

Innovation, Tourism Development and Environment Committee

Report No. 11, 56th Parliament **Subordinate legislation** **tabled between 13 June 2018 and 18 September 2018**

1 Aim of this report

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 13 June 2018 and 18 September 2018. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992*.

2 Subordinate legislation examined:

2018			
SL No	Subordinate Legislation	Tabled Date	Disallowance Date
68	Commonwealth Games Arrangements (GOLDOC Dissolution Day) Amendment Regulation 2018	21 August 2018	1 November 2018
83	Nature Conservation (Protected Areas) (Olkola) Amendment Regulation 2018	21 August 2018	1 November 2018
84	Waste Reduction and Recycling and Other Legislation Amendment Regulation 2018	21 August 2018	1 November 2018
96	Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2018	21 August 2018	1 November 2018
97	Environmental Legislation (ERA Standards and Other Matters) Amendment Regulation 2018	21 August 2018	1 November 2018
109	Marine Parks (Commercial Whale Watching Program) Amendment Regulation 2018	21 August 2018	1 November 2018
139	Queensland Heritage (Protected Areas) Amendment Regulation 2018	4 September 2018	15 November 2018
140	Major Events (Motor Racing Events) (Gold Coast 600) Amendment Regulation 2018	18 September 2018	6 December 2018

Commonwealth Games Arrangements (GOLDOC Dissolution Day) Amendment Regulation 2018 (SL 68)

The policy objective of this amendment regulation is to prescribe 31 December 2018 as the GOLDOC dissolution day.

Nature Conservation (Protected Areas) (Olkola) Amendment Regulation 2018 (SL 83)

The policy objective of this amendment regulation is to change the class of the entirety of the Olkola (Kurrumbila) Resources Reserve 1, by dedicating and amalgamating the area with the existing Olkola National Park (Cape York Peninsula Aboriginal Land).

Waste Reduction and Recycling and Other Legislation Amendment Regulation 2018 (SL 84)

The policy objectives of this amendment regulation are to amend the:

- *Environmental Protection Regulation 2008* so that provisions in chapter 5A relating to local government administration of waste management do not expire on 1 July 2018, and
- *Waste Reduction and Recycling Regulation 2011* so that provisions in Part 2A relating to local government administration of waste management activities do not expire on 1 July 2018.

These provisions will continue for an indefinite period while the recommendations of the Queensland Treasury Corporation report are implemented to address the issues raised by stakeholders.

Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2018 (SL 96)

The objectives of this amendment regulation are to:

- increase the area of two existing national parks by dedicating areas of unallocated State land as national park and redescribing one of the national parks after the completion of an up-to-date plan
- increase the area of one existing conservation park by dedicating areas of unallocated State land as conservation park and redescribing the conservation park after the completion of an up-to-date plan
- declare eight new nature refuges
- amend the description of two nature refuges, and
- revoke two nature refuges.

Environmental Legislation (ERA Standards and Other Matters) Amendment Regulation 2018 (SL 97)

The objectives of the amendment regulation are to amend the Environmental Offsets Regulation 2014 and Environmental Protection Regulation 2008 to:

- give effect to an updated Queensland Environmental Offsets Policy
- correct an anomaly by amending provisions prescribing the annual fee for an environmental authority for specific resource activities
- update standards by approving a new standard for the eligibility criteria and standard conditions for regulated waste transport
- update terminology and cross-references, and remove redundant provisions, following miscellaneous past amendments, and
- clarify the intent of particular provisions.

The amendment regulation prescribes a new version of the Environmental Offsets Policy (version 1.6), which makes minor administrative amendments to the current prescribed version of the policy.

A new environmentally relevant activity (ERA) standard (ERA 57) has been made for regulated waste transport. This ERA standard will replace the 'Code of environmental compliance for certain aspects of regulated waste' that is currently prescribed in the Environmental Protection Regulation 2008.

Marine Parks (Commercial Whale Watching Program) Amendment Regulation 2018 (SL 109)

The objective of this amendment regulation is to allow the Quandamooka People (the Traditional Owners of the Point Lookout area of North Stradbroke Island) commercial whale watching access to the Point Lookout area in Moreton Bay Marine Park. The amendment aims to:

... enhance whale watching business opportunities for the Quandamooka People, and will support the North Stradbroke Island community's transition from a mining based economy to other income sources, which is supported under the North Stradbroke Island Economic Transition Strategy. It will also support Aboriginal business growth, and provide cultural education opportunities in Moreton Bay Marine Park.¹

Queensland Heritage (Protected Areas) Amendment Regulation 2018 (SL 139)

The objective of this amendment regulation is to extend the declaration of the Burke and Wills Expedition Plant Camp as a protected area for a further three years from 1 September 2018, to provide continued protection of this historically significant archaeological place.

According to the explanatory notes, the three year extension will enable a comprehensive investigation of the archaeological place to be carried out in order to identify the potential for any remaining artefacts and recover the artefacts from the place.²

The lessee of the land (S Kidman & Co Pty Ltd) has been consulted and has agreed to the proposed extension.³

Major Events (Motor Racing Events) (Gold Coast 600) Amendment Regulation 2018 (SL 140)

The objective of this amendment regulation was to facilitate the holding of the 2018 Gold Coast 600 motor event, which was held on 19 to 21 October 2018, by prescribing the 2018 Gold Coast 600 as a major event under the *Major Events Act 2014*. The regulation also prescribes the event organiser, the major event area and the major event period, as required by the Act.⁴

3 Committee consideration of the subordinate legislation

The committee was satisfied that the subordinate legislation examined did not raise any significant issues relating to policy, fundamental legislative principles or lawfulness, and that the explanatory notes complied with part 4 of the *Legislative Standards Act 1992*.

4 Recommendation

The committee recommends that the House notes this report.



Chair

29 October 2018

Innovation, Tourism Development and Environment Committee

Chair	Mr Duncan Pegg MP, Member for Stretton
Deputy Chair	Mr Jon Krause MP, Member for Scenic Rim
Members	Ms Sandy Bolton MP, Member for Noosa
	Mr Jason Costigan MP, Member for Whitsunday
	Ms Cynthia Lui MP, Member for Cook
	Mrs Charis Mullen MP, Member for Jordan

¹ Explanatory notes, SL 2018 No. 109, p 1.

² Explanatory notes, SL 2018 No. 139, p 2.

³ Explanatory notes, SL 2018 No. 139, p 3.

⁴ See sections 7 and 12 of the *Major Events Act 2014*.