entity are perpetual joint managers of the protected areas under the *Nature Conservation Act 1992*.

Specific legislative provisions apply for the creation of national parks (Cape York Peninsula Aboriginal Land), and in the North Stradbroke Island (Minjerribah) Region and on Moreton Island (Mulgumpin), the creation of Indigenous Joint Management Areas.

The *Nature Conservation Act 1992*, the *Queensland's Protected Area Strategy 2020-2030*, and the *Master Plan for Queensland's parks and forests 2014 to 2025* provide strategic objectives, priorities and direction for QPWS&P managed areas. Together with First Nations partners, QPWS&P works with industry, not-for-profit organisations, neighbours and the local wider community to maximise positive outcomes to achieve a well-managed whole of a landscape approach to the conservation of the State's natural and cultural values.

QPWS&P managed areas have a variety of neighbours, and they can number from one to hundreds. They can include rural landholders and primary producers, tourism facilities, industrial and commercial businesses, many different types of residential communities and various government lands.

Many parks and forests are “islands” of remnant vegetation, with crops, infrastructure or cleared land adjacent to or near boundaries. This greatly increases the complexity in maintaining the values of the QPWS&P managed areas.

QPWS&P also manages the Queensland's Private Protected Area Program. This program includes nature refuges, coordinated conservation areas and special wildlife reserves which make up around one-third of

Queensland's protected area estate. These protected areas often buffer, support and connect QPWS managed areas.

Objectives and general principles

The objectives of this operational policy are to:

- promote cooperation and exchange of information between QPWS&P, First Nations peoples, neighbours, and local communities;
- establish the principles for positive relationships between QPWS&P, First Nations peoples, neighbours and local communities, based on mutual respect, understanding and recognition of the rights, interests, and responsibilities of all parties;
- clearly outline the approach of QPWS&P on a range of land management issues needing cooperative management; and
- promote the benefits of whole of landscape and cross tenure collaboration, particularly involving First Nations peoples' knowledge in land management practices.

The general principles underlying this policy are that:

- QPWS&P managed lands and the staff that manage those areas are an integral part of functioning communities and social landscapes;
- all landholders benefit from greater mutual understanding, information sharing and cooperation to achieve and maintain a healthy, productive and sustainable environment now and for our future generations;
- QPWS&P partners with First Nations peoples to ensure their rights, interests, knowledge, priorities and perspectives outlined in Traditional lore and custom is incorporated in decision-making and operations;
- establishing and maintaining open, positive and respectful relationships with neighbours, First Nations peoples and local communities is a priority for QPWS&P;
- land management practices are more effective if they are developed in consultation with neighbours and local communities and implemented cooperatively across the landscape;
- cross-boundary issues and problems are often best addressed at the local level by local people working together; and
- all landholders, including QPWS&P and First Nations peoples, have rights, interests and responsibilities in managing their respective lands and waters.

Policy statements

Working with First Nations partners

QPWS&P is committed to building enduring, meaningful partnerships with First Nations peoples to collaboratively manage Queensland's parks and forests. This partnership is essential in respect of the intrinsic relationship between First Nations peoples and Country. The Queensland Government recognises and values the custodial duties associated with this relationship as well as First Nations people's ownership of certain parks. To support these partnerships, QPWS&P works with First Nations peoples to:

- ensure parks and forests areas are cared for and protected through co-developed park management arrangements;
- ensure the legislated rights and interests of First Nations peoples are afforded in all situations; and

- consult with neighbours about the protection of cultural values on parks and forests and adjacent lands, and other known interests of First Nations peoples.

Positive neighbour relations

Parks, forests, and adjoining land uses often have differing purposes and use in their management. Plants and animals (including pest species), fire, air and water move between these areas and affect the landscape without regard to boundaries and fence lines. QPWS&P and neighbours must communicate and cooperate to ensure that positive impacts (such as the flow of clean water) are maximised and negative impacts (such as the movement of pest species and damaging bushfires) are minimised.

In working with neighbours, QPWS&P will abide by this operational policy to the greatest possible extent, within the parameters of their statutory management obligations and practical constraints.

Building relationships

Positive relationships are an important element in responsible and cooperative management. Developing these relationships requires trust, time and consistency from all parties. Liaison with neighbours and local communities is recognised as an important component. QPWS&P, jointly with First Nations partners, will continue to proactively establish and maintain open and positive relationships with neighbours and local communities.

Integrated planning arrangements

QPWS&P supports a whole of landscape approach to planning and management. Management plans and statements and operational strategies are developed in partnership with First Nations peoples for parks and forests and provide strategic direction for managing key values and delivering management obligations as a landholder.

QPWS&P, together with First Nations partners, will:

- involve neighbours in consultation during planning for non-emergent management activities on QPWS&P managed areas;
- ensure that the interests and rights of neighbours are considered and that QPWS&P planning is coordinated, as far as possible, with planning and management activities on other lands; and
- invite community and local government involvement when preparing management plans for parks and forests and promote awareness and understanding of natural values (including Outstanding Universal Values in relation to parks within a World Heritage Area) and cultural heritage.

Local government activities, controls and land use plans are of great importance in supporting and complementing the roles of QPWS&P managed areas. QPWS&P will provide advice to local government when planning for pest, fire and tourism management to ensure that QPWS&P and partner's land management objectives are recognised.

Local governments and developers of land adjacent to parks and forests are urged to consider QPWS&P and First Nations partner interests in their planning and development activities. QPWS&P works on the basis of shared "whole of landscape" responsibility between QPWS&P, First Nations partners, and neighbours in regard to exposure to bushfires, pest species, wildlife and unlawful activities.

To help promote strong linkages between parks and forests and "whole of landscape" management, QPWS&P, together with First Nations partners, will work with natural resource management bodies across Queensland in planning for and delivery of management activities of shared interest.

QPWS will engage with neighbouring private protected area landholders to encourage and support cooperative management of natural and cultural values protected on those lands.

Fire management

QPWS&P:

- recognises that fire is an integral part of the natural and cultural environment and that it continues to shape many of Queensland's landscapes;
- acknowledges and values First Nations peoples' knowledge in Traditional fire management practices; and
- respects that fire across the landscape can pose a threat to life and property and to the natural, cultural, social and economic values of the land if not managed in a coordinated way.

QPWS&P's approach to fire management is based on shared responsibility across the landscape and working with First Nations partners and other stakeholders, such as neighbours. QPWS&P will actively participate with all relevant Area Fire Management Groups and Local Specific Fire Management Groups.

The approach to cultural fire management is broad and needs to be culturally responsible and respectful of First Nations peoples as the custodians of Country, who managed fire over generations for thousands of years. Working with First Nations peoples may include management planning to share knowledge, interests and values to a highly involved on-ground presence through all fire management activities, including within Incident Management Teams. QPWS&P will work cooperatively with First Nations partners and neighbours in matters such as:

- the location, construction and maintenance of vehicle access roads and tracks, firelines and other fire infrastructure (e.g. water points);
- identifying areas of high cultural significance for protection;
- planning, notification of intention to burn and participation, where appropriate, in planned burns; and
- preparing for and responding to bushfires.

Neighbours of parks and forests are urged to consult with QPWS&P and Queensland Fire and Emergency Services before undertaking building or other works that may increase bushfire exposure and firefighter safety risks in the area.

Neighbours of parks and forests have a responsibility to prepare their home, property and family for potential bushfire exposure and to have a [Bushfire Survival Plan](#) in place before a bushfire occurs.

Managing native animals

QPWS&P recognises that at times native animals move between parks and forests and neighbouring land. Some species can cause a demonstrable impact on property or to primary production, and vice versa, where pest or non-native species from adjoining lands impact on natural or cultural values in QPWS&P managed areas.

QPWS&P staff assist neighbours when they request information about available management options, including the option of issuing damage mitigation permits for use outside QPWS&P managed areas. QPWS&P work with local authorities and the Department of Agriculture and Fisheries on whole of landscape matters.

Animals and plants are important elements of a living cultural landscape for First Nations peoples. QPWS&P will consult with First Nations partners to determine appropriate management options that are respectful to cultural practices regarding totemic species.

Tourism and visitor management

QPWS&P and partners recognise the importance of tourism and recreational use of parks and forests to local and regional communities. QPWS&P together with First Nations partners, will consider the potential for local communities to benefit from tourism (including ecotourism) to parks and forests, depending upon the values of the area and the interests of all stakeholders.

QPWS&P recognises the educational, health, cultural and social benefits that parks and forests provide to communities.

QPWS&P will work with First Nations partners and consult neighbours and local communities to develop strategies to minimise any adverse impacts from visitors to QPWS&P managed areas.

Habitat extension and wildlife corridors

Habitat on private lands is vital for the long-term protection and maintenance of natural values and helps maintain the natural processes that underpin both ecosystem processes and conservation. QPWS&P will encourage neighbours to maintain or restore native vegetation to provide additional habitat and wildlife corridors.

Lease and permit holders

This policy applies in full to lessees and other occupiers of QPWS&P managed areas. State forests, conservation parks and forest reserves can allow for grazing, and there are over 700 grazing authorities held on QPWS&P managed areas.

Authorities issued by QPWS&P will include conditions to establish the responsibilities of the lessees and permittees regarding cooperative management and dealings with other landholders.

Pest management

QPWS&P recognises the significant impacts pest species can have on natural and cultural values, economic productivity, social amenity and human health.

The approach to pest management with First Nations peoples is broad and needs to be relevant and respectful to specific First Nations groups' different views and aspirations. QPWS&P recognises the significant knowledge, experience and perspective First Nations peoples bring to managing the health of Country. Working with First Nations peoples to manage pest species may include management planning to share knowledge, interests and values, through to significant on-ground presence in pest management practices.

QPWS&P's approach to cross tenure pest management is focused on cooperation and active participation with pest working groups at State, regional and local Government levels.

QPWS&P staff will contribute to developing and reviewing local government biosecurity plans. This includes providing information on the key values and relevant pest threats on QPWS&P managed areas. QPWS&P will also ensure their pest strategies align with the relevant local government biosecurity plan.

Neighbours adjacent to parks and forests are encouraged to consult with QPWS&P and their local government before introducing new species onto their land that may increase bushfire or biosecurity risks.

QPWS&P will give priority to cooperating with neighbours in the prevention and/or eradication of new outbreaks of pest species.

Where a need has been clearly justified and mutually agreed upon, QPWS&P will consider requests by neighbours to carry out pest management activities on QPWS&P managed areas. Approvals to carry out pest management activities on parks and forests will be granted on a case-by-case basis. They will consider the

possible level of impacts the activities may have on park or forest values, the relevant QPWS&P policy position relating to the activities and applicable legislation.

QPWS&P will notify neighbours before undertaking any pest management activities that include the use of firearms, herbicides or pesticides along any shared boundaries and will encourage neighbours to do likewise.

QPWS&P will proactively manage its operations to minimise the spread of pests (such as invasive plants) and comply with any related biosecurity protocols that exist across relevant government agencies.

Stock management and fencing

Stock grazing is inconsistent with the cardinal management principle of protected areas under the *Nature Conservation Act 1992*, that is, to provide, to the greatest possible extent, for the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values.

Stock grazing can be consistent with other parks (e.g., Conservation Parks and Resources Reserves) and forests where it provides a conservation or management outcome.

QPWS&P and First Nations partners will review the risks, impacts and management options for stock where stock occurs on QPWS&P managed areas, where it is inconsistent with the tenure or the values of the area.

QPWS&P will work with neighbours who graze stock to identify and develop strategies that aim to prevent stock from straying onto QPWS&P managed areas where stock is not authorised.

Appropriate arrangements will be developed through consultation where boundary fences are required between parks and forests and neighbouring lands. These arrangements will be recorded in a written agreement between the QPWS&P and the relevant landholder.

Although the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* does not bind the State in relation to the construction and repair of dividing fences, costs of construction and maintenance will be negotiated between parties in the spirit of cooperation where the fencing is consistent with nature conservation objectives.

When stock stray onto QPWS&P managed areas, QPWS&P will make reasonable efforts to determine the owner/s of the animals. Neighbours will be requested to remove their stock from the area as soon as possible. If this is not feasible, QPWS&P may implement the procedures outlined in the *Operational policy- Removal and disposal of stock on QPWS protected areas (Nature Conservation Act 1992)*.

When determining if non-native animals on QPWS&P managed areas are stray stock or feral animals, in the spirit of positive community relations, QPWS&P will not rely solely on the legal definitions of stock in the *Nature Conservation (Protected Areas Management) Regulation 2017* and *Forestry Act 1959*. Other species will generally be regarded as stock if they have identification markers or are rural production animals in the local area. QPWS&P will also consider the practicality of mustering and its obligations for managing biodiversity, conserving ecological integrity and controlling pests when making such determinations.

Managing domestic animals

Domestic animals (particularly cats) can have serious impacts on native wildlife, and neighbours are urged to prevent domestic animals from straying onto QPWS&P managed areas.

Domestic animals are only allowed on parks and forests in particular circumstances governed by various legislative provisions.

With some exceptions, dogs other than companion dogs (with accompanying paperwork) are not allowed on protected areas managed under the *Nature Conservation Act 1992*. Exceptions include:

- working dogs authorised by a stock grazing permit or stock mustering permit;
- dogs kept by staff under approval;

- dogs authorised under provisions specified in an Agreement with First Nations people; and
- dogs on leads are allowed in many State forests during the day but are prohibited from many picnic areas and camping grounds by use of regulatory notices.

Recreational horse riding is allowed within conservation parks when permitted by a regulatory notice under the *Nature Conservation Act 1992* and in forests when permitted by a regulatory notice under the *Forestry Act 1959*.

Access

QPWS&P staff seeking access to or through a neighbouring property will, in non-emergent circumstances, request permission from the relevant landholder before accessing the property or develop an agreed understanding of access requirements and arrangements.

In emergencies, QPWS&P staff may access a QPWS&P managed area, through a neighbouring property, without the neighbour's consent.

Neighbours who require access through parks and forests other than via public access routes should discuss their requirements with relevant QPWS&P staff.

Where neighbours have agreements to use ungazetted tracks/trails through parks or forests for access to their private property, they are not permitted to conduct works on these tracks/trails without an authority, and QPWS&P bears no responsibility for maintaining such tracks to any standard other than that for which the trail fulfils its park/forest management purpose, for example, a fire trail used by 4WD equipped vehicles.

Authorities

Authority for QPWS&P staff to conduct a planned burn on land other than a QPWS&P managed area is by a 'permit to burn' under the *Fire and Emergency Services Act 1990*.

Authority for QPWS&P staff to conduct a pest controlling activity on land other than a QPWS&P managed area is by a Land Access Deed, which is an agreement with the respective landowner.

The use of QPWS&P plant and equipment by a neighbour or the use of a neighbour's plant and equipment by QPWS&P staff in cooperative/joint activities (including in response to bushfires and other natural disaster events) undertaken in line with this policy must be documented as part of a work plan as approved by the appropriate delegate.

Authority for neighbours to conduct a planned burn on a QPWS&P managed area is approved through the planned burn approval process in the QPWS&P fire system FLAME.

Authority for neighbours or the local community to undertake a pest control activity on a park is by a Section 48 permit under the Nature Conservation (Protected Areas Management) Regulation 2017.

Authority for neighbours or the local community to undertake a pest control activity on a forest is by a Section 56 permit under the *Forestry Act 1959*.

Collection, securing, using and disclosing personal information of neighbours and local community members for a lawful purpose directly related to the functions or activities of the department must comply with the *Information Privacy Act 2009* and the DES Information Privacy Compliance Policy.

Fencing Agreements are required for capital investment in boundary stock proof fences and can be used for identifying responsibilities for maintenance.

Further Information

For further information contact the QPWS&P State Fire Team via email at fire.advice@des.qld.gov.au

Human Rights Act 2019 compatibility

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this operational policy, officers must comply with that obligation (refer to [comply with Human Rights Act 2019](#)).

Disclaimer

While this document has been prepared with care, it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved By

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Signature

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Date

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