

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 166  
Issue No. 4

TUESDAY, 6 SEPTEMBER 2016

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### *BIODIVERSITY CONSERVATION BILL 2015 [166-2]*

When in committee on the *Biodiversity Conservation Bill 2015*:

#### Clause 7

**Minister for Planning representing the Minister for Environment:** To move –

1/7 Page 18, after line 10 — To insert —

*biodiversity conservation conditions* means conditions or requirements relating to the conservation or protection of biodiversity or biodiversity components;

**Minister for Planning representing the Minister for Environment:** To move –

2a/7 Page 18, line 23 to page 19, line 2 — To delete the lines and insert —

act if —

(a) it is —

(i) an act that is authorised by a relevant authorisation or is otherwise authorised or required under a State agreement; or

(ii) an act that is a likely consequence of an act referred to in subparagraph (i);

and

(b) all biodiversity conservation conditions that apply to or in relation to it are complied with, whether those conditions are imposed under the relevant authorisation, or State agreement referred to in paragraph (a)(i) or imposed in some other way.

**Clause 151**

**Minister for Planning representing the Minister for Environment:** To move –  
3/151 Page 95, line 26 — To delete “fauna;” and insert —

fauna (other than fish or pearl oyster);

**Minister for Planning representing the Minister for Environment:** To move –  
4/151 Page 96, line 3 — To delete “fauna;” and insert —

fauna (other than fish or pearl oyster);

**Clause 153**

**Minister for Planning representing the Minister for Environment:** To move –  
5/153 Page 98, line 15 — To delete “fauna;” and insert —

fauna (other than fish or pearl oyster);

**Minister for Planning representing the Minister for Environment:** To move –  
6/153 Page 98, line 24 — To delete “fauna;” and insert —

fauna (other than fish or pearl oyster);

**Clause 187**

**Hon Adele Farina:** To move –  
28/187 Page 118, after line 8 — To insert —

*green sandalwood* means living sandalwood;

**Hon Adele Farina:** To move –  
29/187 Page 118, after line 12 — To insert —

*state* means condition of sandalwood population size, distribution and natural range;

**Hon Adele Farina:** To move –  
30/187 Page 118, after line 14 — To insert —

*viability* means ability to survive in the wild without becoming extinct or threatened.

**Hon Adele Farina:** To move –

**31/187** Page 118, lines 16 and 17 — To delete the lines and insert —

- (a) fix the maximum quantity of green and dead sandalwood that can be taken in a specified period; and

**Hon Adele Farina:** To move –

**32/187** Page 118, lines 24 to 27 — To delete the lines and insert —

- (4) Before making an order under subsection (2), or amending or repealing such an order, the Minister must —
  - (a) obtain and consider scientific advice on the state and trends of the sandalwood population in the wild; and
  - (b) take into consideration management requirements for the conservation and use of sandalwood in a biodiversity management programme, made under Part 5 of this Act, to maintain species viability and minimise environmental impacts; and
  - (c) consult with the Minister responsible for the administration of the *Forest Products Act 2000*.

#### Clause 259

**Hon Adele Farina:** To move –

**19/259** Page 163, line 1, the Table after the 1<sup>st</sup> row — To insert —

|                  |                  |
|------------------|------------------|
| s. 40(1) and (3) | s. 45(1) and (3) |
|------------------|------------------|

#### Clause 314

**Hon Lynn MacLaren:** To move –

**26/314** Page 198, line 4 — To insert —

- (d) after paragraph (j) insert:
  - (k) it includes critical habitat.

**Hon Lynn MacLaren:** To move –

**27/314** Page 198, after line 11 — To insert —

*Critical habitat* has the same meaning as it has in the *Biodiversity Conservation Act 2016*;

