

# Sanctuary Cove Resort Regulation 2020

Explanatory notes for SL 2020 No. 87

made under the

*Sanctuary Cove Resort Act 1985*

## General Outline

### Short title

*Sanctuary Cove Resort Regulation 2020*

### Authorising law

Section 111 of the *Sanctuary Cove Resort Act 1985*

### Policy objectives and the reasons for them

Under section 54 of the *Statutory Instruments Act 1992*, subordinate legislation automatically expires on 1 September first occurring after the 10<sup>th</sup> anniversary of its making, unless action is taken to extend or remake it. The existing *Sanctuary Cove Resort Regulation 2009* (the regulation) is due to expire at midnight on 1 September 2020.

### Achievement of policy objectives

It is proposed that the regulation is remade, with minor amendments, to ensure consistency and the continued operation of the Sanctuary Cove Resort area.

### Consistency with policy objectives of authorising law

The *Sanctuary Cove Resort Regulation 2020* is consistent with the main objectives of its authorising laws.

### Inconsistency with policy objectives of other legislation

The *Sanctuary Cove Resort Regulation 2020* is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

As the regulation is due to expire at midnight on 1 September 2020, it is necessary to remake the regulation to ensure consistency and the continued operation of the Sanctuary Cove Resort area. There will be no costs associated with remaking the *Sanctuary Cove Resort Regulation 2020*.

## **Consistency with fundamental legislative principles**

The *Sanctuary Cove Resort Regulation 2020* defines what uses are allowed to begin by right, and by exclusion, what uses cannot begin in the different zones of the Sanctuary Cove Resort area. By continuing the existing uses, there is no impact on the rights of any residents of the area. The *Sanctuary Cove Resort Regulation 2020* is not inconsistent with fundamental legislative principles.

## **Consultation**

Gold Coast City Council and the Sanctuary Cove Resort Primary Thoroughfare Body Corporate were consulted. Gold Coast City Council did not object to the regulation being remade. The Sanctuary Cove Resort Primary Thoroughfare Body Corporate supported the regulation being remade. No changes were made because of this consultation.

The Office of Best Practice Regulation (OBPR) was consulted in relation to the remake of the regulation. OBPR advised that the former Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) has satisfactorily met the objectives for sunset reviews. DSDMIP has evaluated that the regulation continues to satisfy its objectives and demonstrated a need for the regulation to continue in its current form. On this basis the remaking of the regulation is excluded from further regulatory impact assessment.