



New South Wales

# Local Land Services Amendment (Allowable Activities) Regulation 2019

under the

Local Land Services Act 2013

His Excellency the Governor, with the advice of the Executive Council, and on the joint recommendation of the Minister for Primary Industries and the Minister for the Environment, has made the following Regulation under the *Local Land Services Act 2013*.

NIALL BLAIR, MLC  
Minister for Primary Industries

GABRIELLE UPTON, MP  
Minister for the Environment

## Explanatory note

The object of this Regulation is to amend Schedule 5A to the *Local Land Services Act 2013* to allow the clearing of native vegetation for the following purposes:

- (a) maintaining water supply and gas supply infrastructure under Parts 2 and 4 of that Schedule,
- (b) collecting firewood, clearing planted native vegetation and maintaining telecommunications infrastructure under Part 4 of that Schedule.

This Regulation also amends the *Local Land Services Regulation 2014* to require certain proximity areas for coastal wetlands and littoral rainforests to be designated category 2-regulated land (rather than category 2-sensitive regulated land).

This Regulation is made under the *Local Land Services Act 2013*, including sections 60G, 60R, 60ZP and 206 (the general regulation-making power).

## **Local Land Services Amendment (Allowable Activities) Regulation 2019**

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### **1 Name of Regulation**

This Regulation is the *Local Land Services Amendment (Allowable Activities) Regulation 2019*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Local Land Services Act 2013 No 51**

### **[1]    Schedule 5A Allowable activities clearing of native vegetation**

Insert after clause 27:

#### **27A    Water supply and gas supply infrastructure**

- (1) Clearing native vegetation for the maintenance of public utilities associated with water supply infrastructure and gas supply infrastructure.
- (2) The clearing is authorised if carried out by or on behalf of the owner of the infrastructure or by or on behalf of the landholder.

### **[2]    Schedule 5A, Part 4**

Insert after clause 35 (8):

#### **(9)    Collection of firewood**

Clearing native vegetation on land for the purpose of obtaining firewood for use by the landholder on that land or on other land of the landholder, in accordance with clause 15, but not within a buffer distance from a water body as set out in the *Land Management (Native Vegetation) Code 2018* as in force on the commencement of this subclause.

#### **(10)    Planted native vegetation**

The clearing, in accordance with clause 17, of native vegetation that has been planted, but not within a buffer distance from a water body as set out in the *Land Management (Native Vegetation) Code 2018* as in force on the commencement of this subclause.

#### **(11)    Water supply and gas supply infrastructure**

Clearing native vegetation for the maintenance of public utilities associated with water supply infrastructure and gas supply infrastructure.

The clearing is authorised if carried out by or on behalf of the owner of the infrastructure or by or on behalf of the landholder.

#### **(12)    Telecommunications infrastructure**

Clearing native vegetation for the maintenance of telecommunications infrastructure.

The clearing is authorised if carried out by or on behalf of the owner of the infrastructure or by or on behalf of the landholder.

## **Schedule 2      Amendment of Local Land Services Regulation 2014**

### **Clause 108 Additional sub-category of regulated land: category 2-sensitive regulated land (s 60G (3) (c))**

Insert after clause 108 (4):

- (5) Despite subclause (2) (b), land that is identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” by *State Environmental Planning Policy (Coastal Management) 2018* is to be designated category 2-regulated land (and not category 2-sensitive regulated land) if that land is required to be designated as category 2-regulated land only by section 60I (2) (i) of the Act.