



SELECTION OF BILLS COMMITTEE

REPORT NO. 39 – 20 OCTOBER 2020

MEMBERS OF THE COMMITTEE

The Hon Natasha Maclaren-Jones MLC, *Chair*

The Hon Mark Buttigieg MLC, *Deputy Chair*

The Hon Mark Banasiak MLC

The Hon Anthony D'Adam MLC

Mr Justin Field MLC

The Hon Trevor Khan MLC

The Hon Mark Latham MLC

The Hon Taylor Martin MLC

Revd The Hon Fred Nile MLC

The Hon Mark Pearson MLC

Mr David Shoebridge MLC

Secretariat to the committee:

Ms Beverly Duffy, Clerk Assistant—Procedure
(02 9230 3367)

Mr Alex Stedman, Principal Council Officer—Procedure
(02 9230 2798)

The Selection of Bills Committee met on Tuesday 20 October to consider whether the following bills be referred to a standing committee for inquiry and report:

- Local Land Services Amendment (Miscellaneous) Bill 2020
- Stronger Communities Legislation Amendment (Miscellaneous) Bill 2020
- Local Government Amendment (Pecuniary Interests Disclosures) Bill 2020
- Marine Pollution Amendment (Review) Bill 2020
- Road Transport Legislation Amendment Bill 2020.

The committee makes the following recommendations:

- (1) That the following bills not be referred to a standing committee for inquiry and report, this day.
 - (a) Local Land Services Amendment (Miscellaneous) Bill 2020
 - (b) Stronger Communities Legislation Amendment (Miscellaneous) Bill 2020
 - (c) Local Government Amendment (Pecuniary Interests Disclosures) Bill 2020
 - (d) Marine Pollution Amendment (Review) Bill 2020, and
 - (e) Road Transport Legislation Amendment Bill 2020.

Natasha Maclaren-Jones MLC

Chair

20 October 2020

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: **Local Land Services Amendment (Miscellaneous) Bill 2020**

Reasons for referral/principal issues for consideration:

This bill significantly reduces protections for koalas despite the 42 findings of the LC Inquiry into Koala Populations recommending increased protections.

This bill strips protections for koalas on private lands where there are Native Forestry Agreements and in all rural areas "for agricultural land use purposes". Page 35 of the Inquiry: WWF Australia used the BioNet data maintained by the NSW Government to estimate that approximately 67 per cent of koala habitat is found on private land.

Possible submissions or evidence from:

Environmental Defenders Office

Nature Conservation Council

Dr Steven Phillips

David Paull

Standing committee to which bill is to be referred:

Portfolio Committee 7

Stage which the bill should be referred:

- the provisions of the bill be referred (Assembly bills that have not been received by the Council)
- on the receipt of the message from the Assembly
- at the conclusion of the mover's 2R speech in the Council
- at the conclusion of the 2R debate in the Council

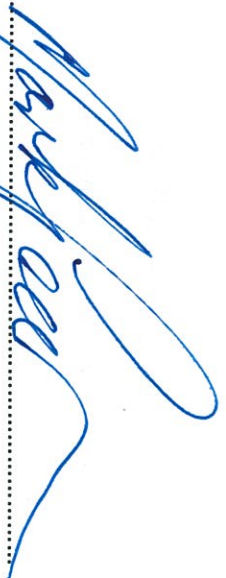
Reporting date:

13/11/20



Signed:

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Selection of Bills Committee member



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Date:

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19/10/20

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Local Land Services Amendment (Miscellaneous) Bill 2020

Reasons for referral/principal issues for consideration:

The bill makes sweeping changes to the Native Vegetation Regulatory Framework and Private Native Forestry framework in the *Local Land Services Act 2013* and goes beyond its stated intent of resolving issues with the Koala SEPP

The policy settings underpinning the Bill are inconsistent with recommendations made by the NSW Audit Office, Natural Resources Commission and NSW Upper House Inquiry; and also the original recommendations of Independent Biodiversity Review Panel. The Bill also pre-empts the outcomes of government reviews currently in progress. Specifically the three-year review of the land management framework and the outcomes of the Private Native Forestry review.

Possible submissions or evidence from:

Various reports and analysis have highlighted the regulatory failure of the land management framework under the LLS Act. Notably:

- A 2019 review by the Audit Office of NSW (**Audit Office**) concluded that the new land management framework may not be responding adequately to environmental risks whilst permitting landholders to improve agricultural activities and identified significant delays in compliance and enforcement activity to address unlawful clearing.¹
- A review of the land management framework, conducted in early 2019 by the Natural Resources Commission (**NRC Report**) found that clearing rates have increased almost 13-fold – from an annual average rate of 2,703ha a year under the old laws to 37,745ha under the new laws and that biodiversity in 9 out of 11 regions is now at risk.²

Evidence from Environmental Defenders Office and other key environment stakeholders, as well as farmers groups.

Standing committee to which bill is to be referred:

¹ Audit Office of NSW, *Managing Native Vegetation*, 27 June 2019, available at <https://www.audit.nsw.gov.au/our-work/reports/managing-native-vegetation>

² Natural Resources Commission, *Final Advice on Land Management and Biodiversity Conservation Reforms*, July 2019, available at <https://www.nrc.nsw.gov.au/land-mngt>

PC 7 Environment and Planning Committee

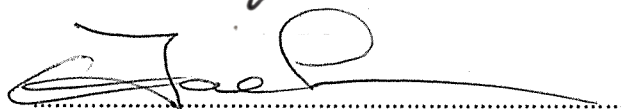
Stage which the bill should be referred:

2nd reading

Reporting date:

mjh

Signed:



Selection of Bills Committee member

Date:

19 OCT 20