

Forestry (State Forests) Amendment Regulation (No. 1) 2016

Explanatory notes for SL 2016 No. 118

made under the

Forestry Act 1959

General Outline

Short title

Forestry (State Forests) Amendment Regulation (No. 1) 2016

Authorising law

Sections 25, 32 and 97 of the *Forestry Act 1959*

Policy objectives and the reasons for them

The objective of this amendment regulation is to redescribe Sunday Creek State Forest in its entirety, declare a parcel of unallocated State land as State forest and revoke parts of Spencer Gap State Forest.

The redescription of Sunday Creek State Forest in its entirety will rectify historic boundary anomalies, improving the accuracy of the Digital Cadastral Database. The redescription will result in a decrease in the area of the State forest by 290.37 hectares due to a recalculation of the area using contemporary survey and mapping technology.

The addition of a parcel of unallocated State land to Cordalba State Forest will finalise a long standing road closure/road opening action to align the gazetted Carrington Road with the physical location of the road.

The revocation of parts of Spencer Gap State Forest is necessary for the upgrade of the Eton Range crossing section of the Peak Downs Highway realignment project. This is of significant benefit to the community as the purpose of the project is to provide a safe and efficient longer-term route for the highway.

Achievement of policy objectives

To achieve its objective, the amendment regulation will amend the Schedule of the *Forestry (State Forests) Regulation 1987* to:

- redescribe the entry for Sunday Creek State Forest (SF 792) in its entirety, an area of about 14.63 hectares described as lots 1, 2 and 792 on AP19386;
- set apart and declare an area of 10.06 hectares being unallocated State land described as lot 1 on SP243421 as part of Cordalba State Forest; and
- revoke an area of 14.684 hectares being parts of Spencer Gap State Forest described as lots 1 to 4 on SP281903.

Consistency with policy objectives of authorising law

The amendment regulation is machinery in nature and is consistent with the objectives of the *Forestry Act 1959*; that is to ensure that no land comprised in a State forest shall be excluded therefrom, leased, or dealt with otherwise whatsoever except under the authority of and in accordance with the provisions of the *Forestry Act 1959*.

Inconsistency with policy objectives of other legislation

The amendment regulation provides for the redescription of one State forest, an addition to one State forest and revocation of parts of one State forest consistent with the policy objectives of other legislation relating to State land use and allocation.

Benefits and costs of implementation

Implementing the amendment regulation is not considered to constitute significant subordinate legislation and will have negligible costs. The redescription of one State forest, an addition to one State forest and revocation of parts of one State forest 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*.

Consultation

Thorough departmental correspondence consultation occurred with Queensland Treasury, the Department of Environment and Heritage Protection, the Department of Agriculture and Fisheries, the Department of Natural Resources and Mines, and the Department of Transport and Main Roads.

The Queensland Productivity Commission was consulted regarding the Regulatory Impact Statement (RIS) process. The Queensland Productivity Commission advised that a RIS is not necessary for this amendment regulation, as the proposal is excluded from the RIS system due to being machine in nature.

All parties support the amendments.

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

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