

Environmental Protection (Pig Keeping) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 141

made under the

Environmental Protection Act 1994

General Outline

Short title

Environmental Protection (Pig Keeping) Amendment Regulation 2019

Authorising law

Section 580 of the *Environmental Protection Act 1994*

Policy objectives and the reasons for them

The policy objective of the *Environmental Protection (Pig Keeping) Amendment Regulation 2019* (Amendment Regulation) is to ensure the aggregate environmental scores for pig keeping activities under Schedule 2, section 3 of the *Environmental Protection Regulation 2008* more accurately reflect the environmental risk of the activities in Queensland.

Schedule 2 of the *Environmental Protection Regulation 2008* lists activities that are prescribed environmentally relevant activities (ERAs). The annual fee for an environmental authority for carrying out an ERA is based on the environmental risk associated with the activity. This risk is represented by the aggregate environmental score. The aggregate environmental score is calculated on the basis of an environmental emissions profile that takes into account the emissions to water, air and land, and a site attribute score for each threshold of an activity.

The Department of Environment and Science responded to concerns expressed by industry and conducted a review of the aggregate environmental scores for each of the three thresholds for the pig keeping ERA. This review identified that the air emissions calculated for the aggregate environmental scores at the time of the review were not representative of current standard industry practice in Queensland. The aggregate environmental scores were recalculated based on newly available information regarding the environmental risk of the activities.

Achievement of policy objectives

The policy objective will be achieved by amending the *Environmental Protection Regulation 2008* to reduce the aggregate environmental scores for each of the three thresholds for pig keeping.

The aggregate environmental score for threshold 1 (keeping more than 400 but not more than 3,500 standard pig units) has been reduced from 27 to 19. The score for threshold 2 (keeping more than 3,500 but not more than 8,000 standard pig units) has been reduced from 34 to 22. The score for threshold 3 (keeping more than 8,000 standard pig units) has been reduced from 43 to 31.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the object of the *Environmental Protection Act 1994*, which is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The reduction in aggregate environmental scores for the pig keeping ERA will result in a reduction in the annual fee payable for an environmental authority for carrying out this ERA. This reduction will amount to a total of approximately \$150,000 per annum, as outlined in the Queensland Budget 2019-20 (Budget Paper No. 4).

Consistency with fundamental legislative principles

The Amendment Regulation is considered to be consistent with fundamental legislative principles.

Consultation

Queensland Farmers' Federation and Australian Pork Limited were consulted on the reduction in aggregate environmental score. Both organisations support the reduction.

In accordance with *The Queensland Government Guide to Better Regulation* (the Guidelines), the Office of Best Practice Regulation (OBPR) within the Queensland Productivity Commission was consulted. OBPR advised that the amendment is excluded from further analysis under category (k) of the Guidelines—‘regulatory proposals designed to reduce the burden of regulation, or that clearly do not add to the burden, and it is reasonably clear there are no significant adverse impacts’.

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