

# Water and Other Legislation Amendment Bill 2011

## Amendments agreed to during Consideration

### 1 After clause 7

Page 12, after line 24—

*insert—*

## **‘Part 3A Amendment of Waste Reduction and Recycling Act 2011**

### **‘7A Act amended**

‘This part amends the *Waste Reduction and Recycling Act 2011*.

### **‘7B Amendment of s 106 (What is *unsolicited advertising material* for premises)**

‘Section 106(2)—

*omit, insert—*

- ‘(2) However, the following are not *unsolicited advertising material* for premises—
- (a) a newspaper delivered to the premises, unless the owner or occupier of the premises has advised the publisher or distributor of the newspaper that the owner or occupier does not wish to receive the newspaper;
  - (b) material folded or inserted into a newspaper delivered to the premises if under this subsection the newspaper is not unsolicited advertising material for the premises.’.

**‘7C Amendment of s 107 (Unlawful delivery provision)**

‘Section 107—

*insert—*

- ‘(3) To remove any doubt, it is declared that this section does not apply to the delivery to premises of a newspaper unless, having regard to section 106(2), the newspaper is unsolicited advertising material for the premises.’

**‘7D Amendment of s 108 (Secure delivery provision)**

‘Section 108—

*insert—*

- ‘(2) To remove any doubt, it is declared that this section does not apply to the delivery to premises of a newspaper unless, having regard to section 106(2), the newspaper is unsolicited advertising material for the premises.’

**‘7E Amendment of s 112 (Avoiding accumulations of waste)**

- ‘(1) Section 112(2), ‘all’—

*omit.*

- ‘(2) Section 112(2), example—

*omit, insert—*

*‘Example of reasonable steps for subsection (2)—*

The advertising material is delivered in a way that is consistent with the Distribution Standards Board’s code of practice for the delivery of advertising material.’

- ‘(3) Section 112—

*insert—*

- ‘(4) This section does not apply to a newspaper unless, having regard to section 106(2), the newspaper is unsolicited advertising material for premises.’

**7F Amendment of Schedule (Dictionary)**

Schedule—

*insert*—

‘*newspaper* means a paper or pamphlet that—

- (a) contains—
  - (i) public news, information or occurrences; or
  - (ii) remarks or observations on public news, information or occurrences; and
- (b) is printed for sale or distribution; and
- (c) is published periodically or in parts or numbers at intervals of not more than 31 days between the publication of any 2 of the papers, pamphlets, parts or numbers;

but does not include a paper or pamphlet that contains only material that is totally commercial in nature.’.

**2 Clause 63 (Amendment of s 213 (Contents of water licence))**

Page 41, line 16, ‘the following water licences attach’—

*omit, insert*—

‘a following water licence (other than a licence held by a licensee mentioned in subsection (1)(e)(i) to (ix)) attaches’.

**3 Clause 88 (Amendment of s 812A (Liability for unauthorised taking of water))**

Page 56, lines 23 to 25—

*omit, insert*—

‘(1) Section 812A, heading, ‘unauthorised taking of water’—

*omit, insert*

‘**particular contraventions**’.’.

**4 Clause 88 (Amendment of s 812A (Liability for unauthorised taking of water))**

Page 57, lines 1 to 6—

*omit, insert—*

- ‘(a) a condition of a water allocation, interim water allocation, water licence, seasonal water assignment notice or water permit (each an *authorisation*) has been contravened; or
- (b) water has been taken or supplied in contravention of section 808(1) and—
  - (i) the water was taken or supplied using works owned by, or in the possession or control of, the holder of an authorisation; or
  - (ii) the water was taken from a place on land owned by the holder of an authorisation; or
  - (iii) the water has been taken onto or used on land owned by the holder of an authorisation.’.

**5 Clause 95 (Insertion of new s 8A)**

Page 73, lines 17 to 27 and page 74, lines 1 to 8—

*omit.*

**6 Clause 98 (Insertion of new pt 5, div 1 and div 2 hdg)**

Page 74, line 21, ‘div 1 and div 2’—

*omit, insert—*

‘divs 1 and 2 and div 3’.

**7 Clause 98 (Insertion of new pt 5, div 1 and div 2 hdg)**

Page 76, line 1—

*omit, insert—*

**‘Division 2 Wild river rangers program**

**‘47C Application of div 2**

‘This division applies to the community-based Indigenous program for wild river areas (the *wild river rangers program*) maintained by the department.

**‘47D Purposes of wild river rangers program and achievement of purposes**

- ‘(1) The purposes of the wild river rangers program include, but are not limited to, contributing to—
  - (a) the preservation of the natural values of rivers in wild river areas; and
  - (b) the development of a resource management economy in wild river areas.
- ‘(2) The purposes mentioned in subsection (1) are to be achieved for a wild river area mainly by the carrying out of activities (particularly activities relating to the preservation of the natural values of rivers in the area) by individuals (each a *wild river ranger*) based in communities within the wild river area.

**‘47E Entering into agreements for employment**

- ‘(1) The chief executive must, for the wild river rangers program and on behalf of the State, enter into and give effect to agreements as mentioned in subsection (2) to provide for the employment of wild river rangers in the numbers and locations prescribed under a regulation.
- ‘(2) For subsection (1), the agreements are—
  - (a) an interchange arrangement under the *Public Service Act 2008*, section 184 that provides for wild river rangers employed in a department to perform duties under the wild river rangers program in another entity; or
  - (b) a grant agreement between the State and an entity that provides for wild river rangers to perform duties under the wild river rangers program for the entity.

**‘Division 3                    Other matters’.**

**8            Clause 99 (Amendment of schedule (Dictionary))**

Page 76, line 6, ‘section 8A(3).’—

*omit, insert—*

‘section 47D(2)’.

**9            Clause 99 (Amendment of schedule (Dictionary))**

Page 76, after line 6—

*insert—*

‘*wild river rangers program* see section 47C.’.

**10          Long title**

Long title, after ‘*River Improvement Trust Act 1940*,’—

*insert—*

‘***the Waste Reduction and Recycling Act 2011***,’.