

# National Park Estate (Reservations) Act 2002 No 137

[2002-137]



New South Wales

## Status Information

### Currency of version

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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# National Park Estate (Reservations) Act 2002 No 137



New South Wales

An Act to transfer certain State forest and other Crown lands to the national park estate or Aboriginal ownership; and for other purposes.

## Part 1 Preliminary

### 1 Name of Act

This Act is the *National Park Estate (Reservations) Act 2002*.

### 2 Commencement

This Act commences on 1 January 2003.

### 3 Definitions

In this Act:

**Crown land** means Crown land within the meaning of the *Crown Lands Act 1989*.

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

**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.

## Part 2 Land transfers

### 4 Revocation of State forests and associated flora reserves, special management zones and national forests

(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) land described in Part 1 of Schedule 5.

- (2) Any notices under section 25A of the *Forestry Act 1916* that set apart, as flora reserves, the following areas of State forests are revoked by this Act:
  - (a) areas of State forests whose dedication is revoked by subsection (1), but only to the extent to which they relate to flora reserves situated (or partly situated) within the lands referred to in that subsection,
  - (b) areas of State forests described in Schedule 7.
- (3) Any notices under section 21A of the *Forestry Act 1916* that declare, as special management zones, 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 special management zones situated (or partly situated) within the lands referred to in that subsection.
- (4) 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.

**5 Reservation of former State forests as national park, nature reserve or state conservation area**

- (1) The lands described in Schedule 1 are reserved 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) state conservation areas.
- (2) This section does not apply to any land described in Schedule 1 that is also described in Schedule 4.

**6 Reservation of Crown lands as national park, nature reserve or state conservation area**

- (1) The lands described in Schedule 2 are reserved 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) state conservation areas.
- (2) Any timber reserves (within the meaning of the *Forestry Act 1916*) with respect to land referred to in subsection (1) are revoked by this Act, but only to the extent to which they relate to timber reserves or parts of timber reserves situated within those

lands.

- (3) Subsection (1) does not apply to any land described in Schedule 2 that is also described in Schedule 4.

## **7 Areas in State forests declared as special management zones**

- (1) The lands described in Schedule 3 that are within State forests are declared to be special management zones under section 21A of the *Forestry Act 1916*.
- (2) This section does not apply to any lands described in Schedule 3 that are within any areas of State forests whose dedication is revoked by this Act.

## **8 Vesting in NPW Minister of certain former State forests**

- (1) The lands described in Schedule 4 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.
- (2) Despite subsection (1), the lands described in Schedule 4 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* (or from rights or interests arising under an incomplete purchase within the meaning of that Act) to which the lands were subject immediately before their vesting under this section.

## **9 Transfer of former State forest land to Eden Local Aboriginal Land Council**

- (1) The land described in Schedule 5 is to be transferred to the Eden Local Aboriginal Land Council by the Crown Lands Minister in accordance with Division 2 of Part 2 of the *Aboriginal Land Rights Act 1983*.
- (2) For that purpose, the Crown Lands Minister is taken to have granted a claim under Division 2 of Part 2 of that Act for the land (whether or not the land is claimable Crown land or any claim has in fact been made).
- (3) The land is to be transferred as soon as practicable after the commencement of this Act.
- (4) The Crown Lands Minister may, in connection with the transfer of the 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 5 in accordance with the survey for the purpose of the transfer of the land,

- (b) exclude from the transfer any 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.

(5) In this section, **Crown Lands Minister** has the same meaning as it has in section 36 of the [Aboriginal Land Rights Act 1983](#).

#### **10 Reservation of freehold land vested in NPW Minister or Her Majesty as national parks or state conservation areas**

The lands described in Schedule 6 are reserved as, or as part of, national parks or state conservation areas (as indicated in that Schedule).

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

- (1) The description of any land in Schedule 1, 2, 3, 4, 6 or 7 (a **relevant Schedule**) may be adjusted in accordance with this section.
- (2) A description of land may be adjusted from time to time:
  - (a) 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 or to rationalise the boundaries of similar areas of land, or
  - (b) to adjust the boundary of any land adjoining a public road, including adjustments to enable the boundary to follow the formed path of the road or to provide an appropriate set back from the carriageway of the road, or
  - (c) to include, remove or change a description of any easement or restriction to which the land is subject, or
  - (d) to provide a more detailed description of the boundaries of land described in Schedule 3.
- (3) An adjustment of the description of land is to be made by the Director-General of National Parks and Wildlife by a notice published in the Gazette that amends a relevant Schedule.
- (4) A notice under this section may only be published with the approval of:
  - (a) the Minister administering the [National Parks and Wildlife Act 1974](#), and
  - (b) the Minister administering the [Forestry Act 1916](#), and

- (c) to the extent that the notice applies to any Crown land—the Minister administering the *Crown Lands Act 1989*, and
  - (d) to the extent that the notice applies to a classified road—the Minister administering the provisions of the *Roads Act 1993* relating to classified roads.
- (5) The Director-General of National Parks and Wildlife is required to certify in any notice under this section 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:
- (a) 31 December 2003, except as provided by paragraph (b), or
  - (b) 31 December 2007, in the case of an adjustment of the description of land in Schedule 4 or of the boundary of land adjoining a public road.
- (7) If any of the land described in a relevant Schedule on the commencement of this Act 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 Act or the relevant Schedule (except as provided by subsection (9)).
- (8) If land included in the adjusted description of the land includes any land not described in a relevant Schedule on the commencement of this Act, the land concerned is taken to have been subject to this Act and the relevant Schedule on the commencement of this Act.
- (9) The Director-General of National Parks and Wildlife may, in a notice published under this section for the purpose of adjusting the boundary of land adjoining a public road, declare that:
- (a) any such land (described in the notice) is part of the public road and, accordingly, is vested in the roads authority for that public road under the *Roads Act 1993* or is Crown land, or
  - (b) any such land (described in the notice) ceases to be part of that public road and, accordingly, is divested from the relevant roads authority or the Crown and becomes part of the land subject to the provisions of this Act applicable to the relevant Schedule to this Act in which the land is included.

A declaration under this subsection has effect according to its tenor, despite anything to the contrary in the *Roads Act 1993*.

- (10) In this section:

**land adjoining a public road** includes land in the vicinity of a public road.



***national park estate*** means:

- (a) land reserved under the *National Parks and Wildlife Act 1974*, or
- (b) land dedicated or set apart as a flora reserve under the *Forestry Act 1916*, or
- (c) land declared as a special management zone under the *Forestry Act 1916*, or
- (d) land vested in the Minister administering the *National Parks and Wildlife Act 1974* or Her Majesty for the purposes of Part 11 of that Act.

***public road*** or ***classified road*** means a public road or classified road, respectively, within the meaning of the *Roads Act 1993*.

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

Schedule 8 has effect.

## **Part 3 Miscellaneous**

### **13 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.

### **14 Regulations**

- (1) 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.
- (2) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.
- (3) Any such provision may, if the regulations so provide, take effect from the commencement of this Act or a later date.
- (4) 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.

### **15 (Repealed)**

## **Schedule 1 State forests reserved as national park, nature reserve or state conservation area**

(Sections 4 and 5)

### **Part 1 Lower North East Region**

#### **1 Avondale State Conservation Area: Avondale State Forest No 118**

An area of about 313 hectares, being Avondale State Forest No 118, dedicated on 24 June 1914, in the Parish of Avondale, County of Clarke, and being the land designated as 646-01 on the diagram catalogued Misc. R 00134 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **2 Additions to Baalijin Nature Reserve**

- (1) **Part Diehappy State Forest No 823** An area of about 836 hectares, being part of Diehappy State Forest No 823, named by Gazette notification on 10 January 1930 and dedicated as Scotchman State Forest No 486, No 3 Extension, on 28 June 1929, in the Parish of Dudley, County of Raleigh, and being the land designated as 735-03 on the diagram catalogued Misc. R 00139 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Oakes State Forest No 609** An area of about 172 hectares, being parts of Oakes State Forest No 609, dedicated on 9 November 1917 and part of No 2 Extension to that State forest, dedicated on 10 October 1930, in the Parishes of Dudley and Oakes, County of Raleigh, and being the lands designated as 735-01 on the diagram catalogued Misc. R 00139 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) **Part Roses Creek State Forest No 829** An area of about 369 hectares, being part of Roses Creek State Forest No 829, dedicated on 10 October 1930, in the Parish of Dudley, County of Raleigh, and being the land designated as 735-04 on the diagram catalogued Misc. R 00139 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (4) **Part Scotchman State Forest No 486** An area of about 113 hectares, being part of Scotchman State Forest No 486, No 2 Extension, dedicated on 18 November 1921, in the Parish of Dudley, County of Raleigh, and being the land designated as 735-02 on the diagram catalogued Misc. R 00139 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **3 Addition to Barrington Tops National Park: Part Chichester State Forest No 292**

An area of about 49 hectares, being part of Chichester State Forest No 292, dedicated on 19 January 1917, in the Parish of Hewong, County of Gloucester, and being the land

designated as 02-01 on the diagram catalogued Misc. R 00161 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **4 Belford National Park: Belford State Forest No 653**

An area of about 294 hectares, being Belford State Forest No 653, dedicated on 14 June 1918, in the Parish of Belford, County of Northumberland, and being the land designated as 177-01 on the diagram catalogued Misc. R 00166 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **5 Additions to Bindarri National Park**

- (1) **Part Never Never State Forest No 613** An area of about 33 hectares, being part of Never Never State Forest No 613, dedicated on 7 December 1917, in the Parish of Timboon, County of Raleigh, and being the land designated as 131-03 on the diagram catalogued Misc. R 00136 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Tuckers Nob State Forest No 612** An area of about 110 hectares, being parts of Tuckers Nob State Forest No 612, dedicated on 7 December 1917, and part of No 1 Extension to that State forest, dedicated on 19 October 1984, in the Parish of Timboon, County of Raleigh, and being the land designated as 131-01 on the diagram catalogued Misc. R 00136 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **6 Addition to Biriwal Bulga National Park: Part Bulga State Forest No 285**

An area of about 1404 hectares, being parts of Bulga State Forest No 285, No 9 Extension, and part of Bulga State Forest No 285, No 10 Extension, dedicated on 4 February 1966 and on 26 January 1968 respectively, in the Parishes of Debenham, Kokomerican and Myall, County of Macquarie, and being the land designated as 118-01 on the diagrams catalogued Misc. R 00155 (4th edition) and Misc. R 00156 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

#### **7 Addition to Boonanghi Nature Reserve: Part Boonanghi State Forest No 462**

An area of about 717 hectares, being part of Boonanghi State Forest No 462, dedicated on 15 June 1917, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets), in the Parishes of Boonanghi and Kemp, County of Dudley, and being the land designated as 773-01 on the diagram catalogued Misc. R 00148 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (19 October 1928)

No 3 (3 September 1971).

#### **8 Addition to Bowraville Nature Reserve: Part Viewmont State Forest No 1035**

An area of about 20 hectares, being part of Viewmont State Forest No 1035, dedicated on 12 October 1984, in the Parish of Missabotti, County of Raleigh, and being the land designated as 412-01 on the diagram catalogued Misc. R 00140 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **9 Addition to Bretti Nature Reserve: Part Giro State Forest No 286**

An area of about 177 hectares, being part of Giro State Forest No 286, No 4 Extension, dedicated on 22 October 1971, in the Parish of Mackay, County of Hawes, and being the land designated as 740-01 on the diagram catalogued Misc. R 00158 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **10 Carrai State Conservation Area**

- (1) **Part Carrai State Forest No 909** An area of about 1150 hectares, being Carrai State Forest No 909, dedicated on 14 October 1949, and part of No 1 Extension to that State forest, dedicated on 28 April 1950, in the Parishes of Vernon and Warne, County of Dudley and the Parish of Kunderang, County of Vernon, and being the land designated as 655-02 on the diagram catalogued Misc. R 00145 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Cochrane State Forest No 701** An area of about 2313 hectares, being Cochrane State Forest No 701, dedicated on 20 December 1918, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets), in the Parishes of Cochrane and Kunderang, County of Vernon, and being the land designated as 655-01 on the diagram catalogued Misc. R 00145 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (18 April 1969)

No 2 (13 July 1973).

#### **11 Cascade State Conservation Area: Part Wild Cattle Creek State Forest No 488**

An area of about 412 hectares, being part of Wild Cattle Creek State Forest No 488, dedicated on 15 June 1917, and the whole or part of the extensions to that State forest

listed below (with their dedication dates shown in brackets), in the Parish of Allan, County of Fitzroy, and being the land designated as 656-01 on the diagram catalogued Misc. R 00135 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 4 (5 June 1931)

No 7 (25 October 1935)

No 15 (21 August 1970).

## **12 Addition to Cathedral Rock National Park: Yooroonah State Forest No 1040**

An area of about 1823 hectares, being Yooroonah State Forest No 1040, dedicated on 30 August 1985, and No 1 Extension to that State forest, dedicated on 20 March 1987, in the Parish of Snowy, County of Clarke, and being the land designated as 46-01 on the diagram catalogued Misc. R 00137 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **13 Coneac State Conservation Area: Part Coneac State Forest No 951**

An area of about 449 hectares, being part of Coneac State Forest No 951, dedicated on 14 December 1956, and No 3 Extension to that State forest, dedicated on 12 March 1976, in the Parish of Craven, County of Gloucester, and being the land designated as 648-01 on the diagram catalogued Misc. R 00159 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **14 Additions to Cottan-Bimbang National Park**

- (1) **Part Brassey State Forest No 645** An area of about 18 hectares, being part of Brassey State Forest No 645, dedicated on 31 May 1918, in the Parish of Yarrowitch, County of Vernon, and being the land designated as 123-02 on the diagram catalogued Misc. R 00152 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Doyles River State Forest No 911** An area of about 3800 hectares, being parts of Doyles River State Forest No 911, dedicated on 11 November 1949, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parishes of Hastings, Naylor, Rushbrook, Tobin and Werrikimbe, County of Hawes, the Parishes of Debenham and Graeme, County of Macquarie and the Parish of Brassey, County of Vernon, and being the land designated as 123-01 and 123-03 on the diagrams catalogued Misc. R 00152 (4th edition), Misc. R 00154 (4th edition) and Misc. R 00155 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

The Extensions are:

No 1 (25 June 1971)

No 3 (18 July 1975).

**15 Cottan-Bimbang State Conservation Area: Part Enfield State Forest No 337**

An area of about 105 hectares, being part of Enfield State Forest No 337, No 7 Extension, dedicated on 22 January 1971, in the Parish of White, County of Hawes, and being the land designated as 671-01 on the diagram catalogued Misc. R 00153 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**16 Addition to Crowdy Bay National Park: Part Johns River State Forest No 804**

An area of about 53 hectares, being parts of Johns River State Forest No 804, dedicated on 29 October 1926, in the Parish of Stewart, County of Macquarie, and being the land designated as 09-01 on the diagram catalogued Misc. R 00165 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**17 Additions to Cunnawarra National Park**

- (1) **Part Lower Creek State Forest No 161** An area of about 432 hectares, being Lower Creek State Forest No 161, No 5 Extension, dedicated on 3 June 1983, in the Parish of Mowle, County of Clarke, and being the land designated as 121-01 on the diagram catalogued Misc. R 00141 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Styx River State Forest No 339** An area of about 132 hectares, being parts of Styx River State Forest No 339, dedicated on 2 March 1917, and part of No 1 Extension to that State forest, dedicated on 12 December 1924, in the Parish of George, County of Clarke, and being the land designated as 121-02 on the diagram catalogued Misc. R 00141 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**18 Addition to Dorrigo National Park: Part Tuckers Nob State Forest No 612**

An area of about 31 hectares, being part of Tuckers Nob State Forest No 612, No 1 Extension, dedicated on 19 October 1984, in the Parish of Timboon, County of Raleigh, and being the land designated as 11-01 on the diagram catalogued Misc. R 00136 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**19 Addition to Dunggir National Park: Part Mistake State Forest No 525**

An area of about 151 hectares, being part of Mistake State Forest No 525, dedicated on 27 July 1917, and part of No 1 Extension to that State forest, dedicated on 4 November 1921, in the Parishes of Herborn and Ketelghay, County of Raleigh, and being the land

designated as 105-01 on the diagram catalogued Misc. R 00144 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**20 Dural Nature Reserve: Dural State Forest No 1022**

An area of about 26.28 hectares, being Dural State Forest No 1022, named by Gazette notification on 13 May 1983, under the *Geographical Names Act 1966*, and dedicated as Cumberland State Forest No 869, No 4 Extension, on 18 April 1947, in the Parish of South Colah, County of Cumberland.

**21 Addition to Ganay Nature Reserve: Part Gladstone State Forest No 163**

An area of about 338 hectares, being part of Gladstone State Forest No 163, dedicated on 1 July 1914, and parts of No 2 Extension to that State forest, dedicated on 1 June 1917, in the Parish of Gladstone, County of Raleigh, and being the land designated as 745-01 on the diagram catalogued Misc. R 00140 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**22 Addition to Ghin-Doo-Ee National Park: Part Myall River State Forest No 294**

An area of about 14 hectares, being part of Myall River State Forest No 294, No 3 Extension, dedicated on 30 October 1942, in the Parish of Euther, County of Gloucester, and being the land designated as 125-01 on the diagram catalogued Misc. R 00162 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**23 Addition to Juugawaarri Nature Reserve: Part Irishman State Forest No 616**

An area of about 247 hectares, being parts of Irishman State Forest No 616, dedicated on 11 January 1918, and parts of No 1 Extension to that State forest, dedicated on 7 August 1931, in the Parishes of Merrylegai and North Creek, County of Raleigh, and being the land designated as 750-01 on the diagram catalogued Misc. R 00143 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**24 Karuah State Conservation Area**

- (1) **Part Karuah State Forest No 114** An area of about 74 hectares, being part of Karuah State Forest No 114, dedicated on 25 March 1914, in the Parish of Karuah, County of Gloucester, and being the land designated as 657-01 on the diagram catalogued Misc. R 00163 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Wallaroo State Forest No 781** An area of about 207 hectares, being part of Wallaroo State Forest No 781, No 6 Extension, dedicated on 15 July 1960, in the Parish of Tarean, County of Gloucester, and being the land designated as 657-02 on the

diagram catalogued Misc. R 00164 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **25 Additions to Kumbatine National Park**

- (1) **Part Ballengarra State Forest No 474** An area of about 57 hectares, being part of Ballengarra State Forest No 474, dedicated on 15 June 1917, in the Parish of Ballengarra, County of Macquarie, and being the land designated as 124-01 on the diagram catalogued Misc. R 00151 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Boonanghi State Forest No 462** An area of about 1583 hectares, being part of Boonanghi State Forest No 462, No 4 Extension, and part of Boonanghi State Forest No 462, No 5 Extension, dedicated on 16 December 1983 and on 15 August 1986 respectively, in the Parishes of Bandi Bandi and Kemp, County of Dudley, and being the land designated as 124-02 on the diagram catalogued Misc. R 00148 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) **Part Yessabah State Forest No 602** An area of about 212 hectares, being parts of Yessabah State Forest No 602, No 3 Extension, and part of Yessabah State Forest No 602, No 7 Extension, dedicated on 16 February 1968 and on 1 October 1982 respectively, in the Parish of Bandi Bandi, County of Dudley, and being the land designated as 124-03 on the diagram catalogued Misc. R 00148 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **26 Kumbatine State Conservation Area**

- (1) **Part Ballengarra State Forest No 474** An area of about 397 hectares, being part of Ballengarra State Forest No 474, No 2 Extension, and part of Ballengarra State Forest No 474, No 8 Extension, dedicated on 1 August 1924 and on 5 January 1962 respectively, in the Parish of Tinebank, County of Macquarie, and being the land designated as 668-01 on the diagram catalogued Misc. R 00151 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Kippara State Forest No 641** An area of about 383 hectares, being part of Kippara State Forest No 641, dedicated on 10 May 1918, and part of No 1 Extension to that State forest, dedicated on 11 February 1921, in the Parish of Kippara, County of Macquarie, and being the land designated as 668-02 on the diagram catalogued Misc. R 00151 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) **Part Yessabah State Forest No 602** An area of about 3 hectares, being part of Yessabah State Forest No 602, No 5 Extension, dedicated on 20 December 1974, in the Parish of



Bandi Bandi, County of Dudley, and being the land designated as 668-03 on the diagram catalogued Misc. R 00151 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **27 Medowie State Conservation Area**

- (1) **Part Medowie State Forest No 780** An area of about 1814 hectares, being part of Medowie State Forest No 780, dedicated on 9 June 1922, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets), in the Parishes of Sutton, Tarean and Thornton, County of Gloucester, and being the land designated as 658-01 on the diagram catalogued Misc. R 00164 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 2 (23 July 1943)

No 3 (15 December 1944)

No 4 (5 January 1951)

No 5 (19 July 1957)

No 6 (13 April 1962)

No 9 (6 May 1977).

- (2) **Part Wallaroo State Forest No 781** An area of about 44 hectares, being part of Wallaroo State Forest No 781, No 8 Extension, dedicated on 22 June 1962, in the Parish of Tarean, County of Gloucester, and being the land designated as 658-02 on the diagram catalogued Misc. R 00164 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **28 Mummel Gulf State Conservation Area: Part Enfield State Forest No 337**

An area of about 1162 hectares, being part of Enfield State Forest No 337, dedicated on 25 January 1917, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parish of White, County of Hawes, and being the land designated as 660-01 on the diagram catalogued Misc. R 00153 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 9 (25 January 1974)

No 10 (27 June 1975).

## **29 Additions to New England National Park**

- (1) **Part Nulla-Five Day State Forest No 601** An area of about 128 hectares, being part of Nulla-Five Day State Forest No 601, No 8 Extension, dedicated on 8 October 1971, in the Parish of Loftus, County of Dudley, and being the land designated as 28-01 on the diagram catalogued Misc. R 00142 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Oakes State Forest No 609** An area of about 441 hectares, being part of Oakes State Forest No 609, dedicated on 9 November 1917, in the Parish of Oakes, County of Raleigh, and being the land designated as 28-02 on the diagram catalogued Misc. R 00138 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **30 Addition to Ngambaa Nature Reserve: Part Ingalba State Forest No 527**

An area of about 5 hectares, being part of Ingalba State Forest No 527, dedicated on 27 July 1917, in the Parish of Ingalba, County of Raleigh, and being the land designated as 748-01 on the diagram catalogued Misc. R 00147 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **31 Additions to Nowendoc National Park**

- (1) **Part Nowendoc State Forest No 310** An area of about 326 hectares, being Nowendoc State Forest No 310, No 9 Extension, dedicated on 18 May 1984, in the Parish of Togalo, County of Hawes, and being the land designated as 130-03 on the diagram catalogued Misc. R 00157 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Tuggolo State Forest No 312** An area of about 2944 hectares, being the whole or part of the extensions to Tuggolo State Forest No 312 listed below (with their dedication dates shown in brackets), in the Parish of Myall, County of Hawes, and being the land designated as 130-02 on the diagram catalogued Misc. R 00157 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (17 February 1950)

No 2 (11 May 1956)

No 13 (18 May 1984).

## **32 Nymboi-Binderay State Conservation Area: Part Wild Cattle Creek State Forest No 488**

An area of about 585 hectares, being part of Wild Cattle Creek State Forest No 488, No 1

Extension, dedicated on 17 December 1920, and part of Wild Cattle Creek State Forest No 488, No 3 Extension, dedicated on 7 January 1927, in the Parish of Allan, County of Fitzroy, and being the land designated as 661-01 on the diagram catalogued Misc. R 00135 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **33 Talawahl State Conservation Area: Part Kiwarrak State Forest No 298**

An area of about 136 hectares, being parts of Kiwarrak State Forest No 298, dedicated on 19 January 1917, in the Parishes of Talawahl and Tinonee, County of Gloucester, and being the land designated as 663-01 on the diagram catalogued Misc. R 00160 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **34 The Cells State Conservation Area: Part Doyles River State Forest No 911**

An area of about 4708 hectares, being part of Doyles River State Forest No 911, dedicated on 11 November 1949, and No 2 Extension to that State forest, dedicated on 10 September 1971, in the Parishes of Rushbrook and Tobin, County of Hawes, and the Parish of Graeme, County of Macquarie, and being the land designated as 664-01 on the diagram catalogued Misc. R 00154 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **35 Additions to Werakata National Park**

- (1) **Part Aberdare State Forest No 981** An area of about 531 hectares, being part of Aberdare State Forest No 981, dedicated on 29 November 1963, in the Parish of Stanford, County of Northumberland, and being the land designated as 126-02 on the diagram catalogued Misc. R 00168 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Cessnock State Forest No 874** An area of about 478 hectares, being Cessnock State Forest No 874, dedicated on 27 March 1942, and No 1 Extension to that State forest, dedicated on 8 October 1943, in the Parishes of Allandale and Heddon, County of Northumberland, and being the land designated as 126-01 on the diagram catalogued Misc. R 00167 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **36 Additions to Werrikimbe National Park**

- (1) **Part Doyles River State Forest No 911** An area of about 1309 hectares, being parts of Doyles River State Forest No 911, No 3 Extension, dedicated on 18 July 1975, in the Parishes of Brassey and Kangaroo Flat, County of Vernon, and being the land designated as 42-01 on the diagrams catalogued Misc. R 00149 (4th edition) and Misc. R 00152 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

- (2) **Part Mount Boss State Forest No 910** An area of about 512 hectares, being parts of Mount Boss State Forest No 910, dedicated on 11 November 1949, and part of No 3 Extension to that State forest, dedicated on 19 May 1961, in the Parishes of Forbes and Morton, County of Macquarie, and being the land designated as 42-02 on the diagram catalogued Misc. R 00150 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **37 Yarriabini National Park**

- (1) **Part Way Way State Forest No 470** An area of about 1478 hectares, being part of Way Way State Forest No 470, dedicated on 15 June 1917, and No 2 Extension to that State forest, dedicated on 7 February 1975, in the Parish of Warrell, County of Raleigh, and being the land designated as 181-01 on the diagram catalogued Misc. R 00146 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Yarrahappini State Forest No 32** An area of about 705 hectares, being Yarrahapinni State Forest No 32, dedicated on 10 December 1913, and Nos 1 and 2 Extensions to that State forest, dedicated on 1 June 1917 and on 30 April 1920 respectively, in the Parish of Yarrahapinni, County of Dudley, and being the land designated as 181-02 on the diagram catalogued Misc. R 00146 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Part 2 Upper North East Region**

### **38 Addition to Bindarri National Park: Part Orara West State Forest No 535**

An area of about 49 hectares, being part of Orara West State Forest No 535, dedicated on 3 August 1917, in the Parishes of Coff and Wongawanga, County of Fitzroy, and being the land designated as 131-02 on the diagram catalogued Misc. R 00136 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **39 Bindarri State Conservation Area: Part Orara West State Forest No 535**

An area of about 434 hectares, being parts of Orara West State Forest No 535, dedicated on 3 August 1917, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parishes of Comlaroi and Ucombe, County of Fitzroy, and being the land designated as 653-01 on the diagram catalogued Misc. R 00132 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (8 October 1920)

No 5 (26 January 1940)

No 7 (24 June 1949)

No 13 (29 January 1971).

**40 Bungawalbin State Conservation Area: Part Bungawalbin State Forest No 152**

An area of about 71 hectares, being part of Bungawalbin State Forest No 152, dedicated on 24 June 1914, in the Parish of Ellangowan, County of Richmond, and being the land designated as 654-01 on the diagram catalogued Misc. R 00114 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**41 Addition to Byrnes Scrub Nature Reserve: Part Kangaroo River State Forest No 21**

An area of about 32 hectares, being part of Kangaroo River State Forest No 21, dedicated on 17 December 1913, in the Parish of Towallum, County of Fitzroy, and being the land designated as 763-01 on the diagram catalogued Misc. R 00130 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**42 Addition to Capoompeta National Park: Part Forest Land State Forest No 529**

An area of about 397 hectares, being part of Forest Land State Forest No 529, dedicated on 27 July 1917, and part of No 4 Extension to that State forest, dedicated on 23 January 1987, in the Parishes of Booroo and Capoompeta, County of Clive, and being the land designated as 138-01 on the diagram catalogued Misc. R 00119 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**43 Cataract National Park: Part Gilgurry State Forest No 315**

An area of about 1504 hectares, being part of Gilgurry State Forest No 315, No 5 Extension, dedicated on 29 November 1985, in the Parish of Boorook, County of Buller, and being the land designated as 178-01 on the diagram catalogued Misc. R 00111 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**44 Additions to Chaelundi National Park**

(1) **Part Chaelundi State Forest No 996** An area of about 4719 hectares, being part of Chaelundi State Forest No 996, dedicated on 14 September 1973, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parishes of Stanley and Sturt, County of Gresham, and being the land designated as 104-02 on the diagram catalogued Misc. R 00128 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 2 (18 April 1975)

No 3 (5 June 1981).

- (2) **Part Sheas Nob State Forest No 803** An area of about 979 hectares, being part of Sheas Nob State Forest No 803, dedicated on 7 January 1927, and part of No 3 Extension to that State forest, dedicated on 15 May 1981, in the Parishes of Alder and Sturt, County of Gresham, and being the land designated as 104-01 on the diagram catalogued Misc. R 00128 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**45 Chaelundi State Conservation Area: Part Chaelundi State Forest No 996**

An area of about 83 hectares, being part of Chaelundi State Forest No 996, No 1 Extension, dedicated on 21 February 1975, in the Parish of Marara West, County of Gresham, and being the land designated as 670-01 on the diagram catalogued Misc. R 00124 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**46 Chatsworth Hill State Conservation Area: Part Gibberagee State Forest No 19**

An area of about 510 hectares, being part of Gibberagee State Forest No 19, No 8 Extension, dedicated on 22 November 1974, in the Parishes of Doubleduke and Woombah, County of Clarence, and being the land designated as 647-01 on the diagram catalogued Misc. R 00117 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**47 Donnybrook Nature Reserve: Part Donnybrook State Forest No 1066**

An area of about 276 hectares, being part of Donnybrook State Forest No 1066, dedicated on 21 December 1990, in the Parish of Tarban, County of Clive, and being the land designated as 179-01 on the diagram catalogued Misc. R 00112 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**48 Addition to Fortis Creek National Park: Fortis Creek State Forest No 172**

An area of about 81 hectares, being Fortis Creek State Forest No 172, No 4 Extension, dedicated on 9 September 1983, in the Parish of Whiteman, County of Clarence, and being the land designated as 106-01 on the diagram catalogued Misc. R 00115 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**49 Addition to Gibraltar Range National Park: Part Moogem State Forest No 614**

An area of about 61 hectares, being part of Moogem State Forest No 614, dedicated on 21 December 1917, and part of No 1 Extension to that State forest, dedicated on 24 March 1921, in the Parish of Binny, County of Clive, and being the land designated as 12-01 on

the diagram catalogued Misc. R 00121 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **50 Additions to Guy Fawkes River National Park**

- (1) **Part Brother State Forest No 311** An area of about 66 hectares, being parts of Brother State Forest No 311, No 1 Extension, dedicated on 12 March 1920, in the Parish of Newton Boyd, County of Gresham, and being the land designated as 13-02 on the diagram catalogued Misc. R 00122 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part London Bridge State Forest No 309** An area of about 28 hectares, being part of London Bridge State Forest No 309, No 3 Extension, dedicated on 21 June 1985, in the Parish of Henry, County of Gresham, and being the land designated as 13-03 on the diagram catalogued Misc. R 00127 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (3) **Part Oakwood State Forest No 555** An area of about 883 hectares, being parts of Oakwood State Forest No 555, dedicated on 12 October 1917, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets), in the Parishes of Oakwood, Sara and Willy, County of Gresham, and being the land designated as 13-01 on the diagram catalogued Misc. R 00127 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 4 (12 August 1983)

No 5 (16 January 1987).

#### **51 Guy Fawkes River State Conservation Area: Part Chaelundi State Forest No 996**

An area of about 2470 hectares, being part of Chaelundi State Forest No 996, dedicated on 14 September 1973, and No 4 Extension to that State forest, dedicated on 5 June 1981, in the Parishes of Broadmeadows, Chaelundi, Grafton and Nullama, County of Gresham, and being the land designated as 669-01 on the diagrams catalogued Misc. R 00124 (4th edition) and Misc. R 00129 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.

#### **52 Jackywalbin State Conservation Area: Part Doubleduke State Forest No 15**

An area of about 661 hectares, being part of Doubleduke State Forest No 15, dedicated on 3 December 1913, and part of No 1 Extension to that State forest, dedicated on 29 July 1921, in the Parishes of Donaldson and Doubleduke, County of Richmond, and being the land designated as 649-01 on the diagram catalogued Misc. R 00116 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions

noted on that diagram.

### **53 Kooyong State Conservation Area: Part Gibberagee State Forest No 19**

An area of about 753 hectares, being part of Gibberagee State Forest No 19, No 7 Extension, dedicated on 20 September 1974, in the Parish of Richmond, County of Clarence, and being the land designated as 650-01 on the diagram catalogued Misc. R 00115 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **54 Additions to Mann River Nature Reserve**

- (1) **Part Brother State Forest No 311** An area of about 305 hectares, being parts of Brother State Forest No 311, dedicated on 5 January 1917 and part of No 3 Extension to that State forest, dedicated on 9 March 1923, in the Parishes of Mann and The Brothers, County of Gough, and being the land designated as 569-02 on the diagram catalogued Misc. R 00122 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.
- (2) **Part Mount Mitchell State Forest No 308** An area of about 230 hectares, being part of Mount Mitchell State Forest No 308, dedicated on 2 March 1917, in the Parish of Diehard, County of Gough, and being the land designated as 569-01 on the diagram catalogued Misc. R 00122 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **55 Mount Hyland State Conservation Area: Part Hyland State Forest No 659**

An area of about 293 hectares, being part of Hyland State Forest No 659, dedicated on 8 November 1918, in the Parish of Hyland, County of Fitzroy, and being the land designated as 659-01 on the diagram catalogued Misc. R 00131 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **56 Addition to Mount Warning National Park: Part Wollumbin State Forest No 357**

An area of about 75 hectares, being part of Wollumbin State Forest No 357, dedicated on 23 February 1917, in the Parish of Burrell, County of Rous, and being the land designated as 24-01 on the diagram catalogued Misc. R 00110 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

### **57 Addition to Nymboida National Park: Part Dalmorton State Forest No 814**

An area of about 2948 hectares, being parts of Dalmorton State Forest No 814, No 4 Extension, and part of Dalmorton State Forest No 814, No 5 Extension, dedicated on 11 March 1977 and on 2 May 1980 respectively, in the Parishes of Barool, Cowan and Wellington, County of Gresham, and being the land designated as 109-01 on the diagram



catalogued Misc. R 00123 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**58 Nymboida State Conservation Area: Part Dalmorton State Forest No 814**

An area of about 528 hectares, being part of Dalmorton State Forest No 814, No 4 Extension, dedicated on 11 March 1977, in the Parish of Cowan, County of Gresham, and being the land designated as 662-01 on the diagram catalogued Misc. R 00123 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**59 Addition to Ramornie National Park: Part Ramornie State Forest No 660**

An area of about 147 hectares, being part of Ramornie State Forest No 660, dedicated on 31 October 1919, in the Parish of Ross, County of Fitzroy, and being the land designated as 150-01 on the diagram catalogued Misc. R 00125 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**60 Timbarra National Park: Part Girard State Forest No 303**

An area of about 1772 hectares, being Girard State Forest No 303, No 15 Extension, dedicated on 20 April 1990, in the Parish of Cavendish, County of Clive, and being the land designated as 180-01 on the diagram catalogued Misc. R 00113 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**61 Toonumbar State Conservation Area: Part Unumgar State Forest No 540**

An area of about 128 hectares, being part of Unumgar State Forest No 540, dedicated on 10 August 1917, in the Parish of Sherwood, County of Rous, and being the land designated as 652-01 on the diagram catalogued Misc. R 00133 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

**62 Additions to Washpool National Park**

(1) **Part Billilimbra State Forest No 815** An area of about 738 hectares, being the whole or part of the extensions to Billilimbra State Forest No 815 listed below (with their dedication dates shown in brackets), in the Parish of Malara, County of Drake, and being the land designated as 61-02 on the diagram catalogued Misc. R 00120 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 1 (16 November 1979)

No 5 (14 September 1990).

- (2) **Part Forest Land State Forest No 529** An area of about 2745 hectares, being parts of Forest Land State Forest No 529, dedicated on 27 July 1917, and parts of No 3 Extension to that State forest, dedicated on 13 December 1985, in the Parishes of Bluff Land, Forest Land, Goolamanger, Jondol, Morven and Wunglebong, County of Clive, and being the land designated as 61-01 on the diagrams catalogued Misc. R 00118 (4th edition) and Misc. R 00119 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on those diagrams.
- (3) **Part Spirabo State Forest No 321** An area of about 604 hectares, being part of Spirabo State Forest No 321, dedicated on 6 December 1918, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parishes of Bajimba, Farnell, Moogem and Morven, County of Clive, and being the land designated as 61-03 on the diagram catalogued Misc. R 00119 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 4 (5 June 1925)

No 9 (1 September 1989).

### **63 Washpool State Conservation Area: Part Spirabo State Forest No 321**

An area of about 246 hectares, being part of Spirabo State Forest No 321, dedicated on 6 December 1918, and the whole or part of the extensions to that State forest listed below (with their dedication dates shown in brackets) in the Parishes of Goolamanger and Morven, County of Clive, and being the land designated as 665-01 on the diagram catalogued Misc. R 00119 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

The Extensions are:

No 2 (1 February 1924)

No 3 (20 June 1924)

No 5 (22 August 1930).

### **64 Additions to Yuraygir National Park**

- (1) **Part Candole State Forest No 24** An area of about 304 hectares, being part of Candole State Forest No 24, No 2 Extension, and part of Candole State Forest No 24, No 3 Extension, dedicated on 5 September 1930 and on 2 January 1981 respectively, in the Parish of Scope, County of Clarence, and being the land designated as 40-01 on the diagram catalogued Misc. R 00126 (4th edition) in the Department of Environment

and Conservation, subject to any variations or exceptions noted on that diagram.

- (2) **Part Newfoundland State Forest No 827** An area of about 245 hectares, being part of Newfoundland State Forest No 827, No 11 Extension, dedicated on 13 February 1981, in the Parish of Scope, County of Clarence, and being the land designated as 40-02 on the diagram catalogued Misc. R 00126 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

## **Schedule 2 Crown lands reserved as national park, nature reserve or state conservation area**

(Section 6)

### **Part 1 General**

#### **Division 1 Lower North East Region**

##### **1 Curracabundi State Conservation Area**

County Hawes, Parish Curracabundi, LGA Gloucester, 729.2 hectares, being lot 43, DP 753692.

##### **2 Additions to Oxley Wild Rivers National Park**

- (1) County Vernon, Parish Kangaroo Flat, LGA Walcha, 1518 hectares, being lot 14, DP 756485.
- (2) County Vernon, Parish Macleay, LGA Walcha, 1172 hectares, being lot 6, DP 756488.
- (3) County Vernon, Parish Mooraback, LGA Walcha, about 3514 hectares, being lots 3 and 5, DP 756490.

##### **3 Addition to Willi Willi National Park**

County Dudley, Parish Panton, LGA Kempsey, 490.1 hectares, being lot 61, DP 752424.

#### **Division 2 Upper North East Region**

##### **4 Additions to Guy Fawkes River National Park**

- (1) County Clarke, Parish Allingham, LGA Guyra, 220.96 hectares, being lot 41, DP 751434.
- (2) County Clarke, Parish Blythe, LGA Guyra, 62.83 hectares, being lot 3, DP 751440.
- (3) County Clarke, Parish Brown, LGA Guyra, about 1843 hectares, being lots 2, 13, 14, 15 and 16, DP 751441.
- (4) County Clarke, Parish Dale, LGA Guyra, about 7074 hectares, being lots 1, 2, 3, 5 and

6, DP 751448, excluding TSR 52968, notified 30 August 1918.

- (5) County Clarke, Parish Falls, LGA Guyra, about 1614 hectares, being lots 1 and 15, DP 751453.
- (6) County Clarke, Parish Guy Fawkes, LGA Guyra, about 465 hectares, being lot 53, DP 751456.
- (7) County Clarke, Parish Marengo, LGA Guyra, 1186 hectares, being lot 8, DP 751463.
- (8) County Clarke, Parish Mitchell, LGA Guyra, about 3685 hectares, being lots 16 and 17, DP 751464.
- (9) County Clarke, Parish Mount Ross, LGA Guyra, 1868.87 hectares, being lots 3 and 4, DP 751465.

## **5 Additions to Nymboida National Park**

- (1) County Gresham, Parish Barool, LGA Severn, about 2732 hectares, being lot 6, DP 753507.
- (2) County Gresham, Parish Cowan, LGA Pristine Waters, about 814 hectares, being the remainder of lot 2, DP 753516 not dedicated as part of Dalmorton State Forest No 814, No 4 Extension, notified in Gazette No 25 on 11 March 1977.

## **6 Additions to Washpool National Park**

- (1) County Clive, Parish Binny, LGA Severn, 730.4 hectares, being lots 1 and 30, DP 751494.
- (2) County Clive, Parish Moogem, LGA Severn, 514.8 hectares, being lot 61, DP 751530.
- (3) County Drake, Parish Malara, LGA Tenterfield, about 72 hectares, being the remainder of lot 11, DP 752382 not dedicated as Billilimbra State Forest No 815, No 5 Extension, notified in Gazette No 113 on 14 September 1990.

## **Part 2 Crown reserves reserved as state conservation areas**

### **Division 1 Lower North East Region**

#### **7 Barrington Tops State Conservation Area**

An area of about 445 hectares, being the area dedicated as Bradley Crown Reserve by the [Forestry and National Park Estate Act 1998](#) and described in clause 3 of Part 2 of Schedule 4 to that Act.

#### **8 Polblue State Conservation Area**

An area of about 7810 hectares, being the area dedicated as Polblue Crown Reserve by

the *Forestry and National Park Estate Act 1998* and described clause 2 of Part 2 to Schedule 4 to that Act.

## **Division 2 Upper North East Region**

### **9 Banyabba State Conservation Area**

- (1) An area of about 3070 hectares, being the area dedicated as Banyabba Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 7 of Part 3 of Schedule 4 to that Act.
- (2) An area of about 191 hectares, being the area dedicated as Teagan Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 4 of Part 2 of Schedule 4 to that Act.

### **10 Bundjalung State Conservation Area**

An area of about 4870 hectares, being the area dedicated as Bundjalung Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 5 of Part 3 of Schedule 4 to that Act.

### **11 Bungawalbin State Conservation Area**

An area of about 114 hectares, being Reserve 1002887, Parish Bungawalbin, County Richmond, reserved by Gazette notification on 17 December 1999, Folio 12001.

### **12 Corymbia State Conservation Area**

An area of about 495 hectares, being the area dedicated as Corymbia Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 6 of Part 3 of Schedule 4 to that Act.

### **13 Currys Gap State Conservation Area**

An area of about 227 hectares, being Reserve 1002896, Parish Tenterfield, County Clive, reserved by Gazette notification on 17 December 1999, Folio 11999.

### **14 Gurrang State Conservation Area**

An area of about 111 hectares, being Reserve 1002888, Parish Stuart, County Clarence, reserved by Gazette notification on 17 December 1999, Folio 12001.

### **15 Laurence Road State Conservation Area**

An area of 440.04 hectares, being Reserve 1002891, Parishes Banyabba and Lawrence, County Clarence, reserved by Gazette notification on 17 December 1999, Folio 12002.

### **16 Wombat Creek State Conservation Area**

An area of 1076.66 hectares, being Reserve 1002890, Parishes Coaldale and

Copmanhurst, County Clarence, reserved by Gazette notification on 17 December 1999, Folio 12002.

### **17 Yuraygir State Conservation Area**

An area of about 3150 hectares, being the area dedicated as Yuraygir Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 8 of Part 3 of Schedule 4 to that Act.

## **Division 3 Southern Region**

### **18 Berlang State Conservation Area**

- (1) An area of about 2254 hectares, being the area dedicated as part of Berlang Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 1 of Part 1 of Schedule 4 to that Act.
- (2) An area of about 65 hectares, being the area dedicated as part of Berlang Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 8 of Part 2 of Schedule 4 to that Act.

### **19 Brindabella State Conservation Area**

An area of about 1843 hectares, being the area dedicated as part of Brindabella Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 9 of Part 2 of Schedule 4 to that Act.

### **20 Frogs Hole State Conservation Area**

An area of about 77 hectares, being the area dedicated as Frogs Hole Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 10 of Part 2 of Schedule 4 to that Act.

### **21 Kybeyan State Conservation Area**

An area of about 4070 hectares, being the area dedicated as Kybeyan Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 11 of Part 2 of Schedule 4 to that Act.

### **22 Macanally State Conservation Area**

An area of about 2290 hectares, being the area dedicated as Macanally Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 13 of Part 2 of Schedule 4 to that Act.

### **23 Majors Creek State Conservation Area**

An area of about 683 hectares, being the area dedicated as Majors Creek Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 14

of Part 2 of Schedule 4 to that Act.

#### **24 Tallanganda State Conservation Area**

- (1) An area of about 5277 hectares, being the area dedicated as part of Tallanganda Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 4 of Part 1 of Schedule 4 to that Act.
- (2) An area of about 4 hectares, being the area dedicated as part of Tallanganda Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 16 of Part 2 of Schedule 4 to that Act.

#### **25 Wereboldera State Conservation Area**

An area of about 2263 hectares, being the area dedicated as Wereboldera Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 6 of Part 1 of Schedule 4 to that Act.

#### **26 Yanununbeyan State Conservation Area**

An area of about 3823 hectares, being the area dedicated as Yanununbeyan Reserve by the *National Park Estate (Southern Region Reservations) Act 2000* and described in clause 18 of Part 2 of Schedule 4 to that Act.

### **Division 4 Eden Region**

#### **27 Yurammie State Conservation Area**

An area of about 221 hectares, being the area dedicated as a Crown Reserve by the *Forestry and National Park Estate Act 1998* and described in clause 1 of Part 1 of Schedule 4 to that Act.

### **Schedule 3 Areas in State Forest declared as special management zones under *Forestry Act 1916***

(Section 7)

#### **1 UNE Special Management Zone No 1**

The whole or the parts of the State forests designated as Existing Forest Management Zone 2 and Existing Forest Management Zone 3A and shown by blue and red tint respectively on the diagram catalogued Misc F 1397 (2nd edition) in the Forestry Commission.

#### **2 LNE Special Management Zone No 1**

The whole or the parts of the State forests designated as Existing Forest Management Zone 2 and Existing Forest Management Zone 3A and shown by blue and red tint respectively on the diagram catalogued Misc F 1398 (2nd edition) in the Forestry

Commission.

## **Schedule 4 State Forests vested in NPW Minister**

(Sections 4 and 8)

### **Part 1 Upper North East Region**

#### **1 Part Forest Land State Forest No 529**

An area of about 1 hectare, being part of Forest Land State Forest No 529, No 3 Extension, dedicated on 13 December 1985, in the Parish of Forest Land, County of Clive, and being the land designated as 61-99 on the diagram catalogued Misc. R 00118 (4th edition) in the Department of Environment and Conservation.

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

#### **2 Part Coneac State Forest No 951**

An area of about 1 hectare, being part of Coneac State Forest No 951, dedicated on 14 December 1956, in the Parish of Craven, County of Gloucester, and being the land designated as 648-99 on the diagram catalogued Misc. R 00159 (4th edition) in the Department of Environment and Conservation.

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

An area of about 1 hectare, being part of Myall River State Forest No 294, No 3 Extension, dedicated on 30 October 1942, in the Parish of Euther, County of Gloucester, and being the land designated as 125-99 on the diagram catalogued Misc. R 00162 (4th edition) in the Department of Environment and Conservation, subject to any variations or exceptions noted on that diagram.

#### **4 Part Way Way State Forest No 470**

An area of about 3 hectares, being parts of Way Way State Forest No 470, dedicated on 15 June 1917, in the Parish of Warrell, County of Raleigh, and being the lands designated as 181-97, 181-98 and 181-99 on the diagram catalogued Misc. R 00146 (4th edition) in the Department of Environment and Conservation.

## **Schedule 5 State forest land to be transferred to Aboriginal ownership**

(Sections 4 and 9)

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



## **Land Council**

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

An area of about 24.5 hectares, being the part of East Boyd State Forest No 127, dedicated 4 November 1914, in the Parish of Wonboyn, County of Auckland, surrounded by Ben Boyd National Park and being also the land excluded from the aforesaid national park reserved on 12 November 1971, and shown as "pine plantation" on the plan catalogued 7-3085 in the Department of Information Technology and Management, Sydney.

## **Schedule 6 Freehold land vested in NPW Minister or Her Majesty that is reserved as national parks or state conservation areas**

(Section 10)

### **Part 1 Upper North East Region**

#### **1 Addition to Fortis Creek National Park**

County Clarence, Parish Whiteman, LGA Copmanhurst, 40.78 hectares, being lot 16, DP 751391.

#### **2 Additions to Guy Fawkes River National Park**

(1) County Clarke, Parish Allingham, LGA Guyra, 894.3 hectares, being lots 25 and 43, DP 751434.

(2) County Clarke, Parish Blythe, LGA Guyra, 224.73 hectares, being lot 1, DP 751440.

#### **3 Guy Fawkes River State Conservation Area**

(1) County Gresham, Parish Dalmorton, LGA Pristine Waters, 58.05 hectares, being lot 6, DP 753518, lots 11 and 12, section 4, DP 758334, lots 1, 2, 3, 4, 7 and 8, section 5, DP 758334 and lots 1 and 11, section 13, DP 758334; the land shown in Auto Consol 13084-125, being lot 5, DP 753518, lot 7, section 6, DP 758334, lots 4 and 6, section 8, DP 758334 and lot 27, DP 820676; the land shown in Auto Consol 14590-198, being lots 8 and 10, section 4, DP 758334 and lot 5, section 5, DP 758334; the land shown in Auto Consol 14670-123, being lots 1 and 10, DP 753518; and the land shown in Certificate of Title volume 6526, folio 142, being lots 1, 2 and 5, section 6, DP 758334.

(2) County Gresham, Parish Nullama, LGA Pristine Waters, about 2307 hectares, being lots 15 to 26 inclusive, DP 820676, the land shown in Auto Consol 14661-55, being lot 5, DP 753530 and lot 29, DP 820676 and the land shown in Auto Consol 14670-122, being lots 2 and 4, DP 753530.

(3) County Gresham, Parish Springbrook, LGA Pristine Waters, about 1 hectare, being Lot 9, section 4, DP 758334 and lot 3, section 6, DP 758334.

- (4) County Gresham, Parish Marara West, LGA Pristine Waters, 404.49 hectares, being lot 6, DP 753526.

**4 Addition to Nymboida National Park**

County Drake, Parish Cooraldooral, LGA Severn, 58.68 hectares, being lot 1, DP 752372.

**5 Additions to Washpool National Park**

- (1) County Clive, Parish Wunglebong, LGA Tenterfield, 45.32 hectares, being lot 73, DP 751543.

- (2) County Drake, Parish Malara, LGA Tenterfield, about 262 hectares, being lots 5, 6 and 17, DP 752382.

**Part 2 Lower North East Region**

**6 Additions to New England National Park**

- (1) County Clarke, Parish Look Out, LGA Armidale Dumaresq, 121.4 hectares, being lot 78, DP 751462.

- (2) County Clarke, Parish Mowle, LGA Armidale Dumaresq, 251.75 hectares, being lots 1, 3 and 36, DP 751466.

**7 Additions to Oxley Wild Rivers National Park**

County Vernon, Parish Benditi, LGA Walcha, 312.26 hectares, being lots 3, 16, 17 and 23, DP 756465, lot 26, DP 881475 and lot 28, DP 881476.

**8 Oxley Wild Rivers State Conservation Area**

County Sandon, Parish Shasta, LGA Armidale Dumaresq, 1439 hectares, being lot 7, DP 755841.

**9 Additions to Willi Willi National Park**

- (1) County Dudley, Parish Panton, LGA Kempsey, 233.76 hectares, being lots 50 and 59, DP 752424, lot 482, DP 880556.

- (2) County Dudley, Parish Willi Willi, LGA Kempsey, 121.4 hectares, being lots 5, 6, DP 752434.

**Part 3 Southern Region**

**10 Brindabella State Conservation Area**

An area of about 1037 hectares, being Lot 1 in Deposited Plan 986849.

## **Schedule 7 Revocation of remnant flora reserves**

(Section 4 (2))

### **Part 1 Upper North East Region**

#### **1 Boomerang Falls Flora Reserve**

- (1) Flora Reserve No 79999 notified in the Gazette of 14 July 1978 (renumbered as Boomerang Falls Flora Reserve No 38 by notice published in the Gazette of 24 July 1987), having an area of about 500 square metres.
- (2) Boomerang Falls Flora Reserve No 38, No 1 Extension notified in the Gazette of 23 October 1987, having an area of about 9000 square metres.

#### **2 Chandlers Creek Flora Reserve**

Chandlers Creek Flora Reserve No 80018 notified in the Gazette of 18 May 1984 (renumbered as Chandlers Creek Flora Reserve No 58 by notice published in the Gazette of 24 July 1987), having an area of about 9 hectares.

#### **3 Minyon Falls Flora Reserve**

Flora Reserve No 79989 notified in the Gazette of 14 November 1975 (renumbered as Minyon Falls Flora Reserve No 27 by notice published in the Gazette of 24 July 1987), having an area of about 5000 square metres.

#### **4 Norman W. Jolly Flora Reserve**

Flora Reserve No 79998 notified in the Gazette of 23 June 1978 (renumbered as Norman W. Jolly Flora Reserve No 37 by notice published in the Gazette of 24 July 1987), having an area of about 2000 square metres.

#### **5 Waihou Flora Reserve**

Waihou Flora Reserve No 97523 notified in the Gazette of 2 August 1985 (renumbered as Waihou Flora Reserve No 72 by notice published in the Gazette of 24 July 1987), having an area of about 11 hectares.

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

#### **6 Bago Bluff Flora Reserve**

Bago Bluff Flora Reserve No 97531 notified in the Gazette of 10 January 1986 (renumbered as Bago Bluff Flora Reserve No 79 by notice published in the Gazette of 24 July 1987), having an area of about 4000 square metres.

#### **7 Black Creek Flora Reserve**

Black Creek Flora Reserve No 80023 notified in the Gazette of 16 November 1984

(renumbered as Black Creek Flora Reserve No 63 by notice published in the Gazette of 24 July 1987), having an area of about 1.5 hectares.

**8 Cedar Pit Flora Reserve**

Cedar Pit Flora Reserve No 122 notified in the Gazette of 10 June 1988, having an area of about 3.3 hectares.

**9 Johns River Flora Reserve**

Johns River Flora Reserve No 151 notified in the Gazette of 15 December 1989, having an area of about 6.7 hectares.

**10 Lorne Flora Reserve**

Flora Reserve No 79986 No 1 Extension notified in the Gazette of 29 July 1983 (renumbered as Lorne Flora Reserve No 36 No 1 Extension by notice published in the Gazette of 24 July 1987), having an area of about 7.7 hectares.

**11 Marowin Flora Reserve**

Marowin Flora Reserve No 158 notified in the Gazette of 31 July 1992, having an area of about 2900 square metres.

**12 O'Sullivan's Gap Flora Reserve**

Flora Reserve No 79966 notified in the Gazette of 29 June 1973 (renumbered as O'Sullivan's Gap Flora Reserve No 20 by notice published in the Gazette of 24 July 1987), having an area of about 2.5 hectares.

**13 Sugar Creek Flora Reserve**

Flora Reserve No 79958 notified in the Gazette of 26 March 1970 (renumbered as Sugar Creek Flora Reserve No 8 by notice published in the Gazette of 24 July 1987), having an area of about 5000 square metres.

**14 The Castles Flora Reserve**

The Castles Flora Reserve No 123 notified in the Gazette of 5 August 1988, having an area of about 6.2 hectares.

**15 Tinebank Flora Reserve**

Tinebank Flora Reserve No 80012 notified in the Gazette of 20 January 1984 (renumbered as Tinebank Flora Reserve No 52 by notice published in the Gazette of 24 July 1987), having an area of about 4.1 hectares.

**16 Williams River Flora Reserve**

Flora Reserve No 62278 notified in the Gazette of 18 October 1940 (renumbered as

Williams River Flora Reserve No 2 by notice published in the Gazette of 24 July 1987), having an area of about 1 hectare.

## **Part 3 Eden Region**

### **17 Nunnock Swamp Flora Reserve**

Nunnock Swamp Flora Reserve No 74, No 1 Extension notified in the Gazette of 16 June 1989, having an area of about 4.5 hectares.

### **18 Waratah Creek Flora Reserve**

Waratah Creek Flora Reserve No 139 notified in the Gazette of 10 March 1989, having an area of about 3.5 hectares.

## **Schedule 8 Land transfers—ancillary and special provisions**

(Section 12)

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

(1) The following land is not reserved or dedicated by this Act:

- (a) land that a person holds for an estate in fee simple, other than land that immediately before the commencement of this Act was vested in the NPW Minister or Her Majesty for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* for an estate in fee simple,
- (b) land that a person holds under a perpetual lease, a special lease or a term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989*, other than land that immediately before the commencement of this Act was held under such a lease by the NPW Minister or Her Majesty for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*,
- (c) land that is comprised in an incomplete purchase within the meaning of the *Crown Lands (Continued Tenures) Act 1989*.

(2) This clause has effect despite any other provision of this Act.

### **2 Application of Act**

(1) This Act has effect despite the provisions of the *Forestry Act 1916* and, in particular, despite any different procedure under that Act for the following:

- (a) the revocation of State forests, special management zones, flora reserves, national forests or timber reserves,
- (b) the declaration of special management zones.

(2) 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 for vesting, land under that Act.

- (3) This Act has effect despite the provisions of the *Crown Lands Act 1989* and, in particular, despite any different procedure for revoking the dedication or reservation of land under that Act.

### **3 Reservation of lands as national parks, nature reserves or state conservation areas**

- (1) The lands reserved as, or as parts of, national parks, nature reserves or state conservation areas by this Act are, for the purposes of the *National Parks and Wildlife Act 1974*, taken to have been so reserved by notice published under section 30A (1) of that Act.
- (2) A reference in the *National Parks and Wildlife Act 1974* to section 30A (1) of that Act is, in relation to a reservation effected by this Act, taken to be a reference to the enactment of this Act.
- (3) A name assigned to any national park, nature reserve or state conservation area by this Act is taken to have been assigned to that land by a notice referred to in section 30A (2) of the *National Parks and Wildlife Act 1974*.
- (4) Section 35 (including section 35 as applied by section 58) and section 47D of the *National Parks and Wildlife Act 1974* do not apply to a reservation of land as, or as part of, a national park, nature reserve or state conservation area that is effected by this Act.

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

Section 42 (2) (including section 42 (2) as applied by section 47K and section 64) and section 55 (2) of the *National Parks and Wildlife Act 1974* apply 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 that are reserved as, or as parts of, national parks, nature reserves or state conservation areas by this Act, and
- (b) current and in force immediately before the commencement of this Act,
- in the same way as they apply to a licence or permit under the *Forestry Act 1916*.

### **5 Existing leases or licences under *Crown Lands Act 1989***

Section 109 of the *Crown Lands Act 1989* does not apply to or in respect of a lease or licence granted by a reserve trust under that Act, being a lease or licence:

- (a) affecting any of the lands described in Schedule 2 that are reserved under the *National Parks and Wildlife Act 1974* by this Act, and
- (b) current and in force immediately before the commencement of this Act.

## 6 Administration of existing interests affecting land vested in NPW Minister

- (1) The administration of matters relating to existing interests affecting any of the lands described in Schedule 4 and preserved by section 8, is vested in NPW Minister.
- (2) For the purposes of subclause (1), the NPW Minister has the powers of the Minister administering the *Crown Lands (Continued Tenures) Act 1989*.
- (3) In this clause, **existing interest** means a perpetual lease, special lease or term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989* (or rights or interests arising under an incomplete purchase within the meaning of that Act).

## 7 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).

**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 access roads situated within the lands described in Schedule 1, 2 or 6 immediately before the commencement of this Act:
    - (a) roads of access within the meaning of section 33A of the *Forestry Act 1916*,
    - (b) roads, tracks, trails and other means of access used, immediately before the commencement of this Act, for access to private land holdings within those lands,
    - (c) roads, tracks, trails and other means of access 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 this Act, reserved as, or as part of, a national park, nature reserve or state conservation area by this Act 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.
  - (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 this Act.

- (5) Before 31 December 2003, the NPW Minister must, under section 149 of the *National Parks and Wildlife Act 1974*, grant a right of way over an access road to which this clause applies for the benefit of a private land holding in order to replace any right of way duly granted under section 20A of the *Forestry Act 1916* for the benefit of that land holding and in force immediately before the commencement of this Act. The NPW Minister may from time to time revoke or vary the grant of a right of way under this subclause.
- (6) Before 31 December 2007, 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, nature reserve or state conservation area, or
  - (b) are not so excluded and are reserved as part of the national park, nature reserve or state conservation area 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*.

- (7) On the publication of an order under subclause (6):
- (a) the access roads that are referred to in the order as excluded from reservation as part of a national park, nature reserve or state conservation area 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 this Act, and
  - (b) the access roads that are not so excluded are reserved as part of the national park, nature reserve or state conservation area within which they are situated.
- (8) 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.
- (9) 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.
- (10) 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 NPW Minister for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* 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.



- (2) Any such land is, to the extent that it relates to land subject to a lease preserved by section 8, taken to be Crown land reserved from sale for the purpose of any application by the holder of the lease to purchase the land comprised in the lease.

## **9 Provisions relating to activities carried out on land vested in NPW Minister**

- (1) This clause applies to and in respect of land vested in the NPW Minister for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* by this Act or by the *National Park Estate (Southern Region Reservations) Act 2000*.
- (2) For the avoidance of doubt, the purposes for which the NPW Minister's powers under section 149 of the *National Parks and Wildlife Act 1974* may be exercised in respect of land to which this clause applies include enabling an activity to continue to be carried out that was carried out on the land before it was so vested.
- (3) The Director-General of National Parks and Wildlife may authorise the use of relevant access roads for the purpose of enabling any lawful activity to be carried out on the land to which this clause applies.
- (4) In this clause, **relevant access roads** means roads, tracks, trails and other means of access through any land reserved under the *National Parks and Wildlife Act 1974* to land to which this clause applies.

## **10 Declaration of special management zones**

- (1) The lands declared as special management zones by this Act are, for the purposes of the *Forestry Act 1916*, taken to have been declared by notice under section 21A of that Act.
- (2) A name and number assigned to any such special management zone by this Act is taken to have been assigned to that special management zone under the *Forestry Act 1916*.
- (3) A reference in the *Forestry Act 1916* to the publication of a notice under section 21A of that Act is, in relation to a declaration effected by this Act, taken to be a reference to the enactment of this Act.

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

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

## **12 Exclusion of Crown lands subject to pending Aboriginal land rights claims**

- (1) Crown land that is the subject of a claim duly made under Division 2 of Part 2 of the *Aboriginal Land Rights Act 1983* on or before 1 November 2002, being a claim that has not been determined before the commencement of this Act, is not reserved, dedicated or vested by this Act.

- (2) Subclause (1) does not apply to any land described in Schedule 5 that is transferred to a Local Aboriginal Land Council pursuant to section 9 of this Act.

**Schedule 9 (Repealed)**