

Environmental Legislation Amendment Regulation 2025

Explanatory notes for SL 2025 No. 42

made under the

Environmental Offsets Act 2014

Environmental Protection Act 1994

Fisheries Act 1994

Nature Conservation Act 1992

State Penalties Enforcement Act 1999

Waste Reduction and Recycling Act 2011

General Outline

Short title

Environmental Legislation Amendment Regulation 2025

Authorising law

Sections 12 and 93 of the *Environmental Offsets Act 2014*

Section 580 of the *Environmental Protection Act 1994*

Sections 5 and 223 of the *Fisheries Act 1994*

Sections 76 to 80 and 175 of the *Nature Conservation Act 1992*

Section 165 of the *State Penalties Enforcement Act 1999*

Sections 44 and 271 of the *Waste Reduction and Recycling Act 2011*

Policy objectives and the reasons for them

The objectives of the *Environmental Legislation Amendment Regulation 2025* (Amendment Regulation) are to:

1. clarify provisions relating to per- and poly-fluoroalkyl substances (PFAS), and regulated waste;
2. support increased efficiency and sustainability for construction and demolition waste recycling activities;
3. ensure the prescription, conservation status and taxonomy of fauna and flora species reflect current scientific knowledge;

4. clarify provisions for taking, keeping, dealing, and interacting with protected animals;
5. strengthen existing regulations for managing the harvesting of protected species; and
6. make other minor, consequential and administrative amendments.

Waste matters

Environmental Protection Regulation 2019

The *Environmental Protection Regulation 2019* (EP Regulation) classifies commercial or industrial waste containing certain hazardous contaminants or properties as regulated waste.

The EP Regulation establishes a risk-based classification system that includes threshold values for relevant waste characteristics and provides a process for changing the category of waste based on these threshold values. PFAS is a type of constituent listed in Schedule 9, Part 1, Column 1 of the EP Regulation and as a result, commercial or industrial waste containing PFAS is considered Category 1 regulated waste. Schedule 9, Part 2 and Schedule 9, Part 3, Division 2 contain the threshold values for tested waste for PFAS and these threshold values are zero. When PFAS was included as a constituent in the EP Regulation, the zero threshold values were adopted as an interim measure. The effect of the zero values is that all commercial and industrial waste containing even low levels of PFAS is considered Category 1 regulated waste, and the waste cannot change category or be classified as non-regulated waste in line with the risk-based classification system and the threshold values established for other contaminants in the EP Regulation.

The Amendment Regulation increases the non-regulated waste threshold values for tested waste to allow waste containing PFAS that has been tested in accordance with a protocol and is below the non-regulated waste threshold value to be considered non-regulated waste. Where this waste has been tested and classified as non-regulated waste or general waste, the obligations for the appropriate management, processing, treatment or disposal of general waste to protect environmental values and human health are maintained. This includes the general environmental duty and the requirement to obtain any relevant environmental authorities under the *Environmental Protection Act 1994* (EP Act) for environmentally relevant activities for general waste.

Schedule 9 of the EP Regulation contains non-regulated waste threshold values for *persistent organic pollutants (other)* (POP), and separate non-regulated waste threshold values for PFAS. Schedule 19, Part 1, Item 5 of the EP Regulation provides the meaning of POP and this meaning includes a number of types of PFAS. The Amendment Regulation removes the PFAS from the meaning of POP to clarify that the non-regulated waste threshold values for PFAS apply (and not the non-regulated waste threshold values for POP) for waste containing PFAS where no other POP is present. This minor amendment separates PFAS from POP for the purposes of classifying regulated waste in the EP Regulation but maintains appropriate management of both PFAS and POP through clear and separate threshold values for each constituent.

The Amendment Regulation clarifies that waste solar panels are not considered regulated waste. This exclusion provides clarity for stakeholders and industry and reduces the costs and regulatory burden associated with the management of waste solar panels. The reduced costs and reduced regulatory burden will encourage the re-use, recycling and recovery of materials from waste solar panels. Waste solar panels would still be considered general waste and the

regulatory requirements for management of this waste as a general waste would remain in force to minimise the potential for environmental harm.

Schedule 9, Part 3 of the EP Regulation provides for prescribing waste that is not regulated waste. The Amendment Regulation clarifies that contaminated soil managed under the contaminated land provisions in the EP Act is not also considered regulated waste. This amendment provides clarity for stakeholders and ensures that the risks associated with contaminated soil are managed through the EP Act contaminated land provisions for the protection of environmental values and human health.

The Amendment Regulation also provides clarity in the EP Regulation to ensure that the tables in Schedule 9 (Regulated waste and waste that is not regulated waste) are appropriately referenced in the meanings of regulated waste described in section 42(4) and section 43(2).

Waste Reduction and Recycling Regulation 2023

The Amendment Regulation resolves omissions that have occurred during previous drafting processes for the *Waste Reduction and Recycling Regulation 2023* (WRR Regulation).

A waste disposal site is defined in section 8A of the *Waste Reduction and Recycling Act 2011* (WRR Act) and excludes facilities that only receive waste that is exempt from the waste levy by regulation for that definition. Types of exempt waste for the definition are listed in section 6 of the WRR Regulation.

The Amendment Regulation reinstates alum sludge and other residuals from drinking water treatment processes as an exempt waste for waste disposal sites to align with the original policy intent.

Weight measurement criteria are defined in section 26 of the WRR Act by reference to the criteria prescribed by regulation. Section 25 of the WRR Regulation prescribes the weight measurement criteria to be used to measure waste or other material that is required to be measured under section 59 of the Act (When waste or other material must be measured) and in the circumstances mentioned in section 60(6) of the Act (if the weighbridge is not in operation). The Amendment Regulation reinstates the requirement to use the weight measurement criteria to measure waste or other material that is required to be measured where a weighbridge is not installed at a waste disposal site. This aligns with the original policy intent for section 61(2) of the WRR Regulation.

The WRR Act provides for a waste levy discount for recycling residue waste to assist in attracting and maintaining recycling activities in Queensland. The WRR Regulation prescribes the recycling activities for which an application can be made for a levy discount for residue waste. Approval of a discount is conditional, amongst other considerations, on achievement of reasonable recycling efficiencies. A recycling efficiency threshold is necessary to ensure recycling activities capable of achieving higher efficiencies continue to do so, whilst driving innovation and improvement in activities with lower efficiencies.

Section 44 of the WRR Act provides for the Minister to recommend to the Governor in Council that additional recycling activities be prescribed, if satisfied that a proposed activity meets the relevant criteria. In line with the criteria in section 44(3) of the WRR Act, the amendment seeks to optimise the market and material value for end products and support sustained economic viability of construction and demolition recycling in Queensland.

Nature conservation matters

Species reclassifications and taxonomic changes

Nature Conservation (Animals) Regulation 2020 and Nature Conservation (Plants) Regulation 2020

Sections 76 to 80 of the *Nature Conservation Act 1992* (NC Act) provide for a regulation to prescribe wildlife to classes. The reclassification of Queensland's native wildlife species is a routine process, ensuring that listings under the NC Act are kept up to date with current knowledge, including population size and trends, risk of extinction, and validity of native status. The conservation status of protected wildlife may be listed by regulation as 'extinct', 'extinct in the wild', 'critically endangered', 'endangered', 'vulnerable', 'near threatened' and 'least concern'.

The Species Technical Committee (STC) is a panel of experts responsible for undertaking independent scientific assessments to determine the classification of wildlife under the NC Act and making recommendations to the responsible Minister. Following Ministerial approval, Schedules 1 and 3 of the *Nature Conservation (Animals) Regulation 2020* (Animals Regulation) and Schedule 1 of the *Nature Conservation (Plants) Regulation 2020* (Plants Regulation) must be amended for listings and taxonomy to reflect the most recent recommendations from the STC.

The Amendment Regulation has been drafted to implement the reclassification of nine fauna species and thirty-five flora species including the prescription of one newly protected fish species, as recommended by the STC on 19 August 2024 and 3 December 2024. The changes are as follows:

Fauna

- one species upgraded to 'critically endangered' (Mount Glorious spiny crayfish);
- three species upgraded to 'endangered' (Atherton ctenotus; eclectus parrot (Cape York Peninsula); and largetooth sawfish);
- one species upgraded to 'vulnerable' (Irwin's turtle); and
- four species downgraded to 'least concern' (Macleay's fig-parrot; torrent treefrog; common mist frog; and tapping green-eyed tree frog).

Flora

- six species upgraded to 'critically endangered' (*Dryopteris wattsi*; *Kunzea truncata*; *Leionema ellipticum*; *Nicotiana wuttkei*; *Oreogrammitis leonardii*; and *Pecteilis vatia*);
- fifteen species upgraded to 'endangered' (*Arthraxon australiensis*; *Buchanania mangoides*; *Bulbophyllum weinthalii* subsp. *striatum*; *Croton simulans*; *Dienia flavovirens*; *Dryopteris sparsa*; *Eulophia zollingeri*; *Firmiana papuana*; *Grevillea venusta*; *Lepturus minutus*; *Oreogrammitis albosetosa*; *Paspalum multinodum*; *Picris conyzoides*; *Schoenorchis sarcophylla*; and *Sowerbaea subtilis*);
- one species upgraded to 'vulnerable' (*Eucalyptus raveretiana*);
- two species downgraded to 'critically endangered' (*Oldenlandia tenelliflora* var. *papuana*; and *Wendlandia psychotrioides*)
- one species downgraded to 'endangered' (*Zieria fordii*);
- four species downgraded to 'vulnerable' (*Dinosperma longifolium*; *Glossocardia orthochaeta*; *Zieria actites*; and *Zieria boolbunda*);

- three species downgraded to ‘near threatened’ (*Cadetia wariana*; *Carex breviscapa*; and *Commersonia reticulata*);
- two species downgraded to ‘least concern’ (*Acacia barakulensis*; and *Sclerolaena blakei*); and
- one listing removed as it is no longer recognised as a valid species (*Eucalyptus paedoglauca*)

In 2021, the species *Antaresia stimsoni* (Stimson’s python) was absorbed by *Antaresia childreni* (Children’s python). Both species are commonly kept class 1 animals under the Animals Regulation. The Amendment Regulation removes the standalone listing of *A. stimsoni* as a class 1 animal and insert a new reference to the species in the *A. childreni* listing. This is to ensure owners of the superseded species understand their animal is still considered a class 1 animal.

Nature Conservation (Koala) Conservation Plan 2017

Koala habitat trees are defined under Schedule 2 of the *Nature Conservation (Koala) Conservation Plan 2017* (Koala Conservation Plan) and detail a list of genera critical for the ongoing survival of koalas as either food or shelter resources. This definition is used to determine when certain clearing works are subject to additional requirements to prevent koalas being injured or killed. However, recent changes to taxonomic nomenclature have resulted in many species previously identified as being within the *Corymbia* genus being reclassified into the new genera *Blakella*, including species known to be edible by and providing shelter for koalas. The Amendment Regulation updates the definition for ‘koala habitat tree’ to include the new *Blakella* genus to ensure the relevant species continued to be regulated under the Koala Conservation Plan framework. The amendment aligns the definition with current taxonomic nomenclature and the intention to regulate interference to tree species utilised by koalas.

Environmental Offsets Regulation 2014

Section 12 of the *Environmental Offsets Act 2014* (Offsets Act) provides for a regulation to prescribe an environmental offsets policy. The amendment to the *Environmental Offsets Regulation 2014* (Offsets Regulation) prescribes a new version of the Environmental Offsets Policy (Offsets Policy). The new version of the Offsets Policy (version 1.17) reflects updates to the definition of a ‘koala habitat tree’ in the new Koala Conservation Plan.

Management of protected fish species

Nature Conservation (Animals) Regulation 2020

The STC recommendations included the largetooth sawfish (endangered) which will become newly protected wildlife under the NC Act. Based on current take, keep and use practices, appropriate management arrangements under the *Fisheries Act 1994* (Fisheries Act) will be maintained. Inclusion of the fish as a regulated species under section 66A of the Animals Regulation provides a general authorisation, allowing take, keep, use and release if authorised under the Fisheries Act. This reduces regulatory duplication by removing the requirement for an authority under the NC Act for activities that are permitted under the Fisheries Act.

Fisheries (General) Regulation 2019

Section 5 of the Fisheries Act provides that a regulation may prescribe animals that are not fish. Consequential amendments to section 4A and schedule 7 of the *Fisheries (General) Regulation 2019* (Fisheries Regulation) ensure the largetooth sawfish is still regulated as a

‘fish’ under the Fisheries Act. A drafting note is also added to section 4A to clarify the provision’s relationship with section 66A of the Animals Regulation.

Miscellaneous amendments

Nature Conservation (Animals) Regulation 2020

A number of minor clarification and consequential amendments are made to the Animals Regulation to correct errors and better ensure achievement of original policy intent.

Under the Animals Regulation, a person may take, keep and move protected animals that are sick, injured or orphaned without an authority, for the purpose of rescuing and caring for the animal before transferring it to a rehabilitator or veterinary surgeon. The Amendment Regulation clarifies the original intent that such dealings without an authority should only be undertaken in incidental circumstances by well-intentioned individuals. The Amendment Regulation also clarifies that persons or organisations that publicly advertise animal rescue or rehabilitation services are required to operate under a relevant animal authority.

Under the Animals Regulation, a permit to keep may be granted to keep a protected animal that was taken under a rehabilitation permit. One of the restrictions on grant of such a permit to keep is that an animal other than a class 1 or 2 animal would contribute to the rehabilitation of closely related species. The Amendment Regulation clarifies the original intent that the captive keeping of any protected animal that is taken under a rehabilitation permit and cannot be returned to the wild should be limited to instances where it is determined the animal would contribute to rehabilitation of closely related species, subject to the chief executive’s discretion.

It is an offence to keep or use a protected animal unless authorised under the NC Act. When an animal kept under an exhibited animal authority (granted under the *Exhibited Animals Act 2015*) dies, it is still considered a protected animal under the NC Act and is therefore subject to keep and use restrictions. However, the NC Act and Animals Regulation do not provide a means of authorisation or exemption for keep and use in the case of a deceased animal that was kept under an exhibited animal authority. The Amendment Regulation clarifies how a dead protected animal that was kept under an exhibited animal authority may be dealt with, similar to existing sections of the Animals Regulation, allowing movement and/or appropriate disposal of the animal.

The Animals Regulation also establishes zones and areas which restrict certain activities around marine mammals. Included in such activities is moving a boat at a speed that creates wake. The Amendment Regulation removes any reference to the creation of wake as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Nature Conservation (Macropod) Conservation Plan 2017

Under the Animals Regulation, it is an offence for an unauthorised person to possess or use an approved tag. The amendment to the *Nature Conservation (Macropod) Conservation Plan 2017* (Macropod Conservation Plan) introduces a new requirement for authorised macropod tag holders to keep tags securely in their possession or at their licensed premises. The intention is to discourage the provision of tags by authorised persons, to unauthorised persons, and allow enforcement action to be undertaken.

State Penalties Enforcement Regulation 2014

The *State Penalties Enforcement Regulation 2014* (SPE Regulation) prescribes infringement notice offences with associated infringement notice fines. The Amendment Regulation creates a new infringement notice offence corresponding to the new offence being introduced under the Macropod Conservation Plan. Existing infringement notice offence will also be reordered as a result.

Achievement of policy objectives

To achieve its objectives, the Amendment Regulation amends:

Waste matters –

1. Provisions relating to regulated waste under the EP Regulation to:
 - facilitate waste containing low levels of PFAS to be considered non-regulated waste where PFAS levels meet established non-regulated waste threshold values; and
 - clarify that the non-regulated waste threshold values for PFAS apply for waste containing PFAS by removing PFAS from the meaning of POP; and
 - clarify that contaminated soil managed under the contaminated land provisions in the EP Act is not regulated waste; and
 - clarify that waste solar panels are not considered regulated waste.
2. Provisions relating to prescribing recycling activities under the WRR Act for which a residue waste discounting application may be made to expand the current activities listed to include recycling mixed construction and demolition waste.

Nature conservation matters –

3. The conservation status of wildlife under the Animals Regulation, Plants Regulation, Koala Plan, Offsets Regulation, and Fisheries Regulation by:
 - updating the conservation status of native fauna and flora species to reflect recent scientific assessments against criteria outlined under sections 76 to 80 of the NC Act;
 - updating the taxonomy of native fauna and flora species and provide nomenclature updates to reflect current scientific knowledge;
 - providing an updated version the Environmental Offsets Policy; and
 - establishing appropriate management arrangements for newly protected fish species.
4. Provisions relating to dealing with animals under the Animals Regulation by making amendments to clarify:
 - when a person can deal with a sick, injured or orphaned protected animals without an authority;
 - requirements for rehabilitated animals kept under a permit to keep;
 - how exhibited animals must be dealt with once they become deceased protected animals; and
 - that wake generated by marine vessels will no longer be enforced in relation to speed restrictions for permitted boats around marine mammals.
5. Offences relating to harvested animals under the Macropod Conservation Plan and SPE Regulation by:
 - introducing an offence for not appropriately handling or storing macropod tags; and
 - introducing a new infringement notice offence corresponding to the new macropod offence.

In addition, the Amendment Regulation achieves the objectives by making other minor, consequential and administrative amendments to subordinate legislation under the EP Act, WRR Act, and *State Penalties Enforcement Act 1999* (SPE Act).

Consistency with policy objectives of authorising law

Waste matters

The Amendment Regulation is consistent with the objective of the EP Act in that the purpose of the amendments is to ensure that the EP Act is contemporary and balancing the environmental risks of an activity with community benefit. The Amendment Regulation is consistent with the objective of the WRR Act which is to encourage the proper use of resources by improving ways of reducing and dealing with waste.

Nature conservation matters

The Amendment Regulation is consistent with the objective of the NC Act; that is, to ensure the conservation of nature while allowing for the involvement of Aboriginal peoples and Torres Strait Islander peoples in the management of protected areas in which they have interest under Aboriginal tradition or Island custom.

The Amendment Regulation is consistent with the objective of the Offsets Act which is to counterbalance the significant residual impacts of particular activities on prescribed environmental matters through the use of environmental offsets.

The Amendment Regulation is consistent with the objective of the Fisheries Act which is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats.

The Amendment Regulation is consistent with the objective of the SPE Act which is to maintain the integrity of fines as a viable sentencing or punitive option for offenders; provide confidence in the justice system by enhancing the way fines and other money penalties may be enforced; and reduce the cost to the State of enforcing fines and other money penalties.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with any other legislation.

Benefits and costs of implementation

As per *The Queensland Government Better Regulation Policy*, amendments to the EP Regulation, WRR Regulation, Animals Regulation, Plants Regulation, Koala Conservation Plan, Offsets Regulation, and Fisheries Regulation did not require further regulatory impact analysis as these amendments are minor and machinery in nature. Further regulatory impact analysis was provided for the offence related amendments to the Macropod Conservation Plan and SPE Regulation as these amendments have some (but not significant) impacts.

The Amendment Regulation ensures that the prescription, conservation status, and taxonomy of fauna and flora species reflect current scientific knowledge. Without the amendments, there is a risk that, over time, conservation and land use requirements applied based on

inaccurate species classifications may be ineffective where the species is being upgraded to a more threatened status, or unnecessary where a species is being downgraded to a less threatened or non-threatened status. The reclassifications are not anticipated to impose significant costs on the community, business, or government. The changes are necessary to achieve the objectives of the NC Act, particularly the protection of native wildlife and its habitat, as well as the appropriate management of other types of wildlife.

Implementing the Amendment Regulation is in the public interest, is not considered to constitute significant subordinate legislation and will have negligible costs.

Consistency with fundamental legislative principles

The fundamental legislative principles under the *Legislative Standards Act 1992* require that legislation has sufficient regard to the rights and liberties of individuals and for the institution of Parliament. The Amendment Regulation is consistent with these principles.

The Amendment Regulation inserts a new requirement for authorised macropod tag holders to keep tags securely in their possession or at their licensed premises, with the creation of a new corresponding offence. The Amendment Regulation is, nevertheless, considered to have given sufficient regard to the rights and liberties of individuals as the offence is unambiguous and drafted in sufficiently clear and precise way. Further, it is subject to natural justice and procedural fairness.

Consultation

Waste and environmental protection matters

Public consultation was undertaken with key stakeholders and community for the amendments to the EP Regulation to increase the non-regulated waste threshold values for PFAS, to clarify the meaning of POP and the application of non-regulated waste threshold values, and for the amendment to clarify that soil managed under the contaminated land provisions in the EP Act is not also considered regulated waste.

Public consultation was not undertaken on amendments to the EP Regulation to provide clarity on the applicable reference tables in Schedule 9 as these are considered minor in nature.

Public consultation was not undertaken on the amendment to the EP Regulation to clarify that solar panels are not considered regulated waste as this change is deregulatory in nature.

Public consultation was not undertaken for the minor amendments to the WRR Regulation as these changes are to address drafting errors and provide clarity of existing provisions.

Public consultation was not undertaken on the amendments to the WRR Regulation for the inclusion of construction and demolition waste in the prescribed list of activities for which a residue waste discounting application may be made. These amendments are in alignment with existing waste-levy administrative arrangements and are deregulatory in nature.

Nature conservation matters

Amendments to the reclassification of wildlife are administrative and reflect the scientific assessment of the STC. The chair of the STC was consulted to confirm details of species reclassifications and nomenclature for species. Other associated amendments did not require consultation as they are consequential or minor in nature.

No external consultation was undertaken for the amendments to the Koala Conservation Plan, the SPE Regulation or the updates to the Offsets Regulation and Offsets Policy as they are of a minor and mechanical nature.

Consultation was undertaken with key stakeholders to determine appropriate management approaches for the newly protected fish species and to evaluate threats to conservation outcomes.

Targeted consultation was undertaken in relation to the introduction of the new macropod tag offence. The Australian Wild Game Industry Council did not raise any concerns and voiced support for the proposal.

The Office of Best Practice Regulation was notified of the proposed amendments, and Impact Analysis Statements prepared for relevant matters.

Notes on provisions

Part 1 Preliminary

Clause 1 Short title

This clause states that the Amendment Regulation may be cited as the *Environmental Legislation Amendment Regulation 2025*.

Clause 2 Commencement

This clause states that clause 55 of the Amendment Regulation commences on 1 July 2025. The remaining provisions commence on notification.

Part 2 Amendment of Environmental Offsets Regulation 2014

Clause 3 Regulation amended

This clause specifies that this part (part 2 of the Amendment Regulation) amends the *Environmental Offsets Regulation 2014*.

Clause 4 Amendment of s 6 (Environmental offsets policy—Act, s 12)

This clause updates the version number of the Environmental Offsets Policy as referenced under the *Environmental Offsets Regulation 2014* to reflect the latest version of the Environmental Offsets Policy.

Part 3 Amendment of Environmental Protection Regulation 2019

Clause 5 Regulation amended

This clause specifies that this part (part 3 of the Amendment Regulation) amends the *Environmental Protection Regulation 2019*.

Clause 6 Amendment of s 42 (Meaning of *regulated waste*)

This amendment updates the specific references to the appropriate tables in schedule 9 for relevant attribute and relevant substance.

Clause 7 Amendment of s 43 (Meaning of *category 1 regulated waste* and *category 2 regulated waste*)

This amendment includes the specific reference to the appropriate part in schedule 9 for categorisation thresholds.

Clause 8 Amendment of sch 9 (Regulated waste and waste that is not regulated waste)

This clause clarifies the authorising provision for schedule 9. This clause also specifies that intact or partly disassembled solar panels, and contaminated soil from land that is recorded in the environmental management register or contaminated land register and is managed under the *Environmental Protection Act 1994*, chapter 7, are not regulated waste. This clause also amends the non-regulated waste threshold values for per- and poly-fluoroalkyl substances. part 8.

Clause 9 Amendment of sch 19 (Dictionary)

This clause amends the Dictionary to prescribe the meaning of persistent organic pollutants (other) to remove per-and poly-fluoroalkyl substances for the purposes of regulated waste and waste that is not regulated waste. This ensures that the non-regulated waste threshold for per-and poly-fluoroalkyl substances are used where appropriate.

This clause also removes the definitions for attribute table, substance table, and threshold table as specific references to these tables has now been provided in the relevant sections. This clause also amends the definition of relevant attribute and relevant substance to include the specific reference in schedule 9.

Part 4 Amendment of Fisheries (General) Regulation 2019

Clause 10 Regulation amended

This clause specifies that this part (part 4 of the Amendment Regulation) amends the *Fisheries (General) Regulation 2019*.

Clause 11 Amendment of s 4A (Animals prescribed not to be fish—Act, s 5)

This clause amends the *Fisheries (General) Regulation 2019* to make a note in section 4A referencing the relevant section under the *Nature Conservation (Animals) Regulation 2020*, prescribe the largemouth sawfish as a ‘relevant protected animal’ and re-number paragraphs.

Clause 12 Amendment of sch 7 (References relating to particular fish)

This clause makes a consequential amendment to insert the largemouth sawfish under schedule 7 of the *Fisheries (General) Regulation 2019* to update references relating to particular fish.

Part 5 Amendment of Nature Conservation (Animals) Regulation 2020

Clause 13 Regulation amended

This clause specifies that this part (part 5 of the Amendment Regulation) amends the *Nature Conservation (Animals) Regulation 2020*.

Clause 14 Amendment of s 49 (Moving dead protected animals)

This clause makes minor amendments to the heading of section 49 of the *Nature Conservation (Animals) Regulation 2020* to clarify that this section applies to moving dead protected animals into the State.

Clause 15 Amendment of s 52 (Moving dead protected animals to particular holders)

This clause makes minor amendments to section 52 of the *Nature Conservation (Animals) Regulation 2020* to change ‘holders’ to ‘authorised buyers for the animal’ in order to broaden the application of this provision.

Clause 16 Amendment of s 55 (Dealing with sick, injured and orphaned protected animals)

This clause makes minor amendments to section 55 to insert new subsection 3 to clarify that this section does not apply to the holder (or relevant person for the holder) of a rehabilitation permit for the animal in need of rescue. It also does not apply to a person who publicly advertises animal rescue or rehabilitation services or is employed by or volunteers for an entity that does so. It also provides an example of advertising rescue or rehabilitation services, in relation to dealing with sick, injured protected animals under the *Nature Conservation (Animals) Regulation 2020*.

Clause 17 Amendment of s 59 (Moving animals to and from veterinary surgeon)

This clause makes a minor amendment to section 59 of the *Nature Conservation (Animals) Regulation 2020* to correct a small drafting error in relation to an authorised person moving animals to and from a veterinary surgeon.

Clause 18 Insertion of new s 59A

This clause makes minor amendments to insert new section 59A to the *Nature Conservation (Animals) Regulation 2020* to specify requirements for dealing with dead protected animals that were kept under exhibited animal authorities.

Clause 19 Amendment of s 66A (Dealing with particular fish regulated under Fisheries Act 1994)

This clause inserts the largemouth sawfish as a particular fish to be regulated under the *Fisheries Act 1994*, and re-numbers paragraphs under the *Nature Conservation (Animals) Regulation 2020*.

Clause 20 Amendment of s 188 (Restriction on grant of permit for protected animal taken under rehabilitation permit)

This clause makes minor amendments to clarify that under the *Nature Conservation (Animals) Regulation 2020*, a permit to keep for a protected animal taken under a rehabilitation permit will only be granted if the animal would not survive in the wild and would contribute to the rehabilitation of animals of the same or closely related species.

Clause 21 Amendment of s 287 (Temporary marine mammal special management areas)

This clause removes reference to the creation of wake in marine mammal special management areas under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 22 Amendment of s 294 (Temporary special marine mammals)

This clause removes reference to the creation of wake near special marine mammals under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 23 Amendment of s 305 (Entering caution zone)

This clause removes reference to the creation of wake when entering caution zones in relation to marine mammals under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 24 Amendment of s 306 (Movement of whale or dugong into no approach zone)

This clause removes reference to the creation of wake when withdrawing to an area outside a no approach zone in relation to the movement of whales or dugongs under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 25 Amendment of s 307 (Movement of whale or dugong into caution zone)

This clause removes reference to boats operating at a speed that creates wake in relation to the movement of whales or dugongs into a caution zone under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 26 Amendment of s 309 (Marine mammal showing signs of being disturbed)

This clause removes reference to the creation of wake when withdrawing to an area outside a caution zone in relation to disturbing marine mammals under the *Nature Conservation (Animals) Regulation 2020*, as the generation of some degree of wake is unavoidable for marine vessels, irrespective of speed.

Clause 27 Amendment of s 353 (approved tags not to be used by unauthorised person)

This clause clarifies the section note for requirements relating to the possession of approved tags under the *Nature Conservation (Animals) Regulation 2020*.

Clause 28 Amendment of sch 1, s 14 (Invertebrates)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to prescribe an invertebrate species as ‘critically endangered’ wildlife.

Clause 29 Amendment of sch 1, s 19 (Amphibians)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to remove certain amphibian species as ‘endangered’ wildlife.

Clause 30 Amendment of sch 1, s 20 (Birds)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to prescribe a bird species as ‘endangered’ wildlife.

Clause 31 Amendment of sch 1, s 21 (Fish)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to prescribe a fish species as ‘endangered’ wildlife.

Clause 32 Amendment of sch 1, s 24 (Reptiles)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to prescribe a reptile species as ‘endangered’ wildlife.

Clause 33 Amendment of sch 1, s 28 (Amphibians)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to remove an amphibian species as ‘vulnerable’ wildlife.

Clause 34 Amendment of sch 1, s 29 (Birds)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to remove certain bird species as ‘vulnerable’ wildlife.

Clause 35 Amendment of sch 1, s 33 (Reptiles)

This clause amends schedule 1 of the *Nature Conservation (Animals) Regulation 2020* to remove and prescribe certain reptile species as ‘vulnerable’ wildlife.

Clause 36 Amendment of sch 3, s 3 (Birds)

This clause amends schedule 3 of the *Nature Conservation (Animals) Regulation 2020* to correct a typographical error for a ‘class 1’ bird species.

Clause 37 Amendment of sch 3, s 5 (Reptiles)

This clause amends schedule 3 of the *Nature Conservation (Animals) Regulation 2020* to remove a reptile species listed as a ‘class 1’ animal.

Clause 38 Amendment of sch 7 (Dictionary)

This clause amends schedule 7 of the *Nature Conservation (Animals) Regulation 2020* to remove the definition of ‘wake’.

Part 6 Amendment of Nature Conservation (Koala) Conservation Plan 2017

Clause 39 Plan amended

This clause specifies that this part (part 6 of the Amendment Regulation) amends the *Nature Conservation (Koala) Conservation Plan 2017*.

Clause 40 Amendment of sch 2 (Dictionary)

This clause amends schedule 2 of the *Nature Conservation (Koala) Conservation Plan 2017* to prescribe certain tree genera as a ‘koala habitat tree’.

Part 7 Amendment of Nature Conservation (Macropod) Conservation Plan 2017

Clause 41 Plan amended

This clause specifies that this part (part 7 of the Amendment Regulation) amends the *Nature Conservation (Macropod) Conservation Plan 2017*.

Clause 42 Replacement of pt 4, div 3 (Identification requirements for possessing tags)

This clause makes amendments to the identification requirements for possessing tags under the *Nature Conservation (Macropod) Conservation Plan 2017* by clarifying the application of the division in relation to the holders of an animal authority for macropods who possess a Queensland macropod tag, creating requirements around how tags must be kept securely, requiring that the holders must carry identification while the tag is in their possession, and introducing new penalties.

Clause 43 Amendment of sch 2 (Dictionary)

This clause makes a minor amendment to the definition of a Queensland macropod tag under Schedule 2 of the *Nature Conservation (Macropod) Conservation Plan 2017* for clarity.

Part 8 Amendment of Nature Conservation (Plants) Regulation 2020

Clause 44 Regulation amended

This clause specifies that this part (part 8 of the Amendment Regulation) amends the *Nature Conservation (Plants) Regulation 2020*.

Clause 45 Amendment of sch 1, s 5 (Plants)

This clause amends schedule 1 of the *Nature Conservation (Plants) Regulation 2020* to remove certain plant species as ‘extinct in the wild’ wildlife.

Clause 46 Amendment of sch 1, s 9 (Plants)

This clause amends schedule 1 of the *Nature Conservation (Plants) Regulation 2020* to remove and prescribe certain plant species as ‘critically endangered’ wildlife.

Clause 47 Amendment of sch 1, s 13 (Plants)

This clause amends schedule 1 of the *Nature Conservation (Plants) Regulation 2020* to remove and prescribe certain plant species as ‘endangered’ wildlife.

Clause 48 Amendment of sch 1, s 17 (Plants)

This clause amends schedule 1 of the *Nature Conservation (Plants) Regulation 2020* to remove and prescribe certain plant species as ‘vulnerable’ wildlife.

Clause 49 Amendment of sch 1, s 21 (Plants)

This clause amends schedule 1 of the *Nature Conservation (Plants) Regulation 2020* to remove and prescribe certain plant species as ‘near threatened’ wildlife.

Part 9 Amendment of State Penalties Enforcement Regulation 2014

Clause 50 Regulation amended

This clause specifies that this part (part 9 of the Amendment Regulation) amends the *State Penalties Enforcement Regulation 2014*.

Clause 51 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

This clause amends schedule 1 of the *State Penalties Enforcement Regulation 2014* to update infringement notice offences and fines (penalty units) in relation to Queensland macropod tags under the *Nature Conservation (Macropod) Conservation Plan 2017*.

Part 10 Amendment of Waste Reduction and Recycling Regulation 2023

Clause 52 Regulation amended

This clause specifies that this part (part 10 of the Amendment Regulation) amends the *Waste Reduction and Recycling Regulation 2023*.

Clause 53 Amendment of s 6 (Types of exempt waste for definition waste disposal site—Act, s 8A)

This amendment prescribes alum sludge or other residuals from drinking water treatment processes as an exempt waste for the definition of waste disposal sites, meaning that sites that only receive this type of waste are not considered waste disposal sites.

Clause 54 Amendment of s 25 (Weight measurement criteria for measuring waste or other material other than by weighbridge—Act, s 26)

This amendment clarifies that the weight-measurement criteria to measure waste or other material is required to be used where a weighbridge is not installed at a waste disposal site as per the original policy intent.

Clause 55 Amendment of sch 3 (Recycling activities for residue waste discounting applications)

This amendment prescribes recycling mixed construction and demolition waste to produce aggregate or other new products to a particular specification as an activity for which an application may be made for a residue waste levy discount.