

Environmental Protection and Other Legislation Amendment Bill 2020

Amendments during consideration in detail to be moved by
The Honourable the Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts

1 Clause 61 (Insertion of new s 275B)

Page 41, lines 14 to 17—

omit, insert—

- (a) each lot (each an *affected lot*), comprising or included in the land, in relation to which remedial action or ongoing management activities may need to be carried out;
- (b) the existence of the relevant post-surrender management report for each affected lot.

2 Clause 61 (Insertion of new s 275B)

Page 41, line 18, ‘the land’—

omit, insert—

each affected lot

3 Clause 61 (Insertion of new s 275B)

Page 41, lines 20 to 24—

omit, insert—

- (a) show each affected lot is subject to residual risks; and
- (b) state the places where the relevant post-surrender management report for each affected lot may be inspected.

4 Clause 61 (Insertion of new s 275B)

Page 41, line 27, ‘the land’—

omit, insert—

an affected lot

5 Clause 61 (Insertion of new s 275B)

Page 41, lines 28 to 30—

omit, insert—

- (a) the affected lot is subject to residual risks;
and
- (b) the existence of the relevant post-surrender
management report for the affected lot.

6 Clause 61 (Insertion of new s 275B)

Page 41, line 32, ‘the land’—

omit, insert—

an affected lot

7 Clause 61 (Insertion of new s 275B)

Page 42, lines 6 to 8—

omit, insert—

- (a), remove the details mentioned in subsection
(5)(a) and (b) for the affected lot from the
registrar’s records.

8 Clause 61 (Insertion of new s 275B)

Page 42, after line 8—

insert—

- (7) In this section—

lot means—

- (a) a lot under the *Land Title Act 1994*; or

- (b) a separate, distinct parcel of land for which an interest is recorded in a register under the *Land Act 1994*.

relevant post-surrender management report, for an affected lot, means the post-surrender management report for the land, the subject of a surrender application, comprising or including the affected lot.

9 After part 4, heading

Page 94, after line 19—

insert—

**Division 1 Amendment of Acquisition
of Land Act 1967**

117A Act amended

This division amends the *Acquisition of Land Act 1967*.

117B Insertion of new pt 6, div 5

Part 6—

insert—

**Division 5 Validation provisions
for Environmental
Protection and Other
Legislation
Amendment Act 2020**

**52 Validation provision relating to purposes
for which land may be taken**

Schedule 1, part 2, as amended by the
Environmental Protection and Other

Legislation Amendment Act 2020, applies, and is taken to have applied, from the commencement of the *Building and Other Legislation Amendment Act 2009*, part 12.

Note—

The *Building and Other Legislation Amendment Act 2009*, part 12 commenced on 19 November 2009.

53 Validation of taking of particular land

- (1) This section applies if, before the commencement, land was taken under this Act for a purpose that included the conservation of koalas on land in a ‘Regional Landscape and Rural Protection Area’.
- (2) The taking of the land is, and is taken to have always been, as valid as it would have been if the land had been taken under this Act for a purpose that included the conservation of koalas on land in a ‘Regional Landscape and Rural Production Area’.
- (3) Anything done, or omitted to be done, in relation to the taking of the land is, and is taken to have always been, as valid as it would have been if the land had been taken under this Act for a purpose that included the conservation of koalas on land in a ‘Regional Landscape and Rural Production Area’.

54 Validation of particular notices of intention to resume and resumption agreements

- (1) This section applies if, before the commencement—
 - (a) a constructing authority—

- (i) served on a person a notice of intention to resume for land that stated a purpose for which the land was to be taken included the conservation of koalas on land in a ‘Regional Landscape and Rural Protection Area’; or
 - (ii) entered into a resumption agreement for land that stated a purpose for which the land was to be taken included the conservation of koalas on land in a ‘Regional Landscape and Rural Protection Area’; and
 - (b) a gazette resumption notice for the land was not published.
- (2) After the commencement, the constructing authority may continue to take the land as if the notice of intention to resume or resumption agreement stated, and had always stated, a purpose for which the land was to be taken included the conservation of koalas on land in a ‘Regional Landscape and Rural Production Area’.
- (3) Anything done, or omitted to be done, in relation to the notice of intention to resume or resumption agreement is, and is taken to have always been, as valid as it would have been if the notice of intention to resume or resumption agreement had stated a purpose for which the land was to be taken included the conservation of koalas on land in a ‘Regional Landscape and Rural Production Area’.

117C Amendment of sch 1 (Purposes for taking land)

Schedule 1, part 2, fourth dot point, ‘Regional

Landscape and Rural Protection Area’—

omit, insert—

Regional Landscape and Rural Production
Area

Division 2 Minor and consequential amendments

10 Long title

Long title, after ‘amend’—

insert—

the Acquisition of Land Act 1967,

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