

Not Relevant

208

MEC0032/02CS

**Increasing Native Vegetation Act Clearance
Application Fees
APPROVED**

All Ministers

Not Relevant

CABINET COVER SHEET

- | | |
|--|---|
| 1. TITLE: | Increasing Native Vegetation Act Clearance Application Fees |
| 2. MINISTER: | Hon John Hill MP
Minister for Environment and Conservation |
| 3. PURPOSE: | To increase application fees for native vegetation clearance consistent with Cabinet's 2002-03 budget strategy that was approved by Cabinet on 6 June 2002. |
| 4. RESOURCES REQUIRED FOR IMPLEMENTATION: | Regulations will need to be redrafted. The submission results in revenue of \$90,000 in 2002-03 and \$110,000 per annum thereafter. This is partly offset by costs of \$30,000 in 2002-03 and \$10,000 per annum thereafter. If the submission is not approved the budget will deteriorate by net income of \$60,000 in 2002-03 and \$100,000 per annum from 2003-04 onwards. |
| 5. RELATIONSHIP TO GOVERNMENT POLICY: | In line with the Cabinet approved budget strategy for 2002-03. |
| 6. CONSULTATION: | The Department of the Premier and Cabinet and Department of Treasury and Finance are aware of the need for this proposal in line with the budget strategy for 2002-03. |
| 7. FAMILY IMPACT STATEMENT: | Minimal impact on families is anticipated. |
| 8. REGIONAL IMPACT STATEMENT: | The fee increase may have a minor financial impact on regional South Australia as many assessments for the clearance on native vegetation occur outside of the metropolitan area.

Proposals of clearance will bear costs. Accordingly, there is potential increased fees on regional landowners and developers. |
| 9. REGULATORY IMPACT STATEMENT: | This submission will result in the need for regulations to be redrafted by Parliamentary Counsel to reflect the fee change. |
| 10. SMALL BUSINESS IMPACT STATEMENT: | Minimal impact to small business is expected. Any impact would be offset by public and environmental benefits. |

11. ENVIRONMENTAL IMPACT STATEMENT:

This submission should improve the process for native vegetation assessment by discouraging landholders from lodging ambient claims for native vegetation clearance that have previously expended significant **DEH** resources that could be used to progress other environmental initiatives.

Notwithstanding this, there is a risk that the increased fees may present a deterrent to landholders applying for approval to clear native vegetation and result in illegal clearing of native vegetation.

12. URGENCY:

High – required for implementation on 1 July 2002 or as soon as possible thereafter.

13. RECOMMENDATIONS:

It is recommended that Cabinet:

4.1 Approves amendments to the Regulations under *Native Vegetation Act 1991*, to provide for the introduction of a user pays system for the preparation of a data report as part of an application to clear native vegetation. The amendments to the Regulations will:

4.1.1 Increase the current application fee from \$50 to \$400 per application which incorporates the first two person hours (\$100) spent on the applicant's property; and

4.1.2 Prescribe a fee of \$100 per hour for each additional hour spent on the property (being \$50 per person per hour) for time spent on an applicant's property to prepare the report.

4.2 Approves the drafting of Regulations by Parliamentary Counsel to make the necessary changes to these fees.

**SIGNATURE OF MINISTER:
PORTFOLIO:**



**JOHN HILL
ENVIRONMENT AND CONSERVATION**

DATE: 20/6/02

TO: THE PREMIER FOR CABINET

RE: INCREASING NATIVE VEGETATION ACT CLEARANCE APPLICATION FEES

1. PROPOSAL

That Cabinet:

1.1 Approves amendments to the Regulations under the *Native Vegetation Act 1991*, to provide for the introduction of a user pays system for the preparation of a data report as part of an application to clear native vegetation. The amendments to the Regulations will:

1.1.1 increase the current application fee from \$50 to \$400 per application which incorporates the first two person hours (\$100) spent on the applicant's property; and

1.1.2 prescribe a fee of \$100 per hour for each additional hour spent on the property (being \$50 per person per hour) for time spent on an applicant's property to prepare the report.

1.2 Approves the drafting of Regulations by Parliamentary Counsel to make the necessary changes to these fees.

2. BACKGROUND

2.1 On 6 June 2002, Cabinet approved a budget strategy that requires application fees for the clearance of native vegetation fees to be increased from \$50 to \$400 per applicant and in addition that a fee of \$50 per person per hour be applied for the purpose of site data collection required to assess clearance applications.

2.2 This proposal will result in implementation costs for the Department of Environment and Heritage of \$30,000 in 2002-03 and \$10,000 per annum thereafter. Gross revenue of approximately \$90,000 in 2002-03 and \$110,000 in 2003-04 onwards will be raised. This results in a net improvement to the State budget of \$60,000 in 2002-03 and \$100,000 in 2003-04 onwards.

3. DISCUSSION

3.1 Economic, Financial and Budget Implications

The proposed increase in Native Vegetation fees has been endorsed by the Expenditure and Budget Review Committee and Cabinet as part of the budget strategy for 2002-03 and beyond. If this proposal is not approved, the Government's budget strategy will deteriorate by \$60,000 in 2002-03 and \$100,000 per annum from 2003-04 and beyond.

3.2 Staffing Implications

There are no direct staffing implications arising from this submission.

3.3 State Development, Social, Environmental, Small Business and Regulatory Impacts

Landholders will have to pay a higher fee when applying to clear native vegetation. There is likely to be some level of concern by landholders at the fee increase, in particular the South Australian Farmers Federation is expected raise some level of opposition to the increase.

This submission should improve the process for native vegetation assessment by discouraging landholders from lodging ambient claims for native vegetation clearance that have previously expended significant DEH resources that could be used to progress other environmental initiatives.

Notwithstanding this, there is a risk that the increased fees may present a deterrent to landholders applying for approval to clear native vegetation and result in illegal clearing of native vegetation.

Proposals of clearance will bear costs. Accordingly, there is potential increased fees on regional landowners and developers. As described above, the increased fee may discourage landholders seeking to clear native vegetation that may result in preservation of endemic landscapes in regional areas for the benefit of future generations.

3.4 Family Impact

The increase in fees is expected to have a minimal effect on families.

3.5 Consultation

The Department of the Premier and Cabinet and Department of Treasury and Finance are aware of the need for this proposal in line with the budget strategy for 2002-03.

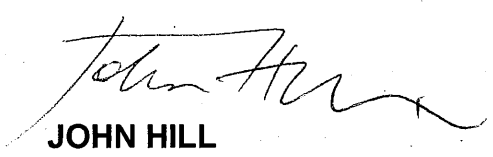
3.6 Executive Council

This proposal will require the approval of Executive Council when the Regulations have been drafted.

4. RECOMMENDATIONS

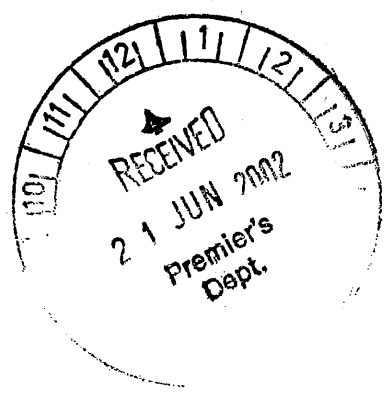
It is recommended that Cabinet:

- 4.1 Approves amendments to the Regulations under *Native Vegetation Act 1991*, to provide for the introduction of a user pays system for the preparation of a data report as part of an application to clear native vegetation. The amendments to the Regulations will:
 - 4.1.1 Increase the current application fee from \$50 to \$400 per application which incorporates the first two person hours (\$100) spent on the applicant's property; and
 - 4.1.2 Prescribe a fee of \$100 per hour for each additional hour spent on the property, being \$50 per person per hour, for time spent on an applicant's property to prepare the report.
- 4.2 Approves the drafting of Regulations by Parliamentary Counsel to make the necessary changes to these fees.



**JOHN HILL
MINISTER FOR ENVIRONMENT AND CONSERVATION**

Date: 20/6/02



In Cabinet

24 JUN 2002

