

c2021-230C
OPP--OPPOSITION

LEGISLATIVE COUNCIL

National Parks and Wildlife Amendment Bill 2021

First print

Proposed amendments

- No. 1 **Priority projects and actions**
Page 4, Schedule 1.1[14], proposed section 81(4), lines 27–30. Omit all words on those lines.
Insert instead—
the lands to which the plan relates unless the operations are in accordance with the plan.
- No. 2 **Priority projects and actions**
Pages 4–6, Schedule 1.1[15], line 32 on page 4 to line 4 on page 6. Omit all words on those lines.
- No. 3 **Carbon sequestration rights**
Page 14, Schedule 1.1[16]. Insert after line 9—
82X Review of Part
(1) The Minister must review this Part to determine whether the policy objectives of the Part remain valid and whether the terms of the Part remain appropriate for securing the objectives.
(2) The review must be undertaken as soon as possible after the period of 2 years from the commencement of this Part.
(3) A report on the outcome of the review must be tabled in each House of Parliament within 12 months after the end of the period of 2 years.
- No. 4 **Objects and functions of National Parks and Wildlife Conservation Trust**
Page 15, Schedule 1.1[18], proposed section 96(1), lines 28–34. Omit all words on those lines.
Insert instead—
(1) The object of the Trust is to support and promote the protection and enhancement of the natural environment through the use of gifts of money and property received by the Public Fund by supporting the following actions, if the actions are in addition to actions that are or would ordinarily be taken—
(a) the acquisition of lands under this Act,
(b) scientific research and monitoring,
(c) threatened species conservation, including restoration,
(d) projects that support the involvement of Aboriginal people in park management, including joint management,

-
- (e) activities or classes of activities prescribed by the regulations, other than activities that are part of routine land management or routine visitor management.

No. 5 Objects and functions of National Parks and Wildlife Conservation Trust

Page 16, Schedule 1.1[18], proposed section 97(d), lines 5–9. Omit all the words on those lines. Insert instead—

- (d) to use gifts, devises, bequests or contributions received by the Public Fund to support and promote actions specified in section 96(1)(a)–(e) to the extent that the actions promote the protection and enhancement of the natural environment,

No. 6 Assets of intergenerational significance

Page 20, Schedule 1.1[25], proposed section 153G(5), lines 33 and 34. Omit all words on those lines. Insert instead—

- (5) Action authorised by regulations under this section—
 - (a) may be taken despite a plan of management that applies to the declared land, and
 - (b) if the declared land is land reserved or dedicated under Part 4A—may only be taken if the action has been approved by the board of management for the land.

No. 7 Assets of intergenerational significance

Page 21, Schedule 1.1[25], proposed section 153I(2). Insert after line 27—

- (b1) action taken by the person was carried out for, or as part of, an Aboriginal cultural practice, or

No. 8 Composition of the Aboriginal Cultural Heritage Advisory Committee

Page 26, Schedule 1.1. Insert after line 10—

[40] Schedule 9 The Aboriginal Cultural Heritage Advisory Committee

Insert “native title holders within the meaning of the *Native Title Act 1993* of the Commonwealth and” before “registered” in clause 1(2)(d)(ii).

No. 9 Representation period for plans of management

Page 27, Schedule 1.2[7], proposed section 73A(2)(c), line 31. Omit “28 days”. Insert instead “60 days”.

No. 10 Consultation for plans of management

Page 27, Schedule 1.2[7], proposed section 73A. Insert after line 36—

- (3A) The Council may, by written notice given to the Secretary before the end of the representation period, request that a draft plan of management be referred to the Council if the Council considers the draft plan raises issues of State-wide significance about the management of land under this Act.
 - (3B) If the Council makes a request under subsection (3A)—
 - (a) the Secretary must refer the plan of management and all representations received during the representation period to the Council, and
 - (b) the Council must consider the draft plan and the representations and provide advice within 28 days after the end of the representation period to—
 - (i) for land reserved or dedicated under Part 4A—the responsible authority, or
 - (ii) otherwise—to the Minister.
-

No. 11 **Consultation for plans of management**

Page 28, Schedule 1.2[8], proposed section 73B(1), line 23. Insert “and, if provided, advice from the Council” after “committee”.

No. 12 **Consultation for plans of management**

Page 28, Schedule 1.2[8], proposed section 73B(1A), line 29. Insert “and the Council” after “committee”.

No. 13 **Representation period for plans of management**

Page 29, Schedule 1.2[10], lines 2–4. Omit all words on those lines. Insert instead—

Omit “to “90 days” is taken to be a reference to “45 days””. Insert instead “to “60 days” is taken to be a reference to “42 days””.