

Queensland

## Vegetation Management (Thickened Vegetation) and Other Legislation Amendment Regulation 2018

Subordinate Legislation 2018 No. 56

made under the

Environmental Offsets Act 2014 Planning Act 2016 Vegetation Management Act 1999 Water Act 2000

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[s 1]

### Part 1 Preliminary

#### 1 Short title

This regulation may be cited as the Vegetation Management (Thickened Vegetation) and Other Legislation Amendment Regulation 2018.

### Part 2 Amendment of Environmental Offsets Regulation 2014

### 2 Regulation amended

This part amends the Environmental Offsets Regulation 2014.

#### 3 Amendment of s 5 (Prescribed environmental matters— Act, s 10)

Section 5(3)(a), '(4)'—

omit, insert—

(5)

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

Section 6, '1.4'—

omit, insert—

1.5

# 5 Amendment of sch 2 (Prescribed environmental matters—matters of State environmental significance)

(1) Schedule 2, section 2—

insert—

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Part 3 Amendment of Planning Regulation 2017

[s 6]

- (3A) A prescribed regional ecosystem is a matter of State environmental significance, for a prescribed activity mentioned in schedule 1, item 7(e), if the ecosystem is an area of essential habitat on the essential habitat map for an animal that is near threatened wildlife or a plant that is near threatened wildlife.
- (2) Schedule 2, section 2(3A) and (4)—

renumber as schedule 2, section 2(4) and (5).

(3) Schedule 2, section 2(6)—

insert—

*animal that is near threatened wildlife* means an animal that is near threatened wildlife under the *Nature Conservation Act 1992*.

Note-

See the *Nature Conservation (Wildlife) Regulation* 2006, schedule 5, part 1 for animals that are near threatened wildlife.

*plant that is near threatened wildlife* means a plant that is near threatened wildlife under the *Nature Conservation Act 1992*.

Note-

See the *Nature Conservation (Wildlife) Regulation* 2006, schedule 5, part 2 for plants that are near threatened wildlife.

### Part 3

### Amendment of Planning Regulation 2017

#### 6 Regulation amended

This part amends the Planning Regulation 2017.

[s 7]

# 7 Amendment of s 33 (Required fee for development applications—Act, s 51)

Section 33(1)(b), example, '(b)(ii)'—

omit, insert—

(b)(iii)

# 8 Amendment of s 34 (Required fee for referral agency's assessment—Act, s 54)

Section 34(1)(b), example, '(b)(ii)'—

omit, insert—

(b)(iii)

# 9 Amendment of s 35 (Fee for operational work for clearing native vegetation)

Section 35(2), example, '(a)(i), (b)(ii) and (c)(iii)'—

omit, insert—

(a)(ii), (b)(iii) and (c)

# 10 Amendment of s 38 (Required fee for registered non-profit organisations and government-funded community development)

Section 38(2), examples, paragraphs 1 and 2, '5(d)'—

omit, insert—

5(c)

### 11 Amendment of sch 10 (Development assessment)

- (1) Schedule 10, part 3, division 3, table 1, item 5(a) *omit*.
- (2) Schedule 10, part 3, division 3, table 1, item 5(c), ', high value agriculture clearing, irrigated high value agriculture clearing'—

[s 12]

omit.

(3) Schedule 10, part 3, division 3, table 1, item 5(b) to (d)—
*renumber* as schedule 10, part 3, division 3, table 1, item 5(a) to (c).

### 12 Amendment of sch 24 (Dictionary)

Schedule 24, definitions *high value agriculture clearing* and *irrigated high value agriculture clearing— omit.* 

### Part 4 Amendment of Vegetation Management Regulation 2012

### 13 Regulation amended

This part amends the Vegetation Management Regulation 2012.

# 14 Amendment of s 3 (Approval of accepted development vegetation clearing codes—Act, s 19P)

(1) Section 3(f), '7 March'—

omit, insert—

14 May

- (2) Section 3(h) omit.
- (3) Section 3(i) to (k)—*renumber* as section 3(h) to (j).

### 15 Amendment of sch 7 (Fees)

(1) Schedule 7, items 2 to 6—

omit.

(2) Schedule 7, item 7 *renumber* as schedule 7, item 2.

### Part 5 Amendment of Water Regulation 2016

### 16 Regulation amended

This part amends the Water Regulation 2016.

# 17 Amendment of s 96 (Excavating or placing fill in a watercourse, lake or spring—Act, s 814)

(1) Section 96, heading, 'Excavating'—

omit, insert—

#### **Destroying vegetation, excavating**

(2) Section 96(1), from 'excavating' to 'excavation'—

omit, insert—

destroying vegetation, excavating or placing fill in a watercourse, lake or spring is permitted if the destruction, excavation or placing of fill Vegetation Management (Thickened Vegetation) and Other Legislation Amendment Regulation 2018

Endnotes

#### ENDNOTES

- 1 Made by the Governor in Council on 17 May 2018.
- 2 Notified on the Queensland legislation website on 18 May 2018.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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