

Sustainable Ports Development 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* (the HR Act), I, Mark Bailey MP, Minister for Transport and Main Roads and Minister for Digital Services provide this human rights certificate with respect to the *Sustainable Ports Development Amendment Regulation 2023* made under the *Sustainable Ports Development Act 2015*, (the Act).

In my opinion, the *Sustainable Ports Development Amendment Regulation 2023* (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 Amendment Regulation approves the master planned areas for the priority ports of Hay Point and Mackay and Port of Abbot Point.

It is a requirement under section 7(1) of the Act that the Minister make an instrument (a master plan) for each priority port. Each priority port is named in section 5 of the Act and includes:

- (a) Port of Abbot Point;
- (b) Port of Gladstone;
- (c) the ports of Hay Point and Mackay;
- (d) Port of Townsville.

Each master plan for each priority port must identify the master planned area for the port and apply to all of the master planned area. The master planned areas must also be approved by regulation under section 6(1)(b) of the Act. The Amendment Regulation identifies the master planned areas for the priority ports of Hay Point and Mackay and Port of Abbot Point.

The Amendment Regulation enables 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.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The amendment Regulation does not limit or otherwise affect any human right under Part 2, Division 2 and 3 of the HR Act.

Conclusion

I consider that the *Sustainable Ports Development Amendment Regulation 2023* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

Honourable Mark Bailey MP
Minister for Transport and Main Roads
Minister for Digital Services