

Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Steven Miles, Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning provide this human rights certificate with respect to the *Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021* made under the *Planning Act 2016* and the *Regional Planning Interests Act 2014*.

In my opinion, the *Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The purpose of the *Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021* is to change the fees and charges under the *Planning Regulation 2017* (Planning Regulation) and the *Regional Planning Interests Regulation 2014* (RPI Regulation) to reflect annual indexation increases. The Government indexation rate for development assessment fees, tribunal fees, assessment application fees, and mitigation values for the 2021-2022 financial year is 1.7 per cent. The prescribed amounts under the Planning Regulation are indexed against the producer price index (PPI) which is approximately 1.49 per cent for 2021-2022.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The potential impact of the *Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021* on the human rights in sections 15 to 37 of the *Human Rights Act 2019* was considered and no potential impact was identified.

Conclusion

I consider that the *Planning Legislation (Fees and Other Amounts) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue and therefore does not limit, restrict or interfere with a human right.

STEVEN MILES MP
Deputy Premier and Minister for State Development,
Infrastructure, Local Government and Planning