

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

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Steven Miles, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure, provide this human rights certificate with respect to the *Planning (Queensland Rural Workers' Accommodation Initiative) Amendment Regulation 2023* (the Amendment Regulation) made under the *Planning Act 2016*.

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The policy objectives of the Amendment Regulation are to amend the *Planning Regulation 2017* (the Planning Regulation) to reflect the update of the Queensland Rural Workers' Accommodation Initiative (Initiative document) on 3 August 2023.

In accordance with Schedule 6, Part 5, section 33, the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure approved the addition of two 'nominated premises' to Schedule 1 of the Initiative document. The Amendment Regulation updates the reference to the date of the Initiative document.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Divisions 2 and 3 HR Act)

In my opinion, the human rights that may be relevant to the decision are:

- Section 24 – property rights (the right to own property and not be arbitrarily deprived of it).

Human Right	Comment
Section 24 — property rights (the right to own property and not be	Section 24 of the HR Act recognises that people are protected from having their property taken, unless the law says it can be taken. This right is concerned about decisions that include restricting or allowing the use of private property, including under planning laws, and their right to the

arbitrarily deprived of it)	enjoyment of their property. Planning decisions may also have an impact on surrounding properties. The proposed decision is limited to giving effect to a decision made separately during which process the human right impacts were identified and assessed. Therefore, this right is not limited by the proposed decision.
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Conclusion

I consider that the *Planning (Queensland Rural Workers' Accommodation Initiative) Amendment Regulation 2023* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

STEVEN MILES MP
Deputy Premier, Minister for State Development,
Infrastructure, Local Government and Planning
and Minister Assisting the Premier
on Olympic and Paralympic Games Infrastructure