

Conservation and Land Management Amendment Regulations (No. 2) 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Conservation and Land Management Amendment Regulations (No. 2) 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Conservation and Land Management Regulations 2002*.

4. Regulation 4 amended

After regulation 4(1) insert:

- (2A) The CEO is to specify in a notice under subregulation (1) the person or persons or group, body or association of persons to whom the authorisation applies.

5. Regulation 39 amended

In regulation 39(1):

- (a) in paragraph (c) delete “injured.” and insert:

injured; or

- (b) after paragraph (c) insert:
 - (d) contrary to any direction on a sign relating to that CALM land or an area of that land specified in the sign; or
 - (e) where there is in force a fire danger forecast issued by the Bureau of Meteorology of “high”, “very high”, “severe”, “extreme” or “catastrophic” that relates to, or includes, that CALM land.

6. Regulation 67 amended

- (1) After regulation 67(1) insert:
 - (2A) An authorised officer may direct a person directed to vacate a site under subregulation (1) not to camp within the park or reserve in which the site is situated during a period —
 - (a) beginning on the day on which the direction is given; and
 - (b) not exceeding 14 days.
- (2) In regulation 67(2) delete “subregulation (1).” and insert:

subregulation (1) or (2A).

7. Regulation 73 amended

- In regulation 73(2) delete “behaviour” and insert:
- any activity or behaviour that is prohibited

8. Regulation 121 amended

- (1) In regulation 121(1) delete the definition of *relevant CALM land*.
- (2) In regulation 121(1) insert in alphabetical order:

category A firearm means a firearm of category A under the *Firearms Regulations 1974* regulation 6A(1);

category B firearm means a firearm of category B under the *Firearms Regulations 1974* regulation 6A(1);

relevant area means any of the following —

- (a) a car park, including any area where signs direct vehicles to be parked or that is predominantly used for parking vehicles;
- (b) a sealed road;
- (c) a camping area;
- (d) a visitor area.

(3) After regulation 121(4) insert:

(5A) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken with a firearm other than a category A firearm or a category B firearm.

(4) In regulation 121(5)(b) delete “relevant CALM land,”.

(5) After regulation 121(5) insert:

(6A) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken —

- (a) without the written permission of the CEO; and
- (b) with a category A firearm or a category B firearm; and
- (c) on CALM land that is a relevant area or —
 - (i) if the fauna is taken with a category A firearm — within 1.5 km of a relevant area; or
 - (ii) if the fauna is taken with a category B firearm — within 3 km of a relevant area.

(6B) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken —

- (a) without the written permission of the CEO; and
- (b) by means other than a firearm; and
- (c) on CALM land that is a relevant area or within 1 km of a relevant area.

(6) After regulation 121(6) insert:

(7A) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken with a

firearm other than a category A firearm or a category B firearm.

- (7) In regulation 121(7)(b) delete “relevant CALM land,”.
- (8) After regulation 121(7) insert:
 - (8) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken —
 - (a) without the written permission of the CEO; and
 - (b) with a category A firearm or a category B firearm; and
 - (c) on CALM land that is a relevant area or —
 - (i) if the animal is taken with a category A firearm — within 1.5 km of a relevant area; or
 - (ii) if the animal is taken with a category B firearm — within 3 km of a relevant area.
 - (9) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken —
 - (a) without the written permission of the CEO; and
 - (b) by means other than a firearm; and
 - (c) on CALM land that is a relevant area or within 1 km of a relevant area.

9. Schedule 1 amended

In Schedule 1 Division 2 items 1, 2, 3, 4 and 5 delete “8 occupants” and insert:

12 occupants

10. Schedule 2 amended

In Schedule 2 Division 2:

- (a) after item 6a insert:

6B.	13(1)	Cultivating plants	200
6C.	14(2)	Failing to comply with direction to remove plants, equipment	200

		(b) after item 35 insert:	
36A.	46(2)	Failing to leave a closed area	200
		(c) after item 43 insert:	
44A.	54(2)	Driving a vehicle in a dangerous or careless manner	100
		(d) after item 51b insert:	
51C.	62(2)	Navigating a vessel in a manner that causes nuisance etc.	100
		(e) in item 57 after “camp” and insert: or not camp	
		(f) after item 64a insert:	
64BA.	72(2)	Failing to comply with direction to cease behaviour	100
64BB.	73(1)	Behaving in a way that causes nuisance or offence etc.	100
		(g) after item 64b insert:	
64C.	75(1)	Entering or remaining on CALM land when seriously affected by alcohol or drugs etc.	100
		(h) after item 65 insert:	
65A.	75(4)	Failing to comply with a direction not to bring alcohol or intoxicating substance onto CALM land	100
		(i) after item 66 insert:	
66AA.	76(3)	Failing to comply with a direction to leave object	200
		(j) after item 67 insert:	
68A.	93(5)	Contravention of condition or restriction of scientific purposes licence	100

11. Various penalties amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
r. 10	\$500	\$1 000
r. 12(1)	\$1 000	\$2 000
r. 12(2)	\$1 000	\$2 000
r. 12(3)	\$1 000	\$2 000
r. 12(3a)	\$1 000	\$2 000
r. 13(1)	\$1 000	\$2 000
r. 15	\$500	\$2 000
r. 16(2)	\$500	\$2 000
r. 17(2)	\$500	\$2 000
r. 18	\$1 000	\$2 000
r. 19	\$500	\$2 000
r. 23(2)	\$500	\$2 000
r. 24(1)	\$1 000	\$2 000
r. 26	\$500	\$1 000
r. 28	\$200	\$1 000
r. 32	\$500	\$1 000
r. 33(1)	\$500	\$1 000
r. 33(2)	\$500	\$1 000
r. 43	\$1 000	\$2 000
r. 46(1)	\$1 000	\$2 000
r. 46(2)	\$1 000	\$2 000
r. 51(1)	\$1 000	\$2 000
r. 52(1)	\$1 000	\$2 000
r. 54(1)	\$500	\$1 000

Provision	Delete	Insert
r. 55	\$500	\$1 000
r. 61	\$500	\$1 000
r. 62(1)	\$500	\$1 000
r. 62(2)	\$500	\$1 000
r. 66(1)	\$500	\$1 000
r. 66(2)	\$500	\$1 000
r. 71(2a)	\$200	\$1 000
r. 72(2)	\$500	\$1 000
r. 73(1)	\$500	\$1 000
r. 73(2)	\$500	\$1 000
r. 75(1)	\$500	\$1 000
r. 75(2)	\$500	\$1 000
r. 75(4)	\$500	\$1 000
r. 93(5)	\$500	\$1 000
r. 98(3)	\$1 000	\$2 000
r. 109	\$1 000	\$2 000
r. 110	\$1 000	\$2 000
Sch. 2 Div. 2 it. 3	50	100
Sch. 2 Div. 2 it. 4	100	200
Sch. 2 Div. 2 it. 5	100	200
Sch. 2 Div. 2 it. 6	100	200
Sch. 2 Div. 2 it. 7	50	200
Sch. 2 Div. 2 it. 8	50	200
Sch. 2 Div. 2 it. 9	50	200
Sch. 2 Div. 2 it. 10	100	200
Sch. 2 Div. 2 it. 11	50	200

Provision	Delete	Insert
Sch. 2 Div. 2 it. 16	50	200
Sch. 2 Div. 2 it. 17	100	200
Sch. 2 Div. 2 it. 18	50	100
Sch. 2 Div. 2 it. 20	35	100
Sch. 2 Div. 2 it. 24	50	100
Sch. 2 Div. 2 it. 25	50	100
Sch. 2 Div. 2 it. 34	100	200
Sch. 2 Div. 2 it. 35	100	200
Sch. 2 Div. 2 it. 41	100	200
Sch. 2 Div. 2 it. 42	100	200
Sch. 2 Div. 2 it. 43	50	100
Sch. 2 Div. 2 it. 44	50	100
Sch. 2 Div. 2 it. 51	50	100
Sch. 2 Div. 2 it. 51b	50	100
Sch. 2 Div. 2 it. 52	50	100
Sch. 2 Div. 2 it. 55	50	100
Sch. 2 Div. 2 it. 56	50	100
Sch. 2 Div. 2 it. 64a	20	100
Sch. 2 Div. 2 it. 64b	50	100
Sch. 2 Div. 2 it. 65	50	100
Sch. 2 Div. 2 it. 66a	50	200
Sch. 2 Div. 2 it. 68	100	200
Sch. 2 Div. 2 it. 77	100	200
Sch. 2 Div. 2 it. 78	100	200

N. HAGLEY, Clerk of the Executive Council.