

Transport Infrastructure and Other Legislation Amendment Regulation 2019

Explanatory notes for SL 2019 No. 248

made under the

Planning Act 2016

Transport Infrastructure Act 1994

General Outline

Short title

Transport Infrastructure and Other Legislation Amendment Regulation 2019.

Authorising law

Section 284 of the *Planning Act 2016*

Section 490 of the *Transport Infrastructure Act 1994*

Policy objectives and the reasons for them

A range of minor and technical amendments were made to the *Transport Infrastructure Act 1994* (the TIA) in the Amendment Act. These amendments include provisions which clarify and streamline regulatory provisions to provide clearer meaning and cater for unknown future uses of transport corridors and support the development of an online application process for persons applying for access to and use of the road and transport corridors. These provisions are to commence by proclamation on 13 December 2019.

It was identified consequential amendments were required for the *Planning Act 2017* and the *Transport Infrastructure (State-controlled Roads) Regulation 2017* to achieve consistency with the amendments to the TIA under the Amendment Act.

Achievement of policy objectives

The policy objective is achieved by the effective implementation of amendments to the *Transport Infrastructure (State-controlled Roads) Regulation 2017* and the *Planning Regulation 2017* which are consistent with the amendments to the TIA in the Amendment Act.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the main objectives of the TIA.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

Benefits to community and stakeholders include more effective and streamlined processes for persons applying for access to and use of the road and transport corridors.

There are no financial implications as the amendments are largely administrative in nature. All costs will be met within the Department of Transport and Main Roads' existing budget allocation.

Consistency with fundamental legislative principles

The amendment regulation does not breach any fundamental legislative principles.

Consultation

Consultation occurred with all relevant stakeholders in preparation of the Amendment Act prior to its passage, including the Cross River Rail Delivery Authority and the Local Government Association Queensland. Community was not consulted on the amendments as it puts in place better processes or clarifies existing legislation to the benefit of stakeholders.

The Office of Best Practice Regulation within the Queensland Productivity Commission was consulted on the Amendment Act. In accordance with *the Queensland Government Guide to Better Regulation*, the Department of Transport and Main Roads applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category G—Regulatory proposals that are of a machinery nature).