

TASMANIA

NATURAL RESOURCE MANAGEMENT AMENDMENT BILL 2018

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NATURAL RESOURCE MANAGEMENT AMENDMENT BILL 2018

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
21 June 2018

*(Brought in by the Minister for Primary Industries and Water,
the Honourable Sarah Courtney)*

A BILL FOR

An Act to amend the *Natural Resource Management Act 2002*

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:

1. Short title

This Act may be cited as the *Natural Resource Management Amendment Act 2018*.

2. Commencement

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

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3. Principal Act

In this Act, the *Natural Resource Management Act 2002** is referred to as the Principal Act.

4. Long title amended

The long title of the Principal Act is amended by omitting “the Tasmanian Natural Resource Management Council and regional”.

5. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended as follows:

- (a) by omitting the definitions of *accreditation criteria* and *Council*;
- (b) by omitting the definition of *Ministerial Council*;
- (c) by inserting the following definitions after the definition of *regional strategy*:

relevant committee includes each regional committee and special advisory committee;

special advisory committee means a committee established by the Minister under section 11A;

*No. 37 of 2002

6. Part 2 repealed

Part 2 of the Principal Act is repealed.

7. Part 3: Heading amended

Part 3 of the Principal Act is amended by omitting “**REGIONAL COMMITTEES**” from the heading to that Part and substituting “**COMMITTEES**”.

8. Part 3, Division 1: Heading amended

Division 1 of Part 3 of the Principal Act is amended by omitting “*Establishment*” from the heading to that Division and substituting “*Regional committees*”.

9. Section 11 amended (Annual report)

Section 11 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3) “and the Council”;
- (b) by omitting from subsection (4) “at the same time as the report under section 8(2) is tabled.” and substituting “within 10 sitting-days after receiving the report.”.

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10. Part 3, Division 2 inserted

After section 11 of the Principal Act, the following Division is inserted in Part 3:

Division 2 – Special advisory committees

11A. Special advisory committees

- (1) The Minister, by order, may establish one or more special advisory committees for the purpose of advising the Minister on –
 - (a) such matters in relation to the management of natural resources, including draft regional strategies and regional strategies, as are specified in the order; or
 - (b) such matters arising in relation to the performance of his or her functions under the Act as are specified in the order; or
 - (c) such matters arising in relation to the performance of functions of a regional committee under the Act as are specified in the order.
- (2) An order under subsection (1) –
 - (a) is not a statutory rule for the purposes of the *Rules Publication Act 1953*; and

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- (b) is not subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.
- (3) An order under subsection (1) –
 - (a) may specify the number of members of the special advisory committee to which it relates; and
 - (b) subject to this section, may contain provisions –
 - (i) regulating the appointment of members of the committee; and
 - (ii) regulating the proceedings of that committee; and
 - (iii) giving the Minister, or a person nominated by the Minister, the right to attend meetings of that committee.
- (4) The members of a special advisory committee are appointed by the Minister, and the Minister may appoint a member of the committee as its chairperson.
- (5) At a meeting of a special advisory committee –
 - (a) a quorum is constituted at the meeting if at least half the total

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number of members of the committee are present; and

- (b) the chairperson, or, if the chairperson is absent or there is no chairperson, another member present and chosen by a majority of the members present, is to preside at the meeting; and
 - (c) the chairperson, or other member presiding at the meeting, has a deliberative vote only; and
 - (d) in the event of an equality of votes on any matter before the committee, the matter stands adjourned to the next meeting of the committee.
- (6) The Minister may make arrangements to make available to a special advisory committee such assistance, resources and accommodation as the Minister considers appropriate.
- (7) The members of a special advisory committee are to be paid such travelling and other allowances as the Minister determines.

11. Section 12 amended (Preparation of draft regional strategy)

Section 12(2) of the Principal Act is amended by omitting paragraph (a).

12. Section 13 amended (Draft regional strategy)

Section 13(2) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a)(iii) “region; and” and substituting “region.”;
- (b) by omitting paragraph (b).

13. Section 14 amended (Accreditation of regional strategy)

Section 14 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “the Council” and substituting “the Minister”;
- (b) by omitting subsection (2);
- (c) by omitting from subsection (4)(b) “the Council” and substituting “the Minister”.

14. Section 15 repealed

Section 15 of the Principal Act is repealed.

15. Section 17 amended (Natural resource management principles)

Section 17 of the Principal Act is amended as follows:

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- (a) by omitting from subsection (1)(b) “Council and regional committees” and substituting “relevant committees”;
- (b) by omitting subsection (3).

16. Section 18 amended (Priorities for natural resource management)

Section 18 of the Principal Act is amended as follows:

- (a) by omitting “Minister, after seeking advice from the Council, is to” and substituting “Minister is to”;
- (b) by omitting from paragraph (b) “Council and regional committees” and substituting “relevant committees”.

17. Section 19 amended (Disclosure of interest)

Section 19 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “the Council or a regional committee” and substituting “a relevant committee”;
- (b) by omitting from subsection (1) “Council or regional committee, as appropriate” and substituting “relevant committee”;
- (c) by omitting subsection (3);

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- (d) by omitting from subsection (6)(f) “Council or regional committee” and substituting “relevant committee”.

18. Section 20 amended (Review of Act)

Section 20 of the Principal Act is amended as follows:

- (a) by omitting “7 years” and substituting “10 years”;
- (b) by omitting paragraph (b);
- (c) by omitting from paragraph (c) “the Council and”.

19. Schedule 2 repealed

Schedule 2 to the Principal Act is repealed.

20. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.