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LEGISLATIVE COUNCIL

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Roads and Crimes Legislation Amendment Bill 2022

First print

Proposed amendments

No. 1	Name of Act—Anti-Democracy
	Page 2, clause 1, line 3. Insert "(Anti-Democracy)" after "Amendment".
No. 2	Name of Act—Anti-Protest
	Page 2, clause 1, line 3. Insert "(Anti-Protest)" after "Amendment".
No. 3	Name of Act—Targeting Climate Activists
	Page 2, clause 1, line 3. Insert "(Targeting Climate Activists)" after "Amendment".
No. 4	Commencement
	Page 2, clause 2, line 5. Omit all words on that line. Insert instead—
	This Act commences on the day that is 12 months after the date of assent to this Act.
No. 5	Roads Act—all amendments
	Page 3, Schedule 1, lines 1–32. Omit all words on those lines.
No. 6	Roads Act—amendments adding major roads
	Page 3, Schedule 1[1]-[6], lines 1-13. Omit all words on those lines.
No. 7	Limiting Roads Act, s144G to Sydney Harbour Bridge
	Page 3, Schedule 1[1], line 3. Omit all words on that line. Insert instead—
	Omit "and other major bridges and tunnels".
No. 8	Limiting Roads Act, s144G to Sydney Harbour Bridge
	Page 3, Schedule 1[2], line 5. Omit all words on that line. Insert instead—
	Omit "and other major bridges and tunnels".
No. 9	Limiting Roads Act, s144G to Sydney Harbour Bridge
	Page 3, Schedule 1[3], line 7. Omit all words on that line. Insert instead—

Omit "or any other major bridge or tunnel".

No. 10 Limiting Roads Act, s144G to Sydney Harbour Bridge

Page 3, Schedule 1[4], line 9. Omit all words on that line. Insert instead—Omit "or tunnel" wherever occurring.

No. 11 Limiting Roads Act, s144G to Sydney Harbour Bridge

Page 3, Schedule 1[5], line 11. Omit all words on that lines. Insert instead—Omit "or tunnel, or".

No. 12 Limiting Roads Act, s144G to Sydney Harbour Bridge

Page 3, Schedule 1[8], lines 19–21. Omit all words on those lines. Insert instead—Omit the definition of *major bridge or tunnel*.

No. 13 Major bridge or tunnel

Page 3, Schedule 1[8], lines 20 and 21. Omit all words on those lines. Insert instead— *major bridge or tunnel* means a bridge or tunnel that is publicly owned and in the City of Sydney local government area.

No. 14 Name of Act—Anti-Democracy

Page 3, Schedule 1[9], proposed section 144H(2), line 29. Insert "(Anti-Democracy)" after "Amendment".

No. 15 Name of Act—Anti-Protest

Page 3, Schedule 1[9], proposed section 144H(2), line 29. Insert "(Anti-Protest)" after "Amendment".

No. 16 Name of Act—Targeting Climate Activists

Page 3, Schedule 1[9], proposed section 144H(2), line 29. Insert "(Targeting Climate Activists)" after "Amendment".

No. 17 Crimes Act—all amendments

Pages 4 and 5, Schedule 2, line 1 on page 4 to line 2 on page 5. Omit all words on those lines.

No. 18 Limiting Crimes Act s. 214A to damage

Page 4, Schedule 2, proposed section 214A(1), lines 6–12. Omit all words on those lines. Insert instead—

(1) A person must not enter, remain on or near, climb, jump from or otherwise trespass on or block entry to any part of a major facility if that conduct causes damage to the major facility.

No. 19 Damage or disruption to major facility—enter

Page 4, Schedule 2, proposed section 214A(1), line 6. Omit "enter,".

No. 20 Damage or disruption to major facility—remain on or near

Page 4, Schedule 2, proposed section 214A(1), line 6. Omit "remain on or near,".

No. 21 Damage or disruption to major facility—climb

Page 4, Schedule 2, proposed section 214A(1), line 6. Omit "climb,".

No. 22 Damage or disruption to major facility—jump from

Page 4, Schedule 2, proposed section 214A(1), line 6. Omit ", jump from".

No. 23 Damage or disruption to major facility—trespass

Page 4, Schedule 2, proposed section 214A(1), lines 6 and 7. Omit "or otherwise trespass on".

No. 24 Damage or disruption to major facility—block entry

Page 4, Schedule 2, proposed section 214A(1), line 7. Omit "or block entry to".

No. 25 Damage or disruption to major facility—part of

Page 4, Schedule 2, proposed section 214A(1), line 7. Omit "any part of".

No. 26 Significant damage

Page 4, Schedule 2, proposed section 214A(1)(a), line 8. Insert "significant" after "causes".

No. 27 Cost of damage

Page 4, Schedule 2, proposed section 214A(1)(a), line 8. Insert "costing more than \$22,000 to repair" after "damage".

No. 28 Disruption to be unreasonable

Page 4, Schedule 2, proposed section 214A(1)(b), line 9. Insert "unreasonably and" before "seriously".

No. 29 Emergency health workers

Page 4, Schedule 2, proposed section 214A(1)(b), line 9. Omit "persons attempting to use". Insert instead "emergency health workers at".

No. 30 Harm to individuals

Page 4, Schedule 2, proposed section 214A(1)(c), line 11. Omit "closed, or". Insert instead—closed in circumstances that would reasonably be expected to—

- (i) cause physical harm to an individual, or
- (ii) prevent an individual from receiving medical assistance, or

No. 31 Harm to individuals

Page 4, Schedule 2, proposed section 214A(1)(d), line 12. Insert "in circumstances that would reasonably be expected to cause physical harm to an individual" after "redirected".

No. 32 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

(2A) A reasonable excuse includes the conduct being taken by a person because the person has a genuine belief in the urgent need for climate action.

No. 33 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2B) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in support of better pay or conditions for workers.

No. 34 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2C) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or

- (b) to raise awareness of, or lobby for, the need to prepare for the impacts of anthropogenic climate change, or
- (c) in support of better pay or conditions for workers.

No. 35 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2D) A reasonable excuse includes the conduct being taken by a person because the person has a genuine belief that the owner or operator of the facility has significantly contributed to the following—
 - (a) anthropogenic climate change,
 - (b) global warming,
 - (c) greenhouse gas emissions.

No. 36 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2E) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in support of the LGBTQI+ community or individual members of the community.

No. 37 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2F) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in support of refugees or asylum seekers.

No. 38 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2G) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in support of the rights of First Nations people.

No. 39 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2H) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in protest against deaths in custody.

No. 40 **Reasonable excuse**

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2I) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) in protest against gendered violence.

No. 41 Reasonable excuse

Page 4, Schedule 2, proposed section 214A. Insert after line 15—

- (2J) A reasonable excuse includes the conduct being taken by a person—
 - (a) because the person has a genuine belief in the urgent need for climate action, or
 - (b) to protect forests.

No. 42 Does not apply during election

Page 4, Schedule 2, proposed section 214A. Insert after line 23—

(4A) This section does not apply during a State or Federal election period, being the period of 3 months before election day.

No. 43 Greenhouse gas

Page 4, Schedule 2, proposed section 214A. Insert after line 23—

(4B) This section does not apply to a major facility if the facility contributes towards greenhouse gas emissions.

No. 44 Privately owned facilities

Page 4, Schedule 2, proposed section 214A(5), line 25. Omit ", whether publicly or privately owned". Insert instead "if publicly owned".

No. 45 Privately owned facilities

Page 4, Schedule 2, proposed section 214A(5), lines 28 and 29. Omit all words on those lines.

No. 46 Name of Act—Anti-Democracy

Page 4, Schedule 2, proposed section 241B(2), line 37. Insert "(Anti-Democracy)" after "Amendment".

No. 47 Name of Act—Anti-Protest

Page 4, Schedule 2, proposed section 241B(2), line 37. Insert "(Anti-Protest)" after "Amendment".

No. 48 Name of Act—Targeting Climate Activists

Page 4, Schedule 2, proposed section 241B(2), line 37. Insert "(Targeting Climate Activists)" after "Amendment".