

Queensland



Subordinate Legislation 2003 No. 82

Nature Conservation Act 1992

**NATURE CONSERVATION LEGISLATION
AMENDMENT REGULATION (No. 1) 2003**

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PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Nature Conservation Legislation Amendment Regulation (No. 1) 2003*.

PART 2—AMENDMENT OF NATURE CONSERVATION (PROTECTED AREAS) REGULATION 1994

2 Regulation amended in pt 2

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

3 Amendment of s 8 (Declared management intent)

Section 8(b)—

omit, insert—

- ‘(b) the proposed management intent for, and use of, the refuge are to do the following only in accordance with the conservation agreement for the refuge—
- (i) manage and conserve the significant cultural and natural values of the refuge;
 - (ii) permit or restrict, or require to be conducted, particular activities in or in relation to the refuge;
 - (iii) permit or restrict the use of the land in the refuge for a particular purpose;
 - (iv) permit or restrict access to the land in the refuge by particular persons or animals.¹’

¹ A copy of the conservation agreement for a nature refuge may be obtained from the department’s central office at 160 Ann Street, Brisbane.

4 Amendment of sch 5 (Nature refuges)

(1) Schedule 5, heading, ‘sections 7 and 8(1)’—

omit, insert—

‘sections 7 and 8(a)’.

(2) Schedule 5, section 32—

omit, insert—

‘32 Description

‘The part of lot 0 on plan GTP2679 situated in the County of March, containing an area of about 15.8 ha, shown on plan PA13.’.

(3) Schedule 5, section 65—

omit, insert—

‘65 Description

‘The part of lot 23 on plan BO119 situated in the County of Boondooma, containing an area of about 18.6 ha, shown on plan PA25.’.

(4) Schedule 5, section 113—

omit, insert—

‘113 Description

‘Lots 1 and 3 on RP804289, lot 4 on RP743779 and lot 46 on EP191 situated in the County of Elphinstone, containing an area of about 32.5 ha, shown on plan PA39.’.

(5) Schedule 5, section 164—

omit, insert—

‘164 Description

‘Lot 118 on EP532, lot 37 on plan E124198 and lots 48 and 119 on EP143, situated in the County of Elphinstone, containing an area of about 930 ha, shown on plan PA50.’.

(6) Schedule 5, section 191—

omit, insert—

‘191 Description

‘The part of lot 4 on SP136315 situated in the County of Carlisle, containing an area of about 33.9 ha, shown on plan PA58.’.

(7) Schedule 5, section 200—

omit, insert—

‘200 Description

‘The part of lot 5 on SP135554 situated in the County of Clermont, containing an area of about 753 ha, shown on plan PA67.’.

(8) Schedule 5—

insert—

‘PART 88—BIMBLEBOX NATURE REFUGE

‘262 Name

‘Bimblebox Nature Refuge.

‘263 Description

‘Lot 4 on plan BF22 situated in the County of Beaufort, containing an area of about 7 912 ha, shown on plan PA81.

‘264 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 6 regional ecosystems, including poplar box and silver-leaved ironbark woodland; and
- (b) a large area of intact habitat in a landscape that has been subjected to widespread clearing; and
- (c) a diverse range of herbaceous species.

‘PART 89—CHAKORO NATURE REFUGE

‘265 Name

‘Chakoro Nature Refuge.

‘266 Description

‘The part of lot 2 on RP881721 situated in the County of Cardwell, containing an area of about 8.31 ha, shown on plan PA102.

‘267 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 3 regional ecosystems, including paperbark swamp and mesophyll vine forest; and
- (b) a wildlife corridor linking 2 sections of the Hull River National Park; and
- (c) habitat for the endangered southern cassowary (southern population) (*Casuarius casuarius*); and
- (d) potential habitat for the endangered mahogany glider (*Petaurus gracilis*).

‘PART 90—GOONDEROO NATURE REFUGE**‘268 Name**

‘Goonderoo Nature Refuge.

‘269 Description

‘Lot 36 on plan DSN890 and the part of lot 23 on plan DSN48, situated in the County of Denison, containing an area of about 581 ha, shown on plan PA83.

‘270 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 6 regional ecosystems, including brigalow and belah open forest, poplar box woodland and blue grass downs; and

-
- (b) habitat for the reintroduced endangered bridled nail-tail wallaby (*Onychogalea fraenata*).

‘PART 91—HENELLEN NATURE REFUGE

‘271 Name

‘Henellen Nature Refuge.

‘272 Description

‘The part of lot 64 on plan TT84 situated in the County of Talbot, containing an area of about 264 ha, shown on plan PA95.

‘273 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 2 regional ecosystems, including brigalow and Dawson gum open forest; and
- (b) a large area of intact habitat in a landscape that has been subjected to widespread clearing.

‘PART 92—JUNE’S LAND NATURE REFUGE

‘274 Name

‘June’s Land Nature Refuge.

‘275 Description

‘The part of lot 70 on RP720821 situated in the County of Carlisle, containing an area of about 5.4 ha, shown on plan PA99.

‘276 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 3 regional ecosystems being coastal dune woodland, *Melaleuca leucadendra* forest and microphyll vine forest; and
- (b) habitat for—
 - (i) 11 bird species protected under international agreements relating to the migration of birds between Australia and Japan or Australia and China;² and
 - (ii) the vulnerable beach stone-curlew (*Esacus neglectus*).

‘PART 93—LEX CREEK NATURE REFUGE**‘277 Name**

‘Lex Creek Nature Refuge.

‘278 Description

‘The part of lot 18 on plan HLN50 situated in the County of Hillalong, containing an area of about 56.2 ha, shown on plan PA119.

‘279 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 3 regional ecosystems, including notophyll vine forest; and
- (b) the following rare plants—
 - (i) *Livistona* sp.;
 - (ii) *Sarcotoechia heterophylla*; and

2 The birds are protected under the Japan-Australia Migratory Bird Agreement (JAMBA) or the China-Australia Migratory Bird Agreement (CAMBA). These agreements may be inspected at www.austlii.edu.au.

-
- (c) a wildlife corridor between Crediton State Forest and Eungella National Park.

‘PART 94—MUNGUMBY CREEK REFUGE

‘280 Name

‘Mungumby Creek Nature Refuge.

‘281 Description

‘The part of lot 60 on SP149829 situated in the County of Banks, containing an area of about 96.6 ha, shown on plan PA106.

‘282 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 6 regional ecosystems, including mesophyll vine forest and red tea-tree forest; and
- (b) habitat for a range of rare and threatened species, including the following endangered wildlife—
 - (i) *Litoria rheocola*, commonly known as the common mistfrog;
 - (ii) southern cassowary (southern population) (*Casuarius casuarius*);
 - (iii) torrent tree frog (*Litoria nannotis*), also commonly known as the waterfall frog.

‘PART 95—TANDORA NATURE REFUGE

‘283 Name

‘Tandora Nature Refuge.

‘284 Description

‘The part of lot 86 on plan MCH4613 situated in the County of March, containing an area of about 350 ha, shown on plan PA101.

‘285 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 3 regional ecosystems, including eucalypt forest and paperbark forest; and
- (b) part of a wildlife corridor to the Susan River.

‘PART 96—THE CROSSING NATURE REFUGE

‘286 Name

‘The Crossing Nature Refuge.

‘287 Description

‘The part of lot 21 on plan CI1317 situated in the County of Carlisle, containing an area of about 3.74 ha, shown on plan PA105.

‘288 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 1 regional ecosystem, being *Corymbia clarksonia* woodland; and
- (b) a riparian wildlife corridor linking large, intact vegetation communities; and

- (c) a diversity of flora and fauna, including the rare common death adder (*Acanthophis antarcticus*).

‘PART 97—THOMPSON’S BUSH NATURE REFUGE

‘289 Name

‘Thompson’s Bush Nature Refuge.

‘290 Description

‘The part of lot 1 on RP812643 situated in the County of Carlisle, containing an area of about 17.2 ha, shown on plan PA100.

‘291 Significant cultural and natural resources and values

‘The nature refuge supports—

- (a) 1 regional ecosystem, being eucalypt and paperbark woodland, with low representation in the protected area estate; and
- (b) habitat for the following rare wildlife—
 - (i) black-necked stork (*Ephippiorhynchus asiaticus*);
 - (ii) grey goshawk (*Accipiter novaehollandiae*).’.

PART 3—AMENDMENT OF NATURE CONSERVATION REGULATION 1994

5 Regulation amended in pt 3

This part amends the *Nature Conservation Regulation 1994*.

6 Amendment of s 9 (Procedure for suspension, cancellation or refusal to renew)

Section 9(5), after ‘later of’—

insert—

‘the following days’.

7 Amendment of s 10 (Procedure for urgent suspension or cancellation of licence)

Section 10(5), after ‘later of’—

insert—

‘the following days’.

8 Amendment of s 231 (Purpose of part)

Section 231(c), ‘*Wildlife Protection (Regulation of Exports and Imports) Act 1982 (Cwlth)*’—

omit, insert—

‘*Environmental Protection and Biodiversity Conservation Act 1999 (Cwlth)*’.

9 Amendment of sch 14 (Dictionary)

(1) Schedule 14, definition “code”, paragraph (b)—

omit.

(2) Schedule 14, definition “code”, paragraphs (c) to (f)—

renumber as paragraphs (b) to (e).

(3) Schedule 14, definition of “licensee”, fourth dot point—

omit.

(4) Schedule 14, definition “macropod” —

omit, insert—

‘**“macropod”**, for schedule 5, see schedule 5, section 1.’.

ENDNOTES

1. Made by the Governor in Council on 8 May 2003.
2. Notified in the gazette on 9 May 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Environmental Protection Agency.