



Queensland

Coastal Protection and Management Amendment and Repeal Regulation 2012

Subordinate Legislation 2012 No. 2

made under the

Coastal Protection and Management Act 1995

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Coastal Protection and Management Amendment and Repeal Regulation 2012*.

2 Commencement

This regulation commences on 3 February 2012.

Part 2 Amendment of Coastal Protection and Management Regulation 2003

3 Regulation amended

This part amends the *Coastal Protection and Management Regulation 2003*.

4 Replacement of pt 2

Part 2—
omit, insert—

‘Part 2 Coastal zone map and coastal management districts

‘4 Approval of coastal zone map—Act, s 18C

‘(1) The map called ‘Coastal zone map for Queensland’, certified by the chief executive on 3 October 2011, is approved as the coastal zone map.

[s 4]

- ‘(2) The exact location of the boundary of the coastal zone shown on the map is held in digital electronic form by the department.

‘4A Declaration of coastal management district—Act, s 54

- ‘(1) The following areas are declared to be coastal management districts—
- (a) the area shown as a coastal management district on the map called ‘Coastal management district for Queensland’ dated 10 January 2012;
 - (b) the area, as declared immediately before the commencement of this section, of each erosion prone area situated within the area of a local government stated in schedule 1;
 - (c) the erosion prone area situated within ‘Weipa Town’ and shown on plan MNW1A.

Note—

Under the Act, chapter 2, part 4, a document describing each erosion prone area must be kept available for inspection at the department’s head office, and a copy of the document must be kept available for inspection at the head office of the local government in whose area the erosion prone area is situated.

- ‘(2) The exact location of the boundary of the coastal management district mentioned in subsection (1)(a) is held in digital electronic form by the department.

‘4B Fixing coastal building lines—Act, s 66

- ‘(1) Each line shown on the map mentioned in section 4A(1)(a) as a coastal building line for the coastal management district shown on the map is a coastal building line for the district.
- ‘(2) The exact location of each coastal building line is held in digital electronic form by the department.

‘4C Access to maps and information held in digital electronic form

- ‘(1) Each map, and the exact location of each boundary or coastal building line held in digital electronic form, mentioned in sections 4 to 4B can be accessed, free of charge, on the department’s website.

Editor’s note—

At the commencement of this section, the department’s website was at <www.derm.qld.gov.au>.

- ‘(2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundary or coastal building line.’.

5 Replacement of s 8 (When royalty payable—Act, s 102)

Section 8—

omit, insert—

‘8 When royalty payable—Act, s 102

‘For section 102(1) of the Act, royalty is payable for quarry material removed under an allocation notice when a notice mentioned in section 80(2) of the Act is given to the chief executive for the removal.’.

6 Replacement of ss 10–13

Sections 10 to 13—

omit, insert—

‘10 Royalty not payable for removal of quarry material for particular purposes

‘No royalty is payable by a person for quarry material removed under an allocation notice if, at the time a royalty for the material would have been payable under section 8, the material—

- (a) has been, or is being, used for beach nourishment for which the person has a development approval; or

[s 7]

- (b) is mostly mud, silt, or clay that has been, or is being, disposed of on land for filling or reclamation purposes; or
- (c) has been, or is being, placed on land to avoid an adverse effect, or a potential adverse effect, on the environment.’.

7 Amendment of s 15 (Work that is not prescribed tidal work)

- (1) Section 15(1)(a) to (c)—
renumber as section 15(1)(b) to (d).
- (2) Section 15(1)—
insert—
‘(a) tidal work within a State managed boat harbour;’.
- (3) Section 15(2)—
insert—
‘*State managed boat harbour* see the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*, schedule 4.’.

8 Insertion of new pt 5

- After part 4—
insert—

[s 9]

‘19 Continuation of provisions for existing dredge management plans

- ‘(1) This section applies to a dredge management plan continued under section 201 of the Act and in force immediately before the commencement.
- ‘(2) Sections 6 and 9, schedule 3 and previous sections 10 to 13 continue to apply in relation to—
 - (a) the dredge management plan; and
 - (b) quarry material removed under the dredge management plan.’.

9 Replacement of sch 1 (Coastal building lines)

Schedule 1—

omit, insert—

‘Schedule 1 Local governments

section 4A(1)(b)

Aurukun Shire Council
Burke Shire Council
Carpentaria Shire Council
Cook Shire Council
Doomadgee Shire Council
Hope Vale Shire Council
Kowanyama Shire Council
Lockhart River Shire Council
Mapoon Shire Council
Mornington Shire Council
Napranum Shire Council

Northern Peninsula Area Regional Council
Pormpuraaw Shire Council
Torres Shire Council
Torres Strait Island Regional Council
Wujal Wujal Shire Council’.

10 Amendment of sch 4 (Royalty payable for removal of quarry material)

Schedule 4, item 1, ‘or approved dredge management plan’—
omit.

11 Amendment of sch 5 (Dictionary)

(1) Schedule 5, definitions *approved dredge management plan*,
dredge management plan and *waiver application*—

omit.

(2) Schedule 5—

insert—

‘*commencement*, for part 5, see section 17.

dredge management plan means a dredge management plan
continued in effect under section 201 of the Act.

previous, for part 5, see section 17.’.

Part 3

Repeal of Coastal Protection and Management (Coastal Management Districts) Regulation 2003

12 Repeal

The Coastal Protection and Management (Coastal Management Districts) Regulation 2003, SL No. 260 is repealed.

ENDNOTES

- 1 Made by the Governor in Council on 19 January 2012.
- 2 Notified in the gazette on 20 January 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Environment and Resource Management.

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