

CLAUSE NOTES

Legislation and Regulatory Review (Natural Resources and Environment Tasmania) Bill 2026

PART 1 PRELIMINARY

Clause 1 Short title

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

Clause 2 Commencement

The Act commences upon Royal Assent.

PART 2 HISTORIC CULTURAL HERITAGE ACT 1995 AMENDED

Clause 3 Principal Act

The *Historic Cultural Heritage Act 1995* is referred to in this Part as the Principal Act.

Clause 4 Section 3 amended (Interpretation)

Amends the definition of “local public notice” to modernise notification requirements.

Retains Gazette publication and requires additional publication by one or more of newspapers, a website maintained by, or on behalf of the Heritage Council, or by any other appropriate electronic means that the Heritage Council considers appropriate in the circumstances.

Clause 5 Section 10A amended (Statements of expectation)

Requires statements of expectation to be made publicly available on a website maintained by, or on behalf, of the Heritage Council, removing redundant requirement for the statement to be physically available.

Clause 6 Section 10B amended (Statements of Intent)

Requires statements of intent to be made publicly available on a website maintained by, or on behalf, of the Heritage Council, removing redundant requirement for the statement to be physically available.

Clause 7 Section 90A amended (Guidelines)

Requires guidelines issued by the Heritage Council to be made publicly available on a website maintained by, or on behalf, of the Heritage

Council removing redundant requirement for the Guidelines to be physically available.

Part 3 LAND ACQUISITION ACT 1993 AMENDED

Clause 8 Principal Act

The *Land Acquisition Act 1993* is referred to in this Part as the Principal Act.

Clause 9 Section 18 amended (Notice of acquisition)

Omits subsections 18(4) and (5), removing tabling after gazettal.

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

Removes requirements relating to tabling of notices of amendment or revocation of acquisition notices and makes consequential drafting amendments.

Part 4 LIVING MARINE RESOURCES MANAGEMENT ACT 1995 AMENDED

Clause 11 Principal Act

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

Clause 12 Section 3 amended (Interpretation)

Amends the definition of “public notice” to modernise notification requirements.

Retains Gazette publication and requires additional publication by one or more of newspapers, a department website, or other appropriate electronic means the Secretary considers appropriate in the circumstances.

Part 5 NATIONAL PARKS AND RESERVES MANAGEMENT REGULATIONS 2019 AMENDED

Clause 13 Principal Regulations

The *National Parks and Reserves Management Regulations 2019* is referred to in this Part as the Principal Regulations.

Clause 14 Regulation 37 substituted

Substitutes regulation 37 to provide for electronic parks passes, to complement the existing vehicle-based pass.

The regulation also clarifies that existing arrangements and powers, to collect park entry fees and check fees have been paid, extend to electronic parks passes.

The change does not impose any new fees or penalties.

Part 6 SURVEY CO-ORDINATION ACT 1944 AMENDED

Clause 15 Principal Act

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

Clause 16 Section 2 amended (Interpretation)

Expands the definition of “plan” to include digital information enabling more modern and contemporary data to be stored and referenced by the central plan register.

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

Updates a reference to surveyor registration legislation by replacing a reference to the *Land Surveyors Act 1909* with a reference to a registered land surveyor within the meaning of the *Surveyors Act 2002*.

Clause 18 Section 4 and 5 repealed

Repeals obsolete provisions of the Principal Act requiring public authorities to provide existing plans to the Surveyor-General within 6 months of the commencement of the Act, and the requirement to notify the Surveyor-General of the intention to commence a survey.

Clause 19 Section 7 repealed

Repeals an obsolete provision of the Principal Act requiring public authorities to provide a list of every plan and every survey to the Surveyor-General.

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

Repeals subsections 8(7) and (8) of the Principal Act requiring the Surveyor-General to publish an index of plans, which is no longer required as the central plan register is searchable online.

Clause 21 Section 12 repealed

Repeals an obsolete provision of the Principal Act as the central plan register is searchable online and duplicate surveys are not relevant with current survey technology.

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

Modernises publication requirements by replacing Gazette notifications with publication on a website maintained by, or on behalf of, the Department, as survey marks are published via the LIST with direct linkage to the survey control database.

Part 7 THREATENED SPECIES PROTECTION 1995 AMENDED

Clause 23 Principal Act

The *Threatened Species Protection Act 1995* is referred to in this Part as the Principal Act.

Clause 24 Section 3 amended (Interpretation)

Amends the definition of “public notification” to modernise notification requirements.

Retains Gazette publication and requires additional publication by one or more of newspapers, a department website, or other appropriate electronic means the Secretary considers appropriate.

Clause 25 Section 16 amended (Nomination for listing)

Replaces the requirement for a prescribe form with a requirement that nominations be made in a form approved by the Secretary, removing the requirement for regulations to update the form.

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

Replaces the requirement for a prescribed form with a requirement that nominations be made in a form approved by the Secretary.

Clause 27 Section 18 amended (Preliminary recommendation by SAC)

Amended to remove references to publication in a newspaper to align with the new definition of “public notification”.

Clause 28 Section 21 amended (Minister’s decision)

Amended to remove references to publication in a newspaper to align with the new definition of “public notification”.

Clause 29 Section 25 amended (Recovery plans)

Amended to remove references to publication in a newspaper to align with the new definition of “public notification”.

Clause 30 Section 27 amended (Threat abatement plans)

Amended to remove references to publication in a newspaper to align with the new definition of “public notification”.

Part 8 THREATENED SPECIES PROTECTION REGULATIONS 2026 AMENDED

Clause 31 Principal Regulations

The *Threatened Species Protection Regulations 2026* is referred to in this Part as the Principal Regulations.

Clause 32 Regulation 4 rescinded

Rescinds regulation 4 of the Principal Regulations. This amendment supports the replacement of prescribed forms with forms approved administratively by the Secretary.

Clause 33 Schedule 1 rescinded

Rescinds Schedule 1 to the Principal Regulations, which prescribed forms no longer required under the Principal Act.

Part 9 LEGISLATION REPEALED, RESCINDED AND REVOKED

Clause 34 Legislation repealed

Repeals the *Aboriginal Land Council Elections Act 2004* as it is spent and no longer required.

Clause 35 Legislation rescinded

Rescinds the legislation specified in Schedule 2 as it is no longer required.

Clause 36 Legislation revoked

Revokes the legislation specified in Schedule 3 as it is spent and no longer required.