

FACT SHEET

National Parks and Reserves Management Amendment (Parks and Reserves Authority) Bill 2013

This Bill provides for the amendment of the *National Parks and Reserves Management Act 2002* to establish a Parks and Reserves Authority.

The main provisions of the Bill are as follows:

- The Parks and Reserves Authority will be established. The Authority will comprise the Board of the Parks and Reserves Authority and the Chief Executive, and form part of the State's Resource Management and Planning System. The Authority is to further the objectives for management of reserved land specified in Schedule 1 of the Act.
- The Board will comprise seven members appointed by the Governor on the nomination of the Minister, from whom two may be appointed chairperson and deputy chairperson respectively, and the Chief Executive. The Bill proposes that persons nominated for membership of the Board are to include, but are not limited to, persons with skills and experience in board governance, management of natural and cultural values, reserve management, and management of reserve use including commercial and recreational use.
- The Board of the Parks and Reserves Authority will replace the National Parks and Wildlife Advisory Council, as established under the *National Parks and Reserves Management Act 2002*.
- The Board will be required to have regard to the Resource Management and Planning System objectives in exercising any powers or performing any functions under the Act and is to further the objectives for management of reserved land specified in Schedule 1 of the Act.
- Statutory functions and powers of the Board of the Parks and Reserves Authority include providing the Minister with strategic advice on planning and management of reserves, including responsibility for developing a draft Parks and Reserves Strategic Plan and draft Management Plans. The Board will be responsible for undertaking monitoring, review and evaluation of the Strategic Plan and Management Plans, and will report to the Minister on the implementation of the Strategic Plan. The Board will also advise the Minister on policy issues and other strategic matters. The Board may establish committees, which may include persons who are not members of the Board, to advise it on any matter in relation to its functions.
- The Minister will provide the Board with Statements of Expectation with respect to the Strategic Plan and any Management Plans. A Statement of Expectation is to specify the Minister's objectives for the Board including in relation to: the scope of the Strategic Plan encompassing the mission, objectives and strategies; the scope of Management Plans, including nature conservation, research, wildlife management, historic and Aboriginal heritage, recreation, tourism, fire management, carbon management, access and other uses; timeframes and objectives with respect to plans; and adequate measures for review. It cannot prevent the Board from performing its statutory functions. The Minister is to arrange for an audit by an independent person of the functions of the Board, including an assessment of the furthering of the objectives for management of reserved land specified in Schedule 1, not less than four years after the commencement of the Act and is to make the audit report publicly available.

- The Director of National Parks and Wildlife, as established under the *National Parks and Reserves Management Act*, will be repealed and the Chief Executive, Parks and Reserves Authority established. The Chief Executive will be a statutory officer holder appointed by the Governor, with responsibility for implementation of the Strategic Plan and Management Plans. The Chief Executive will be accountable to the Minister for the day-to-day management of reserves, with the necessary powers to appoint rangers and enforce the Act.
- The Minister will be the managing authority for all reserved land, unless the Governor by order declares another entity to be the managing authority for a reserve, and will remain responsible for issuance of business licences, leases and licences. The issuance of such leases or licences is to be consistent with the Strategic Plan and in accordance with the Act, including existing requirements for consistency with the management objectives for the relevant class of reserve and any applicable Management Plan, where specified.
- The draft Strategic Plan prepared by the Board will be submitted to the Minister for approval. The Board must provide an opportunity for public comment on the draft Strategic Plan. The Board will publicly exhibit and receive representations from community members on any draft Management Plans developed. The Minister may also seek and have regard to, information or advice, from the Tasmanian Planning Commission or any other person. Draft Management Plans will continue to be submitted by the Minister to the Governor for approval.
- Several other Tasmanian statutes currently refer to the Director of National Parks and Wildlife and therefore require consequential amendments. Legislation affected by these changes include the: *Aboriginal Relics Act 1975*; *Crown Lands (Shack Sites) Act 1997*; *Explosives Regulations 2012*; *Firearms Act 1996*; *Fire Service Act 1979*; *Historic Cultural Heritage Act 1995*; *National Parks and Reserved Land Regulations 2009*; *Nature Conservation Act 2002*; *Port Arthur Historic Site Management Authority Act 1987*; and *Wellington Park Act 1993*.
- The consequential amendments provided for in this Bill do not change the functions from those that currently exist in Tasmanian legislation for the Director of Parks and Wildlife.