

Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2013

Explanatory Notes for SL 2013 No. 204

made under the

Coastal Protection and Management Act 1995

Environmental Protection Act 1994

Nature Conservation Act 1992

Queensland Heritage Act 1992

Sustainable Planning Act 2009

Waste Reduction and Recycling Act 2011

Wild Rivers Act 2005

General Outline

Short title

Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2013

Authorising law

Section 167 *Coastal Protection and Management Act 1995*

Section 580 *Environmental Protection Act 1994*

Section 175 *Nature Conservation Act 1992*

Section 178 *Queensland Heritage Act 1992*

Section 763 *Sustainable Planning Act 2009*

Section 271 *Waste Reduction and Recycling Act 2011*

Section 51 *Wild Rivers Act 2005*

Policy objectives and the reasons for them

The objective of the regulation is to index regulatory fees for the Department of Environment and Heritage Protection for 2013-14. These regulatory fees have been subject to the annual review required under Government policy and then indexed by the approved Government indexation factor, which the Queensland Treasury and Trade has advised to be 3.5% for 2013-14.

The indexed fees have been rounded in accordance with the department's current rounding policy.

The regulation will also remove a number of now redundant fees following amendments to the *Sustainable Planning Regulation 2009*.

Achievement of policy objectives

This subordinate legislation will achieve its objective by increasing fees and charges under the Acts administered by the Department of Environment and Heritage Protection. The government indexation factor of 3.5% has been applied.

Consistency with policy objectives of authorising

The amendment regulation is consistent with the objective of the relevant Acts.

Inconsistency with policy objectives of other legislation

The subordinate legislation is not inconsistent with any policy objectives of any legislation.

Benefits and costs of implementation

The indexation of fees provides a mechanism understood by the community and industry to maintain price relativity, aiding the government in formulating the State and departmental budgets.

There are no additional costs associated with implementing the regulation.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with the Office of Best Practice Regulation in determining that the amendment was excluded from the requirement to undertake a Regulatory Impact Statement.

Consultation has also been undertaken with the Department of State Development, Infrastructure and Planning agreeing to amendments the *Sustainable Planning Regulation 2009*.