

# Vegetation Management Framework Amendment Bill 2013

Amendments during consideration in detail to be moved by  
The Honourable the Minister for Natural Resources and Mines

**1 Clause 2 (Commencement)**

Page 8, line 7—

*omit, insert—*

The following provisions commence on a day to be fixed by proclamation—

- (a) sections 5, 7, 10 to 32, 35, 36, 40, 46 to 49, 57 to 61, 65, and 76;
- (b) section 64, to the extent it inserts new sections 111, 112, 114 to 120;
- (c) part 4.

**2 Clause 7 (Amendment of pt 2, div 4 hdg (Declaration of areas of high nature conservation value and areas vulnerable to land degradation))**

Page 9, line 10—

*omit, insert—*

**Division 4 Declaration of particular areas**

**3 Clause 10 (Insertion of new pt 2, div 4, sdiv 1A)**

Page 9, lines 18 to 25 and page 10, lines 1 to 16—

*omit.*

**4 Clause 11 (Replacement of pt 2, divs 4B and 4C)**

Page 10, line 27, 'to'—

*omit, insert—*

for

**5 Clause 13 (Amendment of s 20AC (What is the *essential habitat map*))**

Page 14, line 18—

*omit, insert—*

a category A area, a category B area or category C area shown on the

**6 Clause 24 (Insertion of new s 20ANA)**

Page 20, lines 20 to 23—

*omit, insert—*

A *category R area* is an area, other than a category A area, category B area, category C area or category X area, shown on the regulated vegetation management map as a category R area that is a regrowth watercourse area.

**7 Clause 25 (Amendment of s 20AO (What is a *category X area*))**

Page 20, lines 27 to 31—

*omit, insert—*

- (1) A *category X area* is an area, other than a category A area, category B area, category C area or category R area, shown on the regulated vegetation management map as a category X area.

**8 Clause 46 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))**

Page 32, after line 8—

*insert—*

- (6) Section 22A(3)—

*omit.*

**9 Clause 47 (Insertion of new pt 2, div 6, sdiv 1A)**

Page 33, lines 19 to 22—

*omit, insert—*

- (g) evidence that the clearing will comply with all restrictions prescribed under a regulation and relevant to the clearing;

**10 Clause 47 (Insertion of new pt 2, div 6, sdiv 1A)**

Page 33, after line 32—

*insert—*

- (4) For subsection (2)(g), a regulation may prescribe restrictions on any or all of the following for high value agriculture clearing or irrigated high value agriculture clearing—
  - (a) the type of crops for which the clearing is to be carried out;
  - (b) the size of land that can be subject to a vegetation clearing application;
  - (c) for an area of the State—the total amount of land that may be cleared in the area.

**11 Clause 47 (Insertion of new pt 2, div 6, sdiv 1A)**

Page 34, lines 20 to 36 and page 35, lines 1 to 4—

*omit, insert—*

- (e) adverse impacts of the clearing will be minimised or mitigated; and
- (f) the clearing will comply with all restrictions prescribed under section 22DAB(2)(g) and relevant to the clearing; and

- (g) the application does not involve the clearing of native vegetation to plant a high risk species; and
- (h) if the clearing is for irrigated high value agriculture clearing, the volume of water the eligible owner is, or may be, able to access is enough for establishing, cultivating and harvesting the crops to which the clearing relates; and
- (i) if section 22DAB(3) applies, the nature and extent of any thing proposed to be done as well as the clearing will have a significant beneficial impact on the biodiversity values of the land.

**12 Clause 47 (Insertion of new pt 2, div 6, sdiv 1A)**

Page 35, line 8—

*omit, insert—*

section 20 to take overland flow water or subartesian water for any purpose; or

**13 Clause 47 (Insertion of new pt 2, div 6, sdiv 1A)**

Page 36, line 5—

*omit, insert—*

*Environmental Protection Act 1994; or*

- (i) is authorised to take water under a law of another State or Territory in compliance with an authorisation declared under the *Water Act 2000*, section 808(1)(b).

**14 Clause 57 (Replacement of s 68CA (Definitions for div 4))**

Page 38, lines 22 and 23—

*omit, insert—*

- (i) certify, amend or replace a regulated vegetation management map; or

**15 Clause 57 (Replacement of s 68CA (Definitions for div 4))**

Page 39, line 10, 'the date of assent'—

*omit, insert—*

3 November 2009

**16 Clause 57 (Replacement of s 68CA (Definitions for div 4))**

Page 39, lines 11 and 12—

*omit.*

**17 Clause 64 (Insertion of new pt 6, div 9)**

Page 42, lines 20 and 21—

*omit.*

**18 Clause 64 (Insertion of new pt 6, div 9)**

Page 43, line 12, 'the commencement'—

*omit, insert—*

this section commences

**19 Clause 64 (Insertion of new pt 6, div 9)**

Page 43, lines 19 and 20, 'the commencement'—

*omit, insert—*

this section commences

**20 Clause 64 (Insertion of new pt 6, div 9)**

Page 44, lines 1 to 7—

*omit, insert—*

**113 Revocation of particular PMAVs over wild river high preservation areas**

- (1) This section applies to a PMAV, in effect immediately before this section commences, if—
  - (a) the PMAV is for an area that includes land in a wild rivers high preservation area; and
  - (b) the chief executive made the PMAV under section 20B(1)(a) because the area became a declared area; and
  - (c) the area became a declared area under section 17(1A) of the unamended Act.
- (2) On the commencement, the PMAV is revoked to the extent it includes the land in the wild river high preservation area.
- (3) In this section—

*wild river high preservation area* means a high preservation area under the *Wild Rivers Act 2005*.

**21 Clause 64 (Insertion of new pt 6, div 9)**

Page 44, line 11, 'the commencement'—

*omit, insert—*

this section commences

**22 Clause 64 (Insertion of new pt 6, div 9)**

Page 44, line 21, 'commencement'—

*omit, insert—*

commencement of this section

- 23 Clause 64 (Insertion of new pt 6, div 9)**  
Page 44, lines 26 and 27, ‘the commencement’—  
*omit, insert*—  
this section commences
- 24 Clause 64 (Insertion of new pt 6, div 9)**  
Page 45, line 6, ‘commencement’—  
*omit, insert*—  
commencement of this section
- 25 Clause 64 (Insertion of new pt 6, div 9)**  
Page 45, lines 11 and 12, ‘the commencement’—  
*omit, insert*—  
this section commences
- 26 Clause 64 (Insertion of new pt 6, div 9)**  
Page 45, lines 23 and 24, ‘the commencement’—  
*omit, insert*—  
this section commences
- 27 Clause 64 (Insertion of new pt 6, div 9)**  
Page 46, lines 6 and 7, ‘the commencement’—  
*omit, insert*—  
this section commences
- 28 Clause 64 (Insertion of new pt 6, div 9)**  
Page 46, line 17, ‘the commencement’—  
*omit, insert*—  
this section commences

**29 Clause 65 (Amendment of schedule (Dictionary))**

Page 47, after line 21—

*insert—*

*extractive industry—*

- (a) means 1 or more of the following—
  - (i) dredging material from the bed of any waters;
  - (ii) extracting, from a pit or quarry, rock, sand, clay, gravel, loam or other material;
  - (iii) screening, washing, grinding, milling, sizing or separating material extracted from a pit or quarry; and
- (b) includes carrying out work that is the natural and ordinary consequence of carrying out the work mentioned in paragraph (a).

*Example—*

constructing roads, buildings and other infrastructure

**30 Clause 65 (Amendment of schedule (Dictionary))**

Page 48, line 1—

*omit.*

**31 Clause 65 (Amendment of schedule (Dictionary))**

Page 50, lines 10 to 12—

*omit.*

**32 Clause 65 (Amendment of schedule (Dictionary))**

Page 51, after line 6—

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*insert—*

- (2A) Schedule, definition *forest practice*, paragraph 1(b)(i), ‘native forest practice code’—

*omit, insert—*

self-assessable vegetation clearing code applying to conducting a native forest practice

- (2B) Schedule, definition *forest practice*, paragraph 1(b)(ii), ‘native forest practice’—

*omit.*

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**33 After clause 71**

Page 52, after line 26—

*insert—*

**Part 3A                      Amendment of Nature  
Conservation Act 1992**

**71A Act amended**

This part amends the *Nature Conservation Act 1992*.

**71B Insertion of new s 173S**

After section 173R—

*insert—*

**173S Permit for grazing stock in particular  
protected areas for emergency drought  
relief**

- (1) The chief executive may, before 31 December 2013, grant a stock grazing permit under this Act for a prescribed protected area if the chief executive is satisfied the grazing of stock under the permit is for drought relief for the stock.

- (2) No fee is payable for an application for the permit.
- (3) Unless sooner suspended, cancelled or surrendered, a permit granted under subsection (1) expires at the end of 31 December 2013.
- (4) This section applies despite sections 15, 17, 19A and 34(2), and any other provision of this Act restricting the grant of a stock grazing permit for a prescribed protected area.
- (5) In this section—  
*prescribed protected area* means each of the following protected areas—
  - (a) Blackbraes National Park;
  - (b) Forest Den National Park;
  - (c) Mazeppa National Park;
  - (d) Moorrinya National Park;
  - (e) Nairana National Park;
  - (f) Nairana National Park (Recovery).

**34 Long title**


Long title, after '1994,'—

*insert—*

the *Nature Conservation Act 1992*,

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Authorised by the Parliamentary Counsel

	Paper No: 5413T2648	
	Date: 21/5/13.	
	Member: H.W. CRIPPS.	
<input checked="" type="checkbox"/>	Tabled	Tabled, by leave
<input type="checkbox"/>	Incorporated, by leave	Remainder incorporated, by leave
Clerk at the Table: <i>M. K. Ramesh</i>		