

Legislative Council—No 30

As introduced and read a first time, 14 March 2012

South Australia

Forestry (Miscellaneous) Amendment Bill 2012

A BILL FOR

An Act to amend the *Forestry Act 1950*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Forestry (Miscellaneous) Amendment Act 2012*.

2—Amendment provisions

- 5 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Forestry Act 1950*

3—Amendment of section 2—Interpretation

Section 2(1)—after the definition of *property* insert:

- 10 *South East* has the same meaning as in the *South Eastern Water Conservation and Drainage Act 1992*;
South East Economic Stimulus Fund—see Part 4A;
State Forestry Plan—see Part 2A.

4—Insertion of Part 2A

After Part 2 insert:

Part 2A—State Forestry Plan

4—State Forestry Plan

- 5
- (1) The Minister must, within 18 months after the commencement of this section, prepare and maintain a plan to be called the *State Forestry Plan*.
- (2) The State Forestry Plan must, in respect of all forest reserves of the State—
- 10
- (a) assess the state and condition of the forest reserves; and
- (b) provide for the ongoing monitoring and evaluation of the state and condition of the forest reserves; and
- (c) identify goals, set priorities and identify strategies with respect to the management of the forest reserves including in relation to—
- 15
- (i) the attainment or maintenance of forestry plantation management standards and practices including (but not limited to)—
- (A) timber quality within the forest reserves;
- 20
- (B) the productive capacity of the forest reserves;
- (C) forest conservation and sustainability;
- (D) native animal habitat rehabilitation;
- (E) pest and weed control;
- 25
- (F) environmental and conservation measures;
- (ii) the use of the forest reserves for economic, environmental and recreational purposes; and
- (d) provide details of any forest industry policy or strategy, or State government policy or initiative, that is relevant to, or will be implemented in connection with, the management or enhancement of any forest reserve or the harvesting of the trees; and
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- (e) assess the state of the timber processing industry in regions surrounding the forest reserves including (but not limited to) the volume, type and quality of trees and timber supplied to timber processors; and
- 35
- (f) assess the state of economic activities based on forestry and other industries in the regions surrounding the forest reserves; and

(g) assess the fire suppression, protection, detection and management, and fire fighting capacity, within the regions surrounding the forest reserves; and

(h) identify existing and future risks to the economic or environmental viability of the forest reserves; and

(i) set out goals and identify any plans or strategies that are to be adopted or implemented, or research undertaken, to address any factors identified under paragraphs (f) to (h).

(3) The Minister must review the State Forestry Plan at least once in every 5 years and may make such amendments (including additions) to the Plan as the Minister thinks necessary or desirable.

(4) Within 14 sitting days after the preparation of the State Forestry Plan, or amendment to the Plan, the Minister must cause a copy of the Plan, or the Plan as amended, to be laid before both Houses of Parliament.

5—Amendment of section 13—Sale of trees and timber

(1) Section 13—delete "The Corporation" and substitute:

Subject to this section, the Corporation

(2) Section 13—after its present contents as amended by this section (now to be designated as subsection (1)) insert:

(2) Before the Corporation may enter into a contract to sell the right to harvest a forward rotation of any trees in a forest reserve, the Minister must cause a copy of—

(a) the contract; and

(b) in respect of a sale of the right to harvest a forward rotation of any trees in a forest reserve located in the South East—a report prepared by the Minister in accordance with subsection (3),

to be laid before both houses of Parliament.

(3) The report prepared by the Minister must set out the extent to which the terms of the contract and any State Government initiatives proposed in connection with the sale are consistent with the recommendations of the *South-East Forest Industry Roundtable* or such other equivalent body established in substitution of that body.

(4) Subsection (2) does not apply to or in relation to—

(a) any trees that are to be harvested within 12 months from the date on which a contract of sale is entered into; or

(b) any timber or mill products produced by the Corporation.

6—Insertion of Part 4A

After Part 4 insert:

Part 4A—South East Economic Stimulus Fund

19—South East Economic Stimulus Fund

- 5 (1) The *South East Economic Stimulus Fund* is established.
- (2) The Fund must be kept as directed by the Treasurer.
- (3) The Fund consists of—
- 10 (a) 20% of the proceeds of any contract of sale of the right to harvest a forward rotation of any trees in a forest reserve located in the South East under section 13; and
- (b) any money provided by the Parliament for the purposes of the Fund; and
- (c) any income arising from the investment of the Fund under subsection (4); and
- 15 (d) any additional money that is to be paid into the Fund under a determination of the Treasurer; and
- (e) any other money that is required or authorised by another law to be paid into the Fund.
- (4) The Fund may be invested as approved by the Treasurer.
- 20 (5) The Minister for Regional Development may apply any part of the Fund—
- (a) for such purposes directly related to economic and social development or investment in the South East as may be determined by that Minister (including payment to any person or organisation (whether or not an agency or instrumentality of the Crown) for those purposes); or
- 25 (b) in making any other payment required by another law to be made from the Fund; or
- (c) in payment of the expenses of administering the Fund.
- 30 (6) The administrative unit of the Public Service that is, under the Minister for Regional Development, responsible for regional development within the State must on or before 30 September in each year present a report to that Minister on the operation of the Fund during the previous financial year.
- 35 (7) A report under subsection (6) may be incorporated into the annual report of the relevant administrative unit.
- (8) The Minister for Regional Development must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after the report is received by that Minister.

(9) The Minister for Regional Development must, in connection with the operation of this section, maintain on a website—

(a) a statement of income and expenditure for the Fund (listing each allocation of money from the Fund separately and in a manner that identifies the purpose or purposes for which each allocation is to be used); and

(b) information about how applications may be made for grants or other payments from the Fund.

(10) In this section—

Minister for Regional Development means the Minister who has the portfolio responsibility for regional development within the State.