

Serial 103

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

Ms Scrymgour

**A BILL  
for  
AN ACT**

to amend the *Territory Parks and Wildlife Conservation Act*

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

---

Act No. [ ] of 2007

---

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Act amended
4. Amendment of section 22 (Interpretation)
5. New Part III, Division 1A  
*Division 1A – Joint management agreements*
  - 23A. Minister may execute joint management agreement
6. Amendment of section 25AA (Joint management partners)
7. Amendment of section 25AE (Contents of draft plan)
8. Repeal and substitution of section 25AN  
25AN. Application of Division
9. Amendment of section 25AQ (By-laws)
10. Repeal and substitution of section 25AR  
25AR. Lease of park or reserve not a subdivision
11. Further amendments



# NORTHERN TERRITORY OF AUSTRALIA

---

Act No. [ ] of 2007

---

## AN ACT

to amend the *Territory Parks and Wildlife Conservation Act*

[Assented to [ ] 2007]  
[Second reading [ ] 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>parcs</i>	<i>joint management parks</i>
Section 25AL	park	joint management park
Section 25AM(1)	park (first reference)	joint management park