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GRNS--The Greens

LEGISLATIVE COUNCIL

National Parks and Heritage Legislation Amendment Bill 2024

First print

Proposed amendments

No. 1 **Plans of management**

Page 3, Schedule 1. Insert after line 9—

[2A] Section 71BP

Insert after section 71BO—

71BP Purpose of plans of management

The purpose of a plan of management made under this part is to set out the following—

- (a) the ongoing use and management of the land,
- (b) how the following values are to be protected, restored and enhanced—
 - (i) the natural environmental values of the land, and
 - (ii) the cultural values of the land,
- (c) how the public interest in the protection, promotion and understanding of the values referred to in paragraph (a) is to be supported,
- (d) how the research, monitoring and adaptive management of the values referred to in paragraph (a) are to be facilitated,
- (e) how the management of the land in accordance with the plan of management is to be broadly endorsed by the community,
- (f) how to enable development that must be—
 - (i) consistent with achieving the matters referred to in paragraphs (a)–(d), and
 - (ii) ecologically sustainable development within the meaning of the *Protection of the Environment Administration Act 1991*, section 6(2),
- (g) other matters prescribed by the regulations.

No. 2 **Plans of management**

Page 3, Schedule 1. Insert after line 12—

[3A] Section 72AA, note

Insert after the heading—

Note— Plans of management apply to certain land reserved or dedicated under the Act, Part 4 or Part 4A. Certain land specified under the Act, section 30B may be reserved under Part 4. Land granted under the *Aboriginal Land Rights Act 1983* may be reserved or dedicated under Part 4A. The land may be reserved as a national park, historic site, state conservation area, regional park, karst conservation reserve, nature reserve, or Aboriginal area.

No. 3 Plans of management

Page 3, Schedule 1. Insert after line 12—

[3B] Section 72AA(1)(w1)

Insert after 72AA(1)(w)—

(w1) assets of intergenerational significance.

No. 4 Plans of management—scheme of operations

Page 3, Schedule 1[5], lines 19 and 20. Omit all words on the lines. Insert instead—

- (a) the purpose and objects of this Act, and
- (b) the management principles under Part 4, Division 2 that are relevant to the land, and
- (c) the consideration of matters under section 72AA that are relevant to the land, and
- (d) the spatial and historical context of the land, and
- (e) a description of the environmental values and condition of the land, and
- (f) a description of the cultural values and condition of the land, and
- (g) the outcomes of an assessment of the potential threats and risks to the land in relation to the values referred to in paragraphs (e) and (f), and
- (h) the limitations of the information available in describing and assessing the matters referred to in paragraphs (e)–(g), and
- (j) strategies or activities proposed to be carried out to recognise and promote the values referred to in paragraphs (e) and (f) of the land, and
- (i) objectives and performance measures, and
- (k) a scheme of operations in accordance with subsection (2) which is proposed to be undertaken in relation to the land, and
- (l) existing leases or other interests in the land, and
- (m) a detailed map of the following—
 - (i) the location of the land within New South Wales,
 - (ii) the location of where certain uses and activities for the proposed land may be carried out.

No. 5 Plans of management—scheme of operations

Page 3, Schedule 1[5], lines 21–26. Omit all words on the lines. Insert instead—

- (2) A scheme of operations in a plan of management must address the matters referred to in section 72AA(1)(a)–(j), (l) and (m).

No. 6 Plans of management

Page 4, Schedule 1. Insert after line 1—

[5A] Section 73A Public exhibition and consultation for plans of management

Omit “60 days” from section 73A(2)(c). Insert instead “90 days”.

[5B] Section 73A

Omit “28 days” wherever occurring in section 73A. Insert instead “60 days”.

[5C] Section 73B Adoption, amendment and cancellation of plans of management

Insert “or the relevant regional advisory committee” after “responsible authority” in section 73B(3).

No. 7 **Plans of management**

Page 4, Schedule 1. Insert after line 4—

[6A] Section 73B(7)

Omit “However, in relation to an amendment or alteration of a plan of management, the reference in section 73A (2) (c) (as applied) to “60 days” is taken to be a reference to “45 days”.”

No. 8 **Recategorisation of land**

Page 8, Schedule 1[24]. Insert after line 19—

15 Flora reserve recategorisations

- (1) This clause applies to the following land dedicated under the *Forestry Act 2012*—
 - (a) land dedicated as the Mumbulla Flora Reserve No 187 within the Mumbulla State Forest No. 605, being land of an area of about 6,146ha,
 - (b) land dedicated as the Tanja Flora Reserve No 188 within the Tanja State Forest No. 544, being land of an area of about 868ha,
 - (c) land dedicated as the Murrah Flora Reserve No 189 within the Murrah State Forest No. 140, being land of an area of about 4,233ha,
 - (d) land dedicated as the Bermagui Flora Reserve No 190 within the Bermagui State Forest No 142, being land of an area of about 575ha.
- (2) The dedications under the *Forestry Act 2012* of the lands as flora reserves are revoked and the lands are reserved as nature reserves under this Act to be known as follows—
 - (a) for the land referred to in subclause (1)(a)— Mumbulla Nature Reserve,
 - (b) for the land referred to in subclause (1)(b)— Tanja Nature Reserve,
 - (c) for the land referred to in subclause (1)(c)— Murrah Nature Reserve,
 - (d) for the land referred to in subclause (1)(d)— Bermagui Nature Reserve.