

c2020-246C
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Bushfires Legislation Amendment Bill 2020

First print

Proposed amendments

- No. 1 **Industry brigades**
Page 3, Schedule 1[1], lines 2–29. Omit all words on those lines.
- No. 2 **Bush Fire Co-ordinating Committee**
Page 3, Schedule 1[2], line 31. Omit “15 members”. Insert instead “20 members”.
- No. 3 **Bush Fire Co-ordinating Committee**
Page 4, Schedule 1[7]. Insert after line 10—
- (n) a person employed in Fire and Rescue NSW nominated by the Fire Brigade Employees Union,
 - (o) a person nominated by NTSCorp Limited (ACN 098 971 209),
 - (p) a person nominated by the Minister to promote the integrity of cultural burning,
 - (q) a volunteer rural fire fighter nominated by the NSW Rural Fire Service Association Inc,
 - (r) a person nominated by the Public Service Association.
- No. 4 **Rural Boundary Clearing Code**
Page 6, Schedule 1[27], proposed section 100RA(3), line 26. Insert “written” before “agreement”.
- No. 5 **Rural Boundary Clearing Code**
Page 7, Schedule 1[27], proposed section 100RA. Insert after line 16—
- (9) The following provisions apply to the Rural Boundary Clearing Code, and to publication of the Code in the Gazette, in the same way as they apply to a statutory rule, and to publication of a statutory rule on the NSW legislation website—
 - (a) sections 40 and 41 of the *Interpretation Act 1987*,
 - (b) section 8 of the *Subordinate Legislation Act 1989*.
- No. 6 **Rural Boundary Clearing Code**
Page 7, Schedule 1[27], proposed section 100RB(1)(a), line 21. Omit “25 metres”.
Insert instead “12.5 metres”.

No. 7 **Rural Boundary Clearing Code**

Page 7, Schedule 1[27], proposed section 100RB. Insert after line 45—

- (4A) For the removal of any doubt—
- (a) the area within which vegetation clearing work may be carried out under this section is, because of subsection (1)(a), subject to a cumulative maximum width of 25 metres, and
 - (b) vegetation clearing work cannot, because of subsection (1)(e), be carried out under this section unless a Rural Boundary Clearing Code is in force.

No. 8 **Progress report and statutory review**

Page 8. Insert after line 8—

[28] Sections 138–140

Insert after section 137—

138 NSW Bushfire Inquiry—Ministerial progress reports

The Minister must cause to be laid before each House of Parliament a report on the Government's progress in implementing all 76 recommendations of the *Final Report of the NSW Bushfire Inquiry*, dated 31 July 2020, every 3 months.

139 Review of Bushfires Legislation Amendment Act 2020

- (1) The Minister must review the amendments made to this Act by the *Bushfires Legislation Amendment Act 2020* to determine whether the policy objectives of the amendments remain valid and whether the terms of the amendments remain appropriate for securing those objectives.
- (2) The review must be undertaken before 30 June 2021.
- (3) The Minister must cause to be laid before each House of Parliament a report on the outcome of the review as soon as practicable after 30 June 2021.

140 Presentation of report if Parliament not sitting

- (1) If a House of Parliament is not sitting when the Minister must cause to be laid a report before it under section 138 or 139, the Minister must present the report to the Clerk of the House concerned.
- (2) The report that is presented to the Clerk of a House—
 - (a) is, on presentation and for all purposes, taken to have been laid before the House, and
 - (b) may be printed by authority of the Clerk of the House, and
 - (c) if printed, is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) must be recorded—
 - (i) for the Legislative Council, in the Minutes of Proceedings of the Legislative Council, and
 - (ii) for the Legislative Assembly, in the Votes and Proceedings of the Legislative Assembly,on the first sitting day of the House after receipt of the report by the Clerk.