

# Planning (Prescribed Amounts) Amendment Regulation 2024

Explanatory notes for SL 2024 No.107

made under the

*Planning Act 2016*

## General Outline

### Short title

*Planning (Prescribed Amounts) Amendment Regulation 2024*

### Authorising law

Sections 112 and 284 of the *Planning Act 2016* (Planning Act)

### Policy objectives and the reasons for them

The objective of the *Planning (Prescribed Amounts) Amendment Regulation 2024* (Amendment Regulation) is to amend Schedule 16 of the *Planning Regulation 2017* (Planning Regulation) to reflect the annual indexation of the Prescribed amounts.

Schedule 16 contains the ‘Prescribed amounts’, which is the maximum amount local governments or distributor-retailers can adopt in a charges resolution, governing what infrastructure charges can be issued. These amounts are automatically annually indexed against the 3-yearly moving average quarterly percentage increase in the producer price index (PPI), which is defined in the Planning Act as the PPI for construction 6427.0 (ABS PPI) index number 3101—Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics. The Department of Housing, Local Government, Planning and Public Works (DHLGPPW) regularly updates the Planning Regulation for ease of use.

### Achievement of policy objectives

The Amendment Regulation amends Schedule 16 of the Planning Regulation to amend the amounts to reflect the indexation against the 3-yearly moving average quarterly percentage increase in the PPI, which is defined in the Planning Act as the PPI for construction 6427.0 (ABS PPI) index number 3101—Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics since 1 July 2022. For 2022-2023 this is 4.29 percent and for 2023-2024 this is 6.29 percent.

## **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the purpose of the Planning Act to establish an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning and development assessment to facilitate the achievement of ecological sustainability.

## **Inconsistency with policy objectives of other legislation**

No inconsistencies with the policy objectives of other legislation have been identified.

## **Alternative ways of achieving policy objectives**

There is no alternative way to achieve the policy objectives, other than the Amendment Regulation. The Planning Act permits a regulation to prescribe a maximum amount (the prescribed amount) for each adopted charge.

## **Benefits and costs of implementation**

The cost of implementing the amended regulatory framework will be met within existing budget allocations, and the resources used to manage the existing regulatory framework will continue to be used to administer the amended framework.

## **Consistency with fundamental legislative principles**

This Amendment Regulation is consistent with fundamental legislative principles, and has no adverse impact on the rights and liberties of individuals or on the institution of Parliament.

## **Consultation**

No consultation on the Amendment Regulation has been undertaken outside of government agencies as the amendment is identified as consequential amendment changes and are required to reduce the administrative burden related to development assessment. These changes do not impact policy outcomes.

In accordance with *The Queensland Government Better Regulation Policy*, a Summary Impact Analysis Statement (IAS) has been prepared and will be provided to the Office of Best Practice Regulation (OBPR) and published on the DHLGPPW website.

A self-assessment by DHLGPPW determined that no further regulatory impact analysis was required in relation to the changes to Schedule 16 - prescribed amounts as the proposal is machinery in nature, to update the prescribed fee amounts in line with the indexation and does not result in a substantive change to regulatory policy or new impacts on business, government or the community.