

## SECOND READING SPEECH

### **CROWN LANDS (VALIDATION OF FEES) BILL 2011**

Mr Speaker,

This Bill corrects an administrative anomaly, validating that the application fees collected by the Crown under the *Crown Lands Act 1976* and its prior Acts, have been properly collected.

The Act provides the legislative basis for management of Crown land in Tasmania including the collection of application fees for persons who use Crown land.

As part of its normal business process, the Department of Primary Industries, Parks, Water and Environment undertook a review of its fees and charges relating to Crown land. During this process, the Solicitor-General identified an administrative anomaly in the approval mechanism for setting 'application' fees. The correct mechanism is prescribing those fees by regulation.

It appears that the only fees correctly prescribed relate to the transfer of Crown land held under a contract of sale, the assignment of a lease, and the transfer of a temporary licence. The remaining application fees, which were approved by Cabinet were not properly authorised. The practice of Cabinet approving Crown land application fees appears to date back to the early 1970s. This Bill corrects that anomaly.

The Department is arranging for the current fee schedule to be included in the *Crown Land Regulations 2001*, which are currently being reviewed under the *Subordinate Legislation Act 1992*. The Regulations are due to be finalised in December 2011.

The Bill will, in conjunction with the inclusion of the fee schedule in the Regulations, retrospectively validate the past collection of fees and ensure that application fees are correctly charged in the future.

Mr Speaker, I commend the Bill to the House