



New South Wales

Forestry Amendment (Koala Habitats) Bill 2022

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to prohibit forestry operations from being carried out in koala habitats.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 amends the *Forestry Act 2012* to make it a requirement of an integrated forestry operations approval that forestry operations are not carried out in koala habitats. The *Forestry Act 2012*, section 69SA makes it an offence for a person to contravene a requirement of an integrated forestry operations approval.



New South Wales

Forestry Amendment (Koala Habitats) Bill 2022

Contents

| | Page |
|--|------|
| 1 Name of Act | 2 |
| 2 Commencement | 2 |
| 3 Amendment of Forestry Act 2012 No 96 | 2 |



New South Wales

Forestry Amendment (Koala Habitats) Bill 2022

No. _____, 2022

A Bill for

An Act to amend the *Forestry Act 2012* to prohibit forestry operations from being carried out in a koala habitat zone.

| | |
|---|----------------------------|
| The Legislature of New South Wales enacts— | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Forestry Amendment (Koala Habitats) Act 2022</i> . | 3 |
| 2 Commencement | 4 |
| This Act commences on the date of assent to this Act. | 5 |
| 3 Amendment of Forestry Act 2012 No 96 | 6 |
| Section 69O | 7 |
| Insert after section 69NA— | 8 |
| 69O Prohibition of forestry operations in koala habitats | 9 |
| (1) It is a requirement of an integrated forestry operations approval that forestry operations are not carried out in— | 10 11 |
| (a) an area of regional koala significance, or | 12 |
| (b) an area declared by the Minister, by order published in the Gazette, as koala habitat. | 13 14 |
| (2) The Minister must declare an area as koala habitat under subsection (1)(b) if the Minister receives an assessment by a suitably qualified person that the area is koala habitat. | 15 16 17 |
| (3) As soon as practicable after receiving an assessment under subsection (2), the Minister must arrange for the assessment to be tabled in each House of Parliament. | 18 19 20 |
| (4) In this section— | 21 |
| <i>area of regional koala significance</i> means the area of regional koala significance identified in the Koala Prioritisation Project—Areas of Regional Koala Significance Dataset as in force on 1 November 2022 and published on the SEED Map on the NSW Government website for Sharing and Enabling Environmental Data in NSW. | 22 23 24 25 26 |
| <i>suitably qualified person</i> means a person who, in the Minister’s opinion, has— | 27 28 |
| (a) a tertiary qualification in ecology, environmental management or forestry or other equivalent qualification, and | 29 30 |
| (b) experience in flora and fauna identification, survey and management, including experience in conducting koala surveys. | 31 32 |