

Sustainable Ports Development Regulation 2018

Explanatory notes for SL 2018 No. 196

made under the

Sustainable Ports Development Act 2015

General Outline

Short title

Sustainable Ports Development Regulation 2018

Authorising law

Section 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 Regulation 2018* (the Regulation) are to:

- provide consistency with the objectives of the *Sustainable Ports Development Act 2015* (the Act);
- give effect to requirements under the Act for master planned areas of each priority port to be approved by regulation.

Achievement of policy objectives

The Regulation achieves the policy objectives by approving the master planned area for the priority Port of Gladstone.

Consistency with policy objectives of authorising law

The 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.

The Act declares the Ports of Abbot Point, Gladstone, Hay Point and Mackay, and Townsville as priority ports. The Minister, for each priority port, must make a master plan that identifies the master planned area. The Act requires the master planned area to be approved by regulation.

The Regulation enables the approval of the master planned area for the priority Port of Gladstone. The Regulation will provide the legislative framework to approve master planned areas of the other priority ports when made and any other matters that may be required by section 48 of the Act.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The Regulation approves the master planned area for the priority Port of Gladstone as required under the Act. There are no additional costs for government, industry or the community.

Consistency with fundamental legislative principles

The Regulation is consistent with the fundamental legislative principles.

Consultation

The Office of Best Practice Regulation, Queensland Productivity Commission advised that the Regulation is unlikely to result in significant adverse impacts and therefore no further assessment is required under the *Queensland Government Guide to Better Regulation*.

Consultation was undertaken with Gladstone Ports Corporation, Gladstone Regional Council, and other key stakeholders during the development of the master plan.

Notes on Provisions

Section 1 states the short title of the Regulation.

Section 2 is authorised by section 6(1)(b) of the Act and states that the area identified in the master plan for the priority port of Gladstone is approved as the master planned area for the port. A note identifies where a copy of the master plan is available for inspection.