



New South Wales

# Marine Parks Amendment (Moratorium) Bill 2013

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

Currently, a moratorium on the creation of new marine parks and the alteration or creation of sanctuary zones within existing marine parks is imposed under the *Marine Parks Act 1997* (***the Act***). The moratorium is imposed for a period of 5 years commencing on the commencement of the *Marine Parks Amendment (Moratorium) Act 2011* or any shorter period specified by order under section 48B of the Act (***the moratorium period***). During the moratorium period, the Marine Parks Authority (***the Authority***) must not conduct a review of a zoning plan for a marine park under section 17D of the Act, and no other action is to be taken under that section in relation to such a plan.

The objects of this Bill are as follows:

- (a) to allow regulations to be made under the Act within the moratorium period to alter the areas of existing sanctuary zones, or to classify areas as new sanctuary zones, within marine parks,
- (b) to provide for reviews of zoning plans for marine parks at the direction of the relevant Ministers,

- (c) to allow the Authority to conduct reviews of, or take other action in relation to, zoning plans for marine parks during the moratorium period.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## **Schedule 1      Amendment of Marine Parks Act 1997 No 64**

**Schedule 1 [2]** repeals a provision prohibiting the making of a regulation during the moratorium period to alter the area of an existing sanctuary zone, or to classify an area as a new sanctuary zone, within a marine park. Definitions of expressions used in that provision are consequentially repealed. **Schedule 1 [1]** makes a consequential amendment.

**Schedule 1 [3]** provides for the review of a zoning plan for a marine park at the direction of the relevant Ministers, whether or not the review date for the plan referred to in section 17D of the Act has passed.

**Schedule 1 [4]** repeals a provision prohibiting the Authority from conducting or continuing to conduct a review of a zoning plan for a marine park, or taking other action in relation to such a plan, during the moratorium period. A provision enabling the making of related regulations is consequentially repealed.

First print



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New South Wales

# Marine Parks Amendment (Moratorium) Bill 2013

No. , 2013

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## A Bill for

An Act to amend the *Marine Parks Act 1997* with respect to zoning plans and sanctuary zones in marine parks.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Marine Parks Amendment (Moratorium) Act 2013</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5

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<b>Schedule 1</b>	<b>Amendment of Marine Parks Act 1997</b>	1
	<b>No 64</b>	2
<b>[1]</b>	<b>Section 17B Regulations relating to zoning plans for marine parks</b>	3
	Omit “(other than subsection (5))” from section 17B (4).	4
<b>[2]</b>	<b>Section 17B (5) and (6)</b>	5
	Omit the subsections.	6
<b>[3]</b>	<b>Section 17D Review of zoning plans for marine parks</b>	7
	Insert “The Authority is to conduct such a review at such other times as the relevant Ministers may direct.” at the end of section 17D (2).	8 9
<b>[4]</b>	<b>Section 48B Moratorium period</b>	10
	Omit section 48B (4) and (5).	11