



Queensland

# Nature Conservation (Protected Areas Management) Amendment Regulation (No. 3) 2009

Subordinate Legislation 2009 No. 127

made under the

*Nature Conservation Act 1992*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Nature Conservation (Protected Areas Management) Amendment Regulation (No. 3) 2009*.

**2 Regulation amended**

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

**3 Amendment of s 115 (Approval requirement for conditionally registered vehicles)**

(1) Section 115(2)—

*insert—*

‘(h) by a person for the sole purpose of going directly through the area to or from a parcel of land outside the area if—

(i) the person owns or occupies the land or is authorised by the owner or occupier of the land to enter the land; and

(ii) the chief executive considers the most direct and reasonable route to or from the land is through the area.

*Example—*

A person would be using a vehicle for the sole purpose of going directly through a protected area if the person were using the vehicle only to go through the area and not for another purpose, such as recreation, during the journey.’

(2) Section 115(3)—

*renumber* as section 115(4).

(3) Section 115—

*insert—*

‘(3) However, the chief executive must not give an approval for the use of a vehicle in a protected area under subsection (2)(a) to

(d) or (h) if the chief executive considers the use of the vehicle would be likely to—

- (a) damage a cultural resource in the area; or
- (b) have a significant adverse effect on a natural resource in the area; or
- (c) pose a serious risk to the health or safety of the public.’.

#### **4 Amendment of sch 7 (Minimum flying height over protected areas)**

Schedule 7, entries for Capricornia Cays National Park and Capricornia Cays National Park (scientific), column 3, ‘500ft’—

*omit, insert*—

‘1500ft’.

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#### ENDNOTES

- 1 Made by the Governor in Council on 25 June 2009.
- 2 Notified in the gazette on 26 June 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Environment and Resource Management.