

Forestry (State Forests) Amendment Regulation (No. 2) 2016

Explanatory notes for SL 2016 No. 179

made under the

Forestry Act 1959

General Outline

Short title

Forestry (State Forests) Amendment Regulation (No. 2) 2016

Authorising law

Sections 32 and 97 of the *Forestry Act 1959*

Policy objectives and the reasons for them

The objective of the *Forestry (State Forests) Amendment Regulation (No. 2) 2016* (amendment regulation) is to revoke parts of Beerwah State Forest, having regard to the purposes of the *Forestry Act 1959* and the public interest, for road purposes for public use.

The upgrade of the Bruce Highway-Caloundra Road Interchange as part of the Department of Transport and Main Roads' Bruce Highway-Caloundra Road to Sunshine Motorway upgrade project is of significant benefit to the community, improving safety and road conditions on this part of the Bruce Highway subject to increasing traffic congestion due to regional population growth.

The Department of Transport and Main Roads' upgrade of Steve Irwin Way from two lanes to four lanes between Landsborough and the Bruce Highway was required to improve community safety and ease anticipated traffic congestion due to population growth in the region.

Achievement of policy objectives

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

- revoke an area of 12.584 hectares being parts of Beerwah State Forest described as lots 100 and 101 on SP286025; and
- revoke an area of 11.312 hectares being parts of Beerwah State Forest described as lot 102 on SP221901, lot 100 on SP224902 and lot 101 on SP224905.

Consistency with policy objectives of authorising law

The amendment regulation is machinery in nature and 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 howsoever 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 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 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

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

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 machinery in nature.

All parties support the amendments.

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