



New South Wales

# National Park Estate (Riverina Red Gum Reservations) Bill 2010

## Explanatory note

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

## Overview of Bill

The objects of this Bill are:

- (a) to transfer to the national park estate certain river red gum State forest lands in the Riverina area, and
- (b) to enable the transfer to Aboriginal ownership and conservation of certain other State forest lands in the Riverina area, and
- (c) to enable forestry operations to continue on land in the Riverina area remaining as State forest (including in part of the Millewa State forest on a transitional basis until the land is transferred to the national park estate on 1 July 2015), and
- (d) to enable payments to be made from the Environmental Trust Fund, established under the *Environmental Trust Act 1998*, for the purpose of implementing forestry restructure and assistance programs and schemes in the Riverina area, and
- (e) to enable the collection of firewood for non-commercial purposes to continue in areas reserved as regional parks under the proposed Act and to make other miscellaneous provisions.

## Outline of provisions

### **Part 1 Preliminary**

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on 1 July 2010.

**Clause 3** defines certain words and expressions used in the proposed Act.

### **Part 2 Land transfers**

**Clause 4** revokes the dedication as State forest of lands that are to be reserved as national park or regional park or vested in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*. The dedication of the lands specified in Schedules 1, 3 and 5 is revoked on 1 July 2010 and the dedication of lands specified in Schedules 6 and 7 is revoked on 1 July 2015.

**Clause 5** reserves, on 1 July 2010, certain lands in revoked State forests as national park or regional park. The lands concerned are set out in Schedule 1.

**Clause 6** reserves, on 1 July 2010, certain Crown lands as state conservation area. The lands concerned are set out in Schedule 2.

**Clause 7** vests, on 1 July 2010, certain lands in revoked State forests in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*. The lands concerned are set out in Schedule 3.

**Clause 8** reserves, on 1 July 2010, certain lands controlled by the Forestry Commission (and taken to be State forest) as national park. The lands concerned are set out in Schedule 4.

**Clause 9** vests, on 1 July 2010, certain lands in revoked State forests in the Crown as Crown land, which will be subject to the *Crown Lands Act 1989* (with an assessed preferred use for the purposes of nature conservation). The lands concerned are set out in Schedule 5.

**Clause 10** reserves, on 1 July 2015, certain lands in part of Millewa revoked State forest as national park or regional park. The lands concerned are set out in Schedule 6.

**Clause 11** vests, on 1 July 2015, certain lands in revoked State forests in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*. The Minister may revoke the dedication of the State forest of any of the lands earlier than 1 July 2015 if the lands are to be vested in an Aboriginal landholding body. The lands concerned are set out in Schedule 7.

**Clause 12** reserves, on 1 July 2010, certain lands that had been vested in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974* as state conservation area.

**Clause 13** changes the names of, and consolidates, certain reserved lands that are currently within national parks, nature reserves and state conservation areas.

**Clause 14** enables the Director-General of the Department of Environment, Climate Change and Water (the *Director-General*) to adjust the descriptions of land in Schedules 1–8 in order to alter the boundaries of the land for the purposes of effective management of national park estate land and State forest land, to adjust boundaries to public roads, to adjust descriptions of easements or to provide a more detailed description of the boundaries of the land.

### **Part 3 Forestry operations on land remaining as State forest**

**Clause 15** defines certain words and expressions used in proposed Part 3. *Riverina forestry operations* is defined to mean forestry operations within the meaning of the *Forestry and National Park Estate Act 1998* to which Part 4 of that Act applies that are carried out in Riverina State forests, but it does not include Millewa transitional forestry operations. *Millewa transitional forestry operations* are forestry operations carried out in the Millewa State forest (the lands set out in Schedule 6 to the proposed Act) before 1 July 2015.

**Clause 16** provides that an integrated forestry operations approval may be granted under Part 4 of the *Forestry and National Park Estate Act 1998* for Riverina forestry operations.

**Clause 17** applies to Millewa transitional forestry operations. The Minister may, by order published in the Gazette, make provision for or with respect to the carrying out of Millewa transitional forestry operations (referred to as the *Millewa Transitional Forestry Code*). Forestry operations may be carried out only in accordance with the Code. The Code is required to include provision with respect to certain matters, including logging operation methods, prohibition of logging of certain river red gum trees, retention of habitat and recruitment trees, protection of threatened species of animals and plants, prevention of water pollution, and consultation with local Aboriginal communities.

### **Part 4 Miscellaneous**

**Clause 18** provides that firewood may be collected from land reserved as regional park or other land reserved under the *National Parks and Wildlife Act 1974* in certain circumstances. The firewood is not to be collected for commercial purposes. It must be collected only by an individual or not-for-profit organisation, licensed by the Director-General, and must be collected from firewood collection zones as determined by the Director-General. The collection of firewood must comply with any conditions of a licence issued to the person or the organisation and any regulations.

**Clause 19** provides that the proposed Act binds the Crown.

**Clause 20** enables the making of regulations for the purposes of the proposed Act.

**Schedule 1 State forests reserved as national park or regional park on 1 July 2010**

This Schedule sets out the lands within State forests (whose dedication as State forest is revoked) that are, on 1 July 2010, reserved as national or regional park.

**Schedule 2 Crown lands reserved as state conservation area on 1 July 2010**

This Schedule sets out the Crown lands that are, on 1 July 2010, reserved as state conservation area.

**Schedule 3 State forests vested in NPW Minister on 1 July 2010**

This Schedule sets out the lands (whose dedication as State forest is revoked) that are, on 1 July 2010, vested in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*.

**Schedule 4 Forestry Commission controlled land reserved as national park on 1 July 2010**

This Schedule sets out the lands controlled by the Forestry Commission that are, on 1 July 2010, reserved as national park.

**Schedule 5 State forests made subject to Crown Lands Act 1989 on 1 July 2010**

This Schedule sets out the lands (whose dedication as State forest is revoked) that are, on 1 July 2010, vested in the Crown as Crown land and subject to the *Crown Lands Act 1989*.

**Schedule 6 State forests reserved as national park or regional park on 1 July 2015**

This Schedule sets out lands (whose dedication as State forest is revoked) that are reserved on 1 July 2015 as national park or regional park.

## **Schedule 7 State forests vested in NPW Minister on 1 July 2015 (unless earlier transferred to Aboriginal ownership)**

This Schedule sets out the lands (whose dedication as State forest is revoked) that are, on 1 July 2015, vested in the Minister for Climate Change and the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*, unless earlier transferred to Aboriginal ownership.

## **Schedule 8 Land vested in the NPW Minister reserved as state conservation area on 1 July 2010**

This Schedule sets out the lands vested in the Minister for Climate Change and the Environment that are, on 1 July 2010, reserved as state conservation area.

## **Schedule 9 Change of names and consolidation of national parks, nature reserves and state conservation areas on 1 July 2010**

This Schedule sets out the land affected by the changes in the national park estate referred to in clause 13.

## **Schedule 10 Land transfers—ancillary and special provisions**

This Schedule makes ancillary and special provisions with respect to land transferred under the proposed Act.

## **Schedule 11 Amendment of Acts**

**Schedule 11.1** amends the *Forestry and National Park Estate Act 1998* to remove the requirement for a forest agreement to be prepared under that Act before an integrated forestry operations approval can be prepared under that Act in respect of the Riverina area.

The amendments also extend the definition of *forestry operations* to include operations for the production or collection of firewood. This definition is used in Part 3 of the proposed Act in relation to forestry operations in Millewa State Forest and the Riverina area.

**Schedule 11.2** amends the *Forestry Restructuring and Nature Conservation Act 1995* to enable payments to be made to the Consolidated Fund from the Environmental Trust Fund, established under the *Environmental Trust Act 1998*, to offset expenditure from the Consolidated Fund for the purposes of implementing

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forestry restructure and assistance programs and schemes in the Riverina area. The total amounts paid from the Fund in respect of the Riverina area must not exceed \$38,813,000 and payments from the Fund in respect of the Riverina area can only be made until 30 June 2015. The Minister for Climate Change and the Environment and the Minister for Mineral and Forest Resources are to prepare a joint report on expenditure in the Riverina area for each financial year and the report is to be tabled in Parliament.

**Schedule 11.3** amends the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of a reservation or vesting of, or declaration over, land or waters by the operation of the proposed Act.



New South Wales

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New South Wales

# National Park Estate (Riverina Red Gum Reservations) Bill 2010

No. , 2010

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## A Bill for

An Act to transfer certain State forest land in the Riverina area to the national park estate; to make provision with respect to forestry operations in that area; to amend certain Acts; and for other purposes.

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Clause 1 National Park Estate (Riverina Red Gum Reservations) Bill 2010

Part 1 Preliminary

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**The Legislature of New South Wales enacts:** 1

**Part 1 Preliminary** 2

**1 Name of Act** 3

This Act is the *National Park Estate (Riverina Red Gum Reservations) Act 2010*. 4  
5

**2 Commencement** 6

This Act commences on 1 July 2010. 7

**3 Definitions** 8

(1) In this Act: 9

**Crown land** has the same meaning as it has in the *Crown Lands Act 1989*. 10  
11

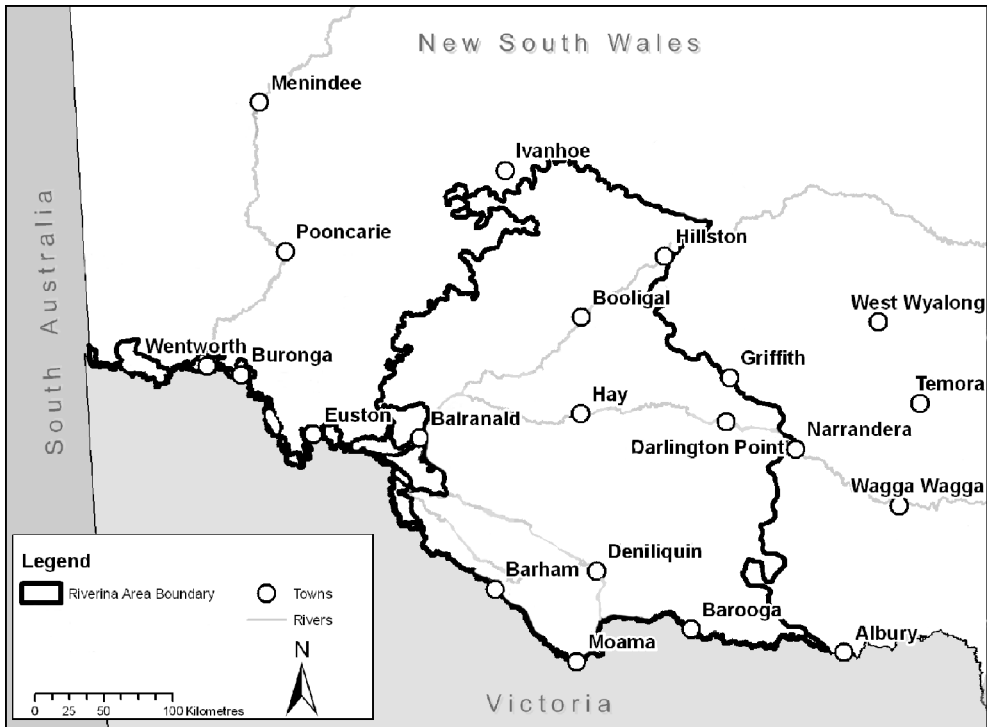
**NPW Minister** means the Minister administering Divisions 1 and 2 of Part 4 of the *National Parks and Wildlife Act 1974*. 12  
13

**Riverina area** means the area of the State shown in the map at the end of this section. 14  
15

**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. 16  
17  
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(2) Notes included in this Act do not form part of this Act. 19

**Riverina area**



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<b>Part 2</b>	<b>Land transfers</b>	1
<b>4</b>	<b>Revocation of State forests</b>	2
(1)	The dedication as State forest of:	3
(a)	the lands described in Schedule 1, 3 or 5 is revoked on 1 July 2010, and	4 5
(b)	the lands described in Schedule 6 or 7 is revoked on 1 July 2015.	6
(2)	Any notifications under section 19A of the <i>Forestry Act 1916</i> that declare, as national forests, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act on the date the dedication is revoked, 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.	7 8 9 10 11 12
(3)	Any notices under section 21A of the <i>Forestry Act 1916</i> that declare, as special management zones, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act on the date the dedication is revoked, but only to the extent to which they relate to special management zones, or parts of special management zones, situated within the lands referred to in that subsection.	13 14 15 16 17 18
(4)	Any notices under section 25A of the <i>Forestry Act 1916</i> that set apart, as flora reserves, areas of State forests whose dedication is revoked by subsection (1) are also revoked by this Act on the date the dedication is revoked, 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.	19 20 21 22 23 24
<b>5</b>	<b>Reservation of former State forests as national parks or regional parks on 1 July 2010</b>	25 26
(1)	The lands described in Schedule 1 are, on 1 July 2010, reserved under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, national parks or regional parks (as indicated in that Schedule).	27 28 29
(2)	Subsection (1) does not apply to any land described in Schedule 1 that is also described in Schedule 3.	30 31
<b>6</b>	<b>Reservation of Crown lands as state conservation area on 1 July 2010</b>	32
(1)	The lands described in Schedule 2 are, on 1 July 2010, reserved under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, state conservation area (as indicated in that Schedule).	33 34 35
(2)	Any timber reserves (within the meaning of the <i>Forestry Act 1916</i> ) with respect to any land referred to in subsection (1) are revoked by this Act,	36 37

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but only to the extent to which they relate to timber reserves or parts of timber reserves situated within that land.	1 2
<b>7 Vesting in NPW Minister of former State forests land on 1 July 2010</b>	3
(1) The lands described in Schedule 3 vest, on 1 July 2010, in the NPW Minister on behalf of the Crown for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> for an estate in fee simple, freed and discharged from:	4 5 6 7
(a) all trusts, obligations, estates, interests, rights of way or other easements, and	8 9
(b) any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked.	10 11 12
(2) Despite subsection (1), the lands described in Schedule 3 are not freed and discharged from:	13 14
(a) any perpetual lease, special lease or term lease within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> (or from rights or interests arising under an incomplete purchase within the meaning of that Act), or	15 16 17 18
(b) any lease under the <i>Western Lands Act 1901</i> , to which the lands were subject immediately before their vesting under this section.	19 20 21
<b>8 Reservation of Forestry Commission controlled land as national park on 1 July 2010</b>	22 23
(1) The lands described in Schedule 4 are, on 1 July 2010, reserved under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, national park (as indicated in that Schedule).	24 25 26
(2) The lands described in Schedule 4 cease to be subject to section 11A of the <i>Forestry Act 1916</i> (and any arrangements made under that section) on 1 July 2010.	27 28 29
<b>9 Former State forests to be subject to Crown Lands Act 1989 on 1 July 2010</b>	30 31
(1) The lands described in Schedule 5 are, on 1 July 2010, vested in the Crown as Crown land and are subject to the <i>Crown Lands Act 1989</i> .	32 33
(2) The lands described in Schedule 5 are to be dealt with under the <i>Crown Lands Act 1989</i> as if the preferred use of the lands had been assessed under Part 3 of that Act as use for nature conservation purposes.	34 35 36

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<b>10</b>	<b>Reservation of former State forests (balance of Millewa State forest) as national park or regional park on 1 July 2015</b>	1 2
(1)	The lands described in Schedule 6 are, on 1 July 2015, reserved under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, national parks or regional parks (as indicated in that Schedule).	3 4 5
(2)	Land described in Schedule 6 cannot be disposed of or leased under the <i>Forestry Act 1916</i> before 1 July 2015.	6 7
(3)	The following licences and permits cannot be issued or renewed in respect of land described in Schedule 6 before 1 July 2015, without the approval of the Director-General of the Department of Environment, Climate Change and Water:	8 9 10 11
(a)	a products licence under section 27B of the <i>Forestry Act 1916</i> ,	12
(b)	a forest materials licence under section 27C of the <i>Forestry Act 1916</i> ,	13 14
(c)	a grazing permit under section 31 of the <i>Forestry Act 1916</i> ,	15
(d)	an occupation permit under section 31 of the <i>Forestry Act 1916</i> ,	16
(e)	a special purposes permit under section 32F of the <i>Forestry Act 1916</i> .	17 18
(4)	An approval under subsection (3) may be given in respect of a particular licence or permit or in respect of licences or permits of a particular kind.	19 20
<b>11</b>	<b>Vesting in NPW Minister of former State forests on 1 July 2015 unless earlier transferred to Aboriginal ownership</b>	21 22
(1)	The lands described in Schedule 7 vest, on 1 July 2015, in the NPW Minister on behalf of the Crown for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> for an estate in fee simple, freed and discharged from:	23 24 25 26
(a)	all trusts, obligations, estates, interests, rights of way or other easements, and	27 28
(b)	any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked.	29 30 31
(2)	Subsection (1) does not apply to any lands described in Schedule 7 unless, immediately before 1 July 2015, the lands are dedicated as State forest or are Crown lands subject to the <i>Crown Lands Act 1989</i> .	32 33 34
(3)	The NPW Minister may, by notice published in the Gazette, at any time before 1 July 2015 revoke the dedication as State forest of any of the lands described in Schedule 7 that the Minister certifies in the notice are to be vested in an Aboriginal landholding body. Section 4 applies to the revocation of any such dedication of land as State forest.	35 36 37 38 39



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(4)	Despite subsection (1), the lands described in Schedule 7 are not freed and discharged from:	1 2
(a)	any perpetual lease, special lease or term lease within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> (or from rights or interests arising under an incomplete purchase within the meaning of that Act), or	3 4 5 6
(b)	any lease under the <i>Western Lands Act 1901</i> , to which the lands were subject immediately before their vesting under this section.	7 8 9
<b>12</b>	<b>Reservation of land vested in NPW Minister as state conservation area on 1 July 2010</b>	10 11
	The lands described in Schedule 8 are, on 1 July 2010, reserved under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, state conservation area (as indicated in that Schedule).	12 13 14
<b>13</b>	<b>Change of names and consolidation of existing reserves within national park estate</b>	15 16
	The reservation under the <i>National Parks and Wildlife Act 1974</i> of land as, or as part of, national parks, nature reserves or state conservation areas as described in any clause in Schedule 9 is, on 1 July 2010, revoked and the lands are reserved under that Act as, or as part of, the national parks, nature reserves or state conservation areas as indicated in the heading to the clause in that Schedule.	17 18 19 20 21 22
<b>14</b>	<b>Adjustment of description of land transferred to national park estate</b>	23
(1)	The description of any land in Schedules 1–8 (a <i>relevant Schedule</i> ) may be adjusted in accordance with this section.	24 25
(2)	A description of land may be adjusted from time to time:	26
(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	27 28 29 30 31
(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 setback from the carriageway of the road, or	32 33 34 35
(c)	to include, remove or change a description of any easement or restriction to which the land is subject, or	36 37

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- (d) to provide a more detailed description of the boundaries of the land. 1  
2
- Any such adjustment may include adding to a relevant Schedule a description of the land removed by the adjustment from the description of land in another relevant Schedule. 3  
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- (3) An adjustment of the description of land is to be made by the Director-General of the Department of Environment, Climate Change and Water by a notice published on the NSW legislation website that amends a relevant Schedule. 6  
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9
- (4) A notice under this section may be published only with the approval of: 10
- (a) the NPW Minister, and 11
  - (b) to the extent that the notice applies to a Crown road—the Minister administering the *Crown Lands Act 1989*, and 12  
13
  - (c) 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. 14  
15  
16
- (5) The Director-General of the Department of Environment, Climate Change and Water 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. 17  
18  
19  
20  
21
- (6) An adjustment of the description of land may only be made before: 22
- (a) 1 July 2012, except as provided by paragraph (b) or (c), or 23
  - (b) 1 July 2015, in the case of an adjustment of the description of land in Schedule 3 or 4, or of the boundary of land adjoining a public road, or 24  
25  
26
  - (c) 1 July 2017, in the case of an adjustment of the description of land in Schedule 6 or 7. 27  
28
- (7) If any of the land described in a relevant Schedule on the commencement of the Schedule 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 the provisions of this Act applying to land described in the relevant Schedule. 29  
30  
31  
32  
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- (8) If land included in the adjusted description of the land includes any land not described in a relevant Schedule on the commencement of the Schedule, the land concerned is taken to have been subject, on and from the commencement of the Schedule, to the provisions of this Act applying to land described in the relevant Schedule. 34  
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- (9) The Director-General of the Department of Environment, Climate Change and Water 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 applying to land described in the relevant Schedule 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:
- appropriate setback***, in relation to a carriageway of a road, includes a setback that allows for drainage, signposts, traffic control devices, lighting and other supporting infrastructure for the road.
- classified road*** and ***public road*** have the same meanings as they have in the *Roads Act 1993*.
- land adjoining a public road*** includes land in the vicinity of a public road.
- national park estate land*** means:
- (a) land reserved under the *National Parks and Wildlife Act 1974*, or
- (b) land vested in the NPW Minister for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*.

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<b>Part 3</b>	<b>Forestry operations on land remaining as State forest</b>	1
		2
<b>15</b>	<b>Definitions</b>	3
(1)	In this Part:	4
	<i>Crown-timber lands</i> has the same meaning as it has in the <i>Forestry Act 1916</i> .	5
		6
	<i>Millewa Transitional Forestry Code</i> means the Millewa Transitional Forestry Code made under section 17 and in force.	7
		8
	<i>Millewa transitional forestry operations</i> means forestry operations within the meaning of the <i>Forestry and National Park Estate Act 1998</i> to which Part 4 of that Act applies that are carried out in the lands described in Schedule 6 before 1 July 2015.	9
		10
		11
		12
	<b>Note.</b> See Schedule 6 for an illustration of the map that shows the Schedule 6 areas.	13
		14
	<i>Riverina forestry operations</i> means forestry operations within the meaning of the <i>Forestry and National Park Estate Act 1998</i> to which Part 4 of that Act applies that are carried out in Riverina State forests, but does not include Millewa transitional forestry operations.	15
		16
		17
		18
	<i>Riverina State forests</i> means State forests and other Crown-timber lands in the Riverina area, and include (while they remain State forests):	19
		20
	(a) the State forests of Koondrook, Perricoota and Campbells Island, and	21
		22
	(b) the State forests to which Schedule 7 applies.	23
(2)	For the purposes of this Part, forestry operations includes operations for the production or collection of firewood.	24
		25
<b>16</b>	<b>Integrated forestry operations approval for Riverina forestry operations</b>	26
(1)	An integrated forestry operations approval may be granted under Part 4 of the <i>Forestry and National Park Estate Act 1998</i> for Riverina forestry operations.	27
		28
		29
	<b>Note.</b> Section 28 (4) of that Act provides that such an approval may be granted without the area being covered by a forest agreement.	30
		31
(2)	Division 4 of Part 4 of the <i>Forestry and National Park Estate Act 1998</i> applies to continued Riverina forestry operations as if such an integrated forestry operations approval were in force until:	32
		33
		34
	(a) such an integrated forestry operations approval is granted, or	35
	(b) 31 December 2010 (or such other later date as may be prescribed by the regulations),	36
		37
	whichever first occurs.	38

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(3)	Subsection (2) does not apply to forestry operations that are carried out in contravention of the terms of any licence in force under the <i>Protection of the Environment Operations Act 1997</i> , the <i>National Parks and Wildlife Act 1974</i> , the <i>Threatened Species Conservation Act 1995</i> or Part 7A of the <i>Fisheries Management Act 1994</i> (including any such licence as varied from time to time).	1 2 3 4 5 6
<b>17</b>	<b>Millewa transitional forestry operations</b>	7
(1)	This section applies to Millewa transitional forestry operations.	8
(2)	The NPW Minister may, by order published in the Gazette, make provision for or with respect to the carrying out of Millewa transitional forestry operations (to be called the Millewa Transitional Forestry Code). The Code may be amended by further order of the NPW Minister published in the Gazette.	9 10 11 12 13
(3)	Millewa transitional forestry operations may be carried out only in accordance with the Millewa Transitional Forestry Code.	14 15
(4)	The Millewa Transitional Forestry Code is, without limiting the generality of subsection (2), required to make provision with respect to the following:	16 17 18
(a)	The carrying out of logging operations by the method known as single tree selection or thinning and not by the method known as Australian Group Selection.	19 20 21
(b)	The prohibition of the logging of river red gum trees with a diameter at breast height over bark greater than 100cm (including provision for determining that diameter from the stump of a felled tree).	22 23 24 25
(c)	The retention during logging operations of a minimum number of trees that are categorised as habitat or recruitment trees.	26 27
(d)	The survey and protection of threatened species of animals and plants.	28 29
(e)	Measures to prevent the pollution of waters.	30
(f)	The maximum quantity of timber that may be produced from logging operations.	31 32
(g)	Prohibiting future logging operations from being carried out in areas in which logging operations have been carried out since 1 July 2000 (except for any collection of firewood or other minor operations authorised by the Code).	33 34 35 36
(h)	Requirements for consultation with local Aboriginal communities in relation to Aboriginal cultural heritage.	37 38

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Clause 17            National Park Estate (Riverina Red Gum Reservations) Bill 2010

Part 3                Forestry operations on land remaining as State forest

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| (5) | The Millewa Transitional Forestry Code may make the carrying out of Millewa transitional forestry operations conditional on the provision to the NPW Minister of copies of plans prepared under the <i>Forestry Act 1916</i> and the regulations under that Act relating to the carrying out of the operations. | 1<br>2<br>3<br>4<br>5 |
| (6) | Section 32 and Division 4 of Part 4 of the <i>Forestry and National Park Estate Act 1998</i> apply to Millewa transitional forestry operations as if the Millewa Transitional Forestry Code were an integrated forestry operations approval.  | 6<br>7<br>8<br>9      |
| (7) | The authorisations, provisions and other things that do not apply to an approved project under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> because of the operation of section 75U of that Act do not apply to Millewa transitional forestry operations.                               | 10<br>11<br>12<br>13  |

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<b>Part 4</b>	<b>Miscellaneous</b>	1
<b>18</b>	<b>Collection of firewood on reserved land under this Act</b>	2
(1)	Firewood may be collected from land reserved as regional park by this Act for use outside of that or any other land reserved under the <i>National Parks and Wildlife Act 1974</i> in the following circumstances:	3 4 5
(a)	the firewood is not collected for commercial purposes,	6
(b)	the firewood is collected by an individual who, or a not-for-profit organisation which, is licensed by the Director-General of the Department of Environment, Climate Change and Water under this section,	7 8 9 10
(c)	the firewood is collected from firewood collection zones within the land determined by the Director-General and notified to the holder of any such licence,	11 12 13
(d)	the firewood is collected in accordance with the conditions of any licence (including any conditions notified to the holder of the licence by the Director-General),	14 15 16
(e)	the person collecting the firewood does not fell any tree for the purpose of obtaining firewood,	17 18
(f)	the collection of the firewood complies with any other requirements of the regulations.	19 20
(2)	Wood obtained from ecological thinning undertaken by the Director-General in any lands reserved under the <i>National Parks and Wildlife Act 1974</i> in the Riverina area may be deposited in firewood collection zones for collection by the holders of licences under this section.	21 22 23 24 25
(3)	A licence under this section may not be granted for a period that exceeds 1 year, but may be renewed from time to time.	26 27
(4)	The Director-General is required to undertake a review of licences under this section as soon as practicable after 1 July 2015. The Director-General is to take into account the environmental sustainability of firewood collection in the reserved areas concerned and any other factors the Director-General considers relevant.	28 29 30 31 32
<b>19</b>	<b>Act to bind Crown</b>	33
	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.	34 35 36

<b>20 Regulations</b>	1
(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 3 4 5
(2) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.	6 7
(3) Any such provision may, if the regulations so provide, take effect from 1 July 2010 or a later date.	8 9
(4) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication on the NSW legislation website, the provision does not operate so as:	10 11 12
(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	13 14 15
(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.	16 17 18



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<b>Schedule 1</b>	<b>State forests reserved as national park or regional park on 1 July 2010</b>	1
		2
	(Sections 4 and 5)	3
<b>1</b>	<b>Euston Regional Park</b>	4
	An area of about 3,274 hectares, being Euston State Forest No 969 dedicated by proclamation published in the NSW Government Gazette on 30 October 1959, and Extensions Nos 1 and 2 published 4 October 1963 and 1 February 1980 respectively.	5 6 7 8
<b>2</b>	<b>Kemendok National Park</b>	9
	An area of about 9,874 hectares, being Mallee Cliffs State Forest No 772 dedicated by proclamation published in the NSW Government Gazette on 17 February 1922.	10 11 12
<b>3</b>	<b>Lachlan Valley National Park</b>	13
(1)	An area of about 867 hectares, being Booligal State Forest No 389 dedicated by proclamation published in the NSW Government Gazette on 5 April 1917 and Extension No 1 published 23 April 1926.	14 15 16
(2)	An area of about 769 hectares, being part McFarlands State Forest No 598 dedicated by proclamation published in the NSW Government Gazette on 9 November 1917.	17 18 19
(3)	An area of about 514 hectares, being Moon Moon State Forest No 390 dedicated by proclamation published in the NSW Government Gazette on 5 April 1917 and Extension No 1 published 20 October 1995.	20 21 22
(4)	An area of about 1,315 hectares, being Oxley State Forest No 1000 dedicated by proclamation published in the NSW Government Gazette on 14 November 1975.	23 24 25
<b>4</b>	<b>Lachlan Valley Regional Park</b>	26
	An area of about 1,564 hectares, being part Hillston State Forest No 1034 dedicated by proclamation published in the NSW Government Gazette on 28 September 1984 and part Extension No 1 published 22 May 1987 comprising Lot 22, DP755170.	27 28 29 30
<b>5</b>	<b>Murray Valley National Park</b>	31
(1)	An area of about 1,201 hectares, being Barooga State Forest No 103 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 26 March 1971.	32 33 34

National Park Estate (Riverina Red Gum Reservations) Bill 2010

Schedule 1 State forests reserved as national park or regional park on 1 July 2010

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|------|---|----------------------------|
| (2)  | An area of about 1,014 hectares, being Boomanoomana State Forest No 101 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 28 September 1928.   | 1<br>2<br>3<br>4           |
| (3)  | An area of about 113 hectares, being Corowa State Forest No 502 dedicated by proclamation published in the NSW Government Gazette on 22 June 1917.  | 5<br>6<br>7                |
| (4)  | An area of about 674 hectares, being Cottadidda State Forest No 102 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 26 May 1922.   | 8<br>9<br>10               |
| (5)  | An area of about 4,372 hectares, being so much of Gulpa Island State Forest No 558 as comprises the land designated as 1129-01 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram. | 11<br>12<br>13<br>14<br>15 |
| (6)  | An area of about 2,299 hectares, being so much of Millewa State Forest No 398 as comprises the land designated as 1129-02 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram.      | 16<br>17<br>18<br>19<br>20 |
| (7)  | An area of about 9,054 hectares, being so much of Moira State Forest No 576 as comprises the land designated as 1129-04 on the diagram catalogued Misc R00195 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram.        | 21<br>22<br>23<br>24<br>25 |
| (8)  | An area of about 43 hectares, being Native Dog State Forest No 87 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914.  | 26<br>27<br>28             |
| (9)  | An area of about 1,682 hectares, being Niemur State Forest No 383 dedicated by proclamation published in the NSW Government Gazette on 30 March 1917 and Extension No 1 published 13 April 1933.  | 29<br>30<br>31             |
| (10) | An area of about 1,671 hectares, being Noorong State Forest No 201 dedicated by proclamation published in the NSW Government Gazette on 16 June 1915, Extension No 1 published 13 October 1939, Extension No 2 published 12 January 1951 and Extension No 3 published 8 January 1954.                       | 32<br>33<br>34<br>35<br>36 |
| (11) | An area of about 190 hectares, being Tholobin State Forest No 530 dedicated by proclamation published in the NSW Government Gazette on 27 July 1917.  | 37<br>38<br>39             |

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(12)	An area of about 66 hectares, being Thornley State Forest No 86 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 13 April 1934.	1 2 3
(13)	An area of about 1,040 hectares, being Tuppal State Forest No 189 dedicated by proclamation published in the NSW Government Gazette on 10 February 1915.	4 5 6
(14)	An area of about 910 hectares, being Wetuppa State Forest No 192 dedicated by proclamation published in the NSW Government Gazette on 10 February 1915, Extension No 1 published 22 February 1957, Extension No 2 published 1 March 1957 and Extension No 3 published 19 October 1984.	7 8 9 10 11
(15)	An area of about 391 hectares, being Whymoul State Forest No 575 dedicated by proclamation published in the NSW Government Gazette on 12 October 1917 and Extension No 1 published 3 May 2002.	12 13 14
(16)	An area of about 255 hectares, being Woperana State Forest No 104 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914.	15 16 17
<b>6</b>	<b>Murray Valley Regional Park</b>	18
(1)	An area of about 3,092 hectares, being Bama State Forest No 584 dedicated by proclamation published in the NSW Government Gazette on 26 October 1917.	19 20 21
(2)	An area of about 206 hectares, being Benarca State Forest No 751 dedicated by proclamation published in the NSW Government Gazette on 16 July 1920.	22 23 24
(3)	An area of about 539 hectares, being Collendina State Forest No 98 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 31 January 1941.	25 26 27
(4)	An area of about 399 hectares, being Deniliquin State Forest No 397 dedicated by proclamation published in the NSW Government Gazette on 27 April 1917, Extension No 1 published 15 May 1953, Extension No 2 published 3 May 1957 and Extension No 4 published 29 October 1999.	28 29 30 31 32
(5)	An area of about 771 hectares, being so much of Gulpa Island State Forest No 558 as comprises the land designated as I130-01 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram.	33 34 35 36 37
(6)	An area of about 15 hectares, being Horseshoe Lagoon State Forest No 742 Extension No 1 dedicated by proclamation published in the NSW Government Gazette on 28 September 1934.	38 39 40

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National Park Estate (Riverina Red Gum Reservations) Bill 2010

Schedule 1 State forests reserved as national park or regional park on 1 July 2010

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- (7) An area of about 577 hectares, being Kyalite State Forest No 380 dedicated by proclamation published in the NSW Government Gazette on 23 March 1917, Extension No 1 published 10 May 1918, Extension No 2 published 15 November 1929 and Extension No 3 published 25 June 1982. 1  
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- (8) An area of about 382 hectares, being Liewa State Forest No 193 dedicated by proclamation published in the NSW Government Gazette on 10 February 1915. 6  
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- (9) An area of about 40 hectares, being Moama State Forest No 369 dedicated by proclamation published in the NSW Government Gazette on 2 March 1917. 9  
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- (10) An area of about 1,006 hectares, being so much of Moira State Forest No 576 as comprises the land designated as 1130-03 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram. 12  
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- (11) An area of about 485 hectares, being Mulwala State Forest No 100 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914. 17  
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- (12) An area of about 41 hectares, being Quat Quatta State Forest No 785 dedicated by proclamation published in the NSW Government Gazette on 25 May 1923. 20  
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- (13) An area of about 139 hectares, being Quat Quatta East State Forest No 484 dedicated by proclamation published in the NSW Government Gazette on 29 June 1917. 23  
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- 7 Murrumbidgee Valley National Park** 26
- (1) An area of about 1,050 hectares, being Benerembah State Forest No 396 dedicated by proclamation published in the NSW Government Gazette on 5 April 1917, Extension No 1 published 22 August 1930 and Extension No 2 published 15 March 1974. 27  
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- (2) An area of about 94 hectares, being Billenbah State Forest No 85 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914. 31  
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- (3) An area of about 230 hectares, being Cararbury State Forest No 386 dedicated by proclamation published in the NSW Government Gazette on 27 April 1917 and Extension No 1 published 13 November 1970. 34  
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- (4) An area of about 1,659 hectares, being Cuba State Forest No 376 dedicated by proclamation published in the NSW Government Gazette on 23 March 1917, Extension No 1 published 13 July 1928 and Extension No 2 published 25 August 2000. 37  
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(5)	An area of about 134 hectares, being Dunnoon Lagoon State Forest No 704 dedicated by proclamation published in the NSW Government Gazette on 25 April 1919.	1 2 3
(6)	An area of about 139 hectares, being Euroley State Forest No 84 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914 and Extension No 1 published 18 July 1930.	4 5 6
(7)	An area of about 133 hectares, being Jurambula State Forest No 79 dedicated by proclamation published in the NSW Government Gazette on 18 February 1914.	7 8 9
(8)	An area of about 617 hectares, being Kieeta State Forest No 1073 dedicated by proclamation published in the NSW Government Gazette on 17 March 2006.	10 11 12
(9)	An area of about 8 hectares, being Murrumbidgee State Forest No 998 dedicated by proclamation published in the NSW Government Gazette on 27 December 1974.	13 14 15
(10)	An area of about 61 hectares, being Pempelgong State Forest No 164 dedicated by proclamation published in the NSW Government Gazette on 2 March 1917.	16 17 18
(11)	An area of about 251 hectares, being Uri State Forest No 374 dedicated by proclamation published in the NSW Government Gazette on 23 March 1917.	19 20 21
(12)	An area of about 1,034 hectares, being Yarradda State Forest No 668 dedicated by proclamation published in the NSW Government Gazette on 9 August 1918, Extension No 1 published 14 August 1925 and Extension No 2 published 25 August 1939.	22 23 24 25
<b>8</b>	<b>Murrumbidgee Valley Regional Park</b>	26
(1)	An area of about 29 hectares, being Hay State Forest No 1025 dedicated by proclamation published in the NSW Government Gazette on 28 October 1983.	27 28 29
(2)	An area of about 191 hectares, being Narrandera State Forest No 786 dedicated by proclamation published in the NSW Government Gazette on 12 October 1923 and Extension No 1 published 3 June 1927.	30 31 32
(3)	An area of about 922 hectares, being Willbriggie State Forest No 371 dedicated by proclamation published in the NSW Government Gazette on 23 March 1917, Extension No 1 published 19 March 1971, Extension No 2 published 4 May 1984, Extension No 3 published 23 April 1993 and Extension No 4 published 19 January 2007.	33 34 35 36 37

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National Park Estate (Riverina Red Gum Reservations) Bill 2010

Schedule 1 State forests reserved as national park or regional park on 1 July 2010

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| (4) | An area of about 55 hectares, being Woolloondool State Forest No 520 dedicated by proclamation published in the NSW Government Gazette on 20 July 1917. | 1<br>2<br>3 |
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**Schedule 2      Crown lands reserved as state  
                         conservation area on 1 July 2010**

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(Section 6)

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**Lachlan Valley State Conservation Area**

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An area of about 320 hectares, in the Local Government Area of Hay, Parish of Thononga, County of Franklin, being Lots 23, 54, 91, 92, 94, 96 and 117, DP752995.

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<b>Schedule 3</b>	<b>State forests vested in NPW Minister on 1 July 2010</b>	1 2
	(Sections 4 and 7)	3
<b>1</b>	<b>Land subject to existing lease</b>	4
(1)	An area of about 520 hectares, being part Hillston Forest No 1034 Extension No 1 dedicated by proclamation published in the NSW Government Gazette on 22 May 1987 excluding Lot 22, DP755170.	5 6 7
(2)	An area of about 5,006 hectares, being Manie State Forest No 887 dedicated by proclamation published in the NSW Government Gazette on 18 April 1947.	8 9 10
(3)	An area of about 623 hectares, being Ki State Forest No 889 dedicated by proclamation published in the NSW Government Gazette on 18 April 1947.	11 12 13
(4)	An area of about 158 hectares, being Maude State Forest No 1053 dedicated by proclamation published in the NSW Government Gazette on 27 May 1988 and Extension No1 published 11 November 2005.	14 15 16
(5)	An area of about 269 hectares, being part Nooroong State Forest No 201 Extension No 4 published in the NSW Government Gazette on 17 February 1989 and Extension No 5 published 1 July 2005.	17 18 19
(6)	An area of about 474 hectares, being Quandong State Forest No 941 dedicated by proclamation published in the NSW Government Gazette on 3 December 1954.	20 21 22
<b>2</b>	<b>Other lands</b>	23
	An area of about 5,896 square metres, being Mathoura State Forest No 865 Extension No 1 dedicated by proclamation published in the NSW Government Gazette on 16 August 1940.	24 25 26



<b>Schedule 4</b>	<b>Forestry Commission controlled land reserved as national park on 1 July 2010</b>	1
		2
	(Section 8)	3
<b>Murrumbidgee Valley National Park</b>		4
An area of about 5,889 hectares, in the Parishes of Cudgel, Yarangery, Gogeldrie, and Dallas, County of Cooper, being the area whose control and silvicultural management was vested in the Forestry Commission of New South Wales by proclamations published in the NSW Government Gazette on 7 August 1925 and 11 June 1954 under section 11A of the <i>Forestry Act 1916</i> .		5
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<b>Schedule 5</b>	<b>State forests made subject to the Crown Lands Act 1989 on 1 July 2010</b>	1
		2
	(Sections 4 and 9)	3
<b>1</b>	<b>Barman State Forest No 638</b>	4
	An area of about 61 hectares, being Barman State Forest No 638 dedicated by proclamation published in the NSW Government Gazette on 10 May 1918.	5 6 7
<b>2</b>	<b>Benjee State Forest No 534</b>	8
	An area of about 173 hectares, being Benjee State Forest No 534 dedicated by proclamation published in the NSW Government Gazette on 3 August 1917, and Extensions Nos 1, 2 and 3 published 9 December 1927, 1 April 1932 and 11 May 1984 respectively.	9 10 11 12
<b>3</b>	<b>Berambong State Forest No 205</b>	13
	An area of about 209 hectares, being Berambong State Forest No 205 dedicated by proclamation published in the NSW Government Gazette on 2 March 1917, and Extension No 1 published 30 December 1983.	14 15 16
<b>4</b>	<b>Gol Gol State Forest No 979</b>	17
	An area of about 1,396 hectares, being Gol Gol State Forest No 979 dedicated by proclamation published in the NSW Government Gazette on 15 September 1961.	18 19 20
<b>5</b>	<b>Green Gully State Forest No 368</b>	21
	An area of about 51 hectares, being Green Gully State Forest No 368 dedicated by proclamation published in the NSW Government Gazette on 23 February 1917.	22 23 24
<b>6</b>	<b>McFarlands State Forest No 598</b>	25
	An area of about 83 hectares, being part McFarlands State Forest No 598 dedicated by proclamation published in the NSW Government Gazette on 22 January 1988 and republished on 3 September 1993.	26 27 28
<b>7</b>	<b>Moira State Forest No 576</b>	29
	An area of about 48 hectares, being part Moira State Forest No 576 dedicated by proclamation published in the NSW Government Gazette on 1 December 1989.	30 31 32

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<b>8 Thule State Forest No 367</b>	1
An area of about 119 hectares, being Thule State Forest No 367 dedicated by proclamation published in the NSW Government Gazette on 23 February 1917.	2 3 4
<b>9 Toms Point State Forest No 673</b>	5
An area of about 183 hectares, being Toms Point State Forest No 673 dedicated by proclamation published in the NSW Government Gazette on 13 September 1918.	6 7 8
<b>10 Wahwoon State Forest No 194</b>	9
An area of about 190 hectares, being Wahwoon State Forest No 194 dedicated by proclamation published in the NSW Government Gazette on 10 February 1915.	10 11 12
<b>11 Waradgery State Forest No 1026</b>	13
An area of about 111 hectares, being Waradgery State Forest No 1026 dedicated by proclamation published in the NSW Government Gazette on 28 October 1983 and Extension No 1 published 18 July 1986.	14 15 16
<b>12 Woorooma State Forest No 532</b>	17
An area of about 26 hectares, being Woorooma State Forest No 532 dedicated by proclamation published in the NSW Government Gazette on 3 August 1917.	18 19 20
<b>13 Woorooma East State Forest No 531</b>	21
An area of about 24 hectares, being Woorooma East State Forest No 531 dedicated by proclamation published in the NSW Government Gazette on 3 August 1917.	22 23 24
<b>14 Yallakool State Forest No 1072</b>	25
An area of about 498 hectares, being Yallakool State Forest No 1072 dedicated by proclamation published in the NSW Government Gazette on 11 November 2005.	26 27 28

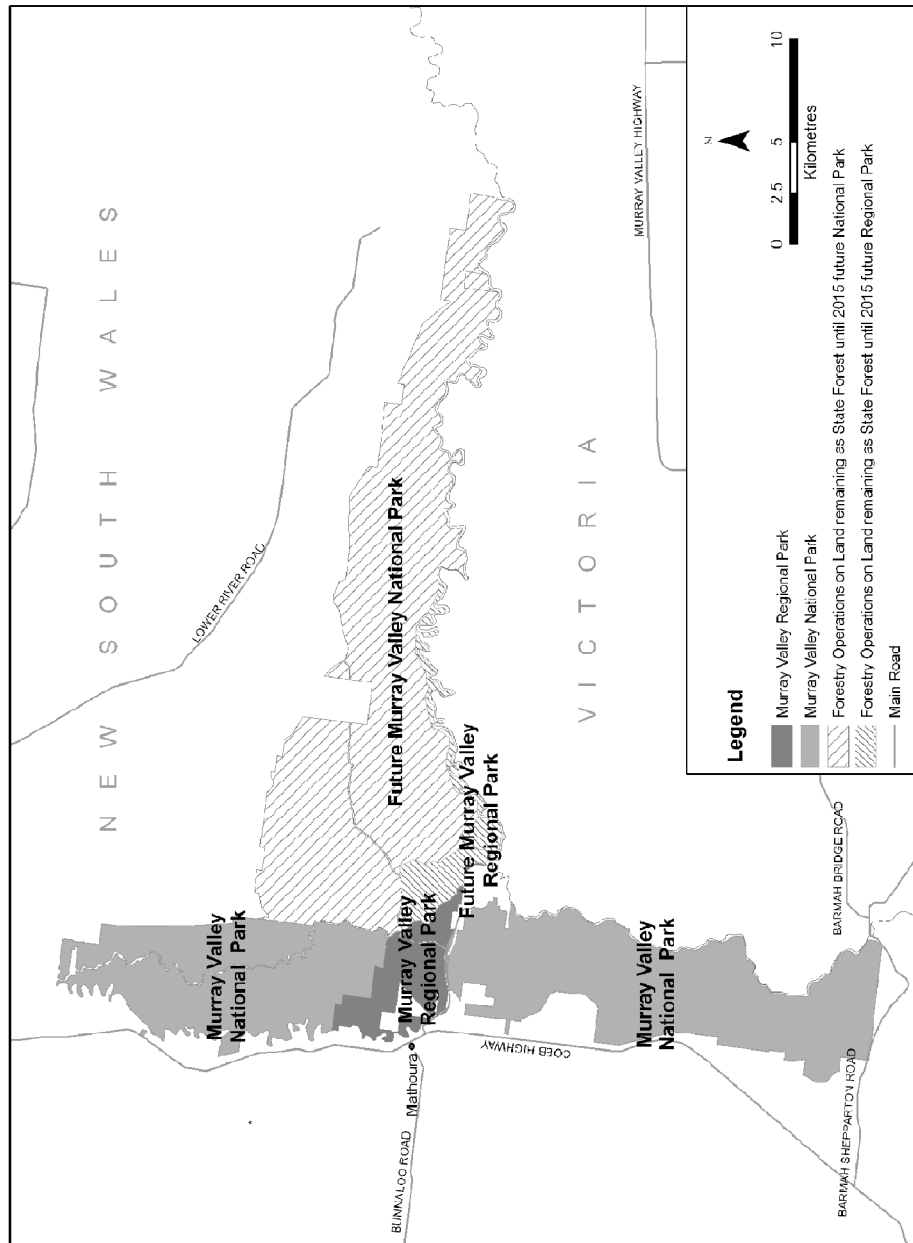
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<b>Schedule 6</b>	<b>State forests reserved as national park or regional park on 1 July 2015</b>	1
		2
	(Sections 4 and 10)	3
<b>1</b>	<b>Murray Valley National Park</b>	4
	An area of about 16,626 hectares, being so much of Millewa State Forest No 398 as comprises the land designated as 1129-03 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram.	5 6 7 8 9
<b>2</b>	<b>Murray Valley Regional Park</b>	10
	An area of about 1,532 hectares, being so much of Millewa State Forest No 398 as comprises the land designated as 1130-02 on the diagram catalogued Misc R00194 (Edition 1) in the Department of Environment, Climate Change and Water, subject to any variations or exceptions noted on that diagram.	11 12 13 14 15
	<b>Note.</b> An illustration of the map that shows the areas of Millewa State Forest that will be reserved on 1 July 2015 is as follows:	16 17

National Park Estate (Riverina Red Gum Reservations) Bill 2010

State forests reserved as national park or regional park on 1 July 2015

Schedule 6



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<b>Schedule 7</b>	<b>State forests vested in NPW Minister on 1 July 2015 (unless earlier transferred to Aboriginal ownership)</b>	1
		2
		3
	(Sections 4 and 11)	4
<b>1</b>	<b>Banangalite State Forest Nos 88–91</b>	5
	An area of about 1,223 hectares being Banangalite State Forest Nos 88–91 inclusive dedicated by proclamation published in the NSW Government Gazette on 18 February 1914.	6 7 8
<b>2</b>	<b>Barratta Creek State Forest No 692</b>	9
	An area of about 221 hectares being Barratta Creek State Forest No 692 dedicated by proclamation published in the NSW Government Gazette on 8 November 1918, and Extension No 1 published 28 March 1924.	10 11 12
<b>3</b>	<b>Lake Victoria State Forest No 773</b>	13
	An area of about 4,318 hectares, being Lake Victoria State Forest No 773 dedicated by proclamation published in the NSW Government Gazette on 17 February 1922.	14 15 16
<b>4</b>	<b>Moorna State Forest No 775</b>	17
	An area of about 3,076 hectares, being Moorna State Forest No 775 dedicated by proclamation published in the NSW Government Gazette on 17 February 1922, Extension No 1 published 5 June 1970 and Extension No 2 published 15 January 1971.	18 19 20 21
<b>5</b>	<b>Morago State Forest Nos 92–97</b>	22
	An area of about 959 hectares, being Morago State Forest Nos 92–97 inclusive dedicated by proclamation published in the NSW Government Gazette on 18 February 1914, Extension No 1 published 14 October 1988, Extension No 2 published 21 October 1988 and Extension No 3 published 25 October 2002.	23 24 25 26 27
<b>6</b>	<b>Stevens Weir State Forest No 989</b>	28
	An area of about 92 hectares, being Stevens Weir State Forest No 989 dedicated by proclamation published in the NSW Government Gazette on 4 February 1966.	29 30 31
<b>7</b>	<b>Wangumma State Forest No 774</b>	32
	An area of about 1,632 hectares, being Wangumma State Forest No 774 dedicated by proclamation published in the NSW Government Gazette on 17 February 1922.	33 34 35

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**8 Werai State Forest No 384**

An area of about 9,163 hectares, being Werai State Forest No 384 dedicated by proclamation published in the NSW Government Gazette on 27 April 1917 and Extension No 1 published 14 August 1925.

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Schedule 8 Land vested in the NPW Minister reserved as state conservation area on  
1 July 2010

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<b>Schedule 8</b>	<b>Land vested in the NPW Minister reserved as state conservation area on 1 July 2010</b>	1
		2
		3
	(Section 12)	4
<b>Lachlan Valley State Conservation Area</b>		5
An area of about 3,899 hectares, in the Local Government Area of Hay, Parish of Thononga, County of Franklin, being Lots 5, 6, 12, 13, 15, 16, 17, 18, 19, 21, 22, 24, 25, 32, 41, 50, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 76, 77, 78, 79, 90, 93, 95, 97, 98, 99, 100, 103, 104, 105, 106, 107, 110, 111, 112, 113, 114, 115 and 116, DP752995.		6 7 8 9 10
An area of about 870 hectares, in the Local Government Area of Hay, Parishes of Thellangering and Yimbaring, County of Waradgery, being Lots 8, 9, 10, 11 and 16, DP756791 and Lots 12, 13 and 14, DP756814.		11 12 13



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<b>Schedule 9</b>	<b>Change of names and consolidation of national parks, nature reserves and state conservation areas on 1 July 2010</b>	1
		2
		3
	(Section 13)	4
<b>1</b>	<b>Lachlan Valley National Park</b>	5
	An area of about 8,173 hectares, comprising Kalyarr National Park reserved by notice in the NSW Government Gazette on 24 June 2005.	6 7
<b>2</b>	<b>Lachlan Valley Nature Reserve</b>	8
	An area of about 437 hectares, comprising Goonawarra Nature Reserve reserved by notice in the NSW Government Gazette on 19 May 1967.	9 10
<b>3</b>	<b>Lachlan Valley State Conservation Area</b>	11
	An area of about 10,846 hectares, comprising Kalyarr State Conservation Area reserved by notice in the NSW Government Gazette on 10 November 2006 and 15 August 2008.	12 13 14
<b>4</b>	<b>Murrumbidgee Valley National Park</b>	15
	An area of about 31,190 hectares, comprising Yanga National Park reserved by notice in the NSW Government Gazette on 28 February 2007.	16 17 18
<b>5</b>	<b>Murrumbidgee Valley Nature Reserve</b>	19
(1)	An area of about 1,773 hectares, comprising Yanga Nature Reserve reserved by notice in the NSW Government Gazette on 28 April 1972.	20 21
(2)	An area of about 71 hectares, comprising Narrandera Nature Reserve reserved by notice in the NSW Government Gazette on 24 September 1965, excluding the area revoked under the <i>National Parks and Wildlife (Amendment) Act 1969</i> .	22 23 24 25
<b>6</b>	<b>Murrumbidgee Valley State Conservation Area</b>	26
	An area of about 33,890 hectares, comprising Yanga State Conservation Area reserved by notice in the NSW Government Gazette on 28 February 2007.	27 28 29

<b>Schedule 10</b>	<b>Land transfers—ancillary and special provisions</b>	1
		2
<b>1</b>	<b>Exclusion of freehold and certain leasehold interests</b>	3
(1)	The following land is not reserved by this Act:	4
(a)	land that a person holds for an estate in fee simple,	5
(b)	land that a person holds under a perpetual lease, a special lease or a term lease within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> ,	6
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		8
(c)	land that a person holds under a lease under the <i>Western Lands Act 1901</i> ,	9
		10
(d)	land that is comprised in an incomplete purchase within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> ,	11
		12
(e)	land that has been transferred to Murrumbidgee Irrigation Limited by operation of the order of the Minister for Land and Water Conservation under section 78 of the <i>Irrigation Corporations Act 1994</i> dated 26 June 1997.	13
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(2)	This clause has effect despite any other provision of this Act.	17
(3)	However, this clause does not apply to any interest in land of the NPW Minister or the Water Administration Ministerial Corporation.	18
		19
<b>2</b>	<b>Application of Act</b>	20
(1)	This Act has effect despite the provisions of the <i>Forestry Act 1916</i> and, in particular, despite any different procedure under that Act for the revocation of State forests, national forests, special management zones, flora reserves or timber reserves.	21
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(2)	This Act has effect despite the provisions of the <i>National Parks and Wildlife Act 1974</i> and, in particular, despite any different procedure for reserving or vesting, or revoking the reservation of, land under that Act.	25
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		27
<b>3</b>	<b>Reservation of lands as national parks, regional parks or state conservation areas</b>	28
		29
(1)	The lands reserved as, or as parts of, national parks, regional parks or state conservation areas by this Act are, for the purposes of the <i>National Parks and Wildlife Act 1974</i> , taken to have been so reserved by notice published under Division 1 of Part 4 of that Act.	30
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(2)	A reference in the <i>National Parks and Wildlife Act 1974</i> to the publication of a notice under Division 1 of Part 4 of that Act is, in relation to a reservation of any of the lands described in Schedule 1, 4, 6 or 8 that is effected by this Act, taken to be a reference to the	34
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	commencement of the operation of the relevant provision of this Act that effects the reservation on 1 July 2010 or 1 July 2015 (as the case requires).	1 2 3
(3)	A name assigned to any national park, regional park or state conservation area by this Act is taken to have been assigned to that land by notice published under Division 1 of Part 4 of the <i>National Parks and Wildlife Act 1974</i> .	4 5 6 7
(4)	Sections 35, 47D and 47R of the <i>National Parks and Wildlife Act 1974</i> do not apply to a reservation of land as, or as part of, a national park, regional park or state conservation area that is effected by this Act.	8 9 10
<b>4</b>	<b>Existing leases under Forestry Act 1916 affecting lands reserved as national parks</b>	11 12
	Section 42 (2) of the <i>National Parks and Wildlife Act 1974</i> applies to and in respect of a lease under the <i>Forestry Act 1916</i> , being a lease:	13 14
(a)	affecting any of the lands described in Schedule 1, 4 or 6 that are reserved as, or as parts of, national parks by this Act, and	15 16
(b)	current and in force immediately before 1 July 2010 (in the case of lands described in Schedule 1 or 4) or before 1 July 2015 (in the case of lands described in Schedule 6),	17 18 19
	in the same way as that section applies to a licence or permit under the <i>Forestry Act 1916</i> .	20 21
<b>5</b>	<b>Access roads within national parks or regional parks</b>	22
(1)	In this clause:	23
	<b>access roads</b> means the roads, tracks, trails and other means of access referred to in subclause (2) (a)–(c).	24 25
	<b>private land holding</b> means land held:	26
(a)	by an owner within the meaning of the <i>National Parks and Wildlife Act 1974</i> , or	27 28
(b)	as a holding within the meaning of the <i>Crown Lands Act 1989</i> .	29
(2)	This clause applies to and in respect of the following access roads situated within the lands described in Schedule 1, 2 or 4 immediately before 1 July 2010 or the lands described in Schedule 6 immediately before 1 July 2015:	30 31 32 33
(a)	roads of access within the meaning of section 33A of the <i>Forestry Act 1916</i> ,	34 35
(b)	roads, tracks, trails and other means of access used, immediately before 1 July 2010 or 1 July 2015 (as the case requires), for access to private land holdings within those lands,	36 37 38

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|-----|--|----------------------------------|
| (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.   | 1<br>2<br>3                      |
| (3) | The access roads to which this clause applies are not, on 1 July 2010 or 1 July 2015 (as the case requires), reserved as, or as part of, a national park or regional park by this Act but vest in the NPW Minister on behalf of the Crown for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> for an estate in fee simple, freed and discharged from:   | 4<br>5<br>6<br>7<br>8            |
| (a) | all trusts, obligations, estates, interests, rights of way or other easements, and   | 9<br>10                          |
| (b) | any dedication, reservation, Crown grant or vesting to which the lands were subject, and any such dedication, reservation, grant or vesting is revoked.  | 11<br>12<br>13                   |
| (4) | The access roads may continue, subject to this clause, to be used for the purposes for which they were used immediately before 1 July 2010 or 1 July 2015, as the case requires.   | 14<br>15<br>16                   |
| (5) | The NPW Minister must, under section 149 of the <i>National Parks and Wildlife Act 1974</i> , 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 <i>Forestry Act 1916</i> for the benefit of that land holding and in force immediately before 1 July 2010 or 1 July 2015, as the case requires. | 17<br>18<br>19<br>20<br>21<br>22 |
| (6) | The NPW Minister may from time to time revoke or vary the grant of a right of way under subclause (5).   | 23<br>24                         |
| (7) | Before 1 July 2015 (in the case of reservations taking effect on 1 July 2010) or before 1 July 2017 (in the case of reservations taking effect on 1 July 2015), the NPW Minister must, by one or more orders published in the Gazette, declare which of the access roads to which this clause applies:   | 25<br>26<br>27<br>28<br>29       |
| (a) | are excluded from reservation as part of a national park or regional park, or  | 30<br>31                         |
| (b) | are not so excluded and are reserved as part of the national park or regional park in which they are situated.   | 32<br>33                         |
|     | An order under this subclause may be published only with the concurrence of the Minister administering the <i>Forestry Act 1916</i> .  | 34<br>35                         |
| (8) | On the publication of an order under subclause (7):  | 36                               |
| (a) | the access roads that are referred to in the order as excluded from reservation as part of a national park or regional park remain vested in the NPW Minister for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> and may, subject to this  | 37<br>38<br>39<br>40             |

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	clause, continue to be used for the purposes for which they were used immediately before 1 July 2010 or 1 July 2015, as the case requires, and	1 2 3
	(b) the access roads that are not so excluded are reserved as part of the national park or regional park within which they are situated.	4 5
(9)	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 <i>National Parks and Wildlife Act 1974</i> in relation to any access road to which this clause applies.	6 7 8 9
(10)	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 11 12
(11)	This clause has effect despite the provisions of the <i>Forestry Act 1916</i> .	13
<b>6</b>	<b>Status of land vested in NPW Minister</b>	14
(1)	Any land that is vested by this Act in the NPW Minister for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> 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.	15 16 17 18
(2)	Any such land is, to the extent that it relates to land subject to a lease preserved by section 7 or 11, 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.	19 20 21 22
<b>7</b>	<b>Provisions relating to activities carried out on land vested in NPW Minister</b>	23 24
(1)	This clause applies to and in respect of land vested in the NPW Minister for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> by this Act.	25 26 27
(2)	For the avoidance of doubt, the purposes for which the NPW Minister's powers under section 149 of the <i>National Parks and Wildlife Act 1974</i> 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.	28 29 30 31 32
(3)	The Director-General of the Department of Environment, Climate Change and Water 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.	33 34 35 36
(4)	In this clause, <i>relevant access roads</i> means roads, tracks, trails and other means of access through any land reserved under the <i>National Parks and Wildlife Act 1974</i> to land to which this clause applies.	37 38 39

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<b>8</b>	<b>Administration of existing interests affecting land vested in NPW Minister</b>	1 2
(1)	The administration of matters relating to existing interests affecting any of the lands described in Schedule 3 or 7, and preserved by section 7 or 11, is vested in the NPW Minister.	3 4 5
(2)	For the purposes of subclause (1), the NPW Minister has the powers of the Minister administering the <i>Crown Lands (Continued Tenures) Act 1989</i> or the <i>Western Lands Act 1901</i> .	6 7 8
(3)	In this clause, <i>existing interest</i> means a perpetual lease, special lease or term lease within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> (or rights or interests arising under an incomplete purchase within the meaning of that Act) or a lease under the <i>Western Lands Act 1901</i> .	9 10 11 12 13
<b>9</b>	<b>Saving in relation to revocations</b>	14
	A revocation effected by this Act does not affect anything done or omitted to be done before the revocation takes effect.	15 16
<b>10</b>	<b>Non-application of section 138 of Roads Act 1993</b>	17
	Section 138 of the <i>Roads Act 1993</i> does not apply to anything done under a provision of this Act in relation to a road that is, or is on, land reserved under this Act.	18 19 20
<b>11</b>	<b>Provisions relating to certain existing access roads</b>	21
(1)	In this clause: <i>access road</i> means an access road to which clause 5 of this Schedule applies. <i>exclusion order</i> means an order under clause 5 (7) of this Schedule that excludes an access road from reservation under this Act.	22 23 24 25 26
(2)	At the time an exclusion order is made, the NPW Minister may, by order published in the Gazette, determine a width (not being a width greater than 30 metres) for an access road that is to be excluded from reservation under this Act by the exclusion order.	27 28 29 30
(3)	An order under subclause (2) may:	31
(a)	be made only with the concurrence of the Minister administering the <i>Forestry Act 1916</i> , and	32 33
(b)	be made by the same order that constitutes the exclusion order concerned, and	34 35

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| (c) | be made only if the NPW Minister has determined it is appropriate after considering:  | 1  |
|     |   | 2  |
|     | (i) the objects of the <i>National Parks and Wildlife Act 1974</i> ,  | 3  |
|     | and   | 4  |
|     | (ii) whether a road of the determined width is necessary to provide access to land in the vicinity of the road or to provide an appropriate setback (within the meaning of section 14) from the carriageway of the road.  | 5  |
|     |   | 6  |
|     |   | 7  |
|     |   | 8  |
| (4) | On the making of an order under subclause (2):  | 9  |
|     | (a) land of the determined width that follows the centreline of the access road (as it existed before the order was made) vests, if it is not already vested, in the NPW Minister on behalf of the Crown for the purposes of Part 11 of the <i>National Parks and Wildlife Act 1974</i> for an estate in fee simple, freed and discharged from: | 10 |
|     |   | 11 |
|     |   | 12 |
|     |   | 13 |
|     |   | 14 |
|     | (i) all trusts, obligations, estates, interests, rights of way or other easements, and  | 15 |
|     |   | 16 |
|     | (ii) any dedication, reservation, Crown grant or vesting to which the land is subject, and any such dedication, reservation, grant or vesting is revoked, and   | 17 |
|     |   | 18 |
|     |   | 19 |
|     | (b) the land referred to in paragraph (a) is taken to be an access road and may continue to be used for the purposes for which it was used immediately before the making of the order, and  | 20 |
|     |   | 21 |
|     |   | 22 |
|     | (c) if any land was vested in the NPW Minister by virtue of being an access road, but is not covered by the land referred to in paragraph (a), the land is reserved as part of the reserved land within which it is situated.   | 23 |
|     |   | 24 |
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<b>Schedule 11</b>	<b>Amendment of Acts</b>	1
<b>11.1</b>	<b>Forestry and National Park Estate Act 1998 No 163</b>	2
<b>[1]</b>	<b>Section 28 Forest agreement prerequisite for approval</b>	3
	Insert after section 28 (3):	4
	(4) This section does not apply in respect of the Riverina area as defined in the <i>National Park Estate (Riverina Red Gum Reservations) Act 2010</i> .	5 6 7
<b>[2]</b>	<b>Section 36 Application of Environmental Planning and Assessment Act 1979</b>	8 9
	Insert at the end of section 36 (2A):	10
	Any such declaration that is in force under that Part when the integrated forestry operations approval is granted (and any approval under that Part in relation to the declaration) has no effect during that period.	11 12 13 14
<b>11.2</b>	<b>Forestry Restructuring and Nature Conservation Act 1995 No 50</b>	15 16
<b>[1]</b>	<b>Section 4 Payments from the Fund for certain programs</b>	17
	Omit section 4 (1) (a) and (3).	18
<b>[2]</b>	<b>Section 4 (1) (e)</b>	19
	Insert after section 4 (1) (d):	20
	(e) Expenditure for the purpose of implementing forestry restructure and assistance schemes and programs in the Riverina area (within the meaning of the <i>National Park Estate (Riverina Red Gum Reservations) Act 2010</i> ), including business exit assistance, timber worker assistance, industry development assistance and departmental administration of funding assistance, shown in the Budget Papers or declared in writing by the Treasurer as expenditure to be recouped from the Fund. That expenditure is referred to in this Act as <b><i>Riverina area expenditure</i></b> .	21 22 23 24 25 26 27 28 29 30 31
<b>[3]</b>	<b>Section 4 (5)</b>	32
	Omit “Minister for Primary Industries”.	33
	Insert instead “Minister for Mineral and Forest Resources”.	34



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<b>[4] Section 4 (6)</b>	1
Insert after section 4 (5):	2
(6) Money is not to be paid from the Fund under this Act in respect of Riverina area expenditure unless the Minister for Climate Change and the Environment and the Minister for Mineral and Forest Resources jointly certify that the expenditure has been incurred for the purposes of implementing a scheme or program designed to assist persons affected by Government forest conservation initiatives in the Riverina area.	3 4 5 6 7 8 9
<b>[5] Section 6</b>	10
Omit the section. Insert instead:	11
<b>6 Limit on payments—Riverina area expenditure</b>	12
The total amounts paid from the Fund under this Act in respect of Riverina area expenditure must not exceed \$38,813,000.	13 14
<b>[6] Section 7</b>	15
Omit the section. Insert instead:	16
<b>7 Sunset of payments—Riverina area expenditure</b>	17
Payments from the Fund under this Act in respect of Riverina area expenditure must not be made after 30 June 2015.	18 19
<b>[7] Section 11</b>	20
Omit the section. Insert instead:	21
<b>11 Ministers to report on payments from the Fund for Riverina area expenditure</b>	22 23
(1) The Minister for Climate Change and the Environment and the Minister for Mineral and Forest Resources are to prepare a joint report on Riverina area expenditure under this Act for tabling in both Houses of Parliament.	24 25 26 27
(2) The reports are to be made for each financial year commencing 1 July 2010 during which any such expenditure is incurred.	28 29
(3) The reports may be included in the annual reports of any department responsible to either Minister.	30 31
<b>[8] The whole Act</b>	32
Omit “Minister for the Environment” wherever occurring.	33
Insert instead “Minister for Climate Change and the Environment”.	34

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<b>11.3 Native Title (New South Wales) Act 1994 No 45</b>	1
<b>Section 104A Saving of native title rights and interests with respect to national parks and other reservations, dedications or declarations</b>	2
	3
Insert “, the <i>National Park Estate (Riverina Red Gum Reservations) Act 2010</i> ”	4
after “ <i>National Park Estate (Lower Hunter Region Reservations) Act 2006</i> ” in	5
section 104A (1) (a).	6