

LEGISLATIVE COUNCIL

Crown Lands Amendment (Multiple Land Use) Bill 2013

First print

Proposed amendments

- No. 1 Page 3, Schedule 1 [2], line 22. Insert “be in the public interest and would” after “would”.
- No. 2 Page 3, Schedule 1 [2]. Insert after line 23:
- (3) Without limitation, the following considerations are relevant to the question of whether the use or occupation of a Crown reserve pursuant to a secondary interest would not be likely to materially harm its use or occupation for the reserved purpose:
 - (a) the proportion of the area of the Crown reserve that may be affected by the secondary interest,
 - (b) if the activities to be conducted pursuant to the secondary interest will be intermittent, the frequency and duration of the impacts of those activities,
 - (c) the degree of permanence of likely harm and in particular whether that harm is irreversible,
 - (d) the current condition of the Crown reserve,
 - (e) the geographical, environmental and social context of the Crown reserve,
 - (f) such other considerations as may be prescribed by the regulations.
- No. 3 Page 3, Schedule 1 [2], line 38. Omit “can validate”. Insert instead “may, by order published in the Gazette (a *validation order*), validate”.
- No. 4 Page 3, Schedule 1 [2]. Insert after line 41:
- (5) Sections 40 and 41 of the *Interpretation Act 1987* apply to a validation order in the same way as they apply to a statutory rule within the meaning of that Act.
- No. 5 Page 4, Schedule 1 [4], line 17. Omit “6 months”. Insert instead “3 months”.
- No. 6 Page 5, Schedule 1 [7]. Insert after line 36:

Period of notice for challenge to existing secondary interests

The prescribed period of notice under section 35A in respect of a lease, licence, permit, easement or right-of-way in force immediately before the commencement of that section is 6 months (despite section 35A (2)).