

Queensland



Subordinate Legislation 1999 No. 279

Nature Conservation Act 1992

**NATURE CONSERVATION LEGISLATION
AMENDMENT REGULATION (No. 1) 1999**

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	3
PART 2—AMENDMENT OF NATURE CONSERVATION REGULATION 1994		
2	Regulation amended in pt 2	3
3	Replacement of sch 1 (Powers of trustees of conservation parks and resources reserves)	3
SCHEDULE 1		
POWERS OF TRUSTEES OF CONSERVATION PARKS AND RESOURCES RESERVES		
PART 1—CONSERVATION PARKS		
1	Anderson Street and Kamerunga Conservation Parks	4
2	Beachmere, Buckleys Hole, Byron Creek, Neurum, Sheep Station Creek and Wararba Creek Conservation Parks	4
3	Denmark Hill, Flinders Peak, Ipswich Pteropus, Mount Beau Brummel, White Rock and White Rock (Limited Depth) Conservation Parks	5
4	Lake Broadwater Conservation Park	6
5	Mount Whitfield Conservation Park	7
6	Springwood Conservation Park	7

PART 2—RESOURCES RESERVES

7 Blackbraes, Cudmore, Flat Top Range, Moonstone Hill
and Stones Country Resources Reserves 8

**PART 3—AMENDMENT OF NATURE CONSERVATION
(PROTECTED AREAS) REGULATION 1994**

4 Regulation amended in pt 3 9
5 Amendment of ss 3–6 9
6 Amendment of sch 3A (Trustees of conservation parks) 9
7 Amendment of sch 4 (Resources reserves) 9

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Nature Conservation Legislation Amendment Regulation (No. 1) 1999*.

PART 2—AMENDMENT OF NATURE CONSERVATION REGULATION 1994

Regulation amended in pt 2

2. This part amends the *Nature Conservation Regulation 1994*.

Replacement of sch 1 (Powers of trustees of conservation parks and resources reserves)

3. Schedule 1—

omit, insert—

‘SCHEDULE 1

‘POWERS OF TRUSTEES OF CONSERVATION PARKS AND RESOURCES RESERVES

‘PART 1—CONSERVATION PARKS

‘Anderson Street and Kamerunga Conservation Parks

‘1.(1) This section applies to the trustees of each of the following conservation parks—

- Anderson Street Conservation Park
- Kamerunga Conservation Park.

‘(2) The trustees have the powers of the chief executive under chapters 1 and 2¹ for the conservation park for which they are trustees.

‘(3) However, the trustees do not have power to grant any of the following—

- (a) an Aboriginal tradition or Island custom authority;
- (b) a permit to take, use, keep or interfere with cultural or natural resources;
- (c) a commercial activity or special activities permit.

‘Beachmere, Buckleys Hole, Byron Creek, Neurum, Sheep Station Creek and Wararba Creek Conservation Parks

‘2.(1) This section applies to the trustees of each of the following conservation parks—

- Beachmere Conservation Park
- Buckleys Hole Conservation Park
- Byron Creek Conservation Park
- Neurum Conservation Park
- Sheep Station Creek Conservation Park
- Wararba Creek Conservation Park.

¹ Chapters 1 (Preliminary) and 2 (Protected areas)

‘(2) The trustees have the powers of the chief executive under chapters 1 and 2 for the conservation park for which they are trustees.

‘(3) However, the trustees do not have power—

- (a) to grant any of the following—
 - (i) an Aboriginal tradition or Island custom authority;
 - (ii) a permit to take, use, keep or interfere with cultural or natural resources;
 - (iii) a commercial activity or special activities permit;
 - (iv) a stock grazing, stock mustering or travelling stock permit;
or
- (b) to approve the use of a herbicide or pesticide.

‘Denmark Hill, Flinders Peak, Ipswich Pteropus, Mount Beau Brummel, White Rock and White Rock (Limited Depth) Conservation Parks

‘3.(1) This section applies to the trustees of each of the following conservation parks—

- Denmark Hill Conservation Park
- Flinders Peak Conservation Park
- Ipswich Pteropus Conservation Park
- Mount Beau Brummel Conservation Park
- White Rock Conservation Park
- White Rock (Limited Depth) Conservation Park.

‘(2) The trustees have the powers of the chief executive under chapters 1 and 2 for the conservation park for which they are trustees.

‘(3) However, the trustees do not have power—

- (a) to grant any of the following—
 - (i) an Aboriginal tradition or Island custom authority;

- (ii) a permit to take, use, keep or interfere with cultural or natural resources;
 - (iii) a commercial activity or special activities permit;
 - (iv) a stock grazing, stock mustering or travelling stock permit;
or
- (b) to approve the use of a herbicide or pesticide.

‘Lake Broadwater Conservation Park

‘4.(1) The trustees of Lake Broadwater Conservation Park have the powers of the chief executive under chapters 1 and 2 for the conservation park.

‘(2) However, the trustees do not have power—

- (a) to grant any of the following—
 - (i) an Aboriginal tradition or Island custom authority;
 - (ii) a permit to take, use, keep or interfere with cultural or natural resources;
 - (iii) a stock grazing or travelling stock permit;
 - (iv) a commercial activity permit other than under subsection (3);
or
- (b) to approve—
 - (i) the use of a herbicide or pesticide; or
 - (ii) the landing of an aircraft or recreational craft.

‘(3) The trustees may grant a commercial activity permit—

- (a) to a vendor of food and beverages temporarily within the conservation park for an event approved by the trustees; or
- (b) for a commercial activity associated with the conduct of power boat activities.

‘Mount Whitfield Conservation Park

‘5.(1) The trustees of Mount Whitfield Conservation Park have the powers of the chief executive under chapters 1 and 2 for the conservation park.

‘(2) However, the trustees do not have power to grant any of the following—

- (a) an Aboriginal tradition or Island custom authority;
- (b) a permit to take, use, keep or interfere with cultural or natural resources;
- (c) a commercial activity or special activities permit other than under subsection (3).

‘(3) The trustees may grant—

- (a) a commercial activity permit for a commercial activity associated with the conduct of rock climbing at the Aeroglen quarry; and
- (b) a special activities permit for a special activity associated with the conduct of rock climbing at the Aeroglen quarry.

‘Springwood Conservation Park

‘6.(1) The trustees of Springwood Conservation Park have the powers of the chief executive under chapters 1 and 2 for the conservation park.

‘(2) However, the trustees do not have power—

- (a) to grant any of the following—
 - (i) an Aboriginal tradition or Island custom authority;
 - (ii) a permit to take, use, keep or interfere with cultural or natural resources;
 - (iii) a commercial activity or special activities permit;
 - (iv) a stock grazing, stock mustering or travelling stock permit;
or
- (b) to approve the use of a herbicide or pesticide.

‘PART 2—RESOURCES RESERVES

‘Blackbraes, Cudmore, Flat Top Range, Moonstone Hill and Stones Country Resources Reserves

‘7.(1) This section applies to the trustees of each of the following resources reserves—

- Blackbraes Resources Reserve
- Cudmore Resources Reserve
- Flat Top Range Resources Reserve
- Moonstone Hill Resources Reserve
- Stones Country Resources Reserve.

‘(2) The trustees have the powers of the chief executive under chapters 1 and 2 for the resources reserve for which they are trustees.

‘(3) However, the trustees do not have power—

- (a) to grant any of the following—
 - (i) an Aboriginal tradition or Island custom authority;
 - (ii) a permit to take, use, keep or interfere with cultural or natural resources;
 - (iii) a commercial activity or special activities permit;
 - (iv) a stock grazing, stock mustering or travelling stock permit;
or
- (b) to approve the use of a herbicide or pesticide.’.

PART 3—AMENDMENT OF NATURE CONSERVATION (PROTECTED AREAS) REGULATION 1994

Regulation amended in pt 3

4. This part amends the *Nature Conservation (Protected Areas) Regulation 1994*.

Amendment of ss 3–6

5. Sections 3(b), 4(b), 5(1)(b) and 6(c), after ‘set’—
insert—
‘out’.

Amendment of sch 3A (Trustees of conservation parks)

6. Schedule 3A—
insert—

‘Beachmere Conservation Park	Caboolture Shire Council
Buckleys Hole Conservation Park	Caboolture Shire Council
Byron Creek Conservation Park	Caboolture Shire Council
Neurum Conservation Park	Caboolture Shire Council
Sheep Station Creek Conservation Park	Caboolture Shire Council
Wararba Creek Conservation Park	Caboolture Shire Council’.

Amendment of sch 4 (Resources reserves)

7.(1) Schedule 4, column 3, ‘The mining chief executive and the chief executive of the department’—

omit, insert—

‘The chief executive and the mining chief executive’.

*Nature Conservation Legislation Amendment No. 279, 1999
(No. 1)*

(2) Schedule 4, entries for 'Lake Broadwater Resources Reserve' and 'Morgan Park Resources Reserve', column 3, 'of the department'—

omit.

(3) Schedule 4, entries for 'Blackbraes Resources Reserve', 'Cudmore Resources Reserve', 'Flat Top Range Resources Reserve', 'Moonstone Hill Resources Reserve' and 'Stones Country Resources Reserve'—

omit, insert—

'Blackbraes Resources Reserve	Lot 1004 on plan NPW572 SHT 2 situated in the County of Lyndhurst, containing an area of about 21 900 ha	The chief executive and the mining chief executive
Cudmore Resources Reserve	Lot 1007 on plan NPW632 Sh 2 situated in the County of Beaufort, containing an area of about 6 900 ha	The chief executive and the mining chief executive
Flat Top Range Resources Reserve	Lot 1009 on plan NPW583 situated in the County of Livingstone, containing an area of about 2 790 ha	The chief executive and the mining chief executive
Moonstone Hill Resources Reserve	Lot 1005 on plan NPW572 SHT 2 situated in the County of Lyndhurst, containing an area of about 131 ha	The chief executive and the mining chief executive

*Nature Conservation Legislation Amendment No. 279, 1999
(No. 1)*

Stones Resources Reserve	Country	Lot 62 on plan FT1018 situated in the County of Fortescue, containing an area of about 259.7 ha	The chief executive and the mining chief executive’.
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ENDNOTES

1. Made by the Governor in Council on 11 November 1999.
2. Notified in the gazette on 12 November 1999.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Environmental Protection Agency.