

Regional Planning Interests (Fraser Island Strategic Environmental Area) Amendment Regulation 2023

Explanatory notes for SL 2023 No.190

made under the

Regional Planning Interests Act 2014

General Outline

Short title

Regional Planning Interests (Fraser Island Strategic Environmental Area) Amendment Regulation 2023

Authorising law

Section 95 of the *Regional Planning Interests Act 2014*

Policy objectives and the reasons for them

The policy objective of the *Regional Planning Interests (Fraser Island Strategic Environmental Area) Amendment Regulation 2023* (Amendment Regulation) is to remove references to the prescribed Fraser Island strategic environmental area (SEA) and its environmental attributes from the *Regional Planning Interests Regulation 2014*. The Wide Bay Burnett SEA will be shown on a map and the environmental attributes detailed in the Wide Bay Burnett Regional Plan (WBBRP) made under the *Planning Act 2016*, and improve the readability of Schedule 2 of the *Regional Planning Interests Regulation 2014*.

Achievement of policy objectives

The inclusion of the Wide Bay Burnett SEA and the environmental attributes in the WBBRP achieves the policy intent of having the area of regional interest identified in a statutory planning instrument that requires a formal consultation process for any amendments to the maps and/or attributes.

Where an area of regional interest such as an SEA is identified in a regional plan, the process contained in the *Planning Act 2016* for amending a state planning instrument must be followed,

including preparing the draft amendment, notifying the draft amendment, considering public submissions on the draft amendment, and then deciding whether to proceed with making the amendment to the regional plan.

The definition of the Cape York strategic environmental area is moved from Schedule 6 to Schedule 2, Section 15 as the definition only applies to this section.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with sections 11(1) and (2) of the *Regional Planning Interests Act 2014* in that an SEA and environmental attributes for an area may be included in a regional plan or under a regulation.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation does not create any impacts on the community, business or government or part of the business or community. The associated making of the WBBRP will assist in realising the benefits to the region through land use policy linked with economic development objectives.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with the fundamental legislative principles.

Consultation

The review of the Wide Bay Burnett Regional Plan (2011) commenced in 2019 and a new WBBRP is to be made. Extensive consultation was undertaken on the preparation of the new regional plan, including statutory public notification of the draft regional plan between 8 November 2022 and 24 February 2023.

All comments relating to the proposed changing of the Fraser Island SEA (under the regulation) into the broader SEA for the Wide Bay Burnett region are being considered in the making of the WBBRP.