

TASMANIA

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**RIGHT TO INFORMATION AMENDMENT (PUBLIC  
PROTECTED AREAS) BILL 2021**

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# RIGHT TO INFORMATION AMENDMENT (PUBLIC PROTECTED AREAS) BILL 2021

*(Brought in by Cassandra Stanwell O'Connor MP)*

## A BILL FOR

**An Act to amend the *Right to Information Act 2009* to ensure transparency in respect of development proposals for certain reserve tenures**

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 *Right to Information Amendment (Public Protected Areas) Act 2021*.

### 2. Commencement

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

### 3. Principal Act

In this Act, the *Right to Information Act 2009*\* is referred to as the Principal Act.

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\*No. 70 of 2009

**4. Section 33A inserted**

After section 33 of the Principal Act, the following section is inserted in Division 2 of Part 3:

**33A. Exemptions not to apply to certain land use proposals**

- (1) Despite section 33, information is not exempt information –
  - (a) if it is information that relates to a proposed use or development in a conservation area, national park, nature recreation area, nature reserve, public reserve, reserved land, or State reserve; and
  - (b) if, but for this section, it would be exempt information under one or more excluded provision; and
  - (c) if it is not exempt information under any provisions of this Act, other than an excluded provision.

- (2) In the section –

*conservation area* has the same meaning as in the *Nature Conservation Act 2002*;

*development* has the same meaning as in the *Land Use Planning and Approvals Act 1993*;

***excluded provision*** means sections 34, 35, 37, 38, 39, 40, and 41 of this Act;

***national park*** has the same meaning as in the *Nature Conservation Act 2002*;

***nature recreation area*** has the same meaning as in the *Nature Conservation Act 2002*;

***nature reserve*** has the same meaning as in the *Nature Conservation Act 2002*;

***public reserve*** has the same meaning as in the *Nature Conservation Act 2002*;

***reserved land*** has the same meaning as in the *Nature Conservation Act 2002*;

***State reserve*** has the same meaning as in the *Nature Conservation Act 2002*; and

***use*** has the same meaning as in the Land Use Planning and Approvals Act 1993.

**5. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which all of the provisions of this Act commence.