

Public Consultation Outcomes

Timber Marketing Regulation 2010



August 2010

Public consultation outcomes – Timber Marketing Regulation 2010

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Information sources

In the preparation of this regulatory impact statement information was sourced from officers of Industry and Investment NSW and Forests NSW.

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1. Introduction

This document provides:

1. A brief overview of the public consultation process undertaken in relation to the proposed *Timber Marketing Regulation 2010* ('the draft Regulation') and the Regulatory Impact Statement ('RIS').
2. An outline of the submissions received during the public consultation process and the response to these submissions.
3. Details of a further change to be made to the draft Regulation since consultation.

2. Consultation process

The draft Regulation and RIS were released for public consultation on Wednesday 30 June. Notice of the public consultation process was provided in the Government Gazette on 25 June; and advertisements appeared in *The Sydney Morning Herald* and *The Daily Telegraph* on 30 June, and *The Land* on 1 July. Notice of public consultation was also posted on the Industry & Investment NSW website on 30 June. The public consultation period closed on Wednesday 28 July 2010.

Notification of the draft Regulation and the RIS was also provided direct to the stakeholders identified in Appendix 1 of the RIS.

3. Overview of submissions

Forests NSW received 3 submissions on the draft Regulation, some making comment on several issues. The table below sets out the main issues raised in the submissions and the response to them, what action will be taken and whether or not change to the draft Regulation will be made.

Name of organisation	Clause	Issue	Response
The Australian Plantation Products and Paper Industry Council (A3P)	Part 2 Lyctid susceptible sapwood	Do not see a need to maintaining these requirements, as the current standards and regulatory framework, excluding the Regulation, are adequate	<p>Outside the scope of the Regulation to change. Removing these powers affects the operation of the Act. This may be considered in a future review of the Act and Regulation.</p> <p>No change to the draft Regulation</p>
	Part 3 Moisture content of timber	Do not see a need to maintaining these requirements, as the current standards are adequate.	<p>Outside the scope of the Regulation to change. Removing these powers affects the operation of the Act. This may be considered in a future review of the Act and Regulation.</p> <p>No change to the draft Regulation</p>
	Part 4 Preservative treatment of timber	Do not see a need to maintaining these requirements, as the current standards are adequate.	<p>Outside the scope of the Regulation to change. Removing these powers affects the operation of the Act. This may be considered in a future review of the Act and Regulation.</p> <p>No change to the draft Regulation</p>
Harry Greaves Consulting	General Submission	<ul style="list-style-type: none"> • The need for state Government controls on Lyctus- susceptible timber, out-of-specification moisture content timber and poorly preservative treated timber is reduced. • Greater resources should be applied to compliance monitoring. 	<p>Outside the scope of the Regulation to change. Removing these powers affects the operation of the Act. This may be considered in a future review of the Act and Regulation.</p> <p>No change to the draft Regulation</p> <p>Outside the scope of the Regulation to change.</p> <p>No change to the draft Regulation</p>

		<ul style="list-style-type: none"> • Support the addition of the updated Australian standards • Support the managed registration of treatment plants, formulations and hazard classes. • Does not agree that the industry is fragmented – preservation industry is coordinated through the Timber Preserves Association of Australia. • Support for branding requirements. • Supports fee structure 	<p>Draft Regulation supported. No action sought</p> <p>Draft Regulation supported. No action sought</p> <p>Amendment to the Regulation not sought. No action sought.</p> <p>Draft Regulation supported. No action sought</p> <p>Draft Regulation supported. No action sought</p>
Timber Preservers Association of Australia	General Submission	<ul style="list-style-type: none"> • Supports that the Regulation ensures both domestic and imported timbers are fit-for-purposes and that they comply with Australian Standards. • Compliance no longer appropriately resourced. • Support the addition of the updated Australian standards. • Support the managed registration of treatment plants, formulations and hazard classes. 	<p>Draft Regulation supported. No action sought</p> <p>An administrative issue. No change to the draft Regulation</p> <p>Draft Regulation supported. No action sought</p> <p>Draft Regulation supported. No action sought</p>

		<ul style="list-style-type: none"> • Does not agree that the industry is fragmented – preservation industry is coordinated through the Timber Preserves Association of Australia. • Support for branding requirements. • Supports fee structure 	<p>Amendment to the Regulation not sought. No action sought.</p> <p>Draft Regulation supported. No action sought</p> <p>Draft Regulation supported. No action sought</p>
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4. Changes to the *Timber Marketing Regulation 2010* as a result of submissions

No changes are proposed to the draft Regulation as a result of the public consultation process. Changes sought in submissions were outside the scope of the Regulation, and therefore amendment of the draft Regulation was not feasible.

5. Other changes to the *Timber Marketing Regulation 2010*

Fees were prescribed in the 2005 Regulation for the application, registration and renewal of brands.

The draft Regulation proposed that fees would be doubled to take into account the fact that they had not been raised since 1993 and administrative costs were increasingly not being met. It was also proposed that, following this increase, fees would be changed in line with the Cost Price Index (CPI) by Forests NSW setting the fees.

It is proposed to amend the draft Regulation to include fees in the Regulation. CPI fee increases will now be made periodically through Regulation amendment.