

c2018-071A
GRNS--The Greens

LEGISLATIVE COUNCIL

Forestry Legislation Amendment Bill 2018

First print

Proposed amendment

No. 1 **Private native forestry objects**

Page 5, Schedule 1 [8], proposed section 60ZR (a), lines 11–14. Omit all words on those lines. Insert instead:

- (b) to protect biodiversity (including threatened species and threatened ecological communities under Part 4 of the *Biodiversity Conservation Act 2016*) in connection with private native forestry operations, and
- (c) to protect water quality (including threatened species, populations and ecological communities under Part 7A of the *Fisheries Management Act 1994*) in connection with private native forestry operations.

No. 2 **Minister responsible for making private native forestry codes**

Page 6, Schedule 1 [8], proposed section 60ZT (1), lines 3 and 4. Omit all words on those lines. Insert instead:

- (1) The Minister administering the *Biodiversity Conservation Act 2016* (referred to in this Division as *the Minister*) is responsible for preparing and making private native forestry codes of practice under this Division.

No. 3 **Minister responsible for making private native forestry codes**

Page 6, Schedule 1 [8], proposed section 60ZT (2); lines 6 and 7. Omit “of the Minister administering the *Biodiversity Conservation Act 2016* and”.

No. 4 **Provisions to be included in private native forestry codes**

Page 6, Schedule 1 [8], proposed section 60ZT (3), line 15. Omit all words on that line. Insert instead:

- (b) biodiversity conservation that:
 - (i) maintains the diversity and quality of ecosystems and enhances their capacity to adapt to change and to provide for the needs of future generations, and
 - (ii) protects threatened species and threatened ecological communities under Part 4 of the *Biodiversity Conservation Act 2016*, and
 - (iii) includes recovery plans and approved conservation advice under the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth, and

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- No. 5 **Proposed private native forestry codes—consultation requirements**
Page 6, Schedule 1 [8], proposed section 60ZU (1), line 37. Omit “4 weeks”. Insert instead “8 weeks”.
- No. 6 **Proposed private native forestry codes—consultation requirements**
Page 6, Schedule 1 [8], proposed section 60ZU (2), line 39. Omit “may, (but need not)”. Insert instead “is to”.
- No. 7 **Proposed private native forestry codes—consultation requirements**
Page 6, Schedule 1 [8], proposed section 60ZU (4), line 45. Omit “may”. Insert instead “is to”.
- No. 8 **Proposed private native forestry codes—consultation requirements**
Page 7, Schedule 1 [8], proposed section 60ZU (5), lines 1–3. Omit all words on those lines.
- No. 9 **Proposed private native forestry plans—consultation requirements**
Page 8, Schedule 1 [8], proposed section 60ZY. Insert after line 9:
 (2) Before approving a draft plan, Local Land Services is:
 (a) to notify the occupiers of property adjoining the land to which the draft plan applies, and
 (b) to publicly exhibit the draft plan for a period of at least 4 weeks.
- No. 10 **Approval of private native forestry plans**
Page 8, Schedule 1 [8], proposed section 60ZY (2). Insert after line 13:
 (b) the advice of any government agency or local government authority with specific responsibility for the land to which the plan applies,
- No. 11 **Private native forestry plan database**
Page 8, Schedule 1 [8], proposed section 60ZY. Insert after line 23:
 (4) Local Land Services is to maintain a publicly accessible database of private native forestry plans.
- No. 12 **Forestry agreements and reviews of IFOAs—consultation requirements**
Page 14, Schedule 2 [8]–[12], lines 1–34. Omit all words on those lines.
- No. 13 **Bee-keeping and grazing retained as forestry operations to which IFOA applies**
Page 15, Schedule 2 [17], lines 11 and 12. Omit all words on those lines.
- No. 14 **Proposed IFOAs—consultation requirements**
Page 16, Schedule 2 [23], proposed section 69NA, line 21. Omit “28 days”. Insert instead “8 weeks”.
- No. 15 **Forest agreement prerequisite for IFOA**
Page 16, Schedule 2 [24], lines 33 and 34. Omit all words on those lines.
- No. 16 **Public native forestry to be phased-out**
Page 19, Schedule 2. Insert after line 37:

[35] Section 94

Insert after section 93:

94 Phasing-out of forestry operations on Crown-timber land

On and from 1 January 2022, this Act (including any licence under this Act) does not authorise forestry operations to be carried out on any Crown-timber land that is not a plantation.

No. 17 Civil proceedings to remedy or restrain breaches of IFOAs

Page 24, Schedule 3.1 [16], proposed section 13.14A, line 7. Omit "The Environment Protection Authority". Insert instead "Any person (including the Environment Protection Authority)".