



Queensland

Marine Parks (Zoning Plans) Amendment Zoning Plan (No. 1) 2006

Subordinate Legislation 2006 No. 224

made under the

Marine Parks Act 2004

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Part 1 Preliminary

1 Short title

This zoning plan may be cited as the *Marine Parks (Zoning Plans) Amendment Zoning Plan (No. 1) 2006*.

2 Commencement

This zoning plan commences on 31 August 2006.

Part 2 Amendment of Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004

3 Zoning plan amended in pt 2

This part amends the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*.

4 Replacement of s 1 (Short title)

Section 1—

omit, insert—

‘1 Short title

‘(1) This zoning plan may be cited as the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*.

‘(2) This zoning plan may also be cited as the Great Barrier Reef Coast Marine Park Zoning Plan.’.

5 Amendment of s 3 (Interpretation of terms generally)

(1) Section 3(3)(d), ‘the regulation’—

omit, insert—

‘the Regulation, part 3’.

- (2) Section 3(3)(e), before ‘this plan’—

insert—

‘the Regulation or’.

- (3) Section 3(3)(f), ‘this plan’—

omit, insert—

‘the Regulation’.

6 Amendment of s 4 (Applying Commonwealth purposes to marine park)

- (1) Section 4(2)(e), ‘the regulation’—

omit, insert—

‘the Regulation, part 3’.

- (2) Section 4(2)(g), ‘objective stated in this plan’—

omit, insert—

‘object to be achieved, under this plan,’.

- (3) Section 4(2)(h), before ‘this plan’—

insert—

‘the Regulation or’.

- (4) Section 4(2)(j)(ii), from ‘by the Minister’—

omit, insert—

‘under part 3, division 2 of the Act.¹’.

7 Insertion of new s 6A

After section 6—

insert—

¹ Commonwealth Act, section 39ZD (Preparation of plan of management) Part 3 (Zoning and management plans), division 2 (Management plans) of the Act

‘6A References to particular bodies of water

‘A reference to a bay, creek, harbour, river or similar body of water in schedule 2, 3, 4, 5, 6 or 7 is a reference to all the tidal waters and tidal land in the bay, creek, harbour, river or body of water that is within the marine park, and includes the tidal land and tidal waters of a tributary of the bay, creek, harbour, river or body of water.’.

8 Insertion of new s 17A

After section 17—

insert—

‘17A Objects for zones

‘The objects to be achieved for each zone mentioned in section 16(1) are stated in the Regulation, schedule 1.’.

9 Omission of ss 18, 21, 24, 27, 30, 33, 36 and 39

Sections 18, 21, 24, 27, 30, 33, 36 and 39—

omit.

10 Amendment of s 25 (Entry or use without permission)

Section 25(b)(vii), ‘in an accredited harvest fishery’—

omit, insert—

‘under an accredited harvest fishery and’.

11 Amendment of s 26 (Entry or use with permission)

Section 26(2), definition *relevant purpose*, paragraph (a)(i), ‘in a’—

omit, insert—

‘under a’.

12 Amendment of s 53 (Application for permission must include particular information)

Section 53, ‘the regulation’—

omit, insert—

‘the Regulation, part 3’.

13 Amendment of s 81 (Special management provision)

Section 81(3), definition *closed period*, paragraph (b)—

omit, insert—

‘(b) for another seasonal closure area—the period of closure decided by the chief executive for the area and—

(i) stated in a public notice; and

(ii) published on the department’s website on the Internet.’.

14 Omission of s 89 (Entry or use for undertaking functions under the Act)

Section 89—

omit.

15 Amendment of s 90 (Entry or use without permission after notification)

(1) Section 90(1), from ‘(g), if the person’—

omit, insert—

‘(g)’.

(2) Section 90(2)—

renumber as section 90(4).

(3) Section 90—

insert—

‘(2) However, a person intending to enter or use an area within the marine park for a purpose mentioned in subsection (1) must

give the chief executive a notice stating the person intends to enter or use the area for the purpose.

- ‘(3) The chief executive may, upon receiving the notice, impose conditions on the entry or use.

Note—

See section 45 of the Act and section 112 of the Regulation for offences relating to a person entering or using a marine park for a purpose for which a notice must be given to the chief executive.’

16 Amendment of pt 5 hdg

Part 5, heading, ‘accreditations’—

omit, insert—

‘accredited traditional use of marine resources agreements’.

17 Omission of pt 5, divs 1 and 2

Part 5, divisions 1 and 2—

omit.

18 Renumbering of pt 5, div 3

Part 5, division 3—

renumber as part 5, division 1.

19 Renumbering of pt 5, div 4

Part 5, division 4—

renumber as part 5, division 2.

20 Amendment of s 113 (Matters chief executive must consider for applications relating to traditional use of marine resources)

Section 113, ‘the regulation’—

omit, insert—
‘the Regulation’.

21 Amendment of sch 11 (Dictionary)

- (1) Schedule 11, definition *the regulation—*
omit.
- (2) Schedule 11—
insert—
‘the Declaration Regulation means the *Marine Parks (Declaration) Regulation 2006.*
the Regulation means the *Marine Parks Regulation 2006.*’.
- (3) Schedule 11, definition *accredited harvest fishery*, ‘this plan’—
omit, insert—
‘the Regulation, part 5, division 4’.
- (4) Schedule 11, definitions *Cairns/Cooktown Management Area* and *Trinity Inlet Segment*, ‘the regulation, schedule 8’—
omit, insert—
‘the Declaration Regulation, schedule 2, part 4’.
- (5) Schedule 11, definitions *GBR Coast Marine Park* and *the marine park*, ‘the regulation, schedule 5’—
omit, insert—
‘the Declaration Regulation, schedule 2’.
- (6) Schedule 11, definition *Mackay/Capricorn Management Area*, ‘the regulation, schedule 6’—
omit, insert—
‘the Declaration Regulation, schedule 2, part 2’.
- (7) Schedule 11, definition *permission*, ‘the regulation’—
omit, insert—
‘the Regulation’.

executive a notice stating the person intends to enter or use the marine park for the purpose.

- ‘(3) The chief executive may, upon receiving the notice, impose conditions on the entry or use.

Note—

See section 45 of the Act and section 112 of the Regulation for offences relating to a person entering or using a marine park for a purpose for which a notice must be given to the chief executive.’.

27 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *regulation*—

omit, insert—

‘***the Regulation*** means the *Marine Parks Regulation 2006*.’.

- (2) Schedule 4, definition *waste*, from ‘include’—

omit, insert—

‘include offal of fish or stormwater discharge.’.

ENDNOTES

- 1 Approved by the Governor in Council on 14 August 2006.
- 2 Notified in the gazette on 18 August 2006.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Environmental Protection Agency.

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