

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

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Presented and read a first time

(SENATOR LEES)

# A BILL

FOR

**An Act to amend the *World Heritage Properties Conservation Act 1983* to afford special and permanent protection to the Wet Tropics area at Tully, Queensland**

The Parliament of Australia enacts:

**Short title etc.**

1. This Act may be cited as the *World Heritage Properties Conservation Amendment (Protection of Wet Tropics of Tully) Act 1996*.

5 2. In this Act, “Principal Act” means the *World Heritage Properties Conservation Act 1983*.

**Commencement**

3 This Act commences on the day on which it receives the Royal Assent.

### **Amendment of Principal Act**

4. The Principal Act is amended by inserting the following subsection after subsection 6(3):

5 “(4) Where a House of the Parliament is satisfied that any identified property is being or is likely to be damaged, the House of the Parliament may, by resolution, declare that property to be property to which section 9 applies.”

5. The Principal Act is amended by inserting the following section after section 9:

### **10 Amendment of World Heritage Properties Conservation Regulations**

“9A.(1) In this section, ‘**Regulations**’ means the World Heritage Properties Conservation Regulations.

“(2) The Regulations are amended by inserting the following regulation after regulation 3F:

### **15 Prescribed act for the purposes of subsection 9(1) of the Act**

20 “(3G) For the purposes of subsection 9(1) of the Act, there is prescribed in relation to the Wet Tropics area at Tully which is property included in Schedule 2B, the act of constructing any substantial structure which would have the effect of flooding that property or any part of that property.”

6. The Principal Act is amended by inserting after section 13 the following section:

### **Consents in respect of the Wet Tropics area at Tully, Queensland**

25 “13A. The Minister must not grant or refuse consent to a person or a servant or agent of a person pursuant to section 9, to do a prescribed act in relation to the area described in regulation 3G of the World Heritage Properties Conservation Regulations, except in accordance with a resolution passed by each House of the Parliament approving the grant or refusal of consent, being a resolution passed in pursuance of a motion of which notice  
30 has been given not less than 5 sitting days of that House before the motion is moved.”

