

Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2017

Explanatory notes for Subordinate Legislation (No. 11) 2017

made under the

Nature Conservation Act 1992

General Outline

Short title

This regulation may be cited as the *Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2017*.

Authorising law

Sections 29 and 175 of the *Nature Conservation Act 1992*.

Policy objectives and the reasons for them

The objective of the *Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2017* (the Amendment Regulation) is to dedicate areas of unallocated State land, increasing the area of three national parks.

Dedicating areas that protect the biological diversity of native wildlife and its habitat, provide for the ecologically sustainable use of protected wildlife and areas, recognise the interest of Aborigines and Torres Strait Islanders in protected areas and native wildlife, and encourage the cooperative involvement of landholders in the conservation of nature is a core component in achieving the conservation of nature (the objective of the *Nature Conservation Act 1992* (the Act)).

Achievement of policy objectives

To achieve its objective, the Amendment Regulation will amend Schedule 2 of the *Nature Conservation (Protected Areas) Regulation 1994* (the Regulation) to dedicate:

- a. an area of 52.204 hectares being unallocated State land described as lot 1 on RP49081, and combine the area with the existing Bunya Mountains National Park.
- b. an area of about 437.846 hectares being unallocated State land described as lots 68 and 77 on plan W312126, lot 99 on plan W312494, lot 116 on plan W312505 and lot 97 on W312430, and combine the area with the existing Mount Barney National Park.
- c. an area of about 21.8 hectares being unallocated State land described as lot 5 on SP244397, and combine the area with the existing Wooroonooran National Park.

Consistency with policy objectives of authorising law

The amendments to the Regulation are consequential amendments of a machinery nature that are consistent with the policy objectives of the Act, namely the conservation of nature achieved by an integrated and comprehensive conservation strategy for the whole of the State that involves, among other things, the dedication and declaration of areas representative of the biological diversity, natural features and wilderness of the State as protected areas.

Inconsistency with policy objectives of other legislation

The Amendment Regulation provides for an increase in the area of three national parks 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 that areas representative of the biological diversity, natural features and wilderness of the State will be added to the protected area estate.

Implementing the Amendment Regulation is not considered to constitute significant subordinate legislation and will have negligible costs. The areas to be dedicated as protected area 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*, namely it:

- (a) is within the power that, under an Act or subordinate legislation (the **authorising law**), allows the subordinate legislation to be made; and
- (b) is consistent with the policy objectives of the authorising law; and
- (c) contains only matter appropriate to subordinate legislation; and
- (d) amends statutory instruments only.

Consultation

Consultation has occurred with the Department of National Parks, Sport and Racing; the Department of Natural Resources and Mines; the Department of Agriculture and Fisheries; the Department of Transport and Main Roads and Queensland Treasury.

Consultation with the Queensland Productivity Commission was not undertaken on this occasion as a self-assessment was conducted in accordance with the Queensland Government Guide to Better Regulation. The Regulation was assessed as falling within the Agency-assessed exclusion category (g), regulatory proposal of a machinery nature.

All parties support the amendments.