

LEGISLATIVE COUNCIL
MARINE AND COASTAL BILL 2017

(Amendments and New Clause to be proposed in Committee by Ms DUNN)

1. Clause 1, page 2, line 8, after "for" insert "ecologically sustainable".
2. Clause 1, page 2, line 15, omit "and" (where first occurring).
3. Clause 1, page 2, line 16, after "Report" insert "and a marine spatial planning framework and marine spatial plans".
4. Clause 1, page 2, line 19, after "issue-based" insert "and integrated".
5. Clause 1, page 2, line 23, after "plans" insert "as part of a marine spatial planning framework".
6. Clause 1, page 2, line 27, after "application" insert "and public consultation".
7. Clause 1, page 2, line 31, after "erosion" insert "and estuarine water quality and habitat condition".
8. Clause 1, page 3, line 6, after "co-ordinated" insert "spatial".
9. Clause 1, page 3, line 8, omit "Victoria." and insert "Victoria; and".
10. Clause 1, page 3, after line 8 insert—

"() to provide for effective community engagement and education in planning and management."
11. Clause 7, line 31, omit "protection." and insert "protection; and".
12. Clause 7, after line 31 insert—

"() to build scientific understanding of marine and coastal environments."
13. Clause 8, line 14, after "environment" insert "and legislation applying to them".
14. Clause 9, page 14, lines 1 and 2, omit "working with natural processes where practical" and insert "maintaining ecological processes including water and nutrient flows, community structures and food webs, and ecosystem links".
15. Clause 9, page 14, line 4, omit "possible." and insert "possible; and".
16. Clause 9, page 14, after line 4 insert—

"() maintaining viable populations of all native marine and coastal species in functioning biological communities; and

() maintaining marine and coastal biological diversity, including the capacity for evolutionary change; and

- () minimising the impacts of human use on marine and coastal ecosystems so that they do not degrade ecosystem function."

NEW CLAUSE

17. Insert the following New Clause to follow clause 13—

"A Marine spatial planning

It is a guiding principle for the management of the marine and coastal environment that the focus of marine spatial planning will be to maintain or restore species diversity, habitat diversity and heterogeneity, the populations of key species and connectivity and to enhance ecological sustainability while seeking to balance ecological, social, economic and governance objectives."

18. Clause 16, page 16, line 9, after "Strategy" insert "and the marine spatial planning framework and marine spatial plans prepared under the framework".
19. Clause 16, page 16, line 12, after "Strategy" insert "and the marine spatial planning framework and marine spatial plans prepared under the framework".
20. Clause 16, page 17, line 3, omit "Act." and insert "Act;".
21. Clause 16, page 17, after line 3 insert—
- "() to advise the Minister on any matter under this Act;
- () to publicly report on advice given to the Minister and other relevant Ministers."
22. Clause 22, page 19, line 33 and page 20, line 1, omit "a summary of any advice the Council has given to the Minister" and insert "a report on and record of all advice provided to the Minister, or to any other Minister who has responsibilities in relation to the marine and coastal environment, given".
23. Clause 30, page 25, lines 6 and 7, omit "for the implementation of actions" and insert "and measurable indicators for the period of the Strategy".
24. Clause 37, line 19, omit "environment." and insert "environment;".
25. Clause 37, after line 19 insert—
- "() the trends in the condition of the marine and coastal environment;
- () recommendations for improving the condition of the marine and coastal environment and mitigating threats."
26. Clause 42, after line 19 insert—
- "() The Minister must establish a community reference group to provide advice to the regional and strategic partnership."
27. Clause 46, page 34, after line 27 insert—
- "() the marine spatial planning framework and marine spatial plans prepared under the framework; and"

28. Clause 46, page 35, line 18, omit "authority." and insert "authority;".
29. Clause 46, page 35, after line 18 insert—
"() a community reference group."
30. Clause 50, page 37, lines 28 and 29, omit "beneficial uses and to" and insert "marine and coastal biodiversity, manage ecologically sustainable uses and".
31. Clause 51, page 38, after line 12 insert—
"() the marine spatial planning framework and marine spatial plans prepared under the framework; and".
32. Clause 51, page 39, line 2, omit "party." and insert "party;".
33. Clause 51, page 39, after line 2 insert—
"() any other stakeholder and community interests."
34. Clause 58, line 15, omit "applies." and insert "applies; and".
35. Clause 58, after line 15 insert—
"() management zones specifying allowed and disallowed uses."
36. Clause 59, page 43, after line 2 insert—
"() the marine spatial planning framework and marine spatial plans prepared under the framework; and".
37. Clause 59, page 43, line 28, omit "land." and insert "land;".
38. Clause 59, page 43, after line 28 insert—
"() any other stakeholder and community interests."
39. Clause 68, after line 17 insert—
"() On receipt of an application, the responsible authority must publish a copy of the application and a statement that submissions on the application may be made to the authority—
(a) in a local newspaper and a newspaper circulating generally throughout Victoria; and
(b) on the Internet site of the authority."
40. Clause 69, page 47, after line 25 insert—
"() the marine spatial planning framework and marine spatial plans prepared under the framework; and".
41. Clause 69, page 48, after line 3 insert—
"() In addition to subsection (1), the Minister must consider any submissions from the community in relation to the matter."
42. Clause 70, page 49, after line 15 insert—

- "() The Minister must publish notice of the making of a determination on the Internet site of the Department, including reasons for the determination.".
43. Clause 76, after line 10 insert—
- "() the marine spatial planning framework and marine spatial plans prepared under the framework;".
44. Clause 86, after line 2 insert—
- '() After section 15(3) of the **Catchment and Land Protection Act 1994** **insert**—
- "(4) The board of each Authority must consist of at least two members with expertise in marine and coastal science or management.".'
45. Clause 86, lines 7 and 8, omit "Policy and to the Marine and Coastal Strategy" and insert "Policy, the Marine and Coastal Strategy and marine spatial plans prepared under the marine spatial planning framework".
46. Clause 93, line 14, omit "62" and insert "63".
47. Clause 93, line 15, omit "70" and insert "71".