

# Sustainable Ports Development Amendment Regulation 2023

Explanatory notes for SL 2023 No. 176

made under the

*Sustainable Ports Development Act 2015*

## General Outline

### Short title

*Sustainable Ports Development Amendment Regulation 2023*

### Authorising law

Sections 6(1)(b) and 48 of the *Sustainable Ports Development Act 2015*.

### Policy objectives and the reasons for them

The key policy objectives for the *Sustainable Ports Development Amendment Regulation 2023* (the Amendment Regulation) are to:

- Provide for the protection of the Great Barrier Reef World Heritage Area through managing port-related development.
- Develop master plans that establish a long-term vision for the future development of priority ports, consistent with the principles of ecologically sustainable development.
- Give effect to master planned areas through port overlays that regulate development in and surrounding priority ports.

### Achievement of policy objectives

The Amendment Regulation achieves the policy objectives by approving the master planned areas for the following priority ports:

- the ports of Hay Point and Mackay; and
- Port of Abbot Point.

The Amendment Regulation finalises the master planned areas for all priority ports named under section 5 of the *Sustainable Ports Development Act 2015* (the Act). The master planned areas for the priority Port of Gladstone and priority Port of Townsville were approved in the *Sustainable Ports Development Regulation 2018* (the Regulation) in 2018 and 2019, respectively.

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

The amendments to the Regulation are consistent with the objectives of the Act. In particular, the Amendment Regulation is consistent with the main objectives of the Act to establish a legislative framework which balances the protection of the Great Barrier Reef World Heritage Area with the development of the priority ports in the regions.

## **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 Amendment Regulation approves the master planned areas for the priority ports of Hay Point and Mackay and Port of Abbot Point as required under the Act.

The benefits of the amendments include providing an efficient and effective means for long-term planning for priority ports and a strategic and coordinated approach to managing economic, environmental, cultural and social values in the Great Barrier Reef World Heritage Area.

The cost of implementing this amendment is minimal and will be met within existing budget allocations.

## **Consistency with fundamental legislative principles**

The Amendment Regulation is consistent with fundamental legislative principles as required under the *Legislative Standards Act 1992*.

## **Consultation**

Consultation was undertaken with:

- For the priority port of Hay Point and Mackay - North Queensland Bulk Ports Corporation Limited (NQB), Mackay Regional Council, and other key stakeholders during the development of the master plan.
- For the priority port of Abbot Point - NQB, Whitsunday Regional Council, and other key stakeholders during the development of the master plan.

In accordance with the Queensland Government Better Regulation Policy (the policy), the amendments have been assessed as meeting the requirements of the policy for minor and machinery amendments.