Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Transport and Main Roads
Name of the proposal	Sunset review and remake of the *Transport Infrastructure (Ports) Regulation 2016*
Submission type	Summary IAS
Title of related legislative or regulatory instrument	*Transport Infrastructure (Ports) Regulation 2016*
Date of issue	July 2026

What is the nature, size and scope of the problem? What are the objectives of government action?

The *Transport Infrastructure (Ports) Regulation 2016* (the Regulation) was first introduced in 1994 and has since been remade in 2005 and 2016, with earlier versions repealed. The 2005 Regulation established the format and structure that the 2016 Regulation continues to use.

Under section 54(1) of the *Statutory Instruments Act 1992*, the Regulation is scheduled to automatically expire on 1 September 2026. A sunset review assessed the role of the Regulation in supporting the legislative framework established by the *Transport Infrastructure Act 1994* (the TIA) for the planning and management of transport infrastructure.

The impact assessment is undertaken on the basis that the Regulation expires and is not remade. Under this baseline, the framework that defines port limits, establishes port management arrangements and supports port authority functions would cease to operate. This would create significant legal and operational uncertainty for port governance, regulatory oversight and port activities across Queensland.

The objective of government action is to maintain a clear, coordinated and legally certain port governance framework that gives effect to the TIA, supports safe, efficient and predictable operations of ports, provides certainty for industry and government, and facilitates effective application of other regulatory frameworks.

Background:

Ports are critical infrastructure for Queensland's economy, serving as key interfaces between maritime and inland transport systems. A port is generally a sea-land interface with infrastructure to support vessel handling and movement, and commercial transfer of cargo or passengers. As an island nation, Australia relies heavily on maritime operations for overseas trade and Queensland's ports play a pivotal role in this system, contributing significantly to the state's supply chain and economic growth.

Each port provides a broad range of facilities that cater for the diverse sea-land interface requirements of their trade catchment areas. In many cases, the port entities are responsible for the construction of essential port infrastructure, administration, the operation of port facilities and oversight of port users operating on port lands and using designated port channels and areas. The strategic importance of each port is shaped by unique geographical features such as access to deep water, proximity to production sites and connectivity to transport infrastructure.

Over the past two decades, port activity in Queensland has increased steadily. Total trade throughout reached approximately 349 million tonnes in 2024–25, reflecting long-term growth in bulk commodity exports, containerised trade through Brisbane, and imports supporting population and economic activity[1].

The location of port activities in Queensland is limited by a regulatory framework primarily through the TIA. However, any proposal for undertaking port activities requires all relevant assessment and approvals,

[1] Trade Statistics for Queensland Ports available online at https://www.tmr.qld.gov.au/business-industry/transport-sectors/ports/facilitating-trade-and-connectivity/trade-statistics-for-queensland-ports

including under legislation which regulates potential impacts associated with port development, in effect further limiting where port activities may be undertaken. This includes, for example, Queensland legislation such as the *Environmental Protection Act 1994*, the *Marine Parks Act 2004*, the *Fisheries Act 1994* and the *Coastal Protection and Management Act 1995*, as well as Commonwealth legislation such as the *Environment Protection and Biodiversity Conservation Act 1999*, the *Great Barrier Reef Marine Park Act 1975* and the *Environment Protection (Sea Dumping) Act 1981*.

The *Sustainable Ports Development Act 2015* restricts new port development in the Great Barrier Reef World Heritage Area to within current port limits and outside the Commonwealth Great Barrier Reef Marine Park and the Queensland Great Barrier Reef Coast Marine Park. This Act also prohibits capital dredging for the development of new or expansion of existing port facilities in the Great Barrier Reef World Heritage Area outside the master planned areas of the priority ports of Gladstone, Townsville, Hay Point/Mackay, and Abbot Point (and the Port of Cairns in some limited circumstances).

Port activity over the last 20 years has predominantly been accommodated within existing declared ports, through infrastructure expansion, more intensive use of strategic port land and operational optimisation. Major increases in activity at ports such as Gladstone, Hay Point/Mackay, Abbot Point, Townsville and Brisbane have occurred within existing regulatory settings, supported by long-term planning and investment rather than changes to the declared port framework. Forward-looking master planning indicates that continued growth is expected to be managed in the same way, through staged and incremental development within existing declared port limits.

In this context, changes in port activity levels have historically been accommodated without the need to alter the port declaration framework. The Regulation does not regulate trade volumes, development intensity or expansion decisions. Instead, it performs an administrative and enabling function by providing certainty about declared ports, port limits and port authority responsibilities so that other planning, environmental and operational frameworks can function effectively. The historical growth of Queensland's ports demonstrates that the Regulation has not impeded expansion or sector responsiveness and has supported growth by providing stable and predictable governance arrangements.

The Regulation underpins the effective management and development of Queensland ports, ensuring they continue to support the state's economic and logistical priorities. By regulating the establishment of ports (and by extension continuing their operation), the Regulation ensures that appropriate operational port management controls are in place before a new port is created.

The Regulation:

- facilitates equitable access to the sea-land interface
- supports the development and availability of infrastructure and services to meet demand
- identifies and manages risks associated with port operations, including those related to shipping, stevedoring, transport, land use, the environment, and the regional community
- ensures private sector investment and development within port precincts align with government policies and community expectations
- ensures existing port and supply chain infrastructure are maximised to enhance efficiency and minimise duplication
- promotes long-term supply chain planning and integration, ensuring port development contributes to the broader economic and community interests of Queensland.

Regulatory framework:

The TIA establishes the regulatory framework for managing Queensland's ports, ensuring efficient operations and alignment with broader economic and community objectives. This framework ensures port operations align with state and national priorities.

The TIA defines ports by reference to designated management authorities tasked with regulating port activities rather than providing a general definition of a 'port'. Chapter 8 of the TIA provides the legislative authority[2] for the Regulation, which supports the management of the ports system through provisions addressing:

- **Port management arrangements** – For comprehensive information purposes, a schedule lists the ports managed by the four government-owned corporation (GOC) port authorities.

[2] Sections 267AA(3), 271(1), 274(a), 274A(a) and (b), 275(1)(g), 285(1)(g), 290(2) and 490(1) of the *Transport Infrastructure Act 1994*.

- **Port limits** – Clearly defined boundaries for each port are described with precise coordinates and natural features to ensure clarity and enforceability.
- **Additional function and purpose at Cairns** – The Far North Queensland Ports Corporation Limited (trading as Ports North), which manages the Port of Cairns, is authorised to lease or license its strategic port land for cultural or tourism facility development and can include land for this purpose in its land use plan.
- **Protection from liability** – Civil liability attaches to port authorities for an act or omission done honestly and without negligence for a port authority by a port authority employee or someone acting for a port authority.

Port management:

The TIA enables a regulation to manage the declaration and responsibilities of a GOC entity in relation to ports. Specifically, it allows a regulation to declare the entity as a port authority, prescribe the port the entity is to manage and enable the removal of the entity's designation as a port authority.[3] The TIA provides that declared ports can be managed by a port authority, the State or a local government.

Currently, all ports are managed by government-owned port authorities, except for the Port of Brisbane which is privately operated under a 99-year lease and the Chith Export Facility servicing the Amrun bauxite mine, which is regulated under the *Commonwealth Aluminium Corporation Pty Limited Agreement Act 1957* and not by the TIA framework.

Port authorities are responsible for planning, developing, maintaining and operating efficient port facilities and services. Their key roles include managing vessel access and associated risks, ensuring safety and security, addressing industry needs, and promoting economic, social and environmental sustainability. They also manage risks to port operations, such as vessel movements, incident response and hazardous activities while optimising infrastructure and services through strategic planning, land use management and supply chain coordination.

Nineteen of Queensland's 21 ports are assigned to one of four GOC port authorities, with the Regulation providing a single authoritative source for port management arrangements:

1. **Far North Queensland Ports Corporation Limited** (**trading as Ports North**), responsible for the ports of Cairns, Burketown, Cape Flattery, Cooktown, Karumba, Mourilyan, Port Kennedy (Thursday Island), Quintell Beach and Skardon River
2. **Port of Townsville Limited (PoTL)**, responsible for the ports of Townsville and Lucinda
3. **North Queensland Bulk Ports Corporation Limited (NQBP)**, responsible for the ports of Abbot Point, Hay Point, Weipa and Mackay
4. **Gladstone Ports Corporation Limited (GPC)**, responsible for the ports of Gladstone, Rockhampton (Port Alma), Bundaberg and Maryborough.

Port limits:

Port limits are defined boundaries described by precise geographic coordinates and natural features that delineate the areas in which each Queensland port may conduct port activities. They are a core element of Queensland's strategic framework for port management, enabling effective oversight of transport infrastructure, port planning and operational control.

The designation of ports and the regulation of port activities are governed by the TIA and the Regulation. Under section 292(3) of TIA, it is unlawful to carry out port activities of a substantial nature outside a declared port unless those activities are authorised by the Governor in Council or a new port is established at the proposed location. 'Substantial nature' is not defined in TIA but is considered to be activities that are significant in scale, duration, operational importance or impact, such as cargo handling, berthing/servicing of commercial vessels, dredging or establishing/operating port-related logistics or handling facilities rather than minor or incidental. The detailed limits for each Queensland port are set out in schedule 2 of the Regulation and provide the boundaries of each port and the extent of those areas.

Clearly defined port limits enable port authorities to manage operations effectively within their jurisdiction, supporting coordinated use of channels, berths, landslide interfaces and common use infrastructure while reducing conflicts with adjacent land and water uses. By identifying where port powers apply, port limits also provide certainty for supply chain participants, other infrastructure owners and communities.

[3] Section 274A of the *Transport Infrastructure Act 1994*.

Port limits interface with, and are referenced by, multiple statutory frameworks, activating obligations and controls within those defined areas. This supports a consistent, risk-based approach to environmental protection, marine safety, coastal management, land use planning and sustainable port development. In practice, port limits are integral to the operation of several key frameworks, including:

- *Coastal Protection and Management Act 1995*
- *Environmental Protection Act 1994*
- *Marine Parks Act 2004*
- *Planning Act 2016*
- *Sustainable Ports Development Act 2015*
- *Transport Operations (Marine Pollution) Act 1995*
- *Transport Operations (Marine Safety) Act 1994.*

Together, the declaration of port limits under TIA and the Regulation and their recognition across related legislation ensures that port activities are undertaken in a manner that balances operational efficiency with environmental stewardship, marine safety, community amenity and economic development. This alignment helps maintain certainty for industry and government, supports sustainable growth of Queensland's ports system and mitigates adverse impacts on surrounding areas.

Conclusion:

The Regulation provides a foundational framework for the operation, management and governance of Queensland's ports system, giving practical effect to the TIA. The Regulation provides core, irreplaceable functions that enable Queensland's port network to operate safely and efficiently within the state's broader transport and environmental regulatory framework.

If the Regulation were allowed to expire on 1 September 2026, there would be no clear statutory framework for defining port limits, assigning port authority responsibilities and enabling effective operation of the broader regulatory system. The Regulation confirms:

- port limits are essential for applying the TIA. Port limits are defined with reference to the Geocentric Datum of Australia 2020 (GDA2020) ensuring spatial accuracy for operational and mapping purposes. Queensland's regulatory framework limits where port activities can occur and port declaration and port limit certainty are central to assessing where development and port activities may be undertaken.
- the establishment and operation of declared ports under TIA. The TIA relies on the Regulation to define port management arrangements, assign port authorities to declared ports and ensure port authorities can exercise their powers and meet obligations for safety, environmental management, infrastructure planning and service delivery. Port authorities must provide skilled management of safety, navigation, emergency response, environmental performance and community expectations. These functions depend on valid statutory port declarations and port limits.
- support for major state policy frameworks linked to port limits. The Regulation underpins several regulatory schemes that depend on accurate port limits and declared port areas for dredging and dredged material placement, navigation safety and shipping operations, environmental management (for example, Marine Parks Act, Environmental Protection Act, Coastal Protection and Management Act), strategic port land use planning and priority port master planning under the *Sustainable Ports Development Act 2015*. Port limit certainty is necessary for the proper application of environmental approvals, shipping safety, planning and coastal management.
- operational clarity for port authorities, industry and the state. Ports are critical to trade, supply chains, regional economies, maritime safety and defence logistics. The Regulation provides consistent and predictable port governance by:
    - ensuring port authorities operate within clearly defined and enforceable limits
    - supporting towage, navigation and other shipping management activities
    - underpinning dredging operations and environmental management plans
    - enabling clear boundaries for emergency response, pollution management and marine safety obligations.

What options were considered?

The sunset review assessed the efficiency, effectiveness, and ongoing need for the provisions in the Regulation. Two options were considered to determine whether any changes were required:

- Option 1: allow the Regulation to automatically expire
- Option 2: remake the Regulation.

Option 1 – Allow the Regulation to expire

Under this option, the regulatory framework established by the Regulation would cease to operate. This would result in the discontinuation of provisions that govern key matters including:

- port management arrangements
- the definition of port limits
- the additional function and purpose conferred on Ports North at Cairns and
- protection from civil liability.

The expiration of the Regulation would eliminate the regulatory certainty and structure currently provided, leading to significant negative impacts on the operation, development and management of Queensland's ports. The absence of these provisions would create uncertainty, disrupt and potentially constrain port operations and undermine the broader regulatory framework.

Option 2 – Legislative remake (preferred)

This option involves remaking the Regulation to ensure the continued support of the TIA and the preservation of the regulatory framework for Queensland's ports.

The Regulation has been amended twice since its remake in 2016:

- in 2020, to adopt the GDA2020 as the reference frame for defining port positions
- in 2022, to transfer management of the Port of Maryborough from NQBP to GPC.

A legislative remake would:

- update the Regulation to align with contemporary drafting standards
- ensure the continued implementation of the TIA's objectives
- maintain a robust framework for the Regulation's functions
- retain the use of GDA2020 to define port positions and boundaries
- remove section 5A as the administrative action it facilitated, the transfer of management of the Port of Maryborough from NQBP to GPC on 1 March 2022, has been completed and the provision no longer serves any ongoing operative function and
- ensure the Regulation contains a clear, positive declaration of status and assignment of the four GOC Act port authorities and the ports they manage. This will be achieved by expressly declaring the port entities and updating section 4 and schedule 1 to provide legal certainty, modernise the information functions and clarify accountability for port operations within declared port limits.

Importantly, the proposed amendments would not alter the policy intent or introduce significant change but would instead ensure the Regulation remains relevant, effective and fit for purpose.

What are the impacts?

Ports as critical infrastructure – port management and port limits

The Regulation serves as a mechanism that identifies ports managed by a port authority and fixes the limits within which each port authority exercises its functions. Without the Regulation, there would be immediate uncertainty about who manages each port and where those management responsibilities apply, undermining the practical operation of the TIA across the state's port network.

Once a port is declared, a port authority must be established or assigned to manage it. The Regulation is the practical guide that confirms those management assignments and ensures each port entity governs day-to-day operations within its declared area. By doing so, it preserves the clarity of roles and continuity of port management arrangements.

Historically, the Regulation has evolved to provide increasing certainty. When first introduced in 1994, it relied on the harbour limits established under the (now repealed) *Harbours Act 1955*. In 2000, the schedules were added to define port limits for all Queensland ports and list each port and its managing port authority. With the transition of port limits and port management listings into the TIA framework, the Regulation has delivered a consistent, uniform approach to defining and managing port limits across Queensland ports.

If the Regulation were allowed to expire without being remade, port authorities and the Port of Brisbane would lose the ability to exercise their powers and functions over areas of water that currently fall within declared port limits. Section 292(3) of the TIA would then apply, making port activities of a 'substantial nature' outside a declared port as an offence unless authorised by the Governor in Council. While proponents could seek such authorisations, the loss of port limits would create significant operational and regulatory uncertainty.

This uncertainty would result in the following adverse consequences:

- port authorities would face challenges in managing vessel movements, berthing and cargo handling
- disruption to port operations would result in delays, inefficiencies and increased costs to industry
- increased risk of marine pollution incidents due to the reduced ability to enforce environmental and safety regulations
- uncertainty around port governance and operations could deter private sector investment, disrupt supply chains and negatively impact Queensland's trade and economic growth
- increased legal and administrative burdens due to the need for individual authorisations for port activities outside declared limits.

Adverse consequences of expiry

In the absence of clear port limits, port activities of a substantial nature are restricted under the TIA unless specifically authorised by the Governor in Council. This would increase reliance on case-by-case approvals, introduce administrative delays and reduce operational predictability for port users and regulators.

For industry, reduced certainty about where port authorities can lawfully exercise their functions may complicate vessel scheduling, berthing operations, channel maintenance and navigation safety management. This may result in additional time-related costs for exporters, importers and other supply-chain participants and disrupt the efficient movement of goods through Queensland's ports.

For the community, reduced coordination of port activities may increase environmental and safety risks, as clearly defined port areas support the consistent application of marine safety controls, environmental management requirements and emergency response arrangements.

For government, expiry of the Regulation would undermine the operation of multiple statutory frameworks that rely on declared port limits to activate regulatory responsibilities, potentially increasing administrative burden, reducing regulatory certainty and increasing operational and legal risk.

Scale of potential impacts

Queensland's current trade profile demonstrates the scale of impact. In 2024-25, Queensland's 20 TIA regulated ports handled 320.1 million tonnes of trade covering coal, LNG, bauxite, agricultural products, manufactured goods, petroleum products and general cargo. In the same period, Queensland's ports recorded 9,234 trading vessel visits (cargo-carrying ships only) reflecting Queensland's role as a major Asia-Pacific maritime gateway for exports and imports. These figures confirm the network's central importance to state and national supply chains and to regional communities, tourism and cruise operations. To keep this volume of trade moving safely and efficiently, the system relies on clear port limits and management assignments that define where port authorities' powers apply and enable integrated oversight.

Interaction with other regulatory frameworks

If port limits lapse, the impacts extend beyond governance, practical operational frameworks will also erode. For example, under the Queensland Coastal Contingency Action Plan, the state has First Strike Deeds with each port authority requiring them to respond to marine pollution incidents within the port limits. Without the Regulation, these critical arrangements would be undermined, jeopardising the state's ability to respond effectively to such incidents.

Other Queensland legislation uses port limit boundaries to trigger obligations, manage coastal and marine impacts and determine assessment requirements. For instance, the *Sustainable Ports Development Act 2015* prohibits capital dredging outside a priority port's master planned area, and the *Environmental Protection Regulation 2019* prohibits transhipping of mineral and bulk materials in the Great Barrier Reef Marine Park and in the Great Barrier Reef World Heritage Area outside port limits. Both controls depend on the geographic certainty that declared port limits provide. These provisions ensure that port activities are conducted in a way that address environmental, social and economic considerations supporting sustainable development and mitigating adverse impacts.

Remaking the Regulation preserves the broader regulatory framework that relies on port limits to define specific obligations or restrictions. Remaking will ensure the continued lawful operation and strategic management of Queensland's ports while supporting the effective management of environmental, social, and economic issues associated with port operations.

Other jurisdictions

These impacts are not unique to Queensland. Comparable jurisdictions rely on similar governance arrangements to manage port operations and associated risks. Other Australian jurisdictions rely on declared port areas and port authority responsibilities to activate environmental protection, marine safety, navigation and emergency response frameworks. For example, Victoria's response to container supply chain disruption at the Port of Melbourne relied on an established port governance structure and defined port precincts to coordinate industry and government responses rather than ad hoc measures. This approach is consistent with national practice for managing operational, safety and environmental risks in port environments.

Additional function and purpose at Cairns

The Port of Cairns is a multipurpose port with a significant role in the region's tourism sector, located near the Cairns Central Business District. Its strategic port land includes key tourist facilities, such as hotels, highlighting its importance to the local economy and tourism industry.

The construction and operation of cultural and tourism facilities are essential for shaping the future of the region's tourism landscape. These facilities help drive growth in the cruise, superyacht, and reef fleet industries while also creating new tourism opportunities at the Cairns Marlin Marina and within the Cairns Central Business District.

Remaking the Regulation will ensure continued clarity regarding Ports North's authority to:

- grant leases or licenses for the development and use of its strategic port land in Cairns for cultural or tourism facilities
- incorporate these cultural and tourism purposes into its land use plan.

If the Regulation is not remade, it could create legislative uncertainty about Ports North's ability to facilitate the construction and operation of cultural and tourism facilities. Such ambiguity could hinder the region's ability to support future tourism growth including the expansion of the cruise, superyacht, and reef fleet industries, and limit new development opportunities in key areas like the Cairns Marlin Marina and Cairns Central Business District.

Clear and unambiguous provisions regarding Ports North's functions are critical to maintaining transparency and accountability in land use planning. Remaking the Regulation will provide the necessary legal certainty to support sustainable tourism development and ensure the Port of Cairns continues to play a pivotal role in the region's economic and tourism growth.

Protection from liability

Section 290(2) of the TIA allows a regulation to provide protection from civil liability for individuals acting on behalf of a port authority, so that any civil liability arising from acts or omissions carried out honestly and without negligence transfers to the port authority itself. Section 9 of the Regulation provides that, for section 290(2) of the Act, an official, other than a director of the board of a port authority, is not civilly liable for an act or omission done honestly and without negligence for the port authority.

Without this protection, employees of port authorities and individuals acting on their behalf would be personally liable for all actions performed in the course of their duties. This could discourage individuals from carrying out their responsibilities effectively and create significant legal and financial risks for those involved in port operations.

Remaking the Regulation is essential to ensure this protection remains in place, safeguarding individuals acting in good faith on behalf of port authorities and enabling them to perform their duties without fear of personal liability. This provision is critical for maintaining the efficient and effective operation of Queensland's ports.

Cost impacts

The sunset review assessed the cost impacts of remaking the Regulation using the baseline of no regulation. Under a no regulation scenario, the expiry of the Regulation would remove the existing framework that defines port limits, supports port authority governance arrangements, confers additional function and provides limitations on civil liability for port authority board directors.

In the absence of this framework, there would be reduced clarity regarding the geographic extent of port operations and the allocation of responsibilities within port areas.

The Regulation performs an administrative and enabling role. It establishes the geographic and governance framework within which port authorities operate, including:

- defining port boundaries to manage interactions with surrounding communities and environmental values and
- limiting civil liability in specific circumstances to support effective governance and decision-making.

The Regulation does not directly impose obligations on regulated parties, such as port users or private operators. It does not require these parties to undertake regulated activities, obtain approvals or meet reporting or administrative requirements. Accordingly, the Regulation does not generate direct compliance costs for non-government stakeholders.

Where regulatory impacts arise within port areas, these are imposed through other legislative frameworks (for example, environmental, planning or marine safety legislation). Any associated compliance costs are attributable to those instruments and are assessed through their respective impact analysis processes.

Remaking the Regulation maintains this enabling framework. As it does not introduce substantive changes to the nature or extent of regulation applied to stakeholders, it does not result in new or expanded compliance burdens.

On this basis and having regard to the no regulation baseline, remaking the Regulation will not result in direct compliance costs for regulated parties or additional administrative costs for government over the next ten years.

Who was consulted?

Consultation was undertaken with the following key stakeholders:

- Queensland Government agencies:
  - Department of the Environment, Tourism, Science and Innovation
  - Department of Primary Industries
  - Department of State Development, Infrastructure and Planning, including the Office of the Coordinator-General
  - Queensland Treasury
- Commonwealth Government agencies:
  - Australian Maritime Safety Authority
  - Department of Agriculture, Fisheries and Forestry
  - Department of Climate Change, Energy, the Environment and Water
  - Department of Home Affairs
  - Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts
  - Great Barrier Reef Marine Park Authority.
- Queensland Ports Association, representing the:
  - Queensland GOC port authorities:
    - Ports North
    - GPC
    - NQBP
    - PoTL
  - Port of Brisbane Pty Ltd.

Consultation indicated broad stakeholder support for remaking the Regulation with only minimal and necessary updates. A key issue raised by a number of organisations was the matter of the port limits. When discussed, stakeholders unanimously supported retaining the current port limits without change. They also emphasised the need for further consultation if any changes were proposed, highlighting the importance of the existing port limits and their reliance on them.

Stakeholders acknowledged that the Regulation underpins the lawful operation, management and governance of Queensland's port network. They noted that it provides essential clarity regarding port limits, port authority responsibilities and the operation of port-related frameworks administered under the TIA. Across consultation discussions, stakeholders confirmed that the Regulation continues to operate effectively, remains aligned with contemporary port governance arrangements and provides necessary legal certainty for industry, regulators and port authorities. No stakeholder group identified a need for substantive policy change. Instead, they supported remaking the Regulation largely in its current form and highlighted the operational importance of maintaining declared port limits.
What is the recommended option and why?
The Regulation is a critical component of the broader regulatory framework for managing Queensland's ports system under the TIA. It addresses several key matters including port management arrangements, defined ports limits, additional function and purpose conferred on Ports North, and protection from civil liability for individuals acting on behalf of port authorities. A sunset review of the Regulation identified that allowing it to expire would have significant implications for the operation, development and management of Queensland's ports. Compared to option 1 (no regulation), the Regulation remains relevant, effective and efficient in supporting the TIA's objectives and intent. Remaking the Regulation preserves the essential framework that supports the operation, management and governance of Queensland's ports. The Regulation provides certainty about port declarations, port authority responsibilities and port limits, which underpin lawful port activities, strategic planning, marine safety, environmental management and supply chain efficiency. Retaining it ensures continued functionality of key regulatory schemes that rely on declared port areas and maintains Ports North's authority to support cultural and tourism development in Cairns. Queensland's ports handle large trade volumes and play a critical role in regional economies, logistics, safety and environmental stewardship. Allowing the Regulation to expire would result in significant operational uncertainty and disruption to Queensland's port network and trade capability resulting in significant economic impacts, as well as reduction in maritime safety and environmental management capabilities. The Regulation remains necessary and fit for purpose. Remaking the Regulation maintains continuity, supports economic and regulatory stability and ensures the TIA's objectives continue to be met without altering existing policy intent. The review identified option 2 – remaking the Regulation with proposed amendments – as the only feasible and preferred option. This approach ensures the continued functionality of the regulatory framework and addresses contemporary needs. Comprehensive stakeholder consultation was undertaken, with full support for remaking the Regulation with the proposed amendments.

Impact assessment

	First full year	First 10 years
Direct costs – *Compliance costs*	$0	$0
Direct costs – *Government costs*	$0	$0

Signed

Sally Stannard Director-General Department of Transport and Main Roads	Brent Mickelberg MP Minister for Transport and Main Roads
Date: 15 / 7 / 2026	Date: 20 / 7 / 2026