

c2020-294B
Ind (GP)--Independent (Justin Field)

LEGISLATIVE COUNCIL

Local Land Services Amendment (Miscellaneous) Bill 2020

First print

Proposed amendments

- No. 1 **Category 2-regulated land mapping**
Page 4, Schedule 1[4], proposed section 60I(2)(j)(iii), line 4. Insert “Bellingen,” after “Ballina.”
- No. 2 **Unauthorised clearing of native vegetation**
Page 4, Schedule 1[9], lines 20–26. Omit all words on those lines.
- No. 3 **Planning instruments requiring consent for clearing native vegetation**
Page 4, Schedule 1[10]. Insert after line 30—
 Insert instead “, other than an excluded EPI,”.
- No. 4 **Planning instruments requiring consent for clearing native vegetation**
Page 4, Schedule 1. Insert after line 30—
 [10A] Section 60P(3)
 Insert after section 60P(2)—
 (3) In this section—
 excluded EPI means—
 (a) a State environmental planning policy other than *State Environmental Planning Policy (Koala Habitat Protection) 2019*, and
 (b) so much of a local environmental plan that adopts a mandatory provision of a standard instrument under the *Environmental Planning and Assessment Act 1979*.
- No. 5 **Private native forestry plans**
Page 5, Schedule 1. Insert after line 20—
 [16A] Section 60ZY Approval of private native forestry plans by Local Land Services
 Omit section 60ZY(2). Insert instead—
 (2) In determining whether to approve a draft plan, with or without modification, Local Land Services is to—
 (a) consult with the following—

-
- (i) the Environment Protection Authority,
 - (ii) the local council of the local government area in which the land is located, and
- (b) have regard to the following—
- (i) the opinion of the Environment Protection Authority and the local council as to whether the plan should be approved,
 - (ii) whether forestry operations can be carried out under the plan in accordance with the applicable private native forestry code of practice,
 - (iii) any other matters required by the regulations.

No. 6 **Private native forestry plans**

Page 5, Schedule 1. Insert after line 25—

[18A] Section 60ZZ(1A) and (1B)

Insert after section 60ZZ(1)—

- (1A) Local Land Services must review a private native forestry plan after it has applied to the land the subject of the plan for a period of 15 years to determine whether the plan is consistent with the private native forestry code of practice that applies to the plan as at the date of the review.
- (1B) Following the review, Local Land Services may terminate the private native forestry plan in accordance with this section.

[18B] Section 60ZZ(8)

Insert after section 60ZZ(7)—

- (8) The amendment made to subsection (1) by the *Local Land Services Amendment (Miscellaneous) Act 2020* does not apply to a private native forestry plan entered into before the commencement of the amendment.

[18C] Section 60ZZBA

Insert after section 60ZZB—

60ZZBA Notice to EPA and local council of logging operations

- (1) The landholder must give, or cause to be given, notice to the following of the landowner's intention to carry out logging operations authorised under a private native forestry plan applying to the land 14 days before the logging operations commence—
 - (a) the Environment Protection Authority,
 - (b) the local council of the local government area in which the land is located.
- (2) In this section—

landholder means a person who is the owner of land or who, whether by reason of ownership or otherwise, is in lawful occupation or possession, or has lawful management or control, of land.