



Queensland

Nature Conservation (Conservation Plans) Amendment Conservation Plan (No. 1) 2006

Explanatory Notes for SL 2006 No. 207

made under the

Nature Conservation Act 1992

Policy Objectives of the Legislation

The primary objective of making the proposed nature conservation regulations is to provide for the management of wildlife in Queensland.

Reasons for the Subordinate Legislation

Under the *Statutory Instruments Act 1992* the *Nature Conservation Regulation 1994* (NCR) and *Nature Conservation (Wildlife) Regulation 1994* were scheduled to expire on 1 September 2005. The date of expiry for these Regulations has been extended to 1 September 2006. However it is necessary the proposed nature conservation regulations commence prior to this date to ensure the ongoing management of protected areas in Queensland.

This subordinate legislation makes consequential amendments to four conservation plans made under the *Nature Conservation Act 1992*, necessitated by the commencement of the new *Nature Conservation (Administration) Regulation 2006*, *Nature Conservation (Wildlife Management) Regulation 2006* and the *Nature Conservation (Wildlife) Regulation 2006*.

Alternatives to Regulation

Potential alternatives to the creation of a new Regulation have been considered, including a ‘no-legislative intervention’ option (i.e. allow the Regulations to expire without replacement). The ‘no legislative intervention’ option and other potential alternatives to the proposed regulations are unsatisfactory because they have a range of serious, highly undesirable environmental, economic and social consequences, including—

- protected areas and wildlife would not be conserved (due to lack of regulatory controls and loss of management revenue from fees);
- wildlife-based businesses would be constrained or could not lawfully operate (due to lack of regulatory means to allow activities otherwise restricted by the Act);
- obligations under the Act would not be fulfilled; and
- Queensland would be perceived as out of step with internationally and nationally recognised practices and standards.

Administrative costs

The Regulation will not impose further costs on either the EPA or other Government Departments. Implementation costs will be met from existing EPA allocations. The Regulation promotes a coordinated and integrated approach with other legislation, thus encouraging the formulation of arrangements to maximise efficiencies in management.

Fundamental Legislative Principles

The proposed regulation is consistent with fundamental legislative principles.

Consultation

A Regulatory Impact Statement (RIS), which detailed the proposed review and remake of the nature conservation regulations was released on 2 December 2004. Public submissions on the RIS were accepted over a period of 10 weeks.

Submissions from all stakeholders expressed general support for the remaking of the nature conservation regulations and the majority of the proposed amendments.

Additional consultation with Queensland Government Departments has occurred in preparing the Regulation.

Notes on provisions

Part 1 Preliminary

This part states the short title of the conservation plan and the commencement date.

Part 2 Amendment of Nature Conservation (Macropod) Conservation Plan 2005

This part amends the *Nature Conservation (Macropod) Conservation Plan 2005*.

Part 3 Amendment of Nature Conservation (Problem Crocodiles) Conservation Plan 1995

This part amends the *Nature Conservation (Problem Crocodiles) Conservation Plan 1995*.

Part 4 Amendment of Nature Conservation (Protected Plants) Conservation Plan 2000.

This part amends the *Nature Conservation (Protected Plants) Conservation Plan 2000*.

Part 5 Amendment of Nature Conservation (Whales and Dolphins) Conservation Plan 1997

This part amends the *Nature Conservation (Whales and Dolphins) Conservation Plan 1997*.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Environmental Protection Agency .