



New South Wales

# Forestry and National Park Estate Act 1998 No 163

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New South Wales

## **Forestry and National Park Estate Act 1998 No 163**

Act No 163, 1998

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An Act to make provision with respect to forestry operations and the national park estate following regional resource and conservation assessments; to transfer certain State forest and other Crown lands to the national park estate or Aboriginal ownership; to provide for Ministerial agreements and a system of integrated approvals for future forestry operations: to amend the *Forestry Act 1916*, the *Timber Industry (Interim Protection) Act 1992* and certain other Acts; and for other purposes. [Assented to 14 December 1998]

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**The Legislature of New South Wales enacts:**

**Part 1 Preliminary**

**1 Name of Act**

This Act is the *Forestry and National Park Estate Act 1998*.

**2 Commencement**

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by this section.
- (2) The following provisions commence on the date of assent to this Act:
  - (a) section 44 and Schedule 9,
  - (b) section 48 and Schedule 13,
- (3) Parts 1 and 2 and Schedules 1–7 commence on 1 January 1999.

**3 Definitions**

In this Act:

***Crown-timber lands*** has the same meaning as in the *Forestry Act 1916*.

***forest agreement*** means a forest agreement referred to in Part 3 that is in force.

***forestry operations*** means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or
- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or
- (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

***integrated forestry operations approval*** means an approval referred to in Part 4 that is in force.

***national park estate*** means:

- (a) land declared as a wilderness area under the *Wilderness Act 1987* or the *National Parks and Wildlife Act 1974*, or
- (b) land reserved or dedicated under the *National Parks and Wildlife Act 1974*, or
- (c) land dedicated or set apart as a flora reserve under the *Forestry Act 1916*, or
- (d) land dedicated or reserved for a similar public purpose under the *Crown Lands Act 1989*.

***Resource and Conservation Assessment Council*** means the body by that name established by the Government of the State in 1995, or any other body established by the Government of the State to replace that body.

***State forest*** means land dedicated under the *Forestry Act 1916* (or under the former *Forestry Act 1909*) as a State forest, being a dedication that is in force.

#### **4 Notes**

Notes included in this Act are explanatory notes and do not form part of this Act.

## **Part 2 Land transfers to national park estate and Aboriginal ownership**

### **5 Revocation of dedication of certain lands as State forest and of reservation of associated flora reserves**

- (1) The dedication as State forest of the following lands is revoked:
  - (a) lands described in Schedule 1,
  - (b) lands described in Schedule 4,
  - (c) lands described in Schedule 5,
  - (d) lands described in Part 1 of Schedule 6.
- (2) Any notices under section 25A of the *Forestry Act 1916* that set apart, as flora reserves, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act, but only to the extent to which they relate to flora reserves or parts of flora reserves situated within the lands referred to in that subsection.
- (3) Any notifications under section 19A of the *Forestry Act 1916* that declare, as national forests, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act, but only to the extent to which they relate to national forests or parts of national forests situated within the lands referred to in that subsection.

### **6 Reservation or dedication of former State forest as national park, nature reserve or historic site**

The lands described in Schedule 1 are reserved or dedicated under the *National Parks and Wildlife Act 1974* as, or as part of, the following (as indicated in that Schedule):

- (a) national parks,
- (b) nature reserves,
- (c) historic sites.



**7 Reservation or dedication of Crown lands as national park or nature reserve**

The lands described in Schedule 2 are reserved or dedicated under the *National Parks and Wildlife Act 1974* as, or as part of, the following (as indicated in that Schedule):

- (a) national parks,
- (b) nature reserves.

**8 Setting apart of areas in State forest as flora reserves**

The lands described in Schedule 3 that are within State forests are set apart as, or as part of, flora reserves under the *Forestry Act 1916* (as indicated in that Schedule).

**9 Dedication as Crown reserves under Crown Lands Act 1989 of certain former State forests**

- (1) The lands described in Schedule 4 are taken to be lands dedicated under the *Crown Lands Act 1989* for the purposes of public recreation, conservation and mineral and petroleum exploration.
- (2) The *Crown Lands Act 1989* applies to and in respect of the lands described in Schedule 4, except as provided by this Act.
- (3) A reserve trust is established under the name of the National Parks and Wildlife Reserve Trust. The reserve trust is appointed as trustee of the reserve consisting of all the land described in Schedule 4.
- (4) The Director-General of National Parks and Wildlife is appointed to manage the affairs of the reserve trust.
- (5) Nothing in this section prevents any land to which this section applies from being reserved, dedicated or acquired under the *National Parks and Wildlife Act 1974*.

**10 Vesting in NPW Minister of certain former State forests subject to existing leases**

- (1) The lands described in Schedule 5 vest in the Minister administering the *National Parks and Wildlife Act 1974* on behalf of the Crown for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* for an estate in fee simple, freed and discharged from:

- (a) all trusts, obligations, estates, interests, rights of way or other easements, and
  - (b) any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked by the operation of this section.
- (2) Despite subsection (1), the lands described in Schedule 5 are not freed and discharged from any perpetual lease, special lease or term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989* to which the lands were subject immediately before their vesting under this section.

**11 Adjustment of description of land transferred to national park estate**

- (1) The description of any land in Schedules 1–5 may be adjusted in accordance with this section.
- (2) A description of land may be adjusted from time to time:
  - (a) to provide a more detailed description of the boundaries of the land that are shown on a map by heavy black edging, or
  - (b) to alter the boundaries of the land for the purposes of the effective management of national park estate land and State forest land, including adjustments to enable boundaries to follow distinctive land features, to provide access to land, to correct any inaccuracy in relation to land tenure included in the land description or to rationalise the boundaries of similar areas of land, or
  - (c) to include, remove or change a description of any easement or restriction to which the land is subject.
- (3) An adjustment of the description of land may include an alteration with respect to whether land is added (new) national park, nature reserve or flora reserve or to the name of any new national park, flora reserve.
- (4) An adjustment of the description of land is to be made by the Director-General of Rational Parks and Wildlife by a notice published in the Gazette that amends Schedules 1–5. Any such

notice may only be published with the approval of the Minister administering the *National Parks and Wildlife Act 1974* and the Minister administering the *Forestry Act 1916*.

- (5) The Director-General of National Parks and Wildlife is required to certify in any such notice that the adjustments effected by the notice will not result in any significant reduction in the size or value of national park estate land or State forest land.
- (6) An adjustment of the description of land may only be made before 28 February 1999.
- (7) If any of the land described in Schedules 1–S on the commencement of those Schedules is not included in the adjusted description of the land, the land that is not so included is taken never to have been subject to or affected by this Part or the relevant Schedule.
- (8) If land included in the adjusted description of the land includes any land not described in Schedules 1–5 on the commencement of those Schedules, the land concerned is taken to have been subject to this Part and the relevant Schedule on the commencement of this Part.

## **12 Transfer of former State forest and Crown lands to ownership of Local Aboriginal Land Councils**

- (1) The lands described in Schedule 6 are to be transferred to the relevant Local Aboriginal Land Council (as indicated in that Schedule) by the Crown Lands Minister in accordance with Division 2 of Part 6 of the *Aboriginal Land Rights Act 1983*. For that purpose, the Crown Lands Minister is taken to have granted a claim under that Division for the lands (whether or not the lands are claimable Crown lands or any claim has in fact been made).
- (2) The lands are to be transferred as soon as practicable after the commencement of this Part.
- (3) The Crown Lands Minister may, in connection with the transfer of any such land, do any one or more of the following:
  - (a) cause the land to be surveyed and adjust the boundaries of the land described in Schedule 6 in accordance with the survey for the purpose of the transfer of the land,

- (b) exclude from the transfer:
    - (i) an area within the East Boyd State Forest of approximately 20 hectares for purposes of, or associated with, a wharf, or
    - (ii) any other part of the land that is subject to an existing interest immediately before the transfer,
  - (c) make the transfer subject to any such existing interest,
  - (d) make the transfer subject to any condition relating to the use of the land for a government purpose, whether by way of the creation of an easement, covenant, lease or other interest in or affecting the land.
- (4) In this section, *Crown Lands Minister* has the same meaning it has in section 36 of the *Aboriginal Land Rights Act 1983*.

### **13 Land transfers—ancillary and special provisions**

Schedule 7 has effect.

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## Part 3 Forest agreements

### 14 Making of agreements

- (1) Forest agreements may be made under this Part with respect to particular regions of the State.
- (2) The parties to a forest agreement are to be the following Ministers:
  - (a) the Minister administering the *Environmental Planning and Assessment Act 1979*,
  - (b) the Minister administering the *Forestry Act 1916*,
  - (c) the Minister administering the *National Parks and Wildlife Act 1974*,
  - (d) the Minister administering the *Protection of the Environment Administration Act 1991*.
- (3) The Minister administering the *Fisheries Management Act 1994* may also be a party to a forest agreement.
- (4) The relevant Ministers are required to make forest agreements in respect of the Eden region, the Lower North East region and the Upper North East region within 120 days after the commencement of this section or as soon as possible thereafter.

### 15 Requirement for RACAC forest assessment before agreement made

- (1) A forest agreement may only be made in respect of a region that has been the subject of a regional forest assessment carried out by or on behalf of the Resource and Conservation Assessment Council.
- (2) Any such assessment is to include an assessment of the following (in the particular areas of the region that the Council considers appropriate):
  - (a) environment and heritage values (including indigenous heritage),
  - (b) economic and social values,
  - (c) ecologically sustainable forest management,
  - (d) timber resources.
- (3) For the purposes of this Act, the ***relevant regional forest assessment*** comprises any such assessment for the agreement concerned, together with any environmental impact statements

obtained by the Forestry Commission or other determining authority under Part 5 of the *Environmental Planning and Assessment Act 1979*, or related environmental studies, that the parties to the agreement consider relevant.

- (4) For the purpose of making forest agreements with respect to the Eden region, the Lower North East region and the Upper North East region, assessments:
- (a) that are in existence on the commencement of this section, and
  - (b) that the parties to any such forest agreement consider relevant.

are taken to satisfy the requirements of this section with respect to the relevant forestry assessment for that region and no further assessments are required under this section in connection with that forest agreement.

## **16 Contents of agreement**

- (1) A forest agreement must:
- (a) describe the region of the State to which it applies, and
  - (b) list the documents containing information about the relevant regional forest assessment.
- (2) A forest agreement must contain (but is not limited to) the following provisions with respect to land in the region:
- (a) provisions that promote ecologically sustainable forest management,
  - (b) provisions with respect to sustainable timber supply from forestry operations covered by the agreement,
  - (c) provisions with respect to community consultation on forestry operations and other matters covered by the agreement,
  - (d) provisions with respect to arrangements made or to be made relating to native title rights and interests or Aboriginal land claims,
  - (e) other provisions that the relevant Ministers consider appropriate and that are not inconsistent with this Act or any other Act or law relating to matters within their respective Ministerial portfolios.

- (3) A forest agreement is to refer to any integrated forestry operations approval for the region that has been granted or proposed to be granted at the time the agreement is made.

### **17 Public consultation on making agreement**

- (1) The Ministers who are to be parties to a proposed forest agreement are required to ensure that the public is given an opportunity to participate in connection with the making of the forest agreement.
- (2) The public participation is to include:
- (a) giving notice of the making of the proposed agreement (including notice of the place at which and times during which the proposed agreement will be available for public inspection) in a newspaper circulating throughout the State and also in a newspaper circulating in the region concerned, and
  - (b) making the proposed agreement available for public inspection, at the place and during the times specified in the notice, for at least 28 days after the notice is given in both of those newspapers, and
  - (c) inviting representations in connection with the proposed agreement within the time specified in the notice, and
  - (d) consideration of any such representation before the agreement is made.
- (3) This section does not apply to the making of forest agreements with respect to the Eden region, the Lower North East region and the Upper North East region (other than the making of a forest agreement for any such region to replace any earlier such agreement).

### **18 Amendment or termination of agreement**

A forest agreement may be amended or terminated at any time jointly by the parties to the agreement.

### **19 Public consultation on amendment or revocation of agreement**

- (1) The Ministers who are parties to a forest agreement are required to ensure that the public is given an opportunity to participate in connection with any amendment or revocation of the forest agreement.
- (2) The public participation under this section is to include:
  - (a) giving notice of the proposed amendment or revocation (including notice of the place at which and times during which any proposed amendment will be available for public inspection) in a newspaper circulating throughout the State and also in a newspaper circulating in the region concerned, and
  - (b) making any proposed amendment available for public inspection, at the place and during the times specified in the notice, for at least 28 days after the notice is given in both of those newspapers, and
  - (c) inviting representations in connection with the proposed amendment or revocation within the time specified in the notice, and
  - (d) consideration of any such representation before the agreement is amended or revoked.

### **20 Review of agreements and related integrated forestry operations approvals**

- (1) The Ministers who are parties to a forest agreement are required to jointly review the agreement and any integrated forestry operations approval for the region.
- (2) A review is to be undertaken for the purposes only of assessing:
  - (a) the implementation of the provisions of the agreement, and
  - (b) whether integrated forestry operations approvals are effective in achieving the purpose of those approvals.
- (3) A review is to be undertaken by those Ministers every 5 years after the agreement is made.



- (4) Those Ministers are to ensure that the public is given an opportunity to participate in the review. The public participation is to include:
- (a) giving at least 6 months' notice of the review (including the proposed terms of reference of the review) in a newspaper circulating throughout the State and also in a newspaper circulating in the region concerned, and
  - (b) inviting representations in connection with the proposed terms of reference within the time specified in the notice, and the consideration of any such representations before the terms of reference are settled, and
  - (c) giving notice of whether any changes are proposed to the forest agreement or to the integrated forestry operations approval (including notice of the place at which and times during which any proposed changes will be available for public inspection) in a newspaper circulating throughout the State and also in a newspaper circulating in the region concerned, and
  - (d) making any proposed changes available for public inspection, at the place and during the times specified in the notice, for at least 28 days after the notice is given in both of those newspapers, and
  - (e) inviting representations in connection with any proposed changes within the time specified in the notice, and
  - (f) consideration of any such representation before a decision is made on the outcome of the review and any changes are made.
- (5) The Ministers are to cause a report on the outcome of each review to be tabled in each House of Parliament within 12 months after the end of the relevant 5-year period.
- (6) Despite section 18, a forest agreement may not be amended as a result of a review under this section until the report on the outcome of the review has been tabled under subsection (5).
- (7) A provision of any other Act for the review by a government agency or other body of a licence to which Division 3 of Part 4 applies has no effect with respect to the terms of a relevant licence set out in an integrated forestry operations approval.

**21 Annual Parliamentary reports and tabling of documents by Minister**

- (1) The Minister administering the *Environmental Planning and Assessment Act 1979* is to prepare an annual report on each forest agreement, including with respect to:
  - (a) ecologically sustainable forest management in the region, and
  - (b) compliance with any integrated forestry operations approval for the region.
- (2) Each such report is to be tabled in each House of Parliament as soon as practicable after it is prepared. The report may be combined with any other report required to be tabled under this Act or any other annual report of the Department of Urban Affairs and Planning.
- (3) The Minister administering the *Environmental Planning and Assessment Act 1979* must cause a copy of the following to be furnished to the Presiding Officer of each House of Parliament within 7 days after the relevant matter arises:
  - (a) each forest agreement made under this Act, and any amendment or termination of a forest agreement (together with a statement of the reasons for the amendment or termination),
  - (b) each integrated forestry operations approval granted under this Act, and any amendment, suspension or revocation of an integrated forestry operations approval (together with a statement of the reasons for the amendment, suspension or revocation).
- (4) A copy of any document furnished to the Presiding Officer under subsection (3) is to be laid before that House within 15 sitting days of that House after it is received by the Presiding Officer.
- (5) The Presiding Officer of a House of Parliament is to make a document furnished to the Presiding Officer under subsection (3) public as soon as practicable after receiving the document if it has not been sooner laid before that House, whether or not the House is in session.

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- (6) If such a document is made public by the Presiding Officer of a House of Parliament before it is laid before that House, it attracts the same privileges and immunities as if it had been laid before that House.
- (7) In this section, *Presiding Officer* means the President of the Legislative Council or the Speaker of the Legislative Assembly. However:
- (a) if there is a vacancy in the office of President, the reference to the President is a reference to the Clerk of the Legislative Council, or
  - (b) if there is a vacancy in the office of Speaker, the reference to the Speaker is a reference to the Clerk of the Legislative Assembly.

## **22 Public notice and public availability of agreements, assessment documents, approvals and reports**

- (1) The Minister administering the *Environmental Planning and Assessment Act 1979* must cause public notice to be given of the following in a newspaper circulating throughout the State and also in a newspaper circulating in the area concerned:
- (a) the making of a forest agreement made under this Act, and any amendment or termination of a forest agreement,
  - (b) the granting of an integrated forestry operations approval under this Act, and any amendment, suspension or revocation of an integrated forestry operations approval.
- Any such notice is to state the place at which copies of the relevant documents will be available for public inspection.
- (2) Copies of the following documents are to be available for public inspection at the head office and each regional office of the Department of Urban Affairs and Planning, and at such other offices or places as the head of the Department directs:
- (a) each forest agreement made under this Act, and any amendment or termination of a forest agreement (together with a statement of the reasons for the amendment or termination),

- (b) each integrated forestry operations approval granted under this Act, and any amendment, suspension or revocation of an integrated forestry operations approval (together with a statement of the reasons for the amendment, suspension or revocation),
  - (c) the terms of reference of each 5-yearly review of a forest agreement,
  - (d) the last annual report on, and the report on the last 5-yearly review of, each forest agreement that are tabled in Parliament.
- (3) A person may take copies of any such documents on payment of a charge determined by the head of the Department of Urban Affairs and Planning to cover the actual cost of the copying.
  - (4) Any such document need only be available for public inspection during ordinary office hours.
  - (5) An obligation under subsection (1) or (2) is to be complied with within 7 days after the relevant matter arises.
  - (6) Copies of documents required to be made available under subsection (2) must also be made available, as soon as practicable, on the Internet by means of the website of the Department of Urban Affairs and Planning.

### **23 Committees of advice—forest landscape management**

- (1) The Minister administering the *Environmental Planning and Assessment Act 1979* may establish committees to provide advice to the Minister on the management of land in any region covered by a forest agreement.
- (2) In particular, the Minister may establish any such committee with representatives of other specialist committees or bodies to co-ordinate advice over the range of land management issues in the region.
- (3) The constitution and procedure of any such committee is to be determined by the Minister.

## **Part 4 Integrated forestry operations approvals**

### **Division 1 Preliminary**

#### **24 Forestry operations to which Part applies**

- (1) This Part applies to forestry operations in State forests or other Crown-timber lands.
- (2) This Part does not apply to forestry operations:
- (a) on any part of the national park estate, or
  - (b) on timber plantations within the meaning of the *Timber Plantations (Harvest Guarantee) Act 1995*, or
  - (c) on any land for the purposes of clearing natural forest to establish such a timber plantation or for agricultural or other non-forestry uses.

#### **25 Purpose of integrated forestry operations approvals**

The purpose of this Part is to provide a framework for forestry operations to which this Part applies:

- (a) that is established in connection with a forest agreement made after forest assessments conducted by or on behalf of the Resource and Conservation Assessment Council and other environmental studies, and
- (b) that integrates the regulatory regimes for environmental planning and assessment, for the protection of the environment and for threatened species conservation.

### **Division 2 Approvals generally**

#### **26 Granting of approvals**

- (1) Approval for the carrying out of forestry operations to which this Part applies may be granted under this Part. Such an approval is called an *integrated forestry operations approval*.

- (2) This Act does not prevent or affect the carrying out of forestry operations authorised by the *Forestry Act 1916* or any other Act or law. However, the carrying out of forestry operations to which an integrated forestry operations approval applies is subject to the terms of the approval.

**Note.** Forestry operations the subject of an approval are excluded from environmental assessment and approval under Part 4 or 5 of the *Environmental Planning and Assessment Act 1979*—see section 36.

## **27 Approvals to be granted jointly by relevant Ministers**

- (1) An integrated forestry operations approval may only be granted jointly by the following Ministers:
- (a) the Minister administering the *Environmental Planning and Assessment Act 1979*,
  - (b) the Minister administering the *Forestry Act 1916*,
  - (c) the Minister administering the *National Parks and Wildlife Act 1974*,
  - (d) the Minister administering the *Protection of the Environment Administration Act 1991*,
  - (e) the Minister administering the *Fisheries Management Act 1994* if the approval includes the terms of a licence under Part 7A of that Act.
- (2) An integrated forestry operations approval is to be in writing signed by those Ministers.

## **28 Forest agreement prerequisite for approval**

- (1) An integrated forestry operations approval may only be granted for the whole or any part of the area covered by a forest agreement.
- (2) The integrated forestry operations approval for an area is revoked if the forest agreement for the area is terminated.

## **29 Terms of approval**

- (1) An integrated forestry operations approval is to describe the forestry operations covered by the approval, including a description of the area of the State to which it applies.

- (2) The approval must set out conditions subject to which forestry operations covered by the approval are to be carried out.
- (3) The approval may contain the terms of any relevant licences that are taken to be granted by the approval for forestry operations covered by the approval, as referred to in Division 3.

### 30 Duration of approval

- (1) An integrated forestry operations approval has effect for the period (not exceeding 20 years) specified in it, unless sooner revoked.
- (2) A further approval or approvals may be granted after the expiry of an earlier approval, subject to subsection (1).

### 31 Revocation, suspension or amendment of approval

- (1) An integrated forestry operations approval may be amended, suspended or revoked at any time jointly by the Ministers authorised to grant the approval.
- (2) An amendment of the approval extends to an amendment of the terms of any relevant licences provided by the approval.
- (3) A suspension of the approval may extend to all or any of the forestry operations covered by the approval.

**Note.** See section 20 for review of approvals every 5 years and for reports on approvals.

### 32 Civil enforcement of certain conditions of approval

- (1) In this section:

*breach* includes a threatened or apprehended breach.

*conditions* means any conditions subject to which forestry operations covered by an integrated forestry operations approval may be carried out (other than the terms of a relevant licence set out in the approval).

*relevant Minister*, in relation to an integrated forestry operations approval, means a Minister who is a party to the approval (other than the Minister administering the *Forestry Act 1916*).

**Note.** Section 35 makes provision with respect to the enforcement of the terms of a relevant licence.

- (2) A relevant Minister may bring proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the conditions of an integrated forestry operations approval.
- (3) Any such proceedings may be brought whether or not any right of the relevant Minister or the State has been or may be infringed by or as a result of the breach.
- (4) If the Land and Environment Court is satisfied that a breach has been committed or that a breach will, unless restrained by order of the Court, be committed, it may make such orders as it thinks fit to remedy or restrain the breach.
- (5) Without limiting the powers of the Court under this section, an order under this section may suspend an approval with respect to the forestry operations concerned in the breach.

### **Division 3 Terms of relevant licences under integrated approval**

#### **33 Licences to which Division applies**

- (1) This Division applies to any of the following licences for forestry operations covered by an integrated forestry operations approval:
  - (a) a licence under the *Pollution Control Act 1970* or, after the repeal of that Act, under the *Protection of the Environment Operations Act 1997*, or
  - (b) a licence under the *Threatened Species Conservation Act 1995*, or
  - (c) a licence under Part 7A of the *Fisheries Management Act 1994*,
- (2) Any such licence is referred to in this Division as a ***relevant licence***.
- (3) The Act under which such a licence is granted is referred to in this Division as ***the relevant Act***.



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**34 Approval may set out terms of relevant licence**

- (1) An integrated forestry operations approval may set out the terms of any relevant licence. If the approval does so, any person carrying out forestry operations covered by the approval is taken to hold a licence in those terms under the relevant Act.
- (2) Any such licence has effect, for all purposes, as a licence granted under the relevant Act.
- (3) The Ministers granting the approval may rely on the information in the relevant regional forest assessment for the purpose of determining the terms of any relevant licence. In particular, a species impact statement or other separate environmental assessment is not required to be obtained for that purpose.
- (4) The terms of any relevant licence need not extend to all forestry operations covered by the approval.
- (5) Any licence previously granted under the relevant Act ceases to have effect to the extent that it deals with forestry operations covered by the approval and the terms of a relevant licence set out in the approval.
- (6) This section does not prevent the grant of a relevant licence under a relevant Act if it does not deal with forestry operations covered by the terms of a relevant licence set out in an integrated forestry operations approval.

**35 Enforcement of relevant licence**

- (1) The terms of a relevant licence set out in an integrated forestry operations approval are to be enforced (subject to this Act) in the same way as any other licence under the relevant Act. However, the terms of a relevant licence set out in an integrated forestry operations approval cannot be varied, and the licence cannot be revoked, under the relevant Act.

**Note.** A contravention of the terms of a relevant licence makes the person carrying out the forestry operations liable for offences for which the licence provides a defence (eg damage to critical habitat of threatened species under the *National Parks and Wildlife Act 1974*; offence of polluting waters under the *Protection of the Environment Operations Act 1997*).

- (2) The government agency responsible for the enforcement of a relevant licence must notify the Ministers who granted the approval of any contravention (of which it becomes aware) of the terms of the licence by the persons carrying out forestry operations covered by the approval.

**Note.** Section 31 provides that the Ministers may amend, suspend or revoke an approval at any time.

## **Division 4 Application of other legislation**

### **36 Application of Environmental Planning and Assessment Act 1979**

- (1) Part 5 of the *Environmental Planning and Assessment Act 1979* does not apply in respect of the carrying out of, or the granting of approval in relation to, forestry operations during any period that an integrated forestry operations approval applies to those operations. That Part does not apply to the granting or amendment of any such approval or to the making or amendment of a forest agreement.
- (2) An environmental planning instrument under the *Environmental Planning and Assessment Act 1979* cannot prohibit, require development consent for or otherwise restrict forestry operations during any period that an integrated forestry operations approval applies to those operations.
- (3) An order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* does not have effect to the extent that it prevents or interferes with the carrying out of forestry operations authorised by an integrated forestry operations approval.
- (4) Any approval of forestry operations that is in force under Division 4 of Part 5 of the *Environmental Planning and Assessment Act 1979* has no effect during any period that Part 5 of that Act does not apply to the forestry operations. Any development consent for forestry operations that is in force under

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Part 4 of the *Environmental Planning and Assessment Act 1979* has no effect during any period that development consent under Part 4 of that Act is not required for the forestry operations.

- (5) Subsection (2) applies to an environmental planning instrument made before or after the commencement of this section.

### **37 Application of National Parks and Wildlife Act 1974 and Threatened Species Conservation Act 1995**

- (1) Part 6A (Stop work orders and interim protection orders) of the *National Parks and Wildlife Act 1974* does not apply to the carrying out of forestry operations during any period that an integrated forestry operations approval applies to those operations.
- (2) However, subsection (1) does not prevent the making of an order for the purpose of protecting any Aboriginal relic or place.
- (3) Division 1 of Part 7 (Stop work orders) of the *Threatened Species Conservation Act 1995* does not apply to the carrying out of forestry operations during any period that an integrated forestry operations approval applies to those operations.

### **38 Application of Local Government Act orders**

An order under section 124 of the *Local Government Act 1993* does not have effect to the extent that it prevents or interferes with the carrying out of forestry operations authorised by an integrated forestry operations approval.

### **39 Application of wilderness legislation**

An area in which forestry operations authorised by an integrated forestry operations approval may be carried out cannot be proposed or identified as, or declared to be, a wilderness area under the *Wilderness Act 1987* or the *National Parks and Wildlife Act 1973*.

**40 Application of statutory provisions relating to proceedings by third parties**

- (1) This section applies to the following statutory provisions:
- (a) section 25 of the *Environmental Offences and Penalties Act 1989*, or, after the repeal of that Act, section 252 or 253 of the *Protection of the Environment Operations Act 1997*,
  - (b) a provision of an Act that gives any person a right to institute proceedings in a court to remedy or restrain a breach (or a threatened or apprehended breach) of the Act or an instrument made under the Act, whether or not any right of the person has been or may be infringed by or as a consequence of that breach,
  - (c) section 13 (2A) of the *Environmental Offences and Penalties Act 1989* or, after the repeal of that Act, section 219 of the *Protection of the Environment Operations Act 1997*.
- (2) Proceedings may not be brought under a statutory provision to which this section applies if the breach (or threatened or apprehended breach) to which the proceedings relate is as follows:
- (a) a breach of this Act (including a breach of any forest agreement),
  - (b) a breach of an integrated forestry operations approval (including a breach of the terms of any licence provided by the approval),
  - (c) a breach of an Act or law that arises because any defence provided by any such licence is not available as a result of a breach of the licence,
  - (d) a breach of the Act that includes the statutory provision (including a breach of an instrument made under that Act) if the breach relates to forestry operations to which an integrated forestry operations approval applies.

- (3) This section does not apply to any proceedings brought by:
- (a) a Minister, or
  - (b) the Environment Protection Authority or a member of the staff of the Authority, or
  - (c) in the case of the provision of an Act referred to in subsection (1) (b)—a government agency or any government official engaged in the execution or administration of the Act.

Section 41	Forestry and National Park Estate Act 1998 No 163
Part 5	Miscellaneous

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## **Part 5      Miscellaneous**

### **41    Act to bind Crown**

This Act binds the Crown in right of New South Wales and, in so far as the legislative power of the Parliament of New South Wales permits, the Crown in all its other capacities.

### **42    Regulations**

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

### **43    Amendment of Forestry Act 1916 No 55**

The *Forestry Act 1916* is amended as set out in Schedule 8.

**Note.** The amendment inserts provisions for a new category of informal reserves within State forests, to be called special management zones, that are established by the Minister administering that Act and that enable that Minister to prohibit particular operations to protect the special conservation value of the land.

### **44    Amendment of Timber industry (interim Protection) Act 1992 No 1**

The *Timber Industry (Interim Protection) Act 1992* is amended as set out in Schedule 9.

**Note.** The amendments extend the operation of that Act for a further period of 12 months until 31 December 1999 and make other modifications and additions to that Act following the enactment of this Act.

### **45    Amendment of National Parks and Wildlife Act 1974 No 80**

The *National Parks and Wildlife Act 1974* is amended as set out in Schedule 10.

**Note.** The amendments include the insertion of Biamanga National Park into Schedule 14 to the *National Parks and Wildlife Act 1974* (Lands of cultural significance to Aboriginals).

**46 Amendment of Native Title (New South Wales) Act 1994 No 45**

The *Native Title (New South Wales) Act 1994* is amended as set out in Schedule 11.

**Note.** The amendment saves native title rights and interests in land reserved, dedicated or vested under this Act, and in connection with certain other acts comprising the reservation or dedication of land for the national park estate or as wilderness.

**47 Amendment of Land and Environment Court Act 1979 No 204**

The *Land and Environment Court Act 1979* is amended as set out in Schedule 12.

**48 Savings, transitional and other provisions**

Schedule 13 has effect.

**49 Review of Act**

- (1) The Minister is to review this Act to determine whether the policy objectives of this Act remain valid and whether the terms of this Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 5 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 5 years.

**Schedule 1 State forest reserved as national park or historic site or dedicated as nature reserve**

(Sections 5 and 6)

**Part 1 Eden Region**

**Part 1.1 Addition to Wadbilliga National Park**

*Murrabrine State Forest No 947*

An area of about 6735 hectares, being the balance of Murrabrine State Forest No 947, dedicated 4 November 1955, and the balance of No 1 Extension thereto, dedicated 14 September 1979, and being the land shown by diagonal hatching on diagram catalogued Misc F 1289 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

**Part 1.2 Addition to Biamanga National Park**

*Part Murrah State Forest No 140*

An area of about 6185 hectares, being the part of Murrah State Forest No 140, dedicated 4 November 1914, and the whole or the part of the extensions to that State forest listed hereunder (with their dedication dates shown in brackets) within the land shown by diagonal hatching on diagram catalogued Misc F 1274 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 2 (17 November 1922)

No 3 (27 January 1956)

No 4 (6 November 1981)



### **Part 1.3 Additions to South East Forest National Park**

#### ***Part Yurammie State Forest No 133***

An area of about 2195 hectares, being the balance of Yurammie State Forest No 133, dedicated 4 November 1914, and the whole or the part of the extensions to that State forest listed hereunder (with their dedication dates shown in brackets) within the land shown by diagonal hatching on diagram catalogued Misc F 1275 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (11 May 1923)

No 2 (23 April 1926)

No 3 (10 May 1968)

No 4 (9 July 1971)

No 5 (4 February 1977)

No 7 (31 March 1978)

No 8 (3 August 1979)

#### ***Part Yurammie State Forest No 133***

An area of about 915 hectares, being the whole or the part of the extensions to Yurammie State Forest No 133 listed hereunder (with their dedication dates shown in brackets) within the land shown by vertical hatching on diagram catalogued Misc F 1275 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 4 (9 July 1971)

No 9 (2 June 1989)

No 11 (6 October 1989)

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Tantawangalo State Forest No 134***

An area of about 4020 hectares, being the whole or the part of the extensions to Tantawangalo State Forest No 134 listed hereunder (with their dedication dates shown in brackets) within the land shown by diagonal hatching on diagram catalogued Misc F 1276 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (31 August 1928)

No 3 (23 April 1971)

No 5 (2 March 1973)

No 14 (10 February 1995)

***Part Nullica State Forest No 545***

An area of about 800 hectares, being the parts of Nullica State Forest No 545, No 4 Extension dedicated 7 December 1973, and the part of Nullica State Forest No 545, No 11 Extension dedicated 6 May 1977, within the land shown by diagonal hatching on diagram catalogued Misc F 1278 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Nalbaugh State Forest No 129***

An area of about 295 hectares, being the part of Nalbaugh State Forest No 129, No 4 Extension dedicated 26 March 1971, within the land shown by horizontal hatching on diagram catalogued Misc F 1279 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Coolangubra State Forest No 547***

An area of about 122 hectares, being the part of Coolangubra State Forest No 547, No 3 Extension, dedicated 23 June 1972, within the land shown by diagonal hatching on diagram catalogued Misc F 1277 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Coolangubra State Forest No 547***

An area of about 16 hectares, being the part of Coolangubra State Forest No 547, No 3 Extension, dedicated 23 June 1972 within the land shown by cross hatching on diagram catalogued Misc F 1279 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Coolangubra State Forest No 547***

An area of about 5415 hectares, being the whole or the part of the extensions to Coolangubra State Forest No 547 listed hereunder (with their dedication dates shown in brackets), within the land shown by diagonal hatching on diagram catalogued Misc F 1279 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 3 (23 June 1972)

No 6 (31 October 1975)

No 11 (28 January 1983)

No 14 (16 October 1992)

***Part Bondi State Forest No 128***

An area of about 2155 hectares, being the part of Bondi State Forest No 128 No 15 Extension, dedicated 27 August 1971, and the part of Bondi State Forest No 128 No 20 Extension, dedicated 14 April 1978, within the land shown by horizontal hatching on diagram catalogued Misc F 1280 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Bondi State Forest No 128***

An area of about 26 hectares, being the part of Bondi State Forest No 128 No 15 Extension, dedicated 27 August 1971, within the land shown by diagonal hatching on diagram catalogued Misc F 1280 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Bondi State Forest No 128***

An area of about 275 hectares, being the part of Bondi State Forest No 128 No 15 Extension, dedicated 27 August 1971, within the land shown by diagonal hatching on diagram catalogued Misc F 1281 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Yambulla State Forest No 126***

An area of about 1895 hectares, being the part of Yambulla State Forest No 126, No 1 Extension, dedicated 7 May 1971 and the part of Yambulla State Forest No 126, No 5 Extension, dedicated 8 October 1993, within the land shown by vertical hatching on diagram catalogued Misc F 1280 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Nungatta State Forest No 131***

An area of about 8 hectares, being the part of Nungatta State Forest No 131, dedicated 4 November 1914, within the land shown by cross hatching on diagram catalogued Misc F 1280 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part Nungatta State Forest No 131***

An area of about 41 hectares, being the part of Nungatta State Forest No 131, No 1 Extension dedicated 19 June 1953, within the land shown by broken horizontal hatching on diagram catalogued Misc F 1280 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

**Part 1.4 Additions to Mount Imlay National Park**

***Part Towamba State Forest No 908***

An area of about 375 hectares, being the part of Towamba State Forest No 908, dedicated 17 February 1950, and the whole or the part of the extensions to that State forest listed hereunder (with their dedication dates shown in brackets) within the land shown by vertical hatching on diagram catalogued Misc F 1282 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (9 July 1971)

No 2 (8 September 1978)

***Part Yambulla State Forest No 126***

An area of about 188 hectares, being the parts (two) of Yambulla State Forest No 126, No 1 Extension, dedicated 7 May 1971, within the lands shown by diagonal hatching on diagram catalogued Misc F 1282 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part East Boyd State Forest No 127***

An area of about 265 hectares, being the part of East Boyd State Forest No 127, dedicated 4 November 1914, and the part of No 5 Extension thereto, dedicated 4 June 1971, within the land shown by horizontal hatching on diagram catalogued Misc F 1282 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

***Part East Boyd State Forest No 127***

An area of about 186 hectares, being the part of East Boyd State Forest No 127, No 5 Extension, dedicated 4 June 1971, within the land shown by cross hatching on diagram catalogued Misc F 1282 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

**Part 1.5 Addition to Ben Boyd National Park**

***Part East Boyd State Forest No 127***

An area of about 110 hectares, being the part of East Boyd State Forest No 127, dedicated 4 November 1914, and the balance of No 1 Extension thereto, dedicated 1 August 1924, within the land shown by diagonal hatching on diagram catalogued Misc F 1290 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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**Part 1.6            Addition to Davidson Whaling Station Historic Site**

*Part East Boyd State Forest No 127*

An area of about 20 hectares, being the part of East Boyd State Forest No 127, dedicated 4 November 1914, and the whole of No 2 Extension thereto, dedicated 10 May 1929, within the land shown by diagonal hatching on diagram catalogued Misc F 1283 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

**Part 2            Lower North East Region**

**Part 2.1            Back River Nature Reserve**

*Part Hanging Rock State Forest No 671*

An area of about 730 hectares, being part of Hanging Rock State Forest No 671, and being the land designated as area "A" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.2            Bago Bluff National Park**

*Part Lorne State Forest No 58*

An area of about 1,055 hectares, being parts of Lorne State Forest No 58, and being the land designated as area "B" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Broken Bago State Forest No 184*

An area of about 2,770 hectares, being part of Broken Bago State Forest No 184, and being the land designated as area "C" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.3 Barakee National Park**

### ***Part Giro State Forest No 286***

An area of about 3,230 hectares, being part of Giro State Forest No 286, and being the land designated as area "D" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.4 Additions to Barrington Tops National Park**

### ***Part Stewarts Brook State Forest No 276***

An area of about 3,690 hectares, being parts of Stewarts Brook State Forest No 276, and being the land designated as area "E" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### ***Part Chichester State Forest No 292***

An area of about 1,540 hectares, being parts of Chichester State Forest No 292, and being the land designated as area "F" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### ***Part Barrington Tops State Forest No 977***

An area of about 6,280 hectares, being parts of Barrington Tops State Forest No 977, and being the land designated as area "G" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.5 Bielsdown National Park**

### ***Bielsdown State Forest No 490***

An area of about 920 hectares, being Bielsdown State Forest No 490, and being the land designated as area "H" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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**Part 2.6            Big Avon Nature Reserve**

*Part Avon River State Forest No 293*

An area of about 720 hectares, being part of Avon River State Forest No 293, and being the land designated as area "I" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.7            Big Nellie National Park**

*Part Lansdowne State Forest No 291*

An area of about 1,600 hectares, being part of Lansdowne State Forest No 291, and being the land designated as area "J" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Comboyne State Forest No 698*

An area of about 225 hectares, being part of Comboyne State Forest No 698, and being the land designated as area "K" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.8            Booroolong Nature Reserve**

*Booroolong State Forest No 313*

An area of about 865 hectares, being Booroolong State Forest No 313, and being the land designated as area "L" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.9            Bulga National Park**

*Part Bulga State Forest No 285*

An area of about 4,410 hectares, being parts of Bulga State Forest No 285, and being the land designated as area "M" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.



## **Part 2.10 Cairncross East Nature Reserve**

### *Part Cairncross State Forest No 183*

An area of about 535 hectares, being part of Cairncross State Forest No 183, and being the land designated as area "N" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.11 Carrai National Park**

### *Part Cochrane State Forest No 701*

An area of about 1,100 hectares, being parts of Cochrane State Forest No 701, and being the land designated as area "O" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### *Part Carrai State Forest No 909*

An area of about 6,630 hectares, being part of Carrai State Forest No 909, and being the land designated as area "P" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.12 Cascade National Park**

### *Part Wild Cattle Creek State Forest No 488*

An area of about 3,680 hectares, being part of Wild Cattle Creek State Forest No 488, and being the land designated as area "Q" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.13 Addition to Cathedral Rocks National Park**

### *Part Yooroonah State Forest No 1040*

An area of about 600 hectares, being parts of Yooroonah State Forest No 1040, and being the land designated as area "R" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1 State forest reserved as national park or historic site or dedicated as nature reserve

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**Part 2.14 Chrysotricha Nature Reserve**

*Part Newry State Forest No 487*

An area of about 975 hectares, being part of Newry State Forest No 487, and being the land designated as area "S" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.15 Cockspur Nature Reserve**

*Cockspur State Forest No 902*

An area of about 1,540 hectares, being Cockspur State Forest No 902, and being the land designated as area "T" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.16 Cooperabung Creek Nature Reserve**

*Part Ballengarra State Forest No 474*

An area of about 330 hectares, being part of Ballengarra State Forest No 474, and being the land designated as area "U" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.17 Craven Nature Reserve**

*Craven State Forest No 523*

An area of about 2,750 hectares, being Craven State Forest No 523, and being the land designated as area "V" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.18 Addition to Crowdy Bay National Park**

*Part Johns River State Forest No 804*

An area of about 192 hectares, being part of Johns River State Forest No 804, and being the land designated as area "W" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.19 Cunnawarra National Park**

### ***Part Lower Creek State Forest No 161***

An area of about 1,750 hectares, being part of Lower Creek State Forest No 161, and being the land designated as area "X" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### ***Part Styx River State Forest No 339***

An area of about 13,345 hectares, being part of Styx River State Forest No 339, and being the land designated as area "Y" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.20 Diehappy Nature Reserve**

### ***Part Oakes State Forest No 609***

An area of about 1,190 hectares, being part of Oakes State Forest No 609, and being the land designated as area "Z" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### ***Part Diehappy State Forest No 823***

An area of about 4 hectares, being part of Diehappy State Forest No 823, being the land designated as area "AA" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.21 Dingo Tops National Park**

### ***Part Bulga State Forest No 285***

An area of about 5,855 hectares, being part of Bulga State Forest No 285, and being the land designated as area "BB" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### ***Part Dingo State Forest No 779***

An area of about 4,970 hectares, being part of Dingo State Forest No 779, and being the land designated as area "CC" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.22 Additions to Dorrigo National Park**

***Part Never Never State Forest No 613***

An area of about 2,475 hectares, being part of Never Never State Forest No 613, and being the land designated as area "DD" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Killungoondie State Forest No 849***

An area of about 208 hectares, being part of Killungoondie State Forest No 849, and being the land designated as area "EE" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.23 Dorrigo Plateau Nature Reserve**

***Part Muldiva State Forest No 1049***

An area of about 520 hectares, being parts of Muldiva State Forest No 1049, and being the land designated as area "FF" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.24 Doyles River National Park**

***Part Bulga State Forest No 285***

An area of about 218 hectares, being part of Bulga State Forest No 285, and being the land designated as area "GG" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Enfield State Forest No 337***

An area of about 5,555 hectares, being part of Enfield State Forest No 337, and being the land designated as area "HH" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Mount Seaview State Forest No 877***

An area of about 96 hectares, being Mount Seaview State Forest No 877, and being the land designated as area "JJ" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Doyles River State Forest No 911***

An area of about 21,050 hectares, being parts of Doyles River State Forest No 911, and being the land designated as area "KK" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.25 Dulcie Nature Reserve**

***Mitchells Island State Forest No 179***

An area of about 62 hectares, being Mitchells Island State Forest No 179, and being the land designated as area "LL" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.26 Duval Nature Reserve**

***Duval State Forest No 329***

An area of about 166 hectares, being Duval State Forest No 329, and being the land designated as area "MM" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.27 Eastwood Mature Reserve**

***Eastwood State Forest No 548***

An area of about 218 hectare, being Eastwood State Forest No 548, and being the land designated as area "NN" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.28 Giro Nature Reserve**

***Part Giro State Forest No 286***

An area of about 1,385 hectares, being parts of Giro State Forest No 286, and being the land designated as area "00" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.29 Goonook Nature Reserve**

*Part Yarratt State Forest No 654*

An area of about 965 hectares, being part of Yarratt State Forest No 654, and being the land designated as area "PP" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.30 Hell Hole Nature Reserve**

*Part Riamukka State Forest No 992*

An area of about 1,270 hectares, being part of Riamukka State Forest No 992, and being the land designated as area "QQ" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.31 Hillgrove Nature Reserve**

*Hillgrove Creek State Forest No 328*

An area of about 100 hectares, being Hillgrove Creek State Forest No 328, and being the land designated as area "RR" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.32 Karuah Nature Reserve**

*Part Karuah State Forest No 114*

An area of about 2,430 hectares, being parts of Karuah State Forest No 114, and being the land designated as area "SS" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Wallaroo State Forest No 781*

An area of about 182 hectares, being parts of Wallaroo State Forest No 781, and being the land designated as area "TT" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.33 Kennaicle Creek Nature Reserve**

*Part Gladstone State Forest No 163*

An area of about 390 hectares, being part of Gladstone State Forest No 163, and being the land designated as area “UU” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.34 Addition to Khappinghat Nature Reserve**

*Part Kiwarrak State Forest No 298*

An area of about 2,410 hectares, being part of Kiwarrak State Forest No 298, and being the land designated as area “VV” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.35 Killabakh Nature Reserve**

*Marsh State Forest No 893*

An area of about 2,540 hectares, being Marsh State Forest No 893, and being the land designated as area “WW” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.36 Kumbatine National Park**

*Part Kalateenee State Forest No 31*

An area of about 108 hectares, being part of Kalateenee State Forest No 31, and being the land designated as area “XX” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Maria River State Forest No 469*

An area of about 1,135 hectares, being part of Maria River State Forest No 469, and being the land designated as area “YY” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Ballengarra State Forest No 474***

An area of about 7,535 hectares, being part of Ballengarra State Forest No 474, and being the land designated as area “ZZ” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Yessabah State Forest No 602***

An area of about 3,525 hectares, being part of Yessabah State Forest No 602, and being the land designated as area “AAA” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Kippara State Forest No 641***

An area of about 790 hectares, being part of Kippara State Forest No 641, and being the land designated as area “BBB” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.37 Little Myall River National Park**

***Part Myall River State Forest No 294***

An area of about 3,699 hectares, being part of Myall River State Forest No 294, and being the land designated as area “CCC” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.38 Lower Hunter National Park**

***Part Cessnock State Forest No 874***

An area of about 1,125 hectares, being part of Cessnock State Forest No 874, and being the land designated as area “DDD” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Aberdare State Forest No 981***

An area of about 1,015 hectares, being parts of Aberdare State Forest No 981, and being the land designated as area “EEE” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.



**Part 2.39 Maria River National Park**

*Part Maria River State Forest No 469*

An area of about 1,740 hectares, being parts of Maria River State Forest No 469, and being the land designated as area “FFF” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.48 Middle Brother National Park**

*Part Middle Brother State Forest No 284*

An area of about 1,870 hectares, being part of Middle Brother State Forest No 284, and being the land designated as area “GGG” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.41 Monkerai Nature Reserve**

*Dungog State Forest No 898*

An area of about 880 hectares, being Dungog State Forest No 898, and being the land designated as area “HHH” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.42 Addition to Mount Royal National Park**

*Mount Royal State Forest No 297*

An area of about 1,385 hectares, being Mount Royal State Forest No 297, and being the land designated as area “III” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.43 Mummel Gulf National Park**

*Part Enfield State Forest No 337*

An area of about 8,620 hectares, being part of Enfield State Forest No 337, and being the land designated as area “JJJ” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Riamukka State Forest No 992***

An area of about 3,692 hectares, being part of Riamukka State Forest No 992, and being the land designated as area “KKK” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**PPart 2.44 Mungay Mountain Nature Reserve**

***Part Collombatti State Forest No 465***

An area of about 605 hectares, being part of Collombatti State Forest No 465, and being the land designated as area “LLL” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Tamban State Forest No 526***

An area of about 440 hectares, being part of Tamban State Forest No 526, and being the land designated as area “MMM” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Ingalba State Forest No 527***

An area of about 9,605 hectares, being part of Ingalba State Forest No 527, and being the land designated as area “NNN” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.45 Additions to Myall Lakes National Park**

***Renwick State Forest No 47***

An area of about 1,430 hectares, being Renwick State Forest No 47, and being the land designated as area “000” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Nerong State Forest No 49***

An area of about 5,865 hectares, being part of Nerong State Forest No 49, and being the land designated as area “PPP” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Myall River State Forest No 294***

An area of about 2,070 hectares, being part of Myall River State Forest No 294, and being the land designated as area “QQQ” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Wang Wauk State Forest No 295***

An area of about 295 hectares, being part of Wang Wauk State Forest No 295, and being the land designated as area “RRR” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Bulahdelah State Forest No 296***

An area of about 2,825 hectares, being part of Bulahdelah State Forest No 296, and being the land designated as area “SSS” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.46 Additions to New England National Park**

***Part Buckra Bendinni State Forest No 471***

An area of about 2 hectares, being part of Buckra Bendinni State Forest No 471, and being the land designated as area “TTT” on the Lower North East Region (National Park Additions) Map. Subject to any Variations or exceptions noted on that map.

***Andersons State Forest No 485***

An area of about 440 hectares, being Andersons State Forest No 485, and being the land designated as area “UUU” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Mistake State Forest No 525***

An area of about 385 hectares, being part of Mistake State Forest No 525, and being the land designated as area “VVV” on the Lower North East Resion (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Pee Dee State Forest No 600***

An area of about 760 hectares, being part of Pee Dee State Forest No 600, and being the land designated as area “WWW” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Nulla-Five Day State Forest No 601***

An area of about 9,400 hectares, being parts of Nulla-Five Day State Forest No 601, and being the land designated as area “XXX” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Oakes State Forest No 609***

An area of about 4,070 hectares, being part of Oakes State Forest No 609, and being the land designated as area “YYY” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Thumb Creek State Forest No 655***

An area of about 315 hectares, being part of Thumb Creek State Forest No 655, and being the land designated as area “ZZZ” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.47 Additions to Nymboi-Binderay National Park**

***Part Wild Cattle Creek State Forest No 488***

An area of about 660 hectares, being part of Wild Cattle Creek State Forest No 488, and being the land designated as area “AAAA” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.48 Queens Lake Nature Reserve**

***Part Burrawan State Forest No 181***

An area of about 310 hectares, being part of Burrawan State Forest No 181, and being the land designated as area “BBBB” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Queens Lake State Forest No 475***

An area of about 555 hectares, being part of Queens Lake State Forest No 475, and being the land designated as area “CCCC” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.49 Ringwood Nature Reserve**

***Part Gladstone State Forest No 163***

An area of about 15 hectares, being part of Gladstone State Forest No 163, and being the land designated as area “DDDD” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Irishman State Forest No 616***

An area of about 2,165 hectares, being part of Irishman State Forest No 616, and being the land designated as area “EEEE” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.50 Sarahs Creek Nature Reserve**

***Part Cowarra State Forest No 59***

An area of about 191 hectares, being part of Sarahs Creek State Forest No 59, and being the land designated as area “FFFF” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.51 Skillion Nature Reserve**

***Part Collombatti State Forest No 465***

An area of about 230 hectares, being part of Collombatti State Forest No 465, and being the land designated as area “GGGG” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Old Station State Forest No 468***

An area of about 265 hectares, being part of Old Station State Forest No 468, and being the land designated as area “HHHH” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Mount Skillion State Forest No 637***

An area of about 197 hectares, being Mount Skillion State Forest No 637, and being the land designated as area "IIII" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.52      Stony Creek National Park**

***Part Nowendoc State Forest No 310***

An area of about 5,585 hectares, being parts of Nowendoc State Forest No 310, and being the land designated as area "JJJJ" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Tuggolo State Forest No 312***

An area of about 2,875 hectares, being parts of Tuggolo State Forest No 312, and being the land designated as area "KKKK" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.53      Talawahl Nature Reserve**

***Part Kiwarrak State Forest No 298***

An area of about 3,985 hectares, being parts of Kiwarrak State Forest No 298, and being the land designated as area "LLLL" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.54      Tomalla Nature Reserve**

***Part Tomalla State Forest No 744***

An area of about 540 hectares, being part of Tomalla State Forest No 744, and being the land designated as area "MMMM" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.55 Tuggolo Creek Nature Reserve**

*Part Tuggolo State Forest No 312*

An area of about 610 hectares, being part of Collombatti State Forest No 312, and being the land designated as area “NNNN” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.56 Urumbilum National Park**

*Part Tuckers Nob State Forest No 612*

An area of about 490 hectares, being part of Tuckers Nob State Forest No 612, and being the land designated as area “OOOO” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Never Never State Forest No 613*

An area of about 55 hectares, being part of Never Never State Forest No 613, and being the land designated as area “PPPP” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.57 Valery Nature Reserve**

*Part Tuckers Nob State Forest No 612*

An area of about 260 hectares, being part of Tuckers Nob State Forest No 612, and being the land designated as area “QQQQ” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.58 Viewmont Nature Reserve**

*Part Viewmont State Forest No 1035*

An area of about 675 hectares, being part of Viewmont State Forest No 1035, and being the land designated as area “RRRR” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.59 Wallamba Nature Reserve**

### *Wallamba State Forest No 50*

An area of about 625 hectares, being Wallamba State Forest No 50, and being the land designated as area “SSSS” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### *Coolongolook State Forest No 51*

An area of about 525 hectares, being Coolongolook State Forest No 51, and being the land designated as area “TTTT” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.60 Wallaroo Nature Reserve**

### *Part Wallaroo State Forest No 781*

An area of about 2,835 hectares, being part of Wallaroo State Forest No 781, and being the land designated as area “UUUU” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 2.61 Wallingat National Park**

### *Part Wallingat State Forest No 48*

An area of about 5,125 hectares, being part of Wallingat State Forest No 48, and being the land designated as area “VVVV” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### *Part Bachelor State Forest No 489*

An area of about 1,285 hectares, being parts of Bachelor State Forest No 689, and being the land designated as area “WWWW” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.



**Part 2.62 Walter Nature Reserve**

*Part Fosterton State Forest No 46*

An area of about 275 hectares, being part of Fosterton State Forest No 46, and being the land designated as area "XXXX" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.63 Watagans National Park**

*Part Watagan State Forest No 123*

An area of about 4,585 hectares, being parts of Watagan State Forest No 123, and being the land designated as area "YYYY" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Olney State Forest No 124*

An area of about 2,915 hectares, being parts of Olney State Forest No 124, and being the land designated as area "ZZZZ" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.64 Addition to Werrikimbe National Park**

*Part Mount Boss State Forest No 910*

An area of about 3,915 hectares, being part of Mount Boss State Forest No 910, and being the land designated as area "AAAAA" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.65 Additions to Willi Willi National Park**

*Part Yessabah State Forest No 602*

An area of about 2,450 hectares, being part of Yessabah State Forest No 602, and being the land designated as area "BBBBB" on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Kippara State Forest No 641***

An area of about 800 hectares, being part of Kippara State Forest No 641, and being the land designated as area “CCCCC” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Carrai State Forest No 909***

An area of about 2,895 hectares, being part of Carrai State Forest No 909, and being the land designated as area “DDDDD” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Mount Boss State Forest No 910***

An area of about 5,610 hectares, being part of Mount Boss State Forest No 910, and being the land designated as area “EEEEEE” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.66 Addition to Yarravel Nature Reserve**

***Skillion Flat State Forest No 466***

An area of about 280 hectares, being Skillion Flat State Forest No 466, and being the land designated as area “FFFFFF” on the Lower North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3 Upper North East Region**

**Part 3.1 Addition to Bald Rock National Park**

***Jenner State Forest No 1016***

An area of about 1,035 hectares, being Jenner State Forest No 1016, and being the land designated as area "A" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.2 Addition to Banyabba Nature Reserve**

*Part Mount Marsh State Forest No 770*

An area of about 1,855 hectares, being part of Mount Marsh Forest No 770, and being the land designated as area "B" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.3 Basket Swamp National Park**

*Part Boonoo State Forest No 119*

An area of about 2,730 hectares, being part of Boonoo Forest No 119, and being the land designated as area "C" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.4 Addition to Boonoo Boonoo National Park**

*Part Boorook State Forest No 841*

An area of about 1,345 hectares, being part of Boorook State Forest No 841, and being the land designated as area "D" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.5 Buchanan National Park**

*Buchanan State Forest No 325*

An area of about 940 hectares, being Buchanan State Forest No 325, and being the land designated as area "E" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.6 Additions to Bundjalung National Park**

*Part Devils Pulpit State Forest No 16*

An area of about 905 hectares, being part of Devils Pulpit State Forest No 16, and being the land designated as area "F" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Mororo State Forest No 833***

An area of about 1,245 hectares, being part of Mororo State Forest No 833, and being the land designated as area "G" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.7 Bungabbee Nature Reserve**

***Part Bungabbee State Forest No 171***

An area of about 164 hectares, being part of Bungabbee State Forest No 171, and being the land designated as area "H" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.8 Bungawalbin National Park**

***Part Bungawalbin State Forest No 152***

An area of about 3,737 hectares, being part of Bungawalbin State Forest No 152, and being the land designated as area "I" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.9 Burnt-Down Scrub Nature Reserve**

***Part Washpool State Forest No 355***

An area of about 340 hectares, being part of Washpool State Forest No 355, and being the land designated as area "J" on the Upper North East Region (National Park Additions) Map. Subject to any Variations or exceptions noted on that map.

**Part 3.10 Butterleaf National Park**

***Part Butterleaf State Forest No 307***

An area of about 3,005 hectares, being part of Butterleaf State Forest No 307, and being the land designated as area "K" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.11 Byrnes Scrub Nature Reserve**

*Part Kangaroo River State Forest No 21*

An area of about 630 hectares, being part of Kangaroo River State Forest No 21, and being the land designated as area "L" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.12 Capoompeta National Park**

*Part Forest Land State Forest No 529*

An area of about 3,920 hectares, being part of Forest Land State Forest No 529, and being the land designated as area "M" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.13 Captains Creek Nature Reserve**

*Part Beaury State Forest No 2*

An area of about 2,325 hectares, being part of Beaury State Forest No 2, and being the land designated as area "N" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.14 Additions to Chaelundi National Park**

*Part Boundary Creek State Forest No 627*

An area of about 56 hectares, being part of Boundary Creek State Forest No 627, and being the land designated as area "O" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Chaelundi State Forest No 996*

An area of about 3 hectares, being part of Chaelundi State Forest No 996, and being the land designated as area "P" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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### **Part 3.15 Cooraldooral National Park**

#### ***Part Mount Mitchell National Park No 308***

An area of about 250 hectares, being part of Mount Mitchell State Forest No 308, and being the land designated as area "Q" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Gibraltar Range State Forest No 352***

An area of about 11,090 hectares, being part of Gibraltar Range State Forest No 352, and being the land designated as area "R" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.16 Additions to Dorrigo National Park**

#### ***Part Never Never State Forest No 613***

An area of about 8 hectares, being part of Never Never State Forest No 613, and being the land designated as area "S" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Brooklana State Forest No 850***

An area of about 1,090 hectares, being part of Brooklana State Forest No 850, and being the land designated as area "T" on the Upper North East Region (National Park Additions) Map. Subject to any Variations or exceptions noted on that map.

### **Part 3.17 Addition to Gibraltar Range National Park**

#### ***Cangai State Forest No 354***

An area of about 3,570 hectares, being Cangai State Forest No 354, and being the land designated as area "U" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.18      Goonengerry National Park**

#### *Part Goonengerry State Forest No 1044*

An area of about 390 hectares, being part of Goonengerry State Forest No 1044, and being the land designated as area "V" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.19      Additions to Guy Fawkes River National Park**

#### *Part Brother State Forest No 311*

An area of about 515 hectares, being part of Brother State Forest No 311, and being the land designated as area "W" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### *Part Oakwood State Forest No 555*

An area of about 2,505 hectares, being parts of Oakwood State Forest No 555, and being the land designated as area "X" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### *Part Chaelundi State Forest No 996*

An area of about 24 hectares, being part of Chaelundi State Forest No 996, and being the land designated as area "Y" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.20      Hogarth Range Nature Reserve**

#### *Part Royal Camp State Forest No 794*

An area of about 660 hectares, being part of Royal Camp State Forest No 794, and being the land designated as area "Z" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.21 Koreelah National Park**

***Part Koreelah State Forest No 1***

An area of about 5,265 hectares, being part of Koreelah State Forest No 1, and being the land designated as area "AA" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.22 Mallanganee National Park**

***Part Cherry Tree State Forest No 168***

An area of about 505 hectares, being part of Cherry Tree State Forest No 168, and being the land designated as area "BB" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Cherry Tree North State Forest No 350***

An area of about 470 hectares, being Cherry Tree North State Forest No 350, and being the land designated as area "CC" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Cherry Tree West State Forest No 351***

An area of about 179 hectares, being part of Cherry Tree West State Forest No 351, and being the land designated as area "DD" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.23 Additions to Mann River Nature Reserve**

***Part Mount Mitchell State Forest No 308***

An area of about 510 hectares, being parts of Mount Mitchell State Forest No 308, and being the land designated as area "EE" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Brother State Forest No 311***

An area of about 128 hectares, being part of Brother State Forest No 311, and being the land designated as area "FF" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.



**Part 3.24 Maryland National Park**

*Maryland State Forest No 740*

An area of about 890 hectares, being Maryland State Forest No 740, and being the land designated as area "GG" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.25 Mebbin National Park**

*Part Mebbin State Forest No 626*

An area of about 3,760 hectares, being part of Mebbin State Forest No 626, and being the land designated as area "HH" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.26 Mooball National Park**

*Mooball State Forest No 342*

An area of about 1,130 hectares, being Mooball State Forest No 342, and being the land designated as area "II" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.27 Addition to Mount Warning National Park**

*Part Wollumbin State Forest No 357*

An area of about 9 hectares, being part of Wollumbin State Forest No 357, and being the land designated as area "JJ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.28 Mount Clunie National Park**

*Part Koreelah State Forest No 1*

An area of about 1,325 hectares, being part of Koreelah State Forest No 1, and being the land designated as area "KK" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.29 Additions to Mount Hyland Nature Reserve**

***Part Marengo State Forest No 318***

An area of about 550 hectares, being parts of Marengo State Forest No 318, and being the land designated as area "LL" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Hyland State Forest No 659***

An area of about 243 hectares, being parts of Hyland State Forest No 659, and being the land designated as area "MM" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.30 Additions to Mount Jerusalem National Park**

***Burringbar State Forest No 4***

An area of about 79 hectares, being Burringbar State Forest No 4, and being the land designated as area "NN" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Nullum State Forest No 356***

An area of about 4,080 hectares, being Nullum State Forest No 356, and being the land designated as area "OO" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.31 Additions to Mount Neville Nature Reserve**

***Part Mount Belmore State Forest No 361***

An area of about 560 hectares, being part of Mount Belmore State Forest No 361, and being the land designated as area "PP" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Mount Marsh State Forest No 770***

An area of about 2,520 hectares, being part of Mount Marsh State Forest No 770, and being the land designated as area "QQ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.32 Mount Nothofagus National Park**

*Part Donaldson State Forest No 121*

An area of about 2,120 hectares, being part of Donaldson State Forest No 121, and being the land designated as area "RR" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.33 Mount Pikapene National Park**

*Part Mount Pikapene State Forest No 170*

An area of about 2,685 hectares, being part of Mount Pikapene State Forest No 170, and being the land designated as area "SS" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.34 Mucklewee Mountain Nature Reserve**

*Part Bungabbee State Forest No 171*

An area of about 345 hectares, being part of Bungabbee State Forest No 171, and being the land designated as area "TT" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.35 New Valley Nature Reserve**

*New Valley State Forest No 1065*

An area of about 315 hectares, being New Valley State Forest No 1065, and being the land designated as area "UU" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.36 Additions to Nightcap National Park**

*Part Whian Whian East State Forest No 3*

An area of about 405 hectares, being parts of Whian Whian East State Forest No 3, and being the land designated as area "VV" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Whian Whian State Forest No 173***

An area of about 2,795 hectares, being parts of Whian Whian State Forest No 173, and being the land designated as area "WW" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.37 Additions to Nymboi-Binderay National Park**

***Part Kangaroo River State Forest No 21***

An area of about 19 hectares, being part of Kangaroo River State Forest No 21, and being the land designated as area "XX" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Clouds Creek State Forest No 111***

An area of about 4,485 hectares, being parts of Clouds Creek State Forest No 111, and being the land designated as area "YY" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Wild Cattle Creek State Forest No 488***

An area of about 1,176 hectares, being part of Wild Cattle Creek State Forest No 488, and being the land designated as area "ZZ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Moonpar State Forest No 489***

An area of about 1,570 hectares, being part of Moonpar State Forest No 489, and being the land designated as area "AAA" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.38 Additions to Nymboida National Park**

***Part Ramornie State Forest No 660***

An area of about 485 hectares, being part of Ramornie State Forest No 660, and being the land designated as area "BBB" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

***Part Dalmorton State Forest No 814***

An area of about 183 hectares, being part of Dalmorton State Forest No 814, and being the land designated as area "CCC" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.39 Orara National Park**

***Part Orara East State Forest No 536***

An area of about 685 hectares, being part of Orara East State Forest No 536, and being the land designated as area "DDD" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.40 Ramornie National Park**

***Part Ramornie State Forest No 660***

An area of about 3,080 hectares, being parts of Ramornie State Forest No 660, and being the land designated as area "EEE" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.41 Addition to Richmond Range National Park**

***Part Richmond Range State Forest No 610***

An area of about 675 hectares, being part of Richmond Range State Forest No 610, and being the land designated as area "FFF" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.42 Addition to Sherwood Nature Reserve**

***Part Conglomerate State Forest No 349***

An area of about 2,300 hectares, being parts of Conglomerate State Forest No 349, and being the land designated as area "GGG" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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**Part 3.43 Single National Park**

*Single State Forest No 324*

An area of about 2,280 hectares, being Single State Forest No 324, and being the land designated as area "HHH" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.44 Additions to Washpool National Park**

*Part Spirabo State Forest No 321*

An area of about 1,510 hectares, being part of Spirabo State Forest No 321, and being the land designated as area "III" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Forest Land State Forest No 529*

An area of about 2,830 hectares, being part of Forest Land State Forest No 529, and being the land designated as area "JJJ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Little Spirabo State Forest No 695*

An area of about 22 hectares, being part of Little Spirabo State Forest No 695, and being the land designated as area "KKK" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.45 Tabbimoble Swamp Nature Reserve**

*Part Doubleduke State Forest No 15*

An area of about 1,115 hectares, being part of Doubleduke State Forest No 15, and being the land designated as area "LLL" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.46 Addition to Tooloom National Park**

*Part Beaury State Forest No 2*

An area of about 410 hectares, being part of Beaury State Forest No 2, and being the land designated as area "MMM" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.47 Additions to Toonumbar National Park**

#### ***Part Toonurnbar State Forest No 343***

An area of about 5,310 hectares, being part of Toonumbar State Forest No 343, and being the land designated as area "NNN" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Yabbra State Forest No 394***

An area of about 974 hectares, being part of Yabbra State Forest No 394, and being the land designated as area "OOO" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Unumgar State Forest No 540***

An area of about 770 hectares, being parts of Unumgar State Forest No 540, and being the land designated as area "PPP" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Edinburgh Castle State Forest No 541***

An area of about 1,520 hectares, being part of Edinburgh Castle State Forest No 541, and being the land designated as area "QQQ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### ***Part Richmond Range State Forest No 610***

An area of about 6,985 hectares, being parts of Richmond Range State Forest No 610, and being the land designated as area "RRR" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.48 Urumbilum National Park**

#### ***Part Orara West State Forest No 535***

An area of about 4,320 hectares, being part of Orara West State Forest No 535, and being the land designated as area "SSS" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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**Part 3.49 Waragai Creek Nature Reserve**

*Part Southgate State Forest No 757*

An area of about 189 hectares, being part of Southgate State Forest No 757, and being the land designated as area "TTT" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.50 Warra National Park**

*Part Warra State Forest No 335*

An area of about 1,910 hectares, being part of Warra State Forest No 335, and being the land designated as area "UUU" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.51 Additions to Washpool National Park**

*Part Spirabo State Forest No 321*

An area of about 133 hectares, being part of Spirabo State Forest No 321, and being the land designated as area "VVV" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Moogem State Forest No 614*

An area of about 56 hectares, being part of Moogem State Forest No 614, and being the land designated as area "WWW" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

*Part Curramore State Forest No 763*

An area of about 810 hectares, being part of Curramore State Forest No 763, and being the land designated as area "XXX" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.



### **Part 3.52 Woodford Island Nature Reserve**

#### *Woodford South State Forest No 603*

An area of about 260 hectares, being Woodford South State Forest No 603, and being the land designated as area "YYY" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### *Part Woodford North State Forest No 604*

An area of about 117 hectares, being part of Woodford North State Forest No 604, and being the land designated as area "ZZZ" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.53 Yabbra National Park**

#### *Part Yabbra State Forest No 394*

An area of about 8,835 hectares, being part of Yabbra State Forest No 394, and being the land designated as area "AAAA" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.54 Additions to Yuraygir National Park**

#### *Part Candole State Forest No 24*

An area of about 2,270 hectares, being part of Candole State Forest No 24, and being the land designated as area "BBBB" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

#### *Part Barcoongere State Forest No 826*

An area of about 1,855 hectares, being part of Barcoongere State Forest No 826, and being the land designated as area "CCCC" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

Schedule 1	State forest reserved as national park or historic site or dedicated as nature reserve
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***Part Newfoundland State Forest No 827***

An area of about 2,235 hectares, being part of Newfoundland State Forest No 827, and being the land designated as area "DDDD" on the Upper North East Region (National Park Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 4 Map definitions**

For the purposes of this Schedule:

***the Lower North East Region (National Park Additions) Map*** means the map marked "Lower North East Region (National Park Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

***the Upper North East Region (National Park Additions) Map*** means the map marked "Upper North East Region (National Park Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

## **Schedule 2 Crown lands reserved as national park or dedicated as nature reserve**

(Section 7)

### **Part 1 Eden Region**

#### **Part 1.1 Additions to Coolumbooka Nature Reserve**

All that piece or parcel of land containing an area of about 38 hectares, situated in the Local Government Area of Bombala. Parish of Coolumbooka, County of Wellesley being the area bounded by Lots 9 and 159, DP 756827, end of road. Lot 73, DP 756827, the left bank of Coolumbooka River. the land Resumed for Closer Settlement and notified in the Government Gazette of 4th June 1948, Lot 182, DP 704202, the land Resumed for Closer Settlement notified in the Government Gazette of 4th June 1948 and the left bank of Coolumbooka River.

All that piece or parcel of land containing an area of about 61 hectares. situated in the Local Government Area of Bombala. Parish of Maharatta, County of Wellesley, being the area bounded by Lots 151 and 152, DP 756842, end of road, Lot 76, DP 756827, Lot 69, DP 756842, right bank of Warburton Creek, Lot 187, DP 756842, end of road. and Lot 128, DP 756842.

#### **Part 1.2 Addition to Biamanga National Park**

All that piece or parcel of land containing an area of 32.37 hectares, situated in the Local Government Area of Bega Valley. Parish of Cadjagarry, County of Dampier, being Lot 155, DP 752136.

#### **Part 1.3 Additions to Mimosa Rocks National Park**

All that piece or parcel of land containing an area of about 25 hectares, situated in the Local Government Area of Bega Valley, Parish of Tanja, County of Dampier, being Lot 139, DP 752158 and Crown road separating Lot 139 from Mimosa Rocks National Park; exclusive of Public Road.

All that piece or parcel of land containing an area of about 26.86 hectares, situated in the Local Government Area of Bega Valley, Parish of Bega, County of Auckland, being Lot 303, DP 821463, and the area bounded by Tanja State Forest, Lot 302 DP 821463, R 82753 for Public Recreation notified 12/08/1960 and the mean high water mark of the Bega River; exclusive of the area separating Lot 225 from Lot 226 DP 750190.

**Part 1.4 Addition to Bournda National Park**

All that piece or parcel of land containing an area of 185.12 hectares, situated in the Local Government Area of Bega Valley, Parish of Wallagoot, County of Auckland, being Lot 249 DP 44314, Lots 191 DP 750236, Lots 1 & 2 DP 722361 and part Lot 239 DP 750236 south of Lot 108 DP 750236 and Lots 3 & 4 DP 722361 and the easterly prolongation of the southern boundary of Lots 3 & 4 DP 722361 and Crown road separation Lot 239 from Bournda National Park.

**Part 1.5 Addition to Bournda Nature Reserve**

All that piece and parcel of land containing an area of about 31 hectares in the Local Government Area of Bega Valley, Parish of Bournda, County of Auckland, being the area bounded by the Princes Highway, Lot 94, DP 750194, Bournda Nature Reserve and Lot 39, DP 750194.

**Part 1.6 Additions to South East Forest National Park**

All that piece or parcel of land containing an area of 119.9 hectares, situated in the Local Government Area of Bega Valley, Parish of Wyndham, County of Auckland, being Lot 273 DP 750240; the area bounded by Lot 320, end of road, Lots 338, 99 & 98 DP 750240, the easterly prolongation of the southern boundary of Lot 98, Lot 273 and the westerly prolongation of the southern boundary of Lot 273 DP 750240 and the right bank of Myrtle Creek; and the area bounded by Lot 270, end of road, Lots 60 & 59, end of road, Lot 320 DP 750240 and the right bank of Myrtle Creek.

All that piece or parcel of land containing an area of 109.36 hectares, situated in the Local Government Area of Bega Valley, Parish of Burragate, County of Auckland, being lot 59 DP 750200, and the area bounded by the western boundary of lot 59 and left bank of Towamba River.

All that piece or parcel of land containing an area of about 82 hectares, situated in the Local Government Area of Bombala, Parish of Nalbaugh, County of Auckland, being lots 66 & 67 DP 750221; inclusive of reserved roads.

**Schedule 3      Parts of State forests set apart as  
flora reserves under Forestry Act  
1916**

(Section 8)

**Part 1      Eden Region**

**Part 1.1      Addition to Maxwells Flora Reserve No 116  
(No 1 Extension)**

An area of about 138 hectares, being the part of Nadgee State Forest No 125, dedicated 4 November 1914, within the land shown by cross hatching on the diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales.

**Part 1.2      Letts Mountain Flora Reserve No 167**

An area of about 910 hectares, being the part of Yambulla State Forest No 126, No 1 Extension, dedicated 7 May 1971, within the land shown by broken diagonal hatching on the diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales.

**Part 1.3      Mount Poole Flora Reserve No 168**

An area of about 940 hectares, being the part of Yambulla State Forest No 126, dedicated 4 November 1914, and the part of No 1 Extension thereto, dedicated 7 May 1971, within the land shown by vertical hatching on the diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales.

**Part 1.4      Sidlings Swamp Flora Reserve No 169**

An area of about 1248 hectares, being the part of Timbillica State Forest No 768, No 1 Extension, dedicated 1 October 1971, within the land shown by horizontal hatching on diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales; EXCLUSIVE OF that part of Timbillica State Forest aforesaid within the Right of Carriage Way "variable width and 10 wide" delineated on DP 847330.

**Part 1.5 Narrabarba Hill Flora Reserve No 170**

An area of about 125 hectares, being the part of East Boyd State Forest No 127, dedicated 4 November 1914, and the part of Nadgee State Forest No 125, No 3 Extension, dedicated 21 July 1972, within the land shown by shading on diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales.

**Part 1.6 Wallagaraugh Flora Reserve No 171**

An area of about 3080 hectares, being the part of Yambulla State Forest No 126, Nos 1 and 3 Extensions, dedicated 7 May 1971 and 13 November 1987, respectively, the part of Nadgee State Forest No 125, Nos 1 and 2 Extensions, dedicated 28 September 1917 and 5 May 1922, respectively, the part of Timbillica State Forest No 768, and the part of No 1 Extension thereto, dedicated 5 May 1922 and 1 October 1971, respectively, the part of East Boyd State Forest No 127, No 5 Extension, dedicated 4 June 1971, and the part of Nungatta State Forest No 131, No 1 Extension, dedicated 19 June 1953, within the land shown by diagonal hatching on diagram catalogued Misc F 1288 in the Forestry Commission of New South Wales.

**Part 2 Lower North East Region**

**Part 2.1 Frenchs Creek Flora Reserve No 172**

An area of about 900 hectares, being part of Bulga State Forest No 285, and being the land designated as area "A" on the Lower North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.2 Mount Allyn Flora Reserve No 173**

An area of about 2,115 hectares, being part of Chichester State Forest No 292, and being the land designated as area "B" on the Lower North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.3                    Big Run Creek Flora Reserve No 174**

An area of about 4 hectares, being part of Dingo State Forest No 779, and being the land designated as area "C" on the Lower North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.4                    Daisy Patch Flora Reserve No 76, No 1  
Extension**

An area of about 585 hectares, being parts of Enfield State Forest No 337, and being the land designated as area "D" on the Lower North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 2.5                    Mount Pipanpinga Flora Reserve No 175**

An area of about 4 hectares, being part of Knorrit State Forest No 767, and being the land designated as area "E" on the Lower North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3                    Upper North East Region**

**Part 3.1                    Twelve Sixty Flora Reserve No 111, No 1  
Extension**

An area of about 17 hectares, being part of Bagawa State Forest No 30, and being the land designated as area "A" on the Upper North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.2                    Grahams Creek Flora Reserve No 176**

An area of about 70 hectares, being part of Donaldson State Forest No 121, and being the land designated as area "B" on the Upper North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.



### **Part 3.3 Table Creek Flora Reserve No 177**

An area of about 127 hectares, being parts of Grange State Forest No 771, and being the land designated as area "C" on the Upper North East Region (Flora Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 4 Map definitions**

For the purposes of this Schedule:

*the Lower North East Region (Flora Reserve Additions) Map* means the map marked "Lower North East Region (Flora Reserve Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

*the Upper North East Region (Flora Reserve Additions) Map* means the map marked "Upper North East Region (Flora Reserve Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

## **Schedule 4 State forests dedicated as Crown reserves under Crown Lands Act 1989**

(Section 9)

### **Part 1 Eden Region**

#### *Pari Yurammie State Forest No 133*

An area of about 221 hectares, being the whole or the part of the extensions to Yurammie State Forest No 133 listed hereunder (with their dedication dates shown in brackets) within the land shown by diagonal hatching on diagram catalogued Misc F 1287 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 4 (9 July 1971)

No 9 (2 June 1989)

No 10 (6 October 1989)

### **Part 2 Lower North East Region**

#### **Part 2.1 Part Stewarts Brook State Forest No 276**

An area of about 5,050 hectares, being part of Stewarts Brook State Forest No 276, and being the land designated as area "A" on the Lower North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

#### **Part 2.2 Part Barrington Tops State Forest No 977**

An area of about 3,295 hectares, being parts of Barrington Tops State Forest No 977, and being the land designated as area "B" on the Lower North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

## **Part 3 Upper North East Region**

### **Part 3.1 Part Doubleduke State Forest No 15**

An area of about 2,195 hectares, being part of Doubleduke State Forest No 15, and being the land designated as area "A" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.2 Part Devils Pulpit State Forest No 16**

An area of about 2,020 hectares, being part of Devils Pulpit State Forest No 16, and being the land designated as area "B" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.3 Part Gibberagee State Forest No 19**

An area of about 680 hectares, being part of Gibberagee State Forest No 19, and being the land designated as area "C" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.4 Part Fortis Creek State Forest No 172**

An area of about 495 hectares, being part of Fortis Creek State Forest No 172, and being the land designated as area "D" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

### **Part 3.5 Part Banyabba State Forest No 737**

An area of about 3,055 hectares, being part of Banyabba State Forest No 737, and being the land designated as area "E" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 3.6 Part Newfoundland State Forest No 827**

An area of about 3,285 hectares, being part of Newfoundland State Forest No 827, and being the land designated as area "F" on the Upper North East Region (Crown Reserve Additions) Map. Subject to any variations or exceptions noted on that map.

**Part 4 Map definitions**

For the purposes of this Schedule:

*the Lower North East Region (Crown Reserve Additions) Map* means the map marked "Lower North East Region (Crown Reserve Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

*the Upper North East Region (Crown Reserve Additions) Map* means the map marked "Upper North East Region (Crown Reserve Additions) 1998" and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.

## **Schedule 5 State forests vested in NPW Minister subject to leasehold interests**

(Sections 5 and 10)

### **Part 1 Part Yambulla State Forest No 126**

An area of about 448.3 hectares in the Bega Valley Shire Council Area, Parish of Nungatta, County of Auckland, being the whole of Yambulla State Forest No 126, No 2 Extension, dedicated 12 July 1974, and being also the land within portions 48, 111 and 116 delineated on plans catalogued 960, 3445 and 3620–2098 respectively, in the Department of Land and Water Conservation, Sydney, INCLUSIVE OF the former reserved roads 20.115 metres wide within the above described portions and the former boundary road 20.115 metres wide separating portion 48 from portion 111.

### **Part 2 Part Tantawangalo State Forest No 134**

An area of about 196.2 hectares in the Bega Valley Shire Council Area. Parish of Wyndham, County of Auckland, being the whole of Tantawangalo State Forest No 134, No 10 Extension. dedicated 12 February 1982, and being also the land within portions 87, 88, 240 and 254 delineated on plans catalogued 2167, 2168, 2685 and 2853–2098 respectively. in the Department of Land and Water Conservation, Sydney, INCLUSIVE OF the former reserved roads 20.115 metres wide within the above described portions and the former boundary road 20.115 metres wide separating portion 254 from portion 50.

### **Part 3 Part Tantawangalo State Forest No 134**

An area of about 56.05 hectares in the Bega Valley Shire Council Area, Parish of Wyndham, County of Auckland, being the whole of Tantawangalo State Forest No 134, No 6 Extension, dedicated 8 November 1974, and being also the land within portions 245 and 246 delineated on plan catalogued 2699–2098 in the Department of Land and Water Conservation, Sydney.

#### **Part 4 Part Tantawangalo State Forest No 134**

An area of about 79.72 hectares in the Bega Valley Shire Council Area, Parish of Yuglamah, County of Auckland, being the whole of Tantawangalo State Forest No 134, No 8 Extension, dedicated 26 January 1979, and being also the land within portion 236 delineated on plan catalogued 3727–2098 in the Department of Land and Water Conservation, Sydney, EXCLUSIVE OF the reserved road 20.115 metres wide traversing that portion.

#### **Part 5 Part Nullica State Forest No 545**

An area of about 449.6 hectares in the Bega Valley Shire Council Area, Parish of Burragate, County of Auckland, being the part of Nullica State Forest No 545, No 11 Extension, dedicated 6 May 1977, within portion 56 delineated on plan catalogued 3702–2098 in the Department of Land and Water Conservation, Sydney.

#### **Part 6 Part Bondi State Forest No 128**

An area of about 304 hectares in the Bega Valley Shire Council Area, Parishes of Genoa and Nungatta, County of Auckland, being the part of Bondi State Forest No 128, No 20 Extension, dedicated 14 April 1978, within portions 58, 60 and 64, Parish of Genoa, and portions 8 and 117, Parish of Nungatta, delineated on plans catalogued 3584, 3651, 3815, 3443 and 3652–2098 respectively, in the Department of Land and Water Conservation, Sydney, INCLUSIVE OF the former reserved roads 20.115 metres wide within the above described portions.

## **Schedule 6 State forests and Crown lands to be transferred to Aboriginal ownership**

(Sections 5 and 12)

### **Part 1 State forest land to be transferred to Local Aboriginal and Councils**

#### **Part 1.1 Eden Local Aboriginal Land Council**

##### **Wonboyn area**

##### ***Pari East Boyd State Forest No 127***

An area of about 281 hectares being the part of East Boyd State Forest No 127, dedicated 3 November 1914, within the land shown by vertical hatching on diagram catalogued Misc F 1286 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

##### ***Part Nadgee State Forest No 125***

An area of about 42 hectares being the part of Nadgee State Forest No 125, No 3 Extension, dedicated 21 July 1972, within the land shown by horizontal hatching on diagram catalogued Misc F 1286 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

##### **Kiah area**

##### ***Pari Nullica State Forest No 545***

An area of about 310 hectares being the part of Nullica State Forest No 545, No 4 Extension, dedicated 7 December 1973, within the land shown by diagonal hatching on diagram catalogued Misc F 1286 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

### **Fisheries Beach area**

#### ***Part East Boyd State Forest No 127***

An area of about 206 hectares being the part of East Boyd State Forest No 127, dedicated 4 November 1914 and the part of Nos 3 and 6 Extensions thereto, dedicated 13 April 1934 and 3 February 1978 respectively, within the land shown by cross hatching on diagram catalogued Misc F 1286 in the Forestry Commission of New South Wales. Subject to any variations or exceptions noted on that diagram.

## **Part 2 Crown land to be transferred to Local Aboriginal Land Councils**

### **Part 2.1 Bega Local Aboriginal Land Council**

#### **Little Brown Mountain**

All that piece and parcel of land containing an area of about 88 hectares in the Bega Valley Council Area, Parish of Ooranook, County of Auckland, being the area bounded by Lots 117, 136, 53, 116, end of road, Lot 101, end of road, Lot 122, DP 750226 and the right bank of Brown Mountain Creek.

#### **Merimbula—block 1**

All that piece and parcel of land containing an area of about 239 hectares in the Bega Valley Council Area, Parish of Pambula, County of Auckland, being the area bounded by Lot 441, DP 45826, Lot 447, DP 720013, Lot 2, DP 825855, Lot 19, DP 255438, Merimbula Drive (formerly known as Princes Highway), Lot 389, DP 750227, Merimbula Drive, Lot 3, DP 620570, Lot 42, DP 818930, Merimbula Drive, Lot 20, DP 806314, Lots 137 and 138, DP 41818, Parish Boundary, part of the land held under Department of Land and Water Conservation licence (the generally southwestern, western, southern and generally eastern boundaries of PO 1977/18 Bega), Parish Boundary, and The Sapphire Coast Drive; excluding Lot 1, DP 790075, the easements shown in DP 790075, a proposed



easement for water supply pipeline affecting the areas of land held under Department of Land and Water Conservation licence (PO 1974/5 Bega), and a proposed easement for transmission line for an existing electricity transmission line in the same vicinity.

**Merimbula—block 2**

All that piece and parcel of land containing an area of about 65 hectares in the Bega Valley Council Area, Parish of Pambula, County of Auckland, being the area bounded by Lot 188, DP 750227, end of road, mean high water mark of Merimbula Lake, mean high water mark and left bank of Boggy Creek, Princes Highway, the easterly prolongation of the northern boundary of Lot 11, DP 810369, part of the western boundary of R 63021 for Suburban Settlement, notified by Government Gazette on 6 November 1931, and Merimbula Drive (formerly known as Princes Highway); excluding the easements shown in DP 622983 and DP 646285.

## **Schedule 7 Land transfers—ancillary and special provisions**

(Section 13)

### **1 Exclusion of freehold and certain leasehold interests**

- (1) Land that a person holds:
  - (a) for an estate in fee simple, or
  - (b) under a perpetual lease, a special lease or a term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989*,  
is not reserved or dedicated by the operation of Part 2 of this Act.
- (2) This clause has effect despite any other provision of Part 2 of this Act.

### **2 Application of Part 2**

- (1) Part 2 of this Act has effect despite the provisions of the *Forestry Act 1916* and, in particular, despite any different procedure for the revocation of State forests, flora reserves or national forests under that Act or the setting apart of flora reserves under that Act.
- (2) Part 2 of this Act has effect despite the provisions of the *National Parks and Wildlife Act 1974* and, in particular, despite any different procedure for reserving or dedicating, or for vesting, land under that Act.
- (3) Part 2 of this Act has effect despite the provisions of the *Crown Lands Act 1989* and, in particular, despite any different procedure for dedicating land under that Act.

### **3 Reservation of lands as national parks or historic sites**

- (1) The lands reserved as national parks or historic sites by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so reserved by proclamation made under section 33 (2) of that Act. A name assigned to any such national park or historic site by this Act is taken to have been assigned to that park or site by a proclamation referred to in section 36 (a) of the *National Parks and Wildlife Act 1974*,

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- (2) The lands reserved as parts of national parks or historic sites by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so reserved by proclamation made under section 33 (3) of that Act.
  - (3) A reference in the *National Parks and Wildlife Act 1974* to the publication of a proclamation under section 33 (2) or (3) of that Act is, in relation to a reservation effected by this Act, taken to be a reference to the enactment of this Act.
  - (4) Section 35 of the *National Parks and Wildlife Act 1974* does not apply to a reservation of land as, or as part of, a national park or historic site that is effected by this Act.

#### **4 Dedication of lands as nature reserve**

- (1) The lands dedicated as a nature reserve by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so dedicated by proclamation made under section 49 (1) of that Act. A name assigned to any such nature reserve by this Act is taken to have been assigned to that reserve by a proclamation referred to in section 51 (a) of the *National Parks and Wildlife Act 1974*.
- (2) The lands dedicated as part of a nature reserve by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so dedicated by proclamation made under section 49 (2) of that Act.
- (3) A reference in the *National Parks and Wildlife Act 1974*, being a reference to, or a reference to be construed as a reference to, the publication of a proclamation under section 49 (1) or (2) of that Act is, in relation to a dedication referred to in Part 2 of this Act, taken to be a reference to the enactment of this Act.
- (4) Section 35 of the *National Parks and Wildlife Act 1974*, as applied to nature reserves by section 58 (b) of that Act, does not apply to a dedication of land as, or as part of, a nature reserve that is effected by this Act.

#### **5 Existing leases under Forestry Act 1916**

Section 42 (2) of the *National Parks and Wildlife Act 1974* applies to and in respect of a lease under the *Forestry Act 1916*, being a lease:

- (a) affecting any of the lands described in Schedule 1, and
- (b) current and in force immediately before the commencement of Part 2 of this Act.

in the same way as it applies to a licence or permit under the *Forestry Act 1916*, affecting lands within a national park.

#### **6 Administration of existing leases and similar interests**

- (1) In this clause, *existing interest* means a lease, licence, permit, authority, authorisation or occupancy current and in force immediately before the commencement of Part 2 of this Act.
- (2) The administration of matters relating to existing interests:
  - (a) to the extent that those interests affect any of the lands described in Schedule 1 or 2, or
  - (b) to the extent that those interests affect any of the lands described in Schedule 5 and are preserved by the operation of section 10.

is vested in the Minister administering the *National Parks and Wildlife Act 1974*.

- (3) For the purposes of subclause (2), the Minister administering the *National Parks and Wildlife Act 1974* has:
  - (a) in respect of existing interests under the *Forestry Act 1916*—the powers of the Minister administering that Act, and
  - (b) in respect of existing interests under the *Crown Lands Act 1989*—the powers of the Minister administering that Act.

#### **7 Special provision as to access roads within national parks etc**

- (1) In this clause:

*access roads* means the roads, tracks, trails and other means of access referred to in subclause (2) (a)–(c).

*NPW Minister* means the Minister administering the *National Parks and Wildlife Act 1974*.

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***private land holding*** means land held:

- (a) by an owner within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (b) as a holding within the meaning of the *Crown Lands Act 1989*.
- (2) This clause applies to and in respect of the following roads, tracks, trails and other means of access situated within the lands referred to in Schedule 1 or 2 immediately before the commencement of Part 2 of this Act:
- (a) roads of access within the meaning of section 33A of the *Forestry Act 1916*,
  - (b) roads used, immediately before the commencement of Part 2, for access to private land holdings within those lands,
  - (c) roads through those lands to State forests or private land holdings that adjoin or are in the vicinity of the lands.
- (3) The access roads to which this clause applies are not, on the commencement of Part 2 of this Act, reserved as, or as part of, a national park or historic site or dedicated as or as part of a nature reserve by the operation of Part 2 but vest in the NPW Minister on behalf of the Crown for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* for an estate in fee simple, freed and discharged from:
- (a) all trusts, obligations, estates, interests, rights of way or other easements, and
  - (b) any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked by the operation of this clause.
- (4) The access roads may continue, subject to this clause, to be used for the purposes for which they were used immediately before the commencement of Part 2 of this Act.
- (5) Within 12 months after the commencement of Part 2 of this Act (or within such further period as the NPW Minister may, by notice published in the Gazette, notify before the expiration of that period) the NPW Minister must, by one or more orders published in the Gazette, declare which of the access roads to which this clause applies:

- (a) are excluded from reservation as part of a national park or historic site or dedication as part of a nature reserve, or
- (b) are not so excluded and are reserved as part of the national park or historic site or dedicated as part of the nature reserve in which they are situated.

An order under this subclause may be published only with the concurrence of the Minister administering the *Forestry Act 1916*.

- (6) On the publication of an order under subclause (5):
  - (a) the access roads that are referred to in the order as excluded from reservation as part of a national park or historic site or dedication as part of a nature reserve remain vested in the NPW Minister for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* and may, subject to this clause, continue to be used for the purposes for which they were used immediately before the commencement of Part 2 of this Act, and
  - (b) the access roads that are not so excluded are reserved as part of the national park or historic site or dedicated as part of the nature reserve within which they are situated.
- (7) Nothing in this clause affects the exercise of any power, authority, duty or function by the NPW Minister or any other person under and in accordance with the *National Parks and Wildlife Act 1974* in relation to any access road to which this clause applies.
- (8) While a private land holding is in private ownership, nothing in this clause authorises the NPW Minister to close any access road that comprises the only practical means of access to the land holding.
- (9) This clause has effect despite the provisions of the *Forestry Act 1916*.

#### **8 Status of land vested in NPW Minister**

- (1) Any land that is vested by this Act in the Minister administering the *National Parks and Wildlife Act 1974* for the purposes of Part 11 of that Act is taken to have been acquired by that Minister under that Part, and may be dealt with by that Minister as if it had been so acquired.

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- (2) Any such land is, to the extent that it relates to land subject to a lease preserved by the operation of section 10, taken to be Crown lands reserved from sale for the purpose of any application by the holder of the lease to purchase the land comprised in the lease.

### **9 Setting apart of flora reserves**

The lands set apart as, or as part of, a flora reserve under this Act are, for the purposes of the *Forestry Act 1916*, taken to have been set apart by notice under section 25A of that Act. A name assigned to any such flora reserve by this Act is taken to have been assigned to that flora reserve by a notice under that section.

### **10 Dedication of reserves under Crown Lands Act 1989**

- (1) The reserve trust established by section 9, and appointed as trustee under section 9, is taken to have been established and named, and appointed as trustee, under section 92 of the *Crown Lands Act 1989*.
- (2) The appointment by section 9 of the Director-General of National Parks and Wildlife to manage the affairs of the reserve trust is taken to have been made under section 95 of the *Crown Lands Act 1989*.
- (3) The following provisions apply to access roads referred to in clause 7 (2) (a)–(c) within the lands referred to in Schedule 4 immediately before the commencement of Part 2 of this Act:
- (a) the access roads may continue, subject to this clause and the *Crown Lands Act 1989*, to be used for the purposes for which they were used immediately before the commencement of Part 2 of this Act,
  - (b) the reserve trust may not close any such access road while it comprises the only practical means of access to a land holding in private ownership (within the meaning of clause 7),
  - (c) the reserve trust may, in accordance with the *Crown Lands Act 1989*, grant any right over, or interest in, the land for the purpose of its continued use as an access road.

### **11 Saving in relation to revocations**

A revocation effected by Part 2 of this Act does not affect anything done or omitted to be done before the commencement of that Part.

## **Schedule 8 Amendment of Forestry Act 1916 No 55**

(Section 43)

### **Section 21A**

Insert after section 21:

#### **21A Special management zones**

- (1) The Minister may, by notice in the Gazette, declare any area of State forest (other than a flora reserve) to be a special management zone if the Minister is satisfied that the area has special conservation value.
- (2) The Minister may, by notice in writing to the commission, prohibit particular kinds of operations in a special management zone, or prohibit operations in the zone unless particular conditions are complied with.
- (3) The object of the declaration of a special management zone and the prohibition of operations in the zone is to protect its special conservation value.
- (4) The commission must ensure that operations in a special management zone comply with any prohibition imposed by the Minister under this section.
- (5) An integrated forestry operations approval under the *Forestry and National Park Estate Act 1998* does not authorise the carrying out of any forestry operations in a special management zone that are prohibited by the Minister under this section.
- (6) The Minister may vary or revoke any notice under this section by a further notice.
- (7) The Minister is to ensure that the public is given an opportunity to make representations about any proposed notice of the Minister under this section to declare a special management zone or to vary or revoke any such declaration. The Minister must:



- (a) fix a time within which the public may make representations about the proposal, and
  - (b) make copies of the proposed notice available for public inspection before that time, and
  - (c) in the case of a proposal to declare a special management zone—make available for public inspection before that time a statement outlining the activities that the Minister proposes to prohibit in the zone, and
  - (d) take any representation on the proposal received by the Minister within that time into account before making a decision on the matter.
- (8) The Minister is to cause copies of any notice under this section to be available for public inspection at the head office of the commission during office hours.

## **Schedule 9 Amendment of Timber Industry (Interim Protection) Act 1992 No 1**

(Section 44)

### **[1] Section 3A**

Insert after section 3:

#### **3A Modification of this Act following enactment of Forestry and National Park Estate Act 1998**

- (1) This Act does not apply to any land to which an integrated forestry operations approval under the *Forestry and National Park Estate Act 1998* applies.
- (2) This Act does not operate so as to impose any obligation with respect to the preparation of an environmental impact statement under Part 5 of the *Environmental Planning and Assessment Act 1979*, or the obtaining of any approval under Division 4 of that Part, in relation to land in Schedule 4 to this Act for which an integrated forestry operations approval may be granted under the *Forestry and National Park Estate Act 1998*.
- (3) This section has effect despite anything to the contrary in this Act.

### **[2] Section 4 Definitions**

Insert “, and includes any other forestry operations within the meaning of the *Forestry and National Park Estate Act 1998*,” after “removal of the timber” in the definition of ***logging operations***.

### **[3] Section 16 Expiry of this Act**

Omit “31 December 1998”. Insert instead “31 December 1999”.

**[4] Schedule 4 Other forest areas in which logging operations may be carried out pending obtaining of EIS**

Insert after Part 2:

**Part 2A Further additional area**

The South Monaro Management Area, being the area enclosed by a heavy black line on the map catalogued Misc F 1215 in the office of the Forestry Commission.

**Schedule 10 Amendment of National Parks and  
Wildlife Act 1974 No 80**

(Section 45)

**[1] Section 117 Restriction on picking or possession of native plant**

Insert after section 117 (3) (b) (i):

- (ia) under and in accordance with or by virtue of the authority conferred by a licence issued under Part 6 of the *Threatened Species Conservation Act 1995*, or

**[2] Schedule 14 Lands of cultural significance to Aboriginals**

Insert before the reference to Jervis Bay National Park:

Biamanga National Park

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## Schedule 11 Amendment of Native Title (New South Wales) Act 1994 No 45

(Section 46)

### Section 104A

Insert after section 104:

#### **104A Saving of native title rights and interests with respect to national parks and other reservations or dedications or declarations**

- (1) This section applies to the following acts:
  - (a) a reservation, dedication or vesting of land or waters by the operation of the *Forestry and National Park Estate Act 1998* or the *Forestry Revocation and National Park Reservation Act 1996*,
  - (b) a proclamation under the *National Parks and Wildlife Act 1974* that reserves or dedicates land or waters with effect on or after 1 January 1994 (including a provision of an Act that is taken to operate as such a proclamation),
  - (c) a notification under the *Wilderness Act 1987* or the *National Parks and Wildlife Act 1974* that declares an area of land or waters to be a wilderness area with effect on or after 1 January 1994 (including a provision of an Act that is taken to operate as such a notification).
- (2) An act to which this section applies does not operate to extinguish, and is taken never to have operated to extinguish, any native title rights and interests existing in relation to land or waters immediately before the act.
- (3) The relevant provisions of the *National Parks and Wildlife Act 1974*, the *Wilderness Act 1987* and the regulations or other instruments made under those Acts (and any related Act or law) do not apply, and cannot be applied, so as to affect those native title rights and

interests. The relevant provisions are those provisions that apply because the land or waters concerned are reserved, dedicated, declared or vested under any such Act.

**Note.** An act “affects” native title rights and interests if it extinguishes those rights and interests or if it is wholly or partially inconsistent with their continued existence, enjoyment or exercise—see s 227 NTA and s 5 of this Act.

- (4) To the extent (if any) that an act to which this section applies was invalid because of those native title rights and interests, an act of the same kind is taken to have effect on the commencement of this section, subject to subsections (2) and (3).
- (5) However, this section does not affect:
- (a) any extinguishment of those native title rights and interests, or
  - (b) any validation of an act, or
  - (c) any application of the relevant provisions referred to in subsection (3), or
  - (d) any other effect on those native title rights and interests.

by the operation of, or by anything done under, the Commonwealth Native Title Act or the other provisions of this Act.

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**Schedule 12 Amendment of Land and Environment  
Court Act 1979 No 204**

(Section 47)

**[1] Section 20 Class 4—environmental planning and protection and  
development contract civil enforcement**

Insert before section 20 (1) (cd):

(cc) proceedings under section 32 of the *Forestry and  
National Park Estate Act 1998*,

**[2] Section 20 (3) (a)**

Insert in alphabetical order:

*Forestry and National Park Estate Act 1998*,

## **Schedule 13 Savings, transitional and other provisions**

(Section 48)

### **1 Regulations**

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act

- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
  - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

### **2 Transitional provision pending repeal of Clean Waters Act 1970 and other separate environment protection Acts**

For the purposes of section 40, the Acts to be repealed by the *Protection of the Environment Operations Act 1997* are taken to be a single Act.

### **3 Listing of Biamanga National Park in Schedule 14 to NPW Act**

The inclusion of Biamanga National Park in Schedule 14 to the *National Parks and Wildlife Act 1974* by this Act is taken to have been made in accordance with procedures provided in Division 7 of Part 4A of that Act.



#### 4 Special provision for interim approval of forestry operations in certain compartments of State forests in Eden Management Area

- (1) In this clause, the *relevant Ministerial approval* is the approval for forestry operations in the Eden Management Area granted on 14 December 1995 (as modified) by the Minister administering the *Environmental Planning and Assessment Act 1979* under Division 4 of Part 5 of that Act.
- (2) The relevant Ministerial approval is taken (despite anything to the contrary in the approval) to grant approval for forestry operations in accordance with the conditions specified in the approval, in the compartments and part compartments of State forest specified in the Table to this clause, shown by hatching on the diagram catalogued Misc F 1285 and presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was introduced into the Assembly.
- (3) This clause ceases to apply when the *Timber Industry (Interim Protection) Act 1992* expires or the area concerned becomes land to which an integrated forestry operations approval under this Act applies, whichever first occurs.

**Table**

State Forest	Compartments
Bondi State Forest No 128	1702
Cathcart State Forest No 607	1360, 1361, 1376, 1377
Coolangubra State Forest No 547	1343, 1344, 1352
East Boyd State Forest No 127	2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 22, 25, 26, 27, 31, 32, 34, 43, 44, 46, 48, 172, 173, 177, 178, 179, 180, 188, 189, 190, 191, 192, 203, 206, 213, 214, 216, 218, 319
Glenbog State Forest No 149	2311, 2314, 2329, 2330, 2331, 2333, 2335, 2336, 2337, 2338, 2339, 2340, 2349, 2350, 2351, 2352, 2353, 2354, 2357, 2360, 2361, 2362, 2363, 2375, 2376, 2377

Forestry and National Park Estate Act 1998 No 163

Schedule 13 Savings, transitional and other provisions

**Table—continued**

<b>State Forest</b>	<b>Compartments</b>
Gnupa State Forest No 132	728, 729, 730, 731, 732, 733
Mumbulla State Forest No 605	2135, 2162
Murrah State Forest No 140	2044, 2045, 2050, 2056, 2057
Nadgee State Forest No 125	54, 62, 103, 124, 144, 147, 148, 158, 160, 161, 163, 164, 165
Nalbaugh State Forest No 129	1300, 1302, 1305, 1306, 1307, 1309, 1401
Nullica State Forest No 545	601, 602, 605, 619, 620, 621, 622, 625, 626, 632, 647, 650, 651, 652, 653, 655, 661, 665, 666, 674, 700, 701, 703, 711, 713, 720, 721, 722, 723, 728, 729, 730, 734, 735
Nungatta State Forest No 131	383, 390
Tantawangalo State Forest No 134	2377, 2403, 2404, 2409, 2425, 2426, 2428, 2429
Timbillica State Forest No 768	206, 218, 219, 222, 240, Part 246, 247, 248, 249, Part 252, 254, 255
Towamba State Forest No 908	496, 497, 499, 525, 595
Yambulla State Forest No 126	Part 169, 170, 171, 257, 258, 259, 273, 274, 275, 285, 287, 288, 289, 291, 292, 293, 299, 300, 302, 303, 304, 306, 310, 311, 313, 315, 316, 317, 323, 343, Parr 346, Part 348, Part 349, Part 353, Part 354, 384, Part 416, Part 438, 444, 466, 450, 488, 489, 490, Part 491, 499, 501, 502, 520, 524, 525, 526, 528, 543, 544, 545, 548, 549, 551, 553, 558, 560, Part 566, 568, 569, Part 570, Part 572, Part 575, Part 576, Part 581, Part 582, 586, Part 587
Yurammie State Forest No 133	Part 968

[Minister's second reading speech made in—  
 Legislative Assembly on 12 November 1998  
 Legislative Council on 23 November 1998]