

Nature Conservation (Forest Reserves) Amendment Regulation (No. 1) 2014

Explanatory notes for SL 2014 No. 304

made under the

Nature Conservation Act 1992

General Outline

Short title

Nature Conservation (Forest Reserves) Amendment Regulation (No. 1) 2014.

Authorising law

Section 70E of the *Nature Conservation Act 1992*.

Policy objectives and the reasons for them

The objective of the *Nature Conservation (Forest Reserves) Amendment Regulation (No. 1) 2014* (the Amendment Regulation) is to revoke part of Baldy Mountain Forest Reserve.

The Amendment Regulation will locate the gazetted alignment for part of Carrington Road, near Atherton, onto its actual physical location.

Achievement of policy objectives

To achieve its objective, the Amendment Regulation will amend the Schedule of the *Nature Conservation (Forest Reserves) Regulation 2000* to redescribe Baldy Mountain Forest Reserve so as to exclude the area (0.6923 hectares described as lot 10 on SP254827) to be revoked.

Consistency with policy objectives of authorising law

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

The amendment to the *Nature Conservation (Forest Reserves) Regulation 2000* is a consequential amendment of a machinery nature that is consistent with the objectives of the *Nature Conservation Act 1992*.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is 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 improvement in the accuracy of the gazetted road reserve cadastral database, enabling local government to take control of Carrington Road in whole, and removing a non-prescribed activity from the forest reserve.

Implementing the Amendment Regulation is not considered to constitute significant subordinate legislation and will have negligible costs. The revoked area of forest reserve 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 was supported by the Legislative Assembly of Queensland in accordance with a resolution agreed to on 28 October 2014 (see page 3585, Hansard record of proceedings dated 28 October 2014).

Consultation

Consultation occurred with:

- Private stakeholders;
- Department of Natural Resources and Mines;
- Department of National Parks, Recreation, Sport and Racing;
- Department of the Premier and Cabinet; and
- Queensland Treasury and Trade.

The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required.

All parties support the amendments.