



RIS Ref: DEHP348-0416

File Ref: DOC16/3760

26 October 2016

Ms Jane Moroney
Acting Manager
Department of Environment and Heritage Protection
400 George Street
BRISBANE QLD 4000

Dear Ms Moroney

Consultation Regulatory Impact Statement: Protected Wildlife Management Framework

Thank you for your initial enquiry of 16 September 2016, and further information provided 17 and 24 October 2016, seeking advice on the adequacy of the "Reviewing the framework for the management of protected wildlife" Consultation Regulatory Impact Statement (RIS).

Background

The proposed Consultation RIS, provided by the Department of Environment and Heritage Protection (the Department), addresses the remaking of the following regulations (the Regulations), which are subordinate to the *Nature Conservation Act 1992*:

- *Nature Conservation (Wildlife Management) Regulation 2006*
- *Nature Conservation (Wildlife) Regulation 2006*
- *Nature Conservation (Administration) Regulation 2006*.

In accordance with best practice principles for undertaking a sunset review of regulation, the Department discusses in its Consultation RIS, whether the Regulations are still required, known as the option of 'no regulation'. The Department notes, however, the 'no regulation' option is not considered viable, because if the Regulations are allowed to expire:

- approximately 39,000 recreational licence holders would no longer be able to keep captive-bred native animals
- commercial enterprises would no longer be able to undertake commercial wildlife activities
- businesses and industry would no longer be able to remove animals to mitigate potential impacts for property damage or economic loss
- wildlife carers would no longer be able to keep and care for animals for rehabilitation purposes
- Queensland would fail to fulfil obligations under Commonwealth legislation and international conventions for the protection of protected wildlife.

Proposed Amendments

In its Consultation RIS, the Department has considered both the remake of the Regulations without change as well as options for amendment. The Department's preferred option is for amendments which would:

- replace the four recreational and seven commercial licence categories with three licence categories (standard, specialised and advanced) which focus on the number of species of animals that can be kept, and the licence holders capacity for breeding and trading wildlife
- revise licensing fees for the new licence categories which reflect cost recovery to the Government for administering the licences and implementing a more pro-active compliance approach
- introduce new record keeping procedures for licence holders
- introduce licensing arrangements for the take of protected scorpions, spiders and least concern amphibians for recreational purposes.

The Department also proposes to make a number of minor administrative and policy amendments to the Regulations to 'clarify, streamline and simplify' the regulatory requirements.

The Department states in its Consultation RIS, the proposed amendments will ensure the Department's protected wildlife management and licensing framework better addresses the risks of the keeping and trading of native animals in Queensland.

Assessment

The Queensland Productivity Commission (the Commission) considers the Department has satisfactorily met the objectives for ten-year regulatory reviews as set out in section 4.3 of the Queensland Government Guide to Better Regulation (the Guidelines), as the Consultation RIS includes:

- a demonstrated need for continued regulatory action
- an evaluation of whether the regulation satisfies its objectives, meets regulatory best practice principles and whether it imposes unnecessary costs on stakeholders
- a consideration of potential competition impacts
- an assessment of whether the regulatory objectives could be achieved in a more effective and efficient way.

The Commission also considers the Department has satisfactorily addressed the adequacy criteria for RIS assessments as set out in the Guidelines. Whilst some proposals contained in the Consultation RIS, such as increased licensing fees for some recreational keepers of native animals, may affect some licence holders, the Commission notes the proposed fee increases have been clearly presented and discussed.

Given the proposed Consultation RIS meets both the remake provisions and the adequacy assessment criteria for a RIS, the Commission considers the Department's Consultation RIS is adequate for the purpose of public consultation. Consultation with stakeholders will assist in further development of the proposal, including whether the proposal will have any unforeseen impacts on licence holders or wildlife management outcomes.



Consistent with the Guidelines, the Consultation RIS and this letter of adequacy will be published on the Commission's website once the RIS is approved for release. After consultation has concluded, a Decision RIS incorporating the consideration of public comments should be provided to the Commission for assessment before the matter is finally referred to the decision maker.

Please contact Sean Mackay, Principal Analyst on (07) 3015 5149 if you require any additional information or guidance in relation to the above comments or the Guidelines in general.

Yours sincerely

A handwritten signature in black ink, appearing to read "Dr Sonj Hall". The signature is fluid and stylized, with a long horizontal stroke extending to the right.

Dr Sonj Hall
Executive Director

