

Forestry Legislation Amendment Regulation (No. 1) 2013

Explanatory notes for SL 2013 No. 208

made under the

Forestry Act 1959

General Outline

Short title

The Forestry Legislation Amendment Regulation (No. 1) 2013

Authorising law

Sections 28 and 32 of the *Forestry Act 1959* (Forestry Act)

Policy objectives and the reasons for them

The objective of the regulation is to revoke parts of the Yurol State Forest and the Monkhouse Timber Reserve.

Whilst the regulation will reduce the State forest and timber reserve estates in the short term, it will enable the Government to subsequently improve a stretch of the Bruce Highway and fulfil the State's commitment to transfer land to the Jabalbina Aboriginal Land Trust resulting from a Native Title determination in 2007.

The highway improvement works are of significant benefit to the community as these works will improve the safety of the stretch of highway that adjoins the Yurol State Forest near Cooroy on the Sunshine Coast.

The land transfer process to the Jabalbina Aboriginal Land Trust is of significant benefit to the Eastern Kuku Yalanji People of Northern Queensland, as it is anticipated that parts of the land transferred as a result of the Native Title determination will be used for residential and economic development purposes.

Achievement of policy objectives

To achieve its objective, the regulation will amend Schedule 1 of the *Forestry Regulation 1998* to redescribe the Monkhouse Timber Reserve so as to exclude the areas proposed to be revoked and Schedule of the *Forestry (State Forests) Regulation 1987* to redescribe the Yurol State Forest so as to exclude the areas proposed to be revoked.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objectives of the Forestry Act.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation. It provides for the revocation of a State forest and timber reserve and is consistent with other State laws relating to State land use and allocation.

Benefits and costs of implementation

The benefits of the regulation are that it will enable the subsequent improvement of a stretch of the Bruce Highway and the utilisation of land granted to the Eastern Kuku Yalanji people by a Native Title determination in 2007. Implementing the regulation will have negligible costs. The tenure of the revoked State forest and timber reserve areas will temporarily be unallocated State land, which will not increase costs to the State.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with the Department of Environment and Heritage Protection, the Department of Transport and Main Roads, the Department of Natural Resources and Mines, the Department of Agriculture, Fisheries and Forestry and Telstra Corporation Limited. All parties agreed with the proposal put forward to them.

The Office of Best Practice Regulation, Queensland Competition Authority has advised that a Regulatory Impact Statement is not required.