
c2020-228E
SFF--Shooters, Fishers and Farmers Party

LEGISLATIVE COUNCIL

Local Land Services Amendment (Miscellaneous) Bill 2020

First print

Proposed amendments

- No. 1 **Category 2-regulated land mapping**
Pages 3 and 4, Schedule 1[4] and [5], line 40 on page 3 to line 11 on page 4. Omit all words on those lines.
- No. 2 **Category 2-regulated land mapping**
Page 4, Schedule 1. Insert after line 5—
[4A] Section 60I(3A)
Insert after section 60I(3)—
(3A) To avoid doubt, land described in subsection (1) or (2) must not be designated as a sub-category prescribed by a regulation made under section 60G(3)(c).
- No. 3 **Land management (native vegetation) codes**
Page 4, Schedule 1. Insert after line 34—
[12A] Section 60T Responsibility for preparation and making of codes
Omit “with the concurrence of” from section 60T(2).
Insert instead “after consulting”.
- No. 4 **Clearing native vegetation—regulations**
Page 4, Schedule 1. Insert after line 34—
[12B] Section 60ZP Regulations: Part 5A
Omit section 60ZP(1). Insert instead—
(1) The Minister may not recommend the making of a regulation under Division 1, 2, 4 or 5 unless the Minister certifies that the Minister has consulted with the Minister administering the *Biodiversity Conservation Act 2016*.
- No. 5 **Decisions of planning consent authority**
Page 4, Schedule 1. Insert after line 34—

[12C] Section 60ZPA

Insert after section 60ZP—

60ZPA Inconsistency with decision of planning consent authority—native vegetation

In the event of an inconsistency between a provision of this Part or Schedule 5A and a decision of a consent authority under the *Environmental Planning and Assessment Act 1979*, a decision of the consent authority is void to the extent of the inconsistency.

No. 6 Private native forestry codes of practice

Page 5, Schedule 1[15], lines 14 and 15. Omit all words on those lines. Insert instead—

Omit section 60ZT(2). Insert instead—

- (2) The Minister may make a private native forestry code of practice only in consultation with the Minister administering the *Biodiversity Conservation Act 2016* and the Minister administering Part 5A of this Act.

No. 7 Private native forestry—regulations

Page 5, Schedule 1. Insert after line 25—

[18A] Section 60ZZC Regulations: Part 5B

Omit section 60ZZC(1). Insert instead—

- (1) The Minister may not recommend the making of a regulation under this Part unless the Minister certifies that the Minister has consulted with the Minister administering the *Biodiversity Conservation Act 2016*.

No. 8 Decisions of planning consent authority

Page 5, Schedule 1. Insert after line 25—

[18B] Section 60ZZD

Insert after section 60ZZC—

60ZZD Inconsistency with decision of planning consent authority—private native forestry

In the event of an inconsistency between a provision of this Part and a decision of a consent authority under the *Environmental Planning and Assessment Act 1979*, a decision of the consent authority is void to the extent of the inconsistency.

No. 9 Decisions of planning consent authority

Page 5. Insert after line 33—

Schedule 1A Amendment of Environmental Planning and Assessment Act 1979 No 203

Section 3.28A

Insert after section 3.28—

3.28A Inconsistency between environmental planning instruments and Local Land Services Act 2013

- (1) In the event of an inconsistency between a provision of an environmental planning instrument and a provision of Part 5A or Part

5B of, or Schedule 5A to, the *Local Land Services Act 2013*, the provision of the *Local Land Services Act 2013* prevails to the extent of the inconsistency.

- (2) To avoid doubt, the operation of a provision of Part 5A or Part 5B of, or Schedule 5A to, the *Local Land Services Act 2013* is not subject to a development consent of a consent authority under Part 4 of this Act.