

# **Economic Development Amendment Regulation (No. 2) 2016**

Explanatory notes for SL 2016 No. 36

made under the

*Economic Development Act 2012*

## **General Outline**

### **Short title**

*Economic Development Amendment Regulation (No. 2) 2016*

### **Authorising law**

Sections 68 and 176 of the *Economic Development Act 2012*.

### **Policy objectives and the reasons for them**

The policy objective of the regulation is to give effect to amendments to the Maroochydore City Centre Priority Development Area (MCC PDA) development scheme.

The MCC PDA was declared on 19 July 2013. The development of the MCC PDA is forecast to deliver more than 10 000 jobs over the life of the project.

The final development scheme for the MCC PDA commenced on 11 July 2014. The development scheme is the planning document that assists in planning, carrying out, promoting, coordinating and controlling the development of land in the MCC PDA. All development applications within the MCC PDA are assessed against the development scheme.

Currently, a number of provisions in the MCC PDA development scheme create an unintended requirement for development to strictly occur in line with precinct plans which were only ever intended to provide indicative development guidance. Specifically, these provisions relate to the requirements for preparing precinct plans which require lodgement prior to any development approvals being issued for land within the MCC PDA. Similarly, the requirements relating to public notification are affected by the need to publicly notify any departure from the plans. These requirements in their present form are not included in any other priority development area development schemes.

An inadvertent consequence of these development scheme provisions is that planning proposals which may improve the operation and efficiency of the area cannot currently be considered.

The proposed MCC PDA development scheme amendments provide appropriate flexibility in the development and assessment of precinct plans, ensuring the timely development of the area is not delayed. The amendments will also safeguard the efficient statutory operation of the development scheme.

The Minister for Economic Development Queensland (MEDQ) approved the proposed amendments to the MCC PDA development scheme on 15 March 2016, in accordance with section 67 of the *Economic Development Act 2012* (ED Act).

Section 68 of the ED Act provides that an amendment of a development scheme by the MEDQ does not take effect until it has been approved under a regulation.

## **Achievement of policy objectives**

The regulation achieves the policy objective by amending the *Economic Development Regulation 2013* to give effect to amendments to the MCC PDA development scheme.

## **Consistency with policy objectives of authorising law**

The regulation is consistent with the main purpose of the ED Act which is to facilitate economic development, and development for community purposes, in the State.

## **Inconsistency with policy objectives of other legislation**

The regulation is consistent with the policy objectives of the ED Act that is a unique piece of legislation and specific to the State of Queensland.

## **Benefits and costs of implementation**

The regulation which gives effect to the amendments to the MCC PDA development scheme will remove unintended and unnecessary impediments to development in the MCC PDA. This will benefit the community as a whole, and local businesses by supporting the MCC PDA's vision of being the business, community services and employment focus for the Sunshine Coast, with a diverse range and choice in housing and an efficient and effective public transport system.

## **Consistency with fundamental legislative principles**

The regulation has been drafted with regard to the fundamental legislative principles as defined in the *Legislative Standards Act 1992* and is consistent with these principles.

## **Consultation**

Consultation has been undertaken with Sunshine Coast Regional Council in the development of the proposed amendments to the MCC PDA development scheme.

The proposed development scheme amendments were publicly notified for the period 4 December 2015 to 24 December 2015.

A total of two submissions were received during the public notification period. One submission supported the amendments whilst the other raised matters outside of the scope of the proposed amendments to the MCC PDA development scheme. A copy of the submissions report must be made available on the Department of Infrastructure, Local Government and Planning's website once the regulation is made, in accordance with section 63 of the ED Act.

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