



Queensland

Nature Conservation (Protected Areas Management) Amendment Regulation (No. 2) 2011

Explanatory Notes for SL 2011 No. 196

made under the

Nature Conservation Act 1992

General outline

Short title

Nature Conservation (Protected Areas Management) Amendment Regulation (No. 2) 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 for the purposes of section 35 of the *Nature Conservation Act 1992*:

Bowling Green Bay National Park – a communications use; and

Bunya Mountains National Park – an electricity distribution use; and

Daintree National Park – a communications use; and

Dinden National Park – a communications use; and

Dryander National Park – a communications use; and

Kuranda National Park – a communications use; and

Littabella National Park – a communications use; and

Mount Mackay National Park – a communications use; and

Mowbray National Park – a communications use; and

Great Sandy National Park – a communications use on the part identified as the ‘radio tower site’ on the plan titled ‘Radiocommunications Bowarrady RT Fraser Island Site Plan’ identified on map QA200108; and

Great Sandy National Park – a communications use on the part identified as a ‘communications tower’ on the map titled ‘Cooloola Rainbow Beach Aggregation”.

Once provided for in regulation, the uses at specific locations in these national parks can be authorised under section 35 of the *Nature Conservation Act 1992* by the Chief Executive administering that Act.

This Regulation also corrects two minor punctuation errors..

Achievement of policy objectives

To achieve the objective, this Regulation amends Schedule 3 (‘Permitted uses in prescribed national parks’) of the Nature Conservation (Protected Areas Management) Regulation 2006 to include a communications use as a permitted use in Bowling Green Bay National Park, Daintree National Park, Dinden National Park, Dryander National Park, Great Sandy National Park, Kuranda National Park, Littabella National Park, Mount Mackay National Park and Mowbray National Park; and

This Regulation also amends Schedule 3 (‘Permitted uses in prescribed national parks’) of the Nature Conservation (Protected Areas Management) Regulation 2006 to include an electricity distribution use in Bunya Mountains National Park.

This Regulation also amends section 77 and section 133 of the Nature Conservation (Protected Areas Management) Regulation 2006 to insert correct punctuation in these sections.

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. The correction of the minor punctuation errors in the Nature Conservation (Protected Areas Management) Regulation 2006 has no policy consequences.

Inconsistency with policy objectives of other legislation

The regulation makes no new policy and is not inconsistent with other legislation.

Benefits and costs of implementation

There are no significant costs to the community associated with the introduction of this Regulation. The regulation will benefit the community by ensuring the identified uses in the prescribed national parks will be managed in a manner consistent with the *Nature Conservation Act 1992*.

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* as the regulation does not impose a significant adverse effect on community, business or government.

ENDNOTES

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

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