



National Parks and Wildlife Conservation Amendment Act (No. 2) 1987

No. 16 of 1987

An Act to amend the *National Parks and Wildlife Conservation Act 1975*, and for related purposes

[Assented to 18 May 1987]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

1. (1) This Act may be cited as the *National Parks and Wildlife Conservation Amendment Act (No. 2) 1987*.

(2) The *National Parks and Wildlife Conservation Act 1975*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation immediately after the commencement of the *National Parks and Wildlife Conservation Amendment Act 1987*.

Interpretation

3. Section 3 of the Principal Act is amended by omitting from subparagraph (a) (ii) of the definition of "Region" in subsection (1) " , Goodparla, Gimbat".

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Conservation zones

4. Section 8A of the Principal Act is amended:

- (a) by omitting from subsection (1) "it is practicable" and substituting "a decision is made whether or not";
- (b) by omitting subsection (6) and substituting the following subsection:

“(6) For the purposes of making regulations in relation to conservation zones, subsections 71 (2) (other than paragraph (t)) and 71 (3) apply, subject to subsection (7) of this section, in relation to conservation zones as they apply in relation to parks and reserves.”;
- (c) by omitting paragraph (8) (a) and substituting the following paragraph:

“(a) regulating or prohibiting operations for the recovery of minerals;”;
- (d) by adding at the end the following subsections:

“(9) Subsection (1) does not limit the power to make regulations conferred by paragraph (8) (a).

“(10) Where:

 - (a) regulations made under paragraph (8) (a) have effect in relation to a conservation zone; and
 - (b) an area is subsequently excised from the zone;

then, except as otherwise provided in the regulations, the regulations continue to apply in relation to the area, and further regulations may be made under that paragraph in relation to the area, as if the area had not been excised.

“(11) Regulations made under paragraph (8) (a) have effect notwithstanding:

 - (a) any other regulations made under this Act; or
 - (b) any law of the Northern Territory, or any Act, by or under which interests referred to in subparagraph 8B (1) (a) (i) have been created, preserved or otherwise affected.

“(12) Regulations made under this section (other than regulations made under paragraph (8) (a)) have no effect to the extent that they are inconsistent with the terms and conditions of:

 - (a) a lease or licence granted under section 51 of the *Lands Acquisition Act 1955*; or
 - (b) a right (however described) to explore or prospect for minerals granted under section 53 of that Act.

“(13) Any operation for the recovery of minerals on, in or beneath land in a conservation zone in the exercise of an interest referred to in subparagraph 8B (1) (a) (i) shall be deemed, for the purposes of procedures contained in orders made under the *Environment Protection (Impact of Proposals) Act 1974*, to be a proposed action within the meaning of those procedures.”.

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Existing interests etc. in parks and reserves

5. Section 8B of the Principal Act is amended by inserting in paragraph (1) (a) “(other than subsection 8A (13) or regulations made under paragraph 8A (8) (a))” after “regulations”.

Township at Jabiru

6. Section 8D of the Principal Act is amended by omitting the definition of “Park” from subsection (1) and substituting the following definition:

“‘Park’ means Kakadu National Park;”.

No compensation payable

7. Notwithstanding any law of the Commonwealth or of the Northern Territory, the Commonwealth is not liable to pay compensation to any person by reason of the enactment of this Act.

NOTE

1. No. 12, 1975. For previous amendments, see No. 37, 1976; Nos. 29 and 36, 1978; Nos. 42 and 155, 1979; No. 70, 1980; No. 111, 1982; Nos. 10, 63 and 72, 1984; No. 94, 1985; and No. 76, 1986.

[*Minister's second reading speech made in—
House of Representatives on 18 March 1987
Senate on 28 April 1987*]