

Urban Forest (Remediation of Land) Declaration 2025 (No 1)

Disallowable instrument DI2025–316

made under the

***Urban Forest Act 2023*, section 137 (Power to apply or disapply legislation to entities or activities).**

1 Name of instrument

This instrument is the *Urban Forest (Remediation of Land) Declaration 2025 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration—section 28 (1) (Approval application—decision)

I declare section 28 (1) does not apply—

- (a) to the extent it imposes a timeframe within which a decision must be made; and
- (b) for the purpose of allowing the decision-maker to consider whether an activity is necessary to facilitate the remediation of land.

4 Declaration—section 28 (4) (a) (Approval application—decision)

I declare section 28 (4) (a) does not apply in relation to decision about an activity if:

- (a) the decision-maker is satisfied that the activity is necessary to facilitate the remediation of land; and
- (b) either or both of the following apply:
 - (i) the environment protection authority is satisfied the land requires remediation;
 - (ii) the land is notified in the register of contaminated sites kept under the *Environment Protection Act 1997*, section 21A, as varied from time to time.

5 Declaration—sections 36 (3) (b) and 36 (4) (b) (Canopy contribution agreements—conditions)

I declare sections 36 (3) (b) and 36 (4) (b) do not apply to working out a condition for a canopy contribution agreement entered into in relation to the removal of a protected

tree where the decision-maker is satisfied the removal is necessary to facilitate the remediation of land.

6 Definition

In this instrument:

land, in relation to a tree or prohibited groundwork, means the land on which the tree is located, or the prohibited groundwork is proposed for.

remediation—has the meaning given in the *Environment Protection Act 1997*, dictionary.

Tara Cheyne MLA
Minister for City and Government Services

10 December 2025