



Queensland

Nature Conservation Legislation Amendment Regulation (No. 2) 2007

Subordinate Legislation 2007 No. 301

made under the

Nature Conservation Act 1992

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Nature Conservation Legislation Amendment Regulation (No. 2) 2007*.

2 Commencement

This regulation commences on 1 March 2008.

Part 2 Amendment of Nature Conservation (Protected Areas Management) Regulation 2006

3 Regulation amended in pt 2

This part amends the *Nature Conservation (Protected Areas Management) Regulation 2006*.

4 Insertion of new s 140A

After section 140—

insert—

‘140A Conduct in parts of protected area where estuarine crocodiles are or may be present

‘(1) A person must not, unless the person has a reasonable excuse, swim in a part of a protected area if a sign in or near the part gives a warning, in any form, of the possible presence of estuarine crocodiles.

Maximum penalty—100 penalty units.

‘(2) A person must not, unless the person has a reasonable excuse, swim in a part of a protected area that the person knows, or ought reasonably to know, is a place where estuarine crocodiles have been frequently sighted.

Maximum penalty—100 penalty units.

- ‘(3) A person must not, unless the person has a reasonable excuse, stand knee-high or more than knee-high in water in a protected area that the person knows, or ought reasonably to know, is water in which estuarine crocodiles normally live.

Maximum penalty—100 penalty units.

- ‘(4) For subsection (3), it is a reasonable excuse for a person to stand knee-high or more than knee-high in water in a protected area if the person needs to stand in the water for a brief period to carry out another activity that the person is authorised to carry out in the protected area.

Example for subsection (4)—

standing in water to get into or out of a boat being used to carry out an activity the person is authorised to carry out in the protected area

- ‘(5) In this section—

estuarine crocodile means an animal of the species *Crocodylus porosus*.

protected area does not include a protected area that is a nature refuge.’.

Part 3 **Amendment of Nature Conservation (Wildlife Management) Regulation 2006**

5 **Regulation amended in pt 3**

This part amends the *Nature Conservation (Wildlife Management) Regulation 2006*.

6 **Amendment of s 15 (Conservation plan may limit or extend activities authorised by wildlife authority)**

Section 15(1)—

insert—

Note—

The Estuarine Crocodile Conservation Plan includes limitations on activities authorised under particular wildlife authorities. See part 3, division 2, of that plan.’

7 Amendment of s 73 (Engaging in unauthorised interaction authorised for particular animals)

Section 73(1), note—

omit, insert—

Notes—

- 1 For the unauthorised interactions authorised under a commercial wildlife licence (wildlife interaction) for estuarine crocodiles, see the Estuarine Crocodile Conservation Plan, section 35.
- 2 Section 340 contains an offence for feeding native animals in the wild that applies to the holder of a commercial wildlife licence (wildlife interaction), and relevant persons for the holder.’

8 Amendment of s 126 (Purpose of licence and division 7)

Section 126(3)—

insert—

Note—

The Estuarine Crocodile Conservation Plan also includes restrictions on the grant of wildlife demonstrator licences for estuarine crocodiles, and limitations on activities authorised under wildlife demonstrator licences for estuarine crocodiles, that are directed at achieving the purpose mentioned in subsection (2) for estuarine crocodiles. See part 3 of that plan.’

9 Amendment of s 182 (General restriction about animals for which permit may be granted)

Section 182(b), after ‘the permit’—

insert—

‘, or to take the animal under the permit in a particular way’.

10 Amendment of s 184 (Restriction about purposes for which permit may be granted)

Section 184(2)—

insert—

‘Note—

For problem crocodiles, see the Estuarine Crocodile Conservation Plan, section 22.’.

11 Amendment of s 351 (Conservation value for protected wildlife)

Section 351(2), note 2—

omit, insert—

‘2 For the conservation value payable for a problem crocodile, see the Estuarine Crocodile Conservation Plan, section 31.’.

12 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

‘estuarine crocodile means an animal of the species *Crocodylus porosus*.

Estuarine Crocodile Conservation Plan means the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2007*.

problem crocodile see the Estuarine Crocodile Conservation Plan, section 6.’.

ENDNOTES

- 1 Made by the Governor in Council on 29 November 2007.
- 2 Notified in the gazette on 30 November 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Environmental Protection Agency.

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