



Queensland

Nature Conservation (Protected Areas Management) Amendment Regulation (No. 1) 2011

Explanatory Notes for SL 2011 No. 69

made under the

Nature Conservation Act 1992

General outline

Short title

Nature Conservation (Protected Areas Management) Amendment Regulation (No. 1) 2011.

Authorising law

Section 175 of the *Nature Conservation Act 1992*.

Policy objectives and the reasons for them

The objective of the Regulation is to prescribe the following uses of certain national parks as permitted uses:

Girringun National Park - an electricity distribution use; and

Girramay National Park - an electricity distribution use.

Once provided for in regulation, the projects can be authorised by the Chief Executive administering the *Nature Conservation Act 1992*.

Achievement of policy objectives

To achieve these objectives, this Regulation amends Schedule 3 ('Permitted uses in prescribed national parks') of the Nature Conservation (Protected Areas Management) Regulation 2006 to include an electricity distribution use as a permitted use in Girringun National Park and Girramay National Park.

Consistency with policy objectives of authorising law

The Regulation is consistent with the objectives of the *Nature Conservation Act 1992*, that is the conservation of nature, and in particular with the provisions of section 35 of the Act, which restricts the granting of authorities in relation to land in a national park or national park (recovery), to be only for service facilities that meet certain criteria and where the use under the authority is prescribed under a regulation to be a permitted use for the area.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives and requirements of the *Electricity Act 1994*.

Benefits and costs of implementation

There are no significant costs to the community associated with the introduction of this Regulation. Each of the uses of national parks that are permitted by this Regulation are essential public services and have been assessed as satisfying criteria prescribed in Section 35 of the *Nature Conservation Act 1992*, which include that the use is in the public interest, the use is ecologically sustainable and there is no reasonably practicable alternative to the use.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles.

Consultation

Any potential impacts on stakeholders are identified and addressed during standard planning and assessment processes. There is no statutory requirement to undertake formal consultation in relation to the making of this regulation and the Queensland Office for Regulatory Efficiency has advised that a Regulatory Assessment Statement is not required under Part 5 of the *Statutory Instruments Act 1992*.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Environment and Resource Management.

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