

Land and Other Legislation Amendment Bill 2022

Amendments during consideration in detail to be moved by
The Honourable the Minister for Resources

1 Clause 2 (Commencement)

Page 10, lines 13 to 15—

omit, insert—

- (e) sections 94, 101 to 104, 106 and 107;
- (f) schedule 1, amendment of *Stock Route Management Act 2002*, amendment 4.

2 After clause 49

Page 50, after line 9—

insert—

Part 6A Amendment of Mineral Resources Act 1989

49A Act amended

This part amends the *Mineral Resources Act 1989*.

49B Amendment of s 291 (Deferral of rental for first rental period for particular mining leases)

- (1) Section 291, heading, ‘rental for first rental period’—

omit, insert—

initial rent

- (2) Section 291(1)(b) and (c) and (2) to (4), ‘first rent’—

omit, insert—

initial rent

(3) Section 291(5), ‘section 290(1)’—

omit, insert—

section 290(1), (3) and (5)

(4) Section 291(6), definitions *first rent* and *first rental period*—

omit.

(5) Section 291(6)—

insert—

initial rent, for a mining lease, means the rental payable for the mining lease for—

- (a) the first rental period within the meaning of section 290(1); and
- (b) the rental year that starts immediately after the end of the first rental period.

Example—

For a mining lease granted on 1 January 2024, the initial rent would be the rental payable for—

- (a) 1 January 2024 to 31 August 2024; and
- (b) 1 September 2024 to 31 August 2025.

49C Amendment of s 899 (Deferral of first rent under s 291)

Section 899—

insert—

Note—

See, however, section 900.

49D Insertion of new ch 15, pt 22

Chapter 15—

insert—

Part 22

Transitional provision for Land and Other Legislation Amendment Act 2022

900 Application of s 291 to mining leases granted on or after 21 November 2022

- (1) Section 291 as in force from the commencement applies, and is taken to have always applied, in relation to a mining lease granted on or after 21 November 2022.
- (2) This section applies despite section 899.

3 **Clause 97 (Amendment of s 20AK (What is a *property map of assessable vegetation* (or *PMAV*)))**

Page 86, lines 1 to 9—

omit.

4 **After clause 100**

Page 87, after line 8—

insert—

100A Replacement of pt 2, div 7A, hdg (Classes of regional ecosystems)

Part 2, division 7A, heading—

omit, insert—

Division 7A Regional ecosystems

5 **Clause 101 (Insertion of new s 22L)**

Page 87, line 9 to page 88, line 6—

omit.

6 Before clause 102

Page 88, before line 7—

insert—

101 Insertion of new pt 2, div 7A, sdiv 1

Part 2, division 7A—

insert—

**Subdivision 1 Vegetation
Management Regional
Ecosystem Description
Database (VM REDD)**

**22I What is the *Vegetation Management
Regional Ecosystem Description
Database (or VM REDD)***

The *Vegetation Management Regional Ecosystem Description Database* (or *VM REDD*) is the database that has effect as the Vegetation Management Regional Ecosystem Description Database under this subdivision.

22J Certification of database

- (1) The chief executive may certify a database about regional ecosystems as the Vegetation Management Regional Ecosystem Description Database.
- (2) The chief executive may certify a database under subsection (1) by certifying—
 - (a) a hard copy of the database; or
 - (b) a digital electronic form of the database.

- (3) If the chief executive certifies a digital electronic form of a database under subsection (1), a reference in this subdivision to the database is taken to include a reference to a hard copy of the database.
- (4) Before certifying a database under subsection (1), the chief executive must ensure—
 - (a) the regional ecosystem numbers, descriptions and classes for regional ecosystems in the database reflect the relevant numbers, descriptions and classes in the Queensland Herbarium Regional Ecosystem Description Database; and
 - (b) if certified, the database would comply with sections 22LA(2), 22LB(2) and 22LC(2).
- (5) However, a failure to comply with subsection (4), or section 22LA(2), 22LB(2) or 22LC(2), in relation to the certification of a database under subsection (1) does not affect the validity of the certification.

22K When database in effect as VM REDD

- (1) A database certified under section 22J takes effect as the VM REDD on—
 - (a) the day the database is tabled in the Legislative Assembly under subsection (2); or
 - (b) if the database states a later day from which the database takes effect—the day stated in the database.
- (2) A database certified under section 22J must be tabled in the Legislative Assembly within

14 sitting days after the certification.

- (3) If a database certified under section 22J is not tabled under subsection (2)—
 - (a) the database has no effect; and
 - (b) the database that most recently was the VM REDD continues in effect as the VM REDD.
- (4) The *Statutory Instruments Act 1992*, section 50 applies to a database certified under section 22J as if it were subordinate legislation.
- (5) If a database certified under section 22J ceases to have effect under subsection (4), the database that most recently was the VM REDD again takes effect as the VM REDD.
- (6) The fact that a database certified under section 22J ceases to have effect under subsection (4) does not affect anything done or suffered under this Act before the database ceased to have effect.

22L Publication of VM REDD

The chief executive must ensure each database certified under section 22J—

- (a) is published on the department's website; and
- (b) states the period for which the database is or was the VM REDD.

101A Insertion of new pt 2, div 7A, sdiv 2, hdg

Before section 22LA—

insert—

Subdivision 2 Classes of regional ecosystems

7 Clause 106 (Insertion of new pt 6, div 15)

Page 90, line 1, ‘provision’—

omit, insert—

provisions

8 Clause 106 (Insertion of new pt 6, div 15)

Page 90, line 4, before ‘Regional’—

insert—

Queensland Herbarium

9 Clause 106 (Insertion of new pt 6, div 15)

Page 90, line 7, before ‘Regional’—

insert—

Queensland Herbarium

10 Clause 106 (Insertion of new pt 6, div 15)

Page 90, after line 23—

insert—

150 Application of Act if no VM REDD or no former VM REDD

- (1) Until a database takes effect as the VM REDD under this Act, the former provisions apply as if the *Land and Other Legislation Amendment Act 2022*, part 11 had not been enacted.
- (2) Subsection (3) applies if—
 - (a) a database certified under section 22J stops having effect as the VM REDD under this Act; and

- (b) there is no database that was the VM REDD before the certification.
- (3) The former provisions apply, as if the *Land and Other Legislation Amendment Act 2022*, part 11 had not been enacted, until another database takes effect as the VM REDD under this Act.
- (4) In this section—
former provisions means the following provisions as in force immediately before the commencement—
 - (a) section 8(b);
 - (b) sections 22LA, 22LB and 22LC;
 - (c) schedule, definitions *encroachment*, *grassland regional ecosystem* and *regional ecosystem number*;
 - (d) a provision of a regulation made under a provision mentioned in paragraph (a), (b) or (c).

11 Clause 107 (Amendment of schedule (Dictionary))

Page 91, lines 10 to 17—

omit, insert—

Queensland Herbarium Regional Ecosystem Description Database means the Regional Ecosystem Description Database maintained by the Queensland Herbarium that contains numbers, descriptions, classes and biodiversity status of regional ecosystems.

regional ecosystem number, for a regional ecosystem, means the regional ecosystem number established under the VM REDD for the regional ecosystem.

Vegetation Management Regional Ecosystem Description Database see section 22I.

VM REDD see section 22I.

12 Long title

Long title, after ‘the *Land Title Act 1994*,’—
insert—

the *Mineral Resources Act 1989*,

© State of Queensland 2023