

TASMANIA

LEGISLATION AND REGULATORY REVIEW (NATURAL RESOURCES AND ENVIRONMENT TASMANIA) BILL 2026

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**LEGISLATION AND REGULATORY REVIEW
(NATURAL RESOURCES AND ENVIRONMENT
TASMANIA) BILL 2026**

*(Brought in by the Minister for Environment and Climate
Change, the Honourable Guy Barnett)*

A BILL FOR

An Act to amend the *Historic Cultural Heritage Act 1995*, *Land Acquisition Act 1993*, *Living Marine Resources Management Act 1995*, *National Parks and Reserves Management Regulations 2019*, *Survey Co-ordination Act 1944*, *Threatened Species Protection Act 1995* and *Threatened Species Protection Regulations 2026*, and to repeal, rescind and revoke certain spent legislation

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Legislation and Regulatory Review (Natural Resources and Environment Tasmania) Act 2026*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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Environment Tasmania) Act 2026
Act No. of 2026*

s. 3

Part 2 – Historic Cultural Heritage Act 1995 Amended

**PART 2 – HISTORIC CULTURAL HERITAGE ACT
1995 AMENDED**

3. Principal Act

In this Part, the *Historic Cultural Heritage Act 1995** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting the definition of *local public notice* and substituting the following definition:

local public notice, in relation to any process affecting any place, means a notice published in the *Gazette* and by one or more of the following methods:

- (a) in a daily newspaper published in Tasmania and circulating generally in the region in which the place is located;
- (b) on a website maintained by, or on behalf of, the Heritage Council for a reasonable period having regard to the matter to which it pertains;
- (c) by any other electronic means that the Heritage Council

*No. 117 of 1995

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

Part 2 – Historic Cultural Heritage Act 1995 Amended

s. 5

considers appropriate in the
circumstances;

5. Section 10A amended (Statements of expectation)

Section 10A of the Principal Act is amended by
omitting subsection (8) and substituting the
following subsection:

- (8) Without limiting the generality of
subsection (7), the Heritage Council is to
ensure that all statements of expectation
are made available to the public on a
website maintained by, or on behalf of,
the Heritage Council.

6. Section 10B amended (Statements of intent)

Section 10B of the Principal Act is amended by
omitting subsection (5) and substituting the
following subsection:

- (5) Without limiting the generality of
subsection (4), the Heritage Council is to
ensure that all statements of intent are
made available to the public on a website
maintained by, or on behalf of, the
Heritage Council.

7. Section 90A amended (Guidelines)

Section 90A of the Principal Act is amended by
omitting subsections (6) and (7) and substituting
the following subsection:

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Environment Tasmania) Act 2026
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s. 7

Part 2 – Historic Cultural Heritage Act 1995 Amended

- (6) Without limiting the generality of subsection (5)(b), the Heritage Council is to ensure that all guidelines are made available to the public on a website maintained by, or on behalf of, the Heritage Council.

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Environment Tasmania) Act 2026*
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Part 3 – Land Acquisition Act 1993 Amended

s. 8

PART 3 – LAND ACQUISITION ACT 1993 AMENDED

8. Principal Act

In this Part, the *Land Acquisition Act 1993** is referred to as the Principal Act.

9. Section 18 amended (Notice of acquisition)

Section 18 of the Principal Act is amended by omitting subsections (4) and (5).

10. Section 22 amended (Amendment or revocation of notice of acquisition)

Section 22 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3)(b) “acquisition; and” and substituting “acquisition.”;
- (b) by omitting paragraph (c) from subsection (3);
- (c) by omitting subsection (4).

*No. 23 of 1993

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

s. 11 Part 4 – Living Marine Resources Management Act 1995 Amended

**PART 4 – LIVING MARINE RESOURCES
MANAGEMENT ACT 1995 AMENDED**

11. Principal Act

In this Part, the *Living Marine Resources Management Act 1995** is referred to as the Principal Act.

12. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting the definition of *public notice* and substituting the following definition:

public notice means a notice which is published in the *Gazette* and by one or more of the following methods:

- (a) in a daily newspaper circulating generally in Tasmania;
- (b) on a website maintained by, or on behalf of, the Department, for a reasonable period having regard to the matter to which it pertains;
- (c) by any other electronic means that the Secretary considers appropriate in the circumstances;

*No. 25 of 1995

**PART 5 – NATIONAL PARKS AND RESERVES
MANAGEMENT REGULATIONS 2019 AMENDED**

13. Principal Regulations

In this Part, the *National Parks and Reserves Management Regulations 2019** are referred to as the Principal Regulations.

14. Regulation 37 substituted

Regulation 37 of the Principal Regulations is rescinded and the following regulation is substituted:

37. Collection of fees

- (1) A managing authority in respect of any reserved land may authorise a person to collect fees imposed by the managing authority in relation to any reserved land.
- (2) An authorised person, or a person authorised under subregulation (1), may require a person driving a vehicle on any reserved land to stop the vehicle for the purposes of –
 - (a) collecting a fee imposed by a managing authority in relation to the reserved land; or

*S.R. 2019, No. 76

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

s. 14 Part 5 – National Parks and Reserves Management Regulations 2019
Amended

(b) confirming that each such fee has been paid.

(3) A person driving a vehicle must comply with any requirement under subregulation (2).

Penalty: Fine not exceeding 20 penalty units.

(4) A person driving a vehicle on any reserved land must –

(a) display a valid ticket, entry pass or other physical receipt, issued in respect of a fee imposed by a managing authority in relation to the reserved land, so that it is clearly visible through the windscreen of the vehicle; or

(b) if requested by an authorised person, or a person authorised under subregulation (1), provide electronic evidence that such a fee has been paid.

Penalty: Fine not exceeding 20 penalty units.

**PART 6 – SURVEY CO-ORDINATION ACT 1944
AMENDED**

15. Principal Act

In this Part, the *Survey Co-ordination Act 1944** is referred to as the Principal Act.

16. Section 2 amended (Interpretation)

Section 2 of the Principal Act is amended by inserting “digital information” after “photograph,” in the definition of *plan*.

17. Section 3A amended (Appointment, &c., of Surveyor-General)

Section 3A(1) of the Principal Act is amended by omitting “surveyor registered under the *Land Surveyors Act 1909*” and substituting “registered land surveyor within the meaning of the *Surveyors Act 2002*”.

18. Sections 4 and 5 repealed

Sections 4 and 5 of the Principal Act are repealed.

19. Section 7 repealed

Section 7 of the Principal Act is repealed.

*No. 86 of 1944

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

s. 20

Part 6 – Survey Co-ordination Act 1944 Amended

20. Section 8 amended (Establishment of central plan register and registration of plans)

Section 8 of the Principal Act is amended by omitting subsections (7) and (8).

21. Section 12 repealed

Section 12 of the Principal Act is repealed.

22. Section 14 amended (Adoption of existing survey marks as permanent marks)

Section 14(1) of the Principal Act is amended by omitting “of a notice in the *Gazette*” and substituting “on a website maintained by, or on behalf of, the Department”.

**PART 7 – THREATENED SPECIES PROTECTION ACT
1995 AMENDED**

23. Principal Act

In this Part, the *Threatened Species Protection Act 1995** is referred to as the Principal Act.

24. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *public notification* and substituting the following definition:

public notification means publication in the *Gazette* and by one or more of the following methods:

- (a) in a daily newspaper circulating generally in Tasmania;
- (b) on a website maintained by, or on behalf of, the Department, for a reasonable period having regard to the matter to which it pertains;
- (c) by any other electronic means that the Secretary considers appropriate in the circumstances;

*No. 83 of 1995

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

s. 25

Part 7 – Threatened Species Protection Act 1995 Amended

25. Section 16 amended (Nomination for listing)

Section 16(2) of the Principal Act is amended by omitting “the prescribed form” and substituting “a form approved by the Secretary”.

26. Section 17 amended (Consideration of nomination by SAC)

Section 17(2)(c) of the Principal Act is amended by omitting “the prescribed form” and substituting “a form approved by the Secretary”.

27. Section 18 amended (Preliminary recommendation by SAC)

Section 18(2)(b) of the Principal Act is amended by omitting “and also give notice of the recommendation in a newspaper circulating generally in the area likely to be affected by the recommendation”.

28. Section 21 amended (Minister’s decision)

Section 21(3)(a) of the Principal Act is amended by omitting “and also give notice of the decision in a newspaper circulating generally in the area likely to be affected by it”.

29. Section 25 amended (Recovery plans)

Section 25(5) of the Principal Act is amended by omitting “and also notify the making of the plan

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Part 7 – Threatened Species Protection Act 1995 Amended

s. 30

in a newspaper circulating generally in the area
to which the plan applies”.

30. Section 27 amended (Threat abatement plans)

Section 27(3) of the Principal Act is amended by
omitting “and also notify the making of the plan
in a newspaper circulating generally in the area
to which the plan applies”.

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Environment Tasmania) Act 2026
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s. 31 Part 8 – Threatened Species Protection Regulations 2026 Amended

**PART 8 – THREATENED SPECIES PROTECTION
REGULATIONS 2026 AMENDED**

31. Principal Regulations

In this Part, the *Threatened Species Protection Regulations 2026** are referred to as the Principal Regulations.

32. Regulation 4 rescinded

Regulation 4 of the Principal Regulations is rescinded.

33. Schedule 1 rescinded

Schedule 1 to the Principal Regulations is rescinded.

*S.R. 2026, No. 55

*Legislation and Regulatory Review (Natural Resources and
Environment Tasmania) Act 2026
Act No. of 2026*

Part 9 – Legislation repealed, rescinded and revoked

s. 34

**PART 9 – LEGISLATION REPEALED, RESCINDED
AND REVOKED**

34. Legislation repealed

The legislation specified in Schedule 1 is repealed.

35. Legislation rescinded

The legislation specified in Schedule 2 is rescinded.

36. Legislation revoked

The legislation specified in Schedule 3 is revoked.

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Environment Tasmania) Act 2026
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sch. 1

SCHEDULE 1 – LEGISLATION REPEALED

Regulation 34

Aboriginal Land Council Elections Act 2004 (No. 1 of 2004)

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Environment Tasmania) Act 2026
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sch. 2

SCHEDULE 2 – LEGISLATION RESCINDED

Regulation 35

Fisheries (Rock Lobster) Amendment Rules 2017 (No. 8 of
2017)

Fisheries (Rock Lobster) Amendment Rules 2019 (No. 62 of
2019)

Fisheries (Abalone) Amendment Rules 2019 (No. 63 of 2019)

Fisheries (Processing and Handling) Amendment Rules 2020
(No. 81 of 2020)

Fisheries (Scalefish) Amendment Rules 2023 (No. 71 of 2023)

Fisheries Amendment (Vessel Monitoring Systems) Rules 2023
(No. 98 of 2023)

Fisheries (Scallop) Amendment Rules 2025 (No. 10 of 2025)

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SCHEDULE 3 – LEGISLATION REVOKED

Regulation 36

Proclamation under the Plant Quarantine Act 1997 (No. 86 of 1998)

Crown Lands (Shack Sites) Order 1998 (No. 132 of 1998)

Proclamation under the Weed Management Act 1999 (No. 154 of 2000)

Proclamation under the Vermin Control Act 2000 (No. 55 of 2001)

Proclamation under the Racing Regulation Act 2004 (No. 165 of 2004)

Proclamation under the Aboriginal Lands Amendment Act (No. 2) 2005 (No. 79 of 2005)

Proclamation under the Weed Management Amendment Act 2007 (No. 137 of 2007)

Nature Conservation (Open Seasons) Amendment Order 2008 (No. 34 of 2008)

Environmental Management and Pollution Control Order 2010 (No. 15 of 2010)

Water and Sewerage Industry (Renewal of Exemption) Order 2010 (No. 56 of 2010)

Proclamation under the Veterinary Surgeons Amendment Act 2011 (No. 120 of 2012)

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*Proclamation under the Water and Sewerage Industry
Amendment Act 2012 (No. 5 of 2013)*

*Proclamation under the Historic Cultural Heritage
Amendment Act 2013 (No. 19 of 2014)*

*Nature Conservation (Threatened Native Vegetation
Communities) Order 2015 (No. 4 of 2015)*

*Proclamation under the Veterinary Surgeons Amendment Act
2015 (No. 84 of 2015)*

*Proclamation under the Water Management Amendment (Dam
Works) Act 2015 (No. 85 of 2015)*

*Proclamation under the Water Management Amendment
(Consequential and Transitional Provisions) Act 2015 (No.
86 of 2015)*

*Nature Conservation (Open Seasons) Amendment Order 2016
(No. 16 of 2016)*

Threatened Species Protection Order 2016 (No. 27 of 2016)

*Inland Fisheries (Seasons and Waters) Amendment Order
2016 (No. 33 of 2016)*

*Proclamation under the Living Marine Resources
Management Amendment Act 2015 (No. 40 of 2016)*

*Inland Fisheries (Seasons and Waters) Amendment Order (No.
2) 2016 (No. 69 of 2016)*

*Water Management (Watercourse Authority Exemption)
Amendment Order 2016 (No. 74 of 2016)*

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*Nature Conservation (Open Seasons) Amendment (Deer)
Order 2016 (No. 120 of 2016)*

*Proclamation under the Aboriginal Relics Amendment Act
2017 (No. 55 of 2017)*

*Environmental Management and Pollution Control
(Amendment of Schedule 2) Order 2017 (No. 78 of 2017)*

*Nature Conservation (Open Seasons) Amendment Order 2017
(No. 100 of 2017)*

*Inland Fisheries (Seasons and Waters) Amendment Order
2018 (No. 47 of 2018)*

*Proclamation under the Water and Sewerage Legislation
(Corporate Governance and Pricing) Amendment Act 2018
(No. 73 of 2018)*

*Environmental Management and Pollution Control Order
2019 (No. 12 of 2019)*

*Nature Conservation (Open Seasons) Amendment Order 2019
(No. 14 of 2019)*

Threatened Species Protection Order 2019 (No. 30 of 2019)

*Inland Fisheries (Seasons and Waters) Amendment Order
2019 (No. 42 of 2019)*

*Proclamation under the Litter Amendment Act 2019 (No. 71 of
2019)*

*Environmental Management and Pollution Control
(Amendment of Schedule 2) Order 2019 (No. 74 of 2019)*

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*Proclamation under the Land Acquisition Amendment Act
2019 (No. 79 of 2019)*

*Nature Conservation (Open Seasons) Amendment (Deer)
Order 2019 (No. 86 of 2019)*

*Nature Conservation (Open Seasons) Amendment
(Muttonbird) Order 2020 (No. 21 of 2020)*

Threatened Species Protection Order 2020 (No. 78 of 2020)

*Proclamation under the Cat Management Amendment Act
2020 (No. 11 of 2021)*

Threatened Species Protection Order 2021 (No. 88 of 2021)

*Proclamation under the Land (Miscellaneous Amendments)
Act 2021 (No. 131 of 2021)*

*Nature Conservation (Open Seasons) Amendment (Take
Limits) Order 2022 (No. 3 of 2022)*

Threatened Species Protection Order 2022 (No. 125 of 2022)

*Launceston Flood Risk Management Order 2023 (No. 4 of
2023)*

*Proclamation under the Living Marine Miscellaneous
Amendments (Digital Processes) Act 2021 (No. 9 of 2023)*

Threatened Species Protection Order 2023 (No. 22 of 2023)

Threatened Species Protection Order 2024 (No. 35 of 2024)

*Threatened Species Protection Amendment Order 2024 (No.
103 of 2024)*