



Environmental
Defenders Office

Submission on the Draft North Queensland Regional Plan and Infrastructure Plan

29 September 2026

About EDO

EDO is a community legal centre specialising in public interest environmental law. We help people who want to protect the environment through law. Our reputation is built on:

Successful environmental outcomes using the law. With over 40 years' experience in environmental law, EDO has a proven track record in achieving positive environmental outcomes for the community.

Broad environmental expertise. EDO is the acknowledged expert when it comes to the law and how it applies to the environment. We help the community to solve environmental issues by providing legal and scientific advice, community legal education and proposals for better laws.

Independent and accessible services. As a non-government and not-for-profit legal centre, our services are provided without fear or favour. Anyone can contact us to get free initial legal advice about an environmental problem, with many of our services targeted at rural and regional communities.

www.edo.org.au

Submitted to:

Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations

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Acknowledgement of Country

The EDO recognises and pays respect to the First Nations peoples of the lands, seas and rivers of Australia. We pay our respects to the First Nations Elders past and present and aspire to learn from traditional knowledges and customs that exist from and within First Laws so that together, we can protect our environment and First Nations Cultural Heritage through both First and Western laws. We recognise that First Nations Countries were never ceded and express our remorse for the injustices and inequities that have been and continue to be endured by the First Nations of Australia and the Torres Strait Islands since the beginning of colonisation.

EDO recognises the right to self-determination of First Nations peoples, including their right to freely determine their own political status and freely pursue their economic, social and cultural development. This extends to recognising the many different First Nations within Australia and the Torres Strait Islands, as well as the multitude of languages, cultures, protocols and First Laws.

First Laws are the laws that existed prior to colonisation and continue to exist today within all First Nations. It refers to the learning and transmission of customs, traditions, kinship and heritage. First Laws are a way of living and interacting with Country that balances human needs and environmental needs to ensure the environment and ecosystems that nurture, support, and sustain human life are also nurtured, supported, and sustained. Country is sacred and spiritual, with culture, First Laws, spirituality, social obligations and kinship all stemming from relationships to and with the land.

A note on language

We acknowledge there is a legacy of writing about First Nations peoples without seeking guidance about terminology. We also acknowledge that where possible, specificity is more respectful. For the purpose of this submission, we have chosen to use the term First Nations. We acknowledge that not all First Nations peoples will identify with that term and that they may instead identify using other terms or with their immediate community or language group.

First Laws is a term used to describe the laws that exist within First Nations. It is not intended to diminish the importance or status of the customs, traditions, kinship and heritage of First Nations in Australia. The EDO respects all First Laws and values their inherent and immeasurable worth. EDO recognises there are many different terms used throughout First Nations for what is understood in the Western world as First Laws.

Executive Summary

Environmental Defenders Office (**EDO**) welcomes the opportunity to comment on the draft North Queensland Regional Plan and Infrastructure Plan 2026 (**Draft Plan**).

A regional plan is a state planning instrument developed to protect or give effect to state interests.¹ The Draft Plan, as currently drafted, does not reflect the state interests identified in the 2017 State Planning Policy (**SPP**) by failing to address climate change as a major planning issue. Directly addressing climate change will provide guidance to reduce the future impact of climate change on communities and infrastructure and assist decision makers in considering the impact of human rights on their decisions are required by the *Human Rights Act 2019* (Qld).

North Queensland region contains several internationally recognised environmental areas, including the Great Barrier Reef World Heritage Area, the Wet Tropics World Heritage Area, and Ramsar Wetlands, with the environmental values providing inherent benefit across the region. The Draft Plan focuses on achieving economic strength through tourism, housing opportunities, agriculture and investments² but fails to provide for the regional need to protect the natural environment and build climate-resilient communities. Protecting the environment should be a priority throughout the plan to ensure ecologically sustainable development. The Draft Plan should maintain existing environmental protects unless higher protections are afforded to the existing Strategic Environmental Areas through other legal mechanisms.

The Draft Plan appears to have been prepared in the absence of meaningful and effective engagement with affected First Nations communities in North Queensland, contrary to their rights under the United Nations Declaration on the Rights of Indigenous Peoples (**UNDRIP**). UNDRIP mandates that States engage in genuine consultation and cooperation with First Nations peoples and their representative organisations to secure their Free, Prior, and Informed Consent (**FPIC**) before taking action that affects their lands, territories, resources and rights.

Recommendations

- 1. The Draft Plan include a climate resilience theme that provides guidance and strategies to:**
 - a. reduce future impact to communities and infrastructure; and**
 - b. ensure new growth does not increase exposure to known and emerging risks; and**
 - c. identify areas of future climate hazard risks.**
- 2. The Draft Plan clarifies that protection of ecological values is a primary objective in delivering across the themes of housing and economy.**
- 3. The Draft Plan include explicit strategies on conserving the natural environment.**
- 4. The Strategic Environmental Areas shown in Map 5 of the NQ Regional Plan be included in the Draft Plan.**

¹ *Planning Act 2016* (Qld) s 8(2)(a).

² Draft NQ Regional Plan 2026, p 10.

5. **The Draft Plan provide guidance on land use for renewable energy projects that aligns with ecologically sustainable development.**
6. **The Draft Plan prioritise non-infrastructure solutions for water security planning as reducing demand is faster, cheaper and more sustainable than building new infrastructure.**
7. **The Draft Plan is not finalised until there has been meaningful and effective engagement with affected First Nations peoples and communities in accordance with the principles of Free, Prior and Informed Consent.**

Climate Change

The Draft Plan acknowledges the impact of extreme weather events including cyclones, flooding and riverine inundation on transport and water infrastructure. However, it fails to acknowledge the role of climate change in increasing the intensity and frequency of these events and the need for regional planning to provide clear guidance that reflects the increasing risk.

The State Planning Policy 2017, which sits above regional plans, recognises that mitigating and adapting to climate change is an important consideration for planning at all levels. All state interests should be applied and considered in the context of a changing climate to support Queensland's people, economy and the environment against likely associated climate impacts.³ The following state interests are impacted by climate change and relevant to the Draft Plan:

- (a) **Housing supply and diversity**
Development should be more resilient and adaptable to climate change impacts when appropriate.⁴
- (b) **Agriculture**
Agricultural land use will need to adapt to a changing climate and be flexible and innovative in the face of changing conditions over the long-term.⁵
- (c) **Biodiversity**
Promoting ecological resilience to manage the impacts on ecosystems from climate change is essential.⁶
- (d) **Coastal Environment**
The coastal environment is highly dynamic and subject to influence from climate change. The planning system plays a critical role in protecting this environment by ensuring development avoids adverse impacts on coastal processes, including consideration of impacts from climate change.⁷
- (e) **Water quality**
The health of the Great Barrier Reef is being affected by climate change and urban and rural run-off. Planning and development in Great Barrier Reef catchments needs to manage the quality of water entering the Great Barrier Reef lagoon.⁸
- (f) **Emissions and Hazardous activities**

³ State Planning Policy 2017, p 13.

⁴ Ibid, p 23.

⁵ Ibid, p 29.

⁶ Ibid, p 38.

⁷ Ibid, p 40.

⁸ Ibid, p 44.

The consideration of climate change projections is integral when planning for natural hazards.⁹

(g) **Safety and Resilience to Hazards**

The effects of climate change are projected to impact on the extent, frequency and intensity of natural hazards.¹⁰

(h) **Energy and Water Supply**

The planning system plays an important role in supporting the timely, safe, cost-effective, energy efficient and reliable provision and operation of this infrastructure, and ensuring the location of future infrastructure is resilient to the projected impacts of climate change.¹¹

Climate change is a significant threat to Queensland and the NQ region due to factors such as extreme heat, increased coastal inundation resulting from rising sea levels, increased heavy precipitation, water stress, and impacts on biodiversity and ecosystems both on land and in the oceans.¹² The *State of the Climate 2024* Report found that Australian temperatures have warmed by 1.51 °C from 1910 to 2023, posing a significant threat to the long-term health and resilience of coral reef ecosystems.¹³ Warming is increasing heavy rainfall, a major driver of flood risk, and one of the most common natural hazards facing Australia.¹⁴

The recent UNEP *Limiting Overshoot* Report published on 2 September 2026 has projected that global warming is likely to breach the 1.5°C benchmark within the next few years.¹⁵ At 2.0°C Queensland north is expected to experience the greatest increase in climate impact risk to 181,000 residential buildings.¹⁶ Every year of high emissions makes limiting overshoot more difficult. In its Sixth Assessment Report, the IPCC identified high to very high risks for unique and threatened systems, such as the Great Barrier Reef. In the IPCC's assessment, very high risks imply "severe impacts and the presence of significant irreversibility or the persistence of climate-related hazards, combined with limited ability to adapt due to the nature of the hazard or impacts/risk".¹⁷

The impact of climate change is already being felt through the collapse of habitability, as storm surges are pushing further inland, freshwater lenses and farmland on atoll islands are turning salty, coastal-buffering ecosystems such as coral reefs are being lost, and high-tide flooding now reaches further inland and happens more often than at any time in the historical record.¹⁸ Climate change will continue to impact the environment through warming oceans, declining oxygen levels and rising acidity from CO₂ absorption that makes it harder for marine life to survive and weaken ocean ecosystems and habitats.¹⁹ Queensland already has more natural disasters than any other state or territory in Australia.²⁰

⁹ Ibid, p 47.

¹⁰ Ibid, p 50.

¹¹ Ibid, p 54.

¹² The Bureau of Meteorology, CSIRO, *State of the Climate 2024*, (Report, 2024) p 2.

¹³ Ibid, p 6.

¹⁴ Ibid, p 11.

¹⁵ United Nations Environment Programme, *Limiting Overshoot - Navigating exceedance of 1.5°C and pathways towards return* (Report, 2 September 2026) p 13.

¹⁶ Australia's National Climate Risk Assessment 2025, p 54.

¹⁷ United Nations Environment Programme, *Limiting Overshoot - Navigating exceedance of 1.5°C and pathways towards return* (Report, 2 September 2026) p 18.

¹⁸ Ibid, p 37.

¹⁹ Ibid, p 36.

²⁰ Queensland Government, *State Disaster Risk Report 2023* p 19.

Decision makers under Queensland's planning system are required to give proper consideration to a human right relevant to a decision.²¹ The impacts of climate change will affect human rights of Queenslanders including the right to life,²² property rights,²³ and cultural rights both generally²⁴ and those of First Nations people.²⁵ Guidance on climate change would assist decision makers in considering the human rights are required by the *Human Rights Act 2019* (Qld).

It is vital that our state planning instruments directly identify and address climate change through both mitigation and adaptation. As such, the Draft Plan must include climate change resilience as a standalone theme to provide guidance and strategies to mitigate future impacts through avoidance and adaptation methods.

Recommendation 1: The Draft Plan include a climate resilience theme which provides guidance and strategies to:

- a) reduce future impact to communities and infrastructure;**
- b) ensure new growth does not increase exposure to known and emerging risks; and**
- c) identify areas of future climate hazard risks.**

Environment

The North Queensland region contains several internationally-recognised environmental areas, including the Great Barrier Reef World Heritage Area, the Wet Tropics World Heritage Area, and Ramsar wetlands.

The SPP recognises the inherent value of the natural environment and its integral role on achieving healthy and liveable communities.²⁶ In contrast, the Draft Plan fails to clearly recognise this inherent value and fails to acknowledge that protection of the environment must be a priority if economic benefits are to be realised.

With regard to Queensland's areas of high scenic and natural amenity, the North Queensland Regional Plan 2020 (**Current Plan**) states that "management of key environmental outcomes in such areas will remain paramount" in boosting tourism.²⁷ The regional outcomes and land use strategies contributing to tourism as a state interest in the Draft Plan focus on "strengthening and diversifying the tourism sector while protecting and enhancing the region's defining assets".²⁸ Although the Draft Plan proports to encourage the protection and enhancement of unique natural landscapes and cultural heritage,²⁹ this is only in the context of 'tourism assets' ; it does not include conservation strategies or other tools to do so.

The protection of the environmental values of the region must be included as a primary objective when delivering planning outcomes for the North Queensland region.

Recommendation 2: The Draft Plan clarifies that protection of ecological values is a primary objective in delivering across the themes of housing and economy.

²¹ *Human Rights Act 2019* (Qld) s 58.

²² s 16.

²³ *Ibid* s 24.

²⁴ *Ibid* s 27.

²⁵ *Ibid* s 28.

²⁶ State Planning Policy July 2017, p 37.

²⁷ NQ Regional Plan 2020, p 50.

²⁸ Draft NQ Regional Plan 2026, p 57.

²⁹ *Ibid*, p 57.

Recommendation 3: The Draft Plan include explicit strategies on conserving the natural environment.

Strategic Environmental Areas

A Strategic Environmental Area (**SEA**) is an area of regional interest that contains one or more environmental attributes for the area. SEAs may be identified by inclusion on a map in a regional plan.³⁰ Under the *Regional Planning Interests Act 2014* (Qld) (**RPI Act**), resource activities, broadacre cropping, and water storage cannot be carried out within an SEA without an approval.³¹ Under Schedule 2 Part 5 of the *Regional Planning Interests Regulation 2014* (Qld), those activities are unacceptable uses for the SEAs and cannot be granted an approval.

The Current Plan includes SEAs shown on Map 5: Regional biodiversity.³² Map 5 identifies the SEAs, including designated precincts, identifying areas of high ecological value and multiple biodiversity features, as well as biodiversity corridors and regional biodiversity value.

The Draft Plan does not include a map identifying any SEAs which, in effect, removes the NQ SEA as an area of regional interest with protections under the RPI Act. A factsheet is available online which identifies the removal of the SEA,³³ but does not describe the legal effect of the removal on the land use and the planning regime of the affected land. It also does not provide any justification or explanation for the removal of SEAs in the Draft Plan; without that, the consultation on this aspect of the Draft Plan lacks transparency and meaningful public engagement.

In contrast, the removal of the Hinchinbrook Island SEA in the recently updated Far North Queensland Regional Plan was openly explained and justified through the overlap of the SEA and Hinchinbrook Island National Park resulting in a duplication of protection.³⁴ Without alternative protections in place, the SEA as currently shown on Map 5, must be included in the Draft Plan.

Recommendation 4: The Strategic Environmental Areas shown in Map 5 of the NQ Regional Plan be included in the Draft Plan to ensure the identified areas of high ecological values remain protected.

Renewable Energy

The Current Plan refers to renewable energy infrastructure and systems, particularly relating to industries that are aligned with agriculture, including identifying Renewable Energy Investigation Areas shown on Map 2.³⁵ The Draft Plan notes the NQ region's high renewable energy potential and the Queensland Energy Roadmap.³⁶ Beyond acknowledging the potential for renewable energy, the Draft Plan fails to provide any guidance on siting renewable energy development. This is a significant step back from the Current Plan.

³⁰ Regional Planning Interests Act 2014 (Qld) s11.

³¹ Ibid s 19.

³² NQ Regional Plan 2020 p 71-72.

³³ Proposed consequential amendment of the Regional Planning Interests Regulation 2014 Fact sheet [Proposed consequential amendment of the Regional Planning Interests Regulation 2014 factsheet](#).

³⁴ Draft Far North Queensland Regional Plan 2025 Summary of changes since 2009, Table 1. [Draft FNQ Regional Plan: summary of changes](#)

³⁵ NQ Regional Plan 2020 p 56.

³⁶ Draft NQ Regional Plan p 80.

Guidance on renewable energy projects in the Draft Plan should identify priority areas for renewable energy projects that can coexist with other land uses while designed to avoid and minimise impacts. EDO has published 12 principles for renewable energy transition projects³⁷ which should underpin any state guidance for renewable energy projects to be included in the Draft Plan.

Recommendation 5: The Draft Plan provide guidance on land use for renewable energy projects which aligns with ecologically sustainable development.

Water

Water is a limited resource and reducing demand should be prioritised as cost-effective water planning measures before developing new water storage infrastructure which may have significant impacts on the environment.

EDO supports the future planning considerations for water, specifically:

- the assessment of non-infrastructure solutions for water security planning;
- support for the adaptive reuse and recycling in major wastewater treatment investments; and
- adoption of water-sensitive design measures in new developments.

Recommendation 6: The Draft Plan prioritise non-infrastructure solutions for water security planning as reducing demand is faster, cheaper and more sustainable than building new infrastructure.

First Nations rights and interests including the protection of Cultural Heritage are missing from the Plan

North Queensland is home to many Traditional Owner groups, clans and families with ongoing connection to and obligations to care for Country and Cultural Heritage.³⁸ A significant proportion of North Queensland is subject to determinations of native title. The lack of meaningful acknowledgement of First Nations in the Draft Plan and their effective erasure from the Draft Plan is disturbing.

While there is brief reference in the Draft Plan to Palm Island's strong First Nations identity and cultural significance, First Nations peoples have maintained a strong connection to country across the connected landscapes and water systems of the North Queensland region. The Draft Plan overlooks these connections, and associated rights and interests, and the crucial role of First Nations in regional planning. This includes, but is not limited to, the protection of Country (including waters) and Cultural Heritage.

³⁷ [EDO's 12 principles for renewable energy transition projects](#).

³⁸ For further detail, see the Current Plan, pp16-17.

Planning for land and water use must be co-designed with affected First Nations and reflect their self-determined priorities and objectives.

Recommendation 7: The Draft Plan is not finalised until there has been meaningful and effective engagement with affected First Nations peoples and communities in accordance with the principles of Free, Prior and Informed Consent. At a minimum, the Plan should be revised to acknowledge and incorporate First Nations rights and interests in regional land use planning in North Queensland.

*Thank you for the opportunity to make this submission.
Please do not hesitate to contact our office should you have further enquiries.*