

Recreation Areas Management (Fees) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 197

made under the

Recreation Areas Management Act 2006

General Outline

Short title

Recreation Areas Management (Fees) Amendment Regulation 2019

Authorising law

Section 232 of the *Recreation Areas Management Act 2006* (the Act).

Policy objectives and the reasons for them

The policy objective of the *Recreation Areas Management (Fees) Amendment Regulation 2019* (Amendment Regulation) is to implement new vehicle access permit (VAP) fee arrangements for the Minjerribah Recreation Area (MRA) to better align VAP fees for the MRA with other declared recreation areas in southern Queensland.

The MRA is located over Main Beach and Flinders Beach on the eastern and north-eastern coasts of Minjerribah. Under the Act, any funds collected within a recreation area must be expended on costs associated with administering the Act.

The Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) has a service agreement with the Department of Environment and Science (DES) to manage the MRA including managing access, visitor facilities, permitting and compliance. This occurs primarily through QYAC's business, Minjerribah Camping Pty Ltd (Minjerribah Camping), which undertakes permitting and day-to-day management of the MRA consistent with the terms of the service agreement. Under the agreement, QYAC receives 100 per cent of the revenue generated from camping and VAP fees in the MRA to facilitate management of this recreation area.

While there is variation between the VAP fees charged for different recreation areas in Queensland, the MRA currently has a very low annual VAP fee at \$46.80. This disparity in fees was the basis for an increase to the existing permit fee arrangements.

Achievement of policy objectives

To achieve the fee changes the Amendment Regulation amends the fee schedule in the *Recreation Areas Management Regulation 2017* to:

- increase the current MRA annual VAP fee from \$46.80 to \$158.00 to enable parity with the annual VAP fee for the declared Bribie Island Recreation Area; and
- introduces a new MRA monthly permit with a fee of \$52.75 consistent with the monthly VAP fee on K'gari (Fraser Island) and Moreton Island recreation areas.

The new fees will commence on 1 November 2019.

In addition to increasing the annual VAP fee to achieve parity with Bribie Island, the Amendment Regulation also introduces a new monthly permit option to provide less frequent users of the MRA with the option of purchasing a lower priced permit if their visit to the recreation area is for a period of up to a month. For example, holiday visitors can purchase a monthly permit rather than only having the option of purchasing an annual permit. More frequent users of the MRA, such as Minjerribah residents, could choose between buying an annual or monthly permit depending on their pattern of use.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the main objective of the Act, which is to provide for and manage use of recreation areas. This purpose is achieved in a number of ways including declaring, planning and management of recreation areas, providing for access to recreation areas, managing permitted activities, and requiring the payment of fees for the use of recreation areas.

Fees are already prescribed for vehicle use of the MRA. This Amendment Regulation seeks to increase the annual fee and introduce a new monthly fee to make the VAP arrangements on the MRA more consistent with other recreation areas in southern Queensland. These changes are consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with any other legislation.

Benefits and costs of implementation

The Amendment Regulation will not result in the need for additional government resources as camping and VAPs are already managed by Minjerribah Camping.

Implementation of the new permit arrangements, including updating website material, advertising and public communication will be managed by Minjerribah Camping through existing permitting infrastructure and communication channels, supported by communication by the State Government.

The day-to-day management of the MRA will continue consistent with the service agreement between DES and Minjerribah Camping. The revenue generated from permit sales will continue to be used for the management of the MRA on behalf of the whole community, ensuring access to the recreation area and its facilities for camping and day visitation.

The Amendment Regulation will impose an increase in the cost associated with purchasing an annual permit to use the MRA however, the increase is considered to strike a reasonable balance between the previous annual fee which was the lowest annual permit for any recreation area and the higher annual fees that apply, for example, to the Fraser Island Recreation Area.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Consultation has been undertaken with QYAC regarding the new fee arrangements and their commencement. QYAC supports the proposed fee changes.

In accordance with *The Queensland Government Guide to Better Regulation* (the Guidelines), the Office of Best Practice Regulation (OBPR) within the Queensland Productivity Commission was consulted. As an alternative to conducting a Regulatory Impact Statement, OBPR supports a post-implementation review of the effectiveness and impacts of the Amendment Regulation be conducted within two years of commencement of the proposed fee arrangements.

No public consultation has occurred regarding the Amendment Regulation. Public consultation will be undertaken as part of the post-implementation review.