

Nature Conservation Legislation Amendment Regulation (No. 2) 2014

Explanatory notes for SL 2014 No. 162

made under the

Nature Conservation Act 1992

General Outline

Short title

Nature Conservation Legislation Amendment Regulation (No. 2) 2014

Authorising law

Sections 32, 70E and 175 of the *Nature Conservation Act 1992*

Policy objectives and the reasons for them

The objective of the *Nature Conservation Legislation Amendment Regulation (No. 2) 2014* (Amendment Regulation) is to revoke part of Gadgarra Forest Reserve, Springbrook National Park and Hays Inlet Regional Park 2.

The Amendment Regulation will:

- give effect to the Wooroonooran Indigenous Land Use Agreement between the State and the Dulabed and Malanbarra Yidinji People;
- correct the erroneous cancellation of an access easement that occurred upon dedication of the national park; and
- ratify the duplication of Anzac Avenue, Rothwell and allow for the construction of an intersection from Anzac Avenue to the proposed Moreton Bay Rail Link Rothwell train station.

Achievement of policy objectives

To achieve its objective, the Amendment Regulation will amend:

1. the Schedule of the *Nature Conservation (Forest Reserves) Regulation 2000* to redescribe Gadgarra Forest Reserve so as to exclude the area (about 0.1000 hectares described as lot 3 on AP14635) to be revoked.

2. Schedule 2 of the *Nature Conservation (Protected Areas) Regulation 1994* to redescribe Springbrook National Park so as to exclude the area (1.1810 hectares described as lot 2 on SP264960) to be revoked.
3. Schedule 3 of the *Nature Conservation (Protected Areas) Regulation 1994* to redescribe Hays Inlet Regional Park 2 so as to exclude the area (about 0.8550 hectares described as lot 511 on SP187345) to be revoked.

Consistency with policy objectives of authorising law

The *Nature Conservation Act 1992* prescribes that the Governor in Council may, by or under a regulation, revoke the dedication of a forest reserve or protected area in whole or part.

The amendments to the *Nature Conservation (Forest Reserves) Regulation 2000* and *Nature Conservation (Protected Areas) Regulation 1994* are consequential amendments of a machinery nature that are consistent with the objectives of the *Nature Conservation Act 1992*.

Inconsistency with policy objectives of other legislation

The Amendment Regulation provides for the revocation of part of one forest reserve, one national park and one regional park consistent with the policy objectives of other legislation relating to State land use and allocation.

Benefits and costs of implementation

The benefits of the Amendment Regulation are the:

- giving effect to an Indigenous Land Use Agreement;
- correction of a dedication error; and
- implementation of a major Commonwealth/State/local government infrastructure project.

Implementing the Amendment Regulation is not considered to constitute significant subordinate legislation and will have negligible costs. The revoked areas of forest reserve, national park and regional park will temporarily be unallocated State land which will not increase costs to the State.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles in accordance with section 4(5) of the *Legislative Standards Act 1992*.

The Amendment Regulation is supported by the Legislative Assembly of Queensland in accordance with a resolution agreed to on 7 May 2014 (see page 1331, Hansard record of proceedings dated 7 May 2014).

Consultation

Consultation occurred with:

- Private stakeholders;
- Department of Transport and Main Roads;

- Department of Natural Resources and Mines;
- Department of National Parks, Recreation, Sport and Racing;
- Department of the Premier and Cabinet;
- Queensland Treasury and Trade; and
- the Office of Best Practice Regulation, Queensland Competition Authority – advised that a Regulatory Impact Statement is not required as the amendments are consequential amendments of a machinery nature.

All parties support the amendments.

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