

Planning (Queensland Rural Workers' Accommodation Initiative) Amendment Regulation 2023

Explanatory notes for SL 2023 No. 109

made under the

Planning Act 2016

General Outline

Short title

Planning (Queensland Rural Workers' Accommodation Initiative) Amendment Regulation 2023

Authorising law

Section 284 of the *Planning Act 2016*

Policy objectives and the reasons for them

The objective of the *Planning (Queensland Rural Workers' Accommodation Initiative) Amendment Regulation 2023* (Amendment Regulation) is to give effect to changes made to the Queensland Rural Workers' Accommodation Initiative (the Initiative document) by reflecting the new date in the *Planning Regulation 2017* (Planning Regulation).

On 2 December 2022, the Initiative document was published on the Department of State Development, Infrastructure, Local Government and Planning's (DSDILGP) website and given effect by an amendment to the Planning Regulation.

The amendment included provisions in Schedule 6 for the development of accommodation for employees of rural uses under the rural worker's initiative that a local planning scheme is prohibited from stating is assessable development.

The Initiative document has effect for a three-year period, until 9 December 2025, unless revoked earlier or extended by the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure (the Planning Minister). The Initiative document is also required to be updated as nominated premises are approved.

On 31 July 2023 and 3 August 2023 respectively, the Planning Minister approved the former Queensland Regional Accommodation Centre site, Wellcamp, in Toowoomba, and the Burdekin Hotel in Ayr, to be included as nominated premises in the Initiative document.

Achievement of policy objectives

Schedule 6, Part 5, section 33(3) of the Planning Regulation defines the 'Initiative document' by reference to the date of the version in effect. The Amendment Regulation will give effect to the Initiative document dated 3 August 2023 which will give effect to the two nominated premises:

- 1511 Toowoomba Cecil Plain Road, Wellcamp (former Queensland Regional Accommodation Centre); and
- 204–210 Queen Street, Ayr (the Burdekin Hotel).

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the main objectives of the *Planning Act 2016*, that is to provide an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning. The Amendment Regulation is also consistent with the purpose of the Act that states a planning regulation may be a categorising instrument and may prohibit a local categorising instrument from stating that certain development is assessable development.

Inconsistency with policy objectives of other legislation

No inconsistencies have been identified with the policy objectives of other relevant legislation.

Benefits and costs of implementation

The cost of implementing the Amendment Regulation will be minimal and will be met within existing budget allocation. The resources used to manage the existing regulatory framework will continue to be used to administer the amended framework.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

No consultation of the Amendment Regulation has been undertaken outside of government as the amendments are consequential and do not impact policy outcomes. The Planning Minister notified the affected landowners, occupiers and relevant local governments of the nominated premises in the Initiative document as required by Schedule 6, section 33(3) of the Planning Regulation.

A self-assessment by DSDILGP determined that further regulatory impact analysis is not required as the proposal is excluded under category (a) of the guidelines — Regulatory proposals that make consequential amendments.