

LEGISLATIVE COUNCIL

Protection of the Environment Legislation Amendment Bill 2011

First Print

Proposed amendments

- No. 1 Page 3, Schedule 1 [4], line 16. Omit “5”. Insert instead “10”.
- No. 2 Page 3, Schedule 1 [4], line 18. Omit “4”. Insert instead “9”.
- No. 3 Page 3, Schedule 1 [4], lines 20–26. Omit all words on those lines. Insert instead:
- (3) Of the part-time members:
 - (a) 2 are to have experience in, or knowledge of, nature conservation or environment protection and are to be selected by the Minister from a panel of at least 6 nominees provided to the Minister by the Nature Conservation Council of New South Wales, and
 - (b) 1 is to have expertise in the area of environmental science, and
 - (c) 1 is to have expertise in matters relating to public health or toxicology, and
 - (d) 1 is to have expertise in the area of regional environmental issues, and
 - (e) 1 is to have expertise in environmental law, and
 - (f) 1 is to have expertise in corporate, financial and risk planning and management, and
 - (g) 1 is to have expertise in business, and
 - (h) 1 is to have expertise in local government matters and is to be selected by the Minister from a panel of nominees provided to the Minister by the Local Government and Shires Associations of New South Wales.
- No. 4 Page 4, Schedule 1 [6]. Insert after line 2:
- (2) The Board is not subject to the control and direction of the Minister in the exercise of any of its functions.
- No. 5 Page 4, Schedule 1 [6], line 9. Omit “other Australian jurisdictions”. Insert instead “world’s best practice”.
- No. 6 Page 4, Schedule 1 [6]. Insert after line 14:

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- (c) recommendations for improving the Authority's performance, and the performance of the industries regulated by the Authority, in relation to the matters referred to in paragraphs (a) and (b),
- No. 7 Page 4, Schedule 1 [6], line 17. Omit "as soon as practicable". Insert insert "within one month".
- No. 8 Page 4, Schedule 1 [6]. Insert after line 18:
- (4) If a House of Parliament is not sitting when the Minister seeks to table a copy of the statement to it, the Minister may present copies of the statement to the Clerk of the House concerned.
 - (5) The statement:
 - (a) on presentation and for all purposes is taken to have been tabled in the House, and
 - (b) may be printed by authority of the Clerk of the House, and
 - (c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) is to be recorded:
 - (i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council, and
 - (ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly, on the first sitting day of the House after receipt of the statement by the Clerk.
- No. 9 Page 4, Schedule 1 [8]. Insert after line 31:
- (5) The Governor may remove the Chairperson from office only for misbehaviour, incapacity or incompetence, despite anything to the contrary in section 77 of the *Public Sector Employment and Management Act 2002*.
- No. 10 Page 5, Schedule 1 [10], line 17. Omit "3". Insert instead "6".