

Nature Conservation and Other Legislation (K'gari) Amendment Regulation 2023

Explanatory notes for SL 2023 No. 147

made under the

Environmental Protection Act 1994

Nature Conservation Act 1992

General Outline

Short title

Nature Conservation and Other Legislation (K'gari) Amendment Regulation 2023

Authorising law

Section 580 of the *Environmental Protection Act 1994*

Section 175 of the *Nature Conservation Act 1992*

Policy objectives and the reasons for them

The objective of the *Nature Conservation and Other Legislation (K'gari) Amendment Regulation 2023* (Amendment Regulation) is to update references to Fraser Island in recognition of the recent renaming of Fraser Island to K'gari.

On 7 June 2023, Fraser Island was renamed K'gari under the *Place Names Act 1994*, reflecting the traditional name used by the Butchulla People for the Island. The objective of the *Nature Conservation and Other Legislation (K'gari) Amendment Regulation 2023* is to provide for consequential amendments in recognition of the renaming of Fraser Island to K'gari. The Amendment Regulation amends the *Environmental Protection (Water and Wetland Biodiversity) Policy 2019* to update 'Fraser Island' references listed in Schedule 1 of that document, and the *Nature Conservation (Animals) Regulation 2020* and the *Nature Conservation (Protected Areas Management) Regulation 2017* to update locational references used in these regulations from Fraser Island to K'gari.

Achievement of policy objectives

To achieve the policy objective, the Amendment Regulation will amend locational references in the following legislation:

- *Environmental Protection (Water and Wetland Biodiversity) Policy 2019*, Schedule 1;
- *Nature Conservation (Animals) Regulation 2020*, section 333(3)(a) and section 334(1)(a); and
- *Nature Conservation (Protected Areas Management) Regulation 2017*, section 128(1)(a), section 130(1)(a) and Schedule 6.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the authorising laws, namely:

- The object of the *Environmental Protection Act 1994*, which is to protect Queensland's environment while allowing for development that improves the quality of life in a way that maintains the ecological processes on which life depends.
- The object of the *Nature Conservation Act 1992*, which is the conservation of nature while allowing for the involvement of Indigenous people in the management of protected areas in which they have an interest under Aboriginal tradition or Island custom.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with policy objectives of other legislation. It provides for consequential amendments arising from the renaming of Fraser Island which occurred consistent with the *Place Names Act 1994*.

Benefits and costs of implementation

The benefits of implementing the Amendment Regulation include ensuring consistency in the use of the official place name of K'gari in legislation used to manage natural values and features associated with the land and waters of the Island. The amendment also supports the cultural rights of Aboriginal peoples through the use in legislation of the traditional name for the Island used by the Butchulla First Nations People.

There are some additional costs associated with the implementation of the Amendment Regulation. These costs will be managed through existing resourcing.

In accordance with *The Queensland Government Guide to Better Regulation*, an Impact Analysis Statement (IAS) was prepared identifying that the proposal is minor and machinery in nature and no further regulatory impact analysis is required.

Consistency with fundamental legislative principles

The Amendment Regulation contains changes that are minor and machinery in nature and is consistent with fundamental legislative principles.

Consultation

Due to the machinery nature of amendments no community consultation was undertaken.

In accordance with *The Queensland Government Better Regulation Policy*, the Office of the Best Practice Regulation (OBPR) was notified in relation to the regulatory proposal.