

**Wild Rivers and Other Legislation Amendment Act (2006)**  
**SUMMARY OF AMENDMENTS TO WILD RIVERS LEGISLATION**

Fodder crops (Clauses 16, 19 & 66)

- Previously (before Act amendments), establishing new crop areas (clearing, levelling, etc) was
  - prohibited in high preservation areas (HPAs)
  - assessable outside HPAs
- Now, for new crop areas outside HPAs –
  - no assessment if using low-risk species
  - assessable if using moderate-risk species
  - prohibited if using high-risk species
- Species based on level of risk of invasion of aquatic environments
- Species will be listed in a Regulation
- Allow pasture improvement in HPA without assessment if –
  - use low-risk species, and
  - cause minimal soil disturbance (eg seeders, drills)
- Also allow regrowth to be cleared in crop areas that are existing in a HPA at the time of declaration, subject to assessment.

Mineral exploration (Clauses 36, 49, 52 & 53)

- Previously, couldn't explore in HPAs, except for hand sampling in streams
- Now, allow low-impact exploration in HPAs outside streams, subject to assessment
- Low-impact methods include seismic surveys and drilling, but not bulk sampling
- However exploration can't occur within 100m of any streams in the HPA
- Previously, all exploration outside HPAs was an automatic level 1 project
- Now remove this requirement, i.e. can be level 1 or 2 depending on impact
- However can't explore within 100m of any nominated waterway outside the HPA

Mining in HPAs (Clauses 34, 37, 38, 51 & 53)

- Previously, couldn't mine in HPAs
- Now, allow mining under HPAs provided -
  - The minimum safe depth is determined by an EIS (to avoid collapse)
  - conditions are set to protect groundwater levels and quality
  - no surface disturbance in the HPA

### Mining in nominated waterways (Clauses 6, 34, 37, 38, 51 & 53)

- Previously, couldn't mine in any watercourse outside HPAs
- Now, limit this rule to selected watercourses (called nominated waterways)
- Allow mining under nominated waterways if meet the same criteria for HPAs
- Also allow mining in nominated waterways if -
  - it is a project of state significance (approved by the Premier)
  - the value of resource justifies mining in sensitive areas
  - the resource cannot be accessed by underground mining
  - the activity will not adversely affect the natural values

### Essential urban infrastructure (Clauses 35 & 72 – 74)

- Previously, environmentally relevant activities (ERAs) were not permitted in HPAs
- Some ERAs (eg mechanics, fuel storage, etc) are essential for urban communities.
- Now, allow these ERAs in designated urban areas.
- These developments are generally low-impact so won't have any wild river requirements but continue to be assessable by local government and /or EPA.
- Also allow sewage and water treatment plants in a HPA, subject to assessment, if no alternative location for the treatment plants outside the HPA

### Non-urban residential complexes (Clauses 39 & 72 – 74)

- Previously, constructing a residential complex (homestead, outstation or resort) outside an urban area could be constrained if need to access quarry material in a HPA
- Also previously could not store more than 10,000 litres of fuel or install a sewage or water treatment plant in a HPA
- Now, propose to allow quarrying, fuel storage and treatment plants in a HPA for residential complexes, provided there is no alternative location for the treatment plants outside the HPA.

### Communal gardens (Clause 19)

- Previously, domestic gardens could only be established in HPAs for residents' needs
- Now, allow communal domestic gardens in HPAs
- The size of gardens to be limited based on the number of people relying on them

### Quarrying (Clauses 34 & 72-74)

- Previously, couldn't extract sand and gravel from any watercourse in a wild river area
- Now, allow new quarry pits within non-tidal streams provided -
  - used for specified works (eg roads, pipelines, etc) or residential complexes
  - demonstrate that there is no alternative off-stream source within reasonable distance
- Previously, couldn't extract quarry material from off-stream pits in a wild river area
- Now, allow new off-stream quarry pits –
  - within HPAs provided material is used for specified works or residential complexes, subject to assessment
  - outside HPAs but within a floodplain management area - for specified works or residential complexes, subject to assessment
  - outside HPAs and floodplain management areas - for any purpose, subject to assessment

### Minor declaration amendments (Clause 14)

- Previously, could make minor corrections to a declaration without a full public consultation process
- Now, will also allow minor amendments with limited landholder consultation
- Now include minor adjustments to management area boundaries and references to development assessment codes

### Existing animal husbandry and agriculture (Clause 12)

- Previously, activities authorised by a permit or licence at the time of declaration could continue unaffected.
- Now, this includes animal husbandry and agricultural activities that did not require a permit or licence prior to the declaration to clarify they can continue unaffected.

### Water moratorium (Clause 9)

- Previously, applications for licences to take water were captured during a moratorium period and not dealt with
- Now include applications for licences to interfere with water, eg build a dam

### Development assessment codes (Clauses 10 & 11)

- Previously, development assessment codes were 'part' of each declaration
- Now declarations only refer to codes, providing flexibility to update codes

### Specified works (Clause 18)

- Previously, the term 'specified works' included linear infrastructure (roads, etc) and emergency works (eg levees)
- Now, includes public jetties and boat ramps, and land restoration works.