

c2018-062A
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Kosciuszko Wild Horse Heritage Bill 2018

First print

Proposed amendments

- No. 1 **Ecologically sustainable wild horse populations**
Page 2, clause 3 (1). Insert after line 14:
ecologically sustainable wild horse populations—see section 4.
- No. 2 **Definition of “Scientific Committee”**
Page 2, clause 3 (1). Insert after line 20:
Scientific Committee means the Threatened Species Scientific Committee established by Division 7 of Part 4 of the *Biodiversity Conservation Act 2016*.
- No. 3 **Ecologically sustainable wild horse populations**
Page 2, Part 1. Insert after line 23:
4 Ecologically sustainable wild horse populations
(1) In this Act, an *ecologically sustainable wild horse population* in a part of Kosciuszko National Park means the number of wild horses that can be maintained in that park without reducing the natural or cultural values of the park or the ecological integrity of its ecosystems.
(2) A person who is required to determine an ecologically sustainable wild horse population for the purposes of this Act must base this on the best available scientific evidence and any advice from the Scientific Committee.
- No. 4 **Ecologically sustainable wild horse populations**
Page 2, clause 4, line 25. Insert “ecologically” before “sustainable”.
- No. 5 **Ecologically sustainable wild horse populations**
Page 3, clause 5 (2) (a), line 6. Insert “ecologically” before “sustainable”.
- No. 6 **Environmental values of park**
Page 3, clause 5 (2) (b), line 10. Insert “and the values of the park that are identified for the Australian Alps National Parks and Reserves in the National Heritage List” after “for the park”.
- No. 7 **Consultation on preparation of draft plan**
Page 3, clause 5 (3), lines 16 and 17. Omit all words on those lines. Insert instead:

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- (3) The Chief Executive is to seek the advice of each of the following in the preparation of the draft plan:
- (a) the Scientific Committee,
 - (b) the regional advisory committee for the administrative region concerned (within the meaning of the *National Parks and Wildlife Act 1974*),
 - (c) the Wild Horse Community Advisory Panel constituted under Schedule 1.

No. 8 **Public consultation**

Page 3, clause 6 (2) (b), line 25. Omit “30 days”. Insert instead “90 days”.

No. 9 **Consultation with Advisory Council and Heritage Council**

Page 3, clause 7, line 28. Omit “30 days”. Insert instead “60 days”.

No. 10 **Consultation with Advisory Council and Heritage Council**

Page 3, clause 7. Insert after line 29:

- (2) The Chief Executive must, as soon as practicable after receiving any representations under this section, notify the Minister that the representations have been received and is to make the representations publicly available by publishing it in a prominent location on the website of the National Parks and Wildlife Service.

No. 11 **Matters to be considered by Minister before adopting draft plan**

Page 4, clause 9. Insert after line 4:

- (d) the objects of the *National Parks and Wildlife Act 1974* and the matters that are required (by section 72AA of that Act) to be taken into consideration in the preparation of a plan of management.

No. 12 **Monitoring and review of adopted plans**

Page 4, Part 2. Insert after line 14:

12 Independent review of adopted plan

- (1) An adopted plan must be reviewed to consider the following:
- (a) the effect that the adopted plan has had,
 - (b) the extent to which the adopted plan is achieving the objects of this Act and the *National Parks and Wildlife Act 1974*,
 - (c) the extent to which the adopted plan is compatible with those objects.
- (2) A review under this section must be conducted by an independent person appointed by the Chief Executive.
- (3) The person conducting the review must, in the conduct of that review, consult with the public and other bodies required to be consulted in the preparation of a draft plan.
- (4) The reviews under this section must be conducted no more than 5 years apart and the first review must occur no more than 2 years after the commencement of this Act.
- (5) The person conducting the review is to prepare a report on the review and submit it to the Minister and the Chief Executive.
- (6) The Chief Executive is to make a copy of the report publicly available on the website of the National Parks and Wildlife Service as soon as practicable after receiving the report.

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- No. 13 **Relationship with National Parks and Wildlife Act 1974**
Page 5, clause 12 (1) and (2), lines 3–7. Omit all words on those lines. Insert instead:
 (1) A plan of management prevails to the extent of any inconsistency between the
 plan of management and an adopted plan.
- No. 14 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (1), line 12. Omit “6 but no more than 8”. Insert instead “7 but no
more than 9”.
- No. 15 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (2) (a), line 15. Omit “1 Aboriginal person”. Insert instead “2
Aboriginal persons”.
- No. 16 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (2). Insert after line 18:
 (d) 1 representative of the National Parks and Wildlife Service who is to be
 the Chairperson of the Panel,
 (e) 1 person who has expertise and experience in alpine or sub-alpine
 ecology,
 (f) 1 person who has expertise and experience in Australia’s natural or
 cultural heritage,
 (g) 1 person who has expertise and experience in community involvement
 in conservation, environmental education or landscape restoration,
- No. 17 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (2) (d), line 19. Omit “other persons who, in the opinion of the
Minister have”. Insert instead “1 person who, in the opinion of the Minister, has”.
- No. 18 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (2) (d) (iv), line 24. Omit all words on that line.
- No. 19 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (4), lines 27 and 28. Omit “1 of the members as a Chairperson of the
Panel and”.
- No. 20 **Wild Horse Community Advisory Panel**
Page 6, Schedule 1, clause 3 (5), lines 30 and 31. Omit “a senior officer of the National Parks and
Wildlife Service to attend meetings of the Panel and for”.
- No. 21 **Long title**
Insert “ecologically” before “sustainable”.