

Nature Conservation and Other Legislation (Fees) Amendment Regulation (No. 1) 2016

Explanatory notes for SL 2016 No. 78

made under the

Forestry Act 1959

Marine Parks Act 2004

Nature Conservation Act 1992

Recreation Areas Management Act 2006

General Outline

Short title

Nature Conservation and Other Legislation (Fees) Amendment Regulation (No. 1) 2016

Authorising law

Section 97 of the *Forestry Act 1959*

Section 150 of the *Marine Parks Act 2004*

Section 175 of the *Nature Conservation Act 1992*

Section 232 of the *Recreation Areas Management Act 2006*

Policy objectives and the reasons for them

The objective of the amendment regulation is to index regulatory fees for the Department of National Parks, Sport and Racing for 2016-17. These regulatory fees have been subject to the annual review required under Government policy and then indexed by the approved Government indexation factor, which Queensland Treasury has advised to be 3.5% for 2016-17.

Exceptions to this are the apiary permit fees and stock grazing permits where approval has been obtained for other indexation factors to be applied.

A small number of fees have not been adjusted by the indexation factors as the amount of the fee is below a value for the indexation factor to affect an increase, taking into account coinage and rounding factors.

The indexed fees have been rounded in accordance with the department's current rounding policy.

Achievement of policy objectives

The amendment regulation will achieve its objective by increasing fees and charges under the the *Forestry Regulation 2015*, *Marine Parks Regulation 2006*, *Nature Conservation (Administration) Regulation 2006*, *Nature Conservation (Protected Areas Management) Regulation 2006* and *Recreation Areas Management Regulation 2007*.

Consistency with policy objectives of authorising

The amendment regulation is consistent with the objective of the authorising Acts.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with any policy objectives of any legislation.

Benefits and costs of implementation

The indexation of fees provides a mechanism understood by the community and industry to maintain price relativity, aiding the government in formulating the State and departmental budgets.

There are no additional costs associated with implementing the regulation.

Consistency with fundamental legislative principles

The amendment regulation is consistent with fundamental legislative principles.

Consultation

Through departmental correspondence, consultation on the amendment regulation occurred with the Queensland Productivity Commission and Queensland Treasury.

As a result of this consultation, the Queensland Productivity Commission determined that the amendment was excluded from the requirement to undertake a Regulatory Impact Statement. Queensland Treasury advised that it is supportive of the amendment regulation.

The indexes to determine the apiary fees and stock grazing permit fees were agreed to during consultation between industry and government when the methodology was initially developed. At that time, industry groups specifically requested that the index be based on the market price for honey and cattle respectively. As such, consultation does not occur for each annual fee increase as the indexation arrangement is automatically applied.

Following discussions with the beekeeping industry as a result of recent increases in the market based index that determines apiary fees, the Department of National Parks, Sport and Racing has, through departmental correspondence and meetings, consulted with Queensland Treasury, the Department of Agriculture and Fisheries and the Queensland Beekeepers Association Inc. (QBA) regarding changes to the current indexation arrangement. As a result of recent consultation, the Government intends to continue to work with the QBA to investigate a more suitable indexation method for 2017-18.

No further consultation has been undertaken regarding the stock grazing permit fees as the indexation arrangement has been automatically applied.

No changes to the amendments regulation were required as a result of the consultation.

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