

Environmental Protection (Air) Amendment Policy 2024

Explanatory notes for SL 2024 No. 186

made under the

Environmental Protection Act 1994

General Outline

Short title

Environmental Protection (Air) Amendment Policy 2024

Authorising law

Sections 26 to 34 of the *Environmental Protection Act 1994*

Policy objectives and the reasons for them

The objective of the *Environmental Protection (Air) Amendment Policy 2024* (Amendment Policy) is to amend the air quality objectives for nitrogen dioxide, ozone, sulfur dioxide and particulate matter 2.5 to ensure Queensland remains consistent with the national standards under the National Environment Protection (Ambient Air Quality) Measure (AAQ NEPM).

Achievement of policy objectives

The Amendment Policy will achieve its objectives by amending relevant air quality objectives and periods in Schedule 1 to align with the AAQ NEPM.

Consistency with policy objectives of authorising law

The Amendment Policy is consistent with the main objectives of the *Environmental Protection Act 1994*, which is to protect Queensland's environment while allowing for ecological sustainable development.

Inconsistency with policy objectives of other legislation

The Amendment Policy is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

Costs and benefits implications of the Amendment Policy were considered during the review of the AAQ NEPM. No direct implications were identified and there are no additional administrative costs associated with the implementation of the Amendment Policy.

In accordance with *The Queensland Government Better Regulation Policy*, a Summary Impact Analysis Statement (IAS) was prepared in relation to the regulatory proposal. The IAS determined that the proposal is to align the EPP Air objectives with the AAQ NEPM and will result in negligible costs for government and existing industry operators. No further regulatory impact analysis is required.

Consistency with fundamental legislative principles

The Amendment Policy is consistent with fundamental legislative principles outlined in Section 4 of the *Legislative Standards Act 1992*.

Consultation

During the process of amending the AAQ NEPM, the National Environment Protection Council undertook public consultation for a 12-week period beginning 15 May 2019. A total of 449 non-campaign submissions were received by the Australian Government which included key industry bodies such as Mineral Council of Australia and the Queensland Resources Council, as well as environment and health stakeholders such as the Australia Conservation Foundation, Environmental Justice Australia and Doctors for Environment Australia. The Australian Government released a detailed summary of submissions and how they were addressed in 2021, which was subsequently endorsed by the National Environment Protection Council (www.nepc.gov.au/sites/default/files/2022-09/aaq-nepm-variation-summary-public-submissions-and-response.pdf).

An information session was held in Brisbane on 7 June 2019, complemented with online information sessions. These sessions attracted 27 stakeholders including representatives from relevant Queensland Government agencies.

The Office of the Best Practice Regulation was advised of the proposal.