



Queensland

Vegetation Management Amendment Act 2008

Act No. 8 of 2008



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***An Act to amend the *Vegetation Management Act 1999* and the
*Vegetation Management Regulation 2000****

[Assented to 6 March 2008]

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Vegetation Management Amendment Act 2008*.

Part 2 Amendment of Vegetation Management Act 1999

2 Act amended in pt 2

This part amends the *Vegetation Management Act 1999*.

3 Insertion of new pt 2, div 7A

Part 2—

insert—

‘Division 7A Classes of regional ecosystems

‘22LA Endangered regional ecosystems

- ‘(1) A regulation may declare a stated regional ecosystem to be an endangered regional ecosystem.
- ‘(2) The Minister must not recommend to the Governor in Council the making of a regulation under subsection (1) unless the Minister is satisfied—

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- (a) the area of remnant vegetation for the regional ecosystem is less than 10% of the pre-clearing extent of the regional ecosystem; or
 - (b) the area of remnant vegetation for the regional ecosystem is—
 - (i) 10% to 30% of the pre-clearing extent of the regional ecosystem; and
 - (ii) less than 10000ha.
- ‘(3) However, failure to comply with subsection (2) in relation to a regulation does not affect the regulation’s validity.

‘22LB Of concern regional ecosystems

- ‘(1) A regulation may declare a stated regional ecosystem to be an of concern regional ecosystem.
- ‘(2) The Minister must not recommend to the Governor in Council the making of a regulation under subsection (1) unless the Minister is satisfied—
 - (a) the area of remnant vegetation for the regional ecosystem is 10% to 30% of the pre-clearing extent of the regional ecosystem; or
 - (b) the area of remnant vegetation for the regional ecosystem is—
 - (i) more than 30% of the pre-clearing extent of the regional ecosystem; and
 - (ii) less than 10000ha.
- ‘(3) However, failure to comply with subsection (2) in relation to a regulation does not affect the regulation’s validity.

‘22LC Not of concern regional ecosystems

- ‘(1) A regulation may declare a stated regional ecosystem to be a not of concern regional ecosystem.

[s 4]

- ‘(2) The Minister must not recommend to the Governor in Council the making of a regulation under subsection (1) unless the Minister is satisfied the area of remnant vegetation for the regional ecosystem is—
- (a) more than 30% of the pre-clearing extent of the regional ecosystem; and
 - (b) more than 10000ha.
- ‘(3) However, failure to comply with subsection (2) in relation to a regulation does not affect the regulation’s validity.’.

4 Amendment of pt 6, hdg (Transitional provisions)

Part 6, heading, after ‘**Transitional**’—

insert—

‘**and declaratory**’.

5 Insertion of new pt 6, div 5

Part 6—

insert—

‘Division 5 Declaratory and transitional provisions for Vegetation Management Amendment Act 2008

‘85 Declaration about types of regional ecosystems

- ‘(1) It is declared that—
- (a) if, for any period before the commencement day, the regulation stated that a regional ecosystem was an endangered regional ecosystem for the definition *endangered regional ecosystem* in this Act, the regional ecosystem was an endangered regional ecosystem for the period; and
 - (b) if, for any period before the commencement day, the regulation stated that a regional ecosystem was a not of

concern regional ecosystem for the definition *not of concern regional ecosystem* in this Act, the regional ecosystem was a not of concern regional ecosystem for the period; and

- (c) if, for any period before the commencement day, the regulation stated that a regional ecosystem was an of concern regional ecosystem for the definition *of concern regional ecosystem* in this Act, the regional ecosystem was an of concern regional ecosystem for the period.

‘(2) Subsection (1) applies despite any provision of the Act in force before the commencement day including the definitions *endangered regional ecosystem*, *not of concern regional ecosystem* and *of concern regional ecosystem*.

‘(3) Subsection (1) applies for all purposes, including a civil or criminal proceeding decided before, or started before or after, the commencement day.

‘(4) In this section—

commencement day means the day this section commences.

regulation means the *Vegetation Management Regulation 2000*.

‘86 Amendment of regulation

‘The amendment of the *Vegetation Management Regulation 2000* by the *Vegetation Management Amendment Act 2008* does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.

6 Amendment of schedule (Dictionary)

- (1) Schedule, definitions *endangered regional ecosystem*, *not of concern regional ecosystem* and *of concern regional ecosystem*—

omit.

- (2) Schedule—

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