



Queensland

Sustainable Planning Amendment Regulation (No. 4) 2012

Explanatory Notes for SL 2012 No. 100

made under the

Sustainable Planning Act 2009

General outline

Short title

Sustainable Planning Amendment Regulation (No. 4) 2012.

Authorising law

Sustainable Planning Act 2009.

Policy objectives and the reasons for them

The policy objective of the regulation is to increase fees for assessing development applications for Brisbane core port land, and Planning and Environment Court fees in accordance with the 2012 annual rate for indexing fees and charges as determined by the Queensland Government. The policy objectives are based on State Government policy to review government fees and charges annually in accordance with a government approved indexation factor.

Achievement of policy objectives

The regulation proposes amendments to the fees stated in section 40AA and schedule 20 of the *Sustainable Planning Regulation 2009* to provide, respectively, for an increase in the fees for assessing development applications for Brisbane core port land and Planning and Environment Court fees. The proposed fee increases are in accordance with the 2012 annual rate for indexing fees and charges of 3.5%. An amendment to the regulation is the only way of increasing the fees.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objects of the *Sustainable Planning Act 2009*, that is, to seek to achieve ecological sustainability by-

- (a) managing the process by which development takes place, including ensuring the process is accountable, effective and efficient and delivers sustainable outcomes; and
- (b) managing the effects of development on the environment, including managing the use of premises; and
- (c) continuing the coordination and integration of planning at the local, regional and State levels.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

As the fees are increased only by the government endorsed 2012 annual indexation factor, the regulation does not impose significant additional costs for individuals or corporations, with regard to fees for assessment of development applications for Brisbane core port land or the Planning and Environment Court. The benefits and costs to government of implementing the regulation are neutral.

Consistency with fundamental legislative principles

The regulation has been drafted with regard to, and is consistent with, fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Queensland Treasury and Trade was consulted in relation to the need for a Regulatory Assessment Statement (RAS) and confirmed that the regulation is outside the scope of the RAS system, as it proposes variations to fees in line with actuarially determined assessments, i.e. a government endorsed indexation factor.

The Department of the Premier and Cabinet was consulted and is supportive of the regulation.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of State Development, Infrastructure and Planning.

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