

NORTHERN TERRITORY OF AUSTRALIA
TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT
(JOINT MANAGEMENT PARKS) ACT 2007

Act No. 20 of 2007

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 20 of 2007

AN ACT

to amend the *Territory Parks and Wildlife Conservation Act*

[Assented to 18 September 2007]

[Second reading 21 June 2007]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Territory Parks and Wildlife Conservation Amendment (Joint Management Parks) Act 2007*.

2. Commencement

This Act commences on the date fixed by the Administrator by *Gazette* notice.

3. Act amended

This Act amends the *Territory Parks and Wildlife Conservation Act*.

4. Amendment of section 22 (Interpretation)

(1) Section 22(1), definition "park or reserve"

omit

Territory Parks and Wildlife Conservation Amendment (Joint Management Parks) Act 2007

(2) Section 22(1)

insert (in alphabetical order)

"joint management agreement", for a park or reserve, means an agreement between the Territory and the traditional Aboriginal owners of the park or reserve about the management of the park or reserve;

"joint management park or reserve" means:

- (a) a scheduled park or reserve; or
- (b) a park or reserve for which a joint management agreement has been executed under section 23A(1);

"relevant agreements" means:

- (a) for a scheduled park or reserve – the following leases and agreements entered into in respect of the park or reserve:
 - (i) the joint management agreement referred to in section 8(d) of the Framework Act;
 - (ii) any lease referred to in section 8(c) or 10(1)(f) of the Framework Act;
 - (iii) any indigenous land use agreement referred to in section 8(e) of the Framework Act; and
- (b) for a park or reserve for which a joint management agreement has been executed under section 23A(1):
 - (i) the joint management agreement; and
 - (ii) any lease and indigenous land use agreement entered into in respect of the park or reserve;

"scheduled park or reserve":

- (a) means a park or reserve specified in Schedule 1, 2 or 3 to the Framework Act; and
- (b) if an area of land specified in Schedule 5 to that Act is declared under section 12 to be included in a park or reserve specified in Schedule 1 to that Act – includes that area of land;

5. New Part III, Division 1A

After section 23

insert

Division 1A – Joint management agreements

23A. Minister may execute joint management agreement

(1) The Minister may execute, on behalf of the Territory, a joint management agreement for a park or reserve.

(2) The terms of the joint management agreement must provide that access to the park or reserve is to be open to the public without payment of an entry fee.

6. Amendment of section 25AA (Joint management partners)

(1) Section 25AA(1), before "park"

insert

joint management

(2) Section 25AA(3)

omit

a park

substitute

the park

(3) Section 25AA(3)(a) to (f)

omit, substitute

(a) is consistent with the relevant agreements for the park or reserve;
and

(b) achieves the objective stated in section 25AB; and

(c) is in accordance with the principles stated in section 25AC; and

(d) is in accordance with the joint management plan for the park or reserve.

7. Amendment of section 25AE (Contents of draft plan)

Section 25AE(1)

omit, substitute

(1) The draft plan for the park or reserve must be consistent with the following:

- (a) the relevant agreements for the park or reserve;
- (b) the objective stated in section 25AB;
- (c) the principles stated in section 25AC.

8. Repeal and substitution of section 25AN

Section 25AN

repeal, substitute

25AN. Application of Division

(1) This Division applies in relation to:

- (a) a park or reserve specified in Schedule 2 or 3 to the Framework Act; and
- (b) a park or reserve for which a joint management agreement has been executed under section 23A(1).

(2) However, in regard to a park or reserve referred to in subsection (1)(b), the application of this Division is subject to exclusion or modification by:

- (a) the joint management agreement for the park or reserve; and
- (b) any indigenous land use agreement applying to the park or reserve.

9. Amendment of section 25AQ (By-laws)

(1) Section 25AQ(1), before "park" (first reference)

insert

joint management

Territory Parks and Wildlife Conservation Amendment (Joint Management Parks) Act 2007

(2) Section 25AQ(2)(b) to (e)

omit, substitute

(b) the relevant agreements for the park or reserve;

(c) the joint management plan for the park or reserve.

10. Repeal and substitution of section 25AR

Section 25AR

repeal, substitute

25AR. Lease of park or reserve not a subdivision

A lease entered into in respect of a joint management park or reserve does not create, or have the effect of creating, a subdivision within the meaning of the *Planning Act*.

11. Further amendments

The Schedule has effect.

Territory Parks and Wildlife Conservation Amendment (Joint Management Parks) Act 2007

SCHEDULE

Section 11

FURTHER AMENDMENTS

Provision	Amendment	
	omit	substitute
Section 24(1)(a)	park	scheduled park
Sections 25AB, 25AD(1), 25AH(1) and (3), 25AI, 25AJ and 25AK(1)	park (first reference)	joint management park
Part III, Division 5, heading	<i>parks</i>	<i>joint management parks</i>
Section 25AL	park	joint management park
Section 25AM(1)	park (first reference)	joint management park