

# Regional Planning Interests (North Queensland Strategic Environmental Area) Amendment Regulation 2020

Explanatory notes for SL 2020 No. 28

made under the

*Regional Planning Interests Act 2014*

## General Outline

### Short title

*Regional Planning Interests (North Queensland Strategic Environmental Area) Amendment Regulation 2020*

### Authorising law

Sections 11 and 95 of the *Regional Planning Interests Act 2014*

### Policy objectives and the reasons for them

The objectives of the *Regional Planning Interests (North Queensland Strategic Environmental Area) Amendment Regulation 2020* (the amendment regulation) are to:

- ensure that all mining resource activities are unacceptable uses in the designated precinct in the strategic environmental area (SEA) as identified in the North Queensland Regional Plan; and
- the identification of these unacceptable uses will ensure the protection of identified environmental attributes in the designated precinct.

### Achievement of policy objectives

#### North Queensland Regional Plan

The *Regional Planning Interests Act 2014* (the RPI Act) seeks to resolve potential conflicts that may arise from the interaction between resource activities and other land uses or environmental attributes.

The North Queensland (NQ) Regional Plan identifies a SEA which is an area identified under the RPI Act that contains one or more environmental attributes. The SEA includes a designated precinct where development would pose the greatest ecological risk to environmental attributes.

The NQ Regional Plan proposes ‘resource activities’ as unacceptable use in the designated precinct of the North Queensland SEA and will act equivalent to a prohibition of this use. To give effect to this policy of the NQRP, the *Regional Planning Interests Regulation 2014* is to be amended to define the North Queensland SEA, and to make a resource activity within the designated precinct of this SEA an unacceptable use. Resource activities is defined in the RPI Act to include all mining for coal, minerals, gas, geothermal and petroleum resources, and greenhouse gas storage.

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

The amendment regulation is consistent with the main objectives of the RPI Act to provide for a transparent and accountable process for assessment and management of the impact of proposed resource activities and regulated activities on areas of regional interest.

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

The amendment regulation is consistent with the policy objectives of other legislation.

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

The inclusion of a mining resource activity as an unacceptable use in a designated precinct in the SEA of the NQ Regional Plan is required to ensure that appropriate protection from particular resource activities is provided to environmental attributes.

The achievement of this can only be made by a regulated approach.

## **Benefits and costs of implementation**

The implementation of the amendment regulation will provide for the protection of environmental attributes from resource activities within a designated precinct in a SEA in the NQ Regional Plan.

There are no anticipated costs associated with the amendment regulation.

## **Consistency with fundamental legislative principles**

The amendment regulation is consistent with the fundamental legislative principles.

## Consultation

The Office of Best Practice Regulation advised that the proposed amendments regarding the NQRP have undergone an extensive assessment process for the making of a State planning instrument as required under the *Planning Act 2016* and no further assessment was required under the Queensland Government Guide to Better Regulation.

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