

FIRST PRINT

**FORESTRY (ENVIRONMENTAL PROTECTION)
AMENDMENT BILL 1988**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Forestry Act 1916—

- (a) to provide for the preparation of forest environment plans which will regulate and control the carrying on of forestry operations in State forests and timber reserves and make provision for environmental protection in those areas; and
- (b) to provide that, when a forest environment plan applies, forestry operations in State forests and timber reserves are not as a general rule required to be the subject of an environmental impact statement under the Environmental Planning and Assessment Act 1979 ("the Assessment Act") and are not to be subject to an environmental planning instrument under that Act; and
- (c) to provide a mechanism by which matters that are likely to significantly affect the environment can be identified by forest environment plans and then become the subject of an environmental impact statement under the Assessment Act.

The Bill also makes consequential amendments to the Land and Environment Court Act 1979.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Forestry Act 1916 (Schedule 1).

Clause 4 is a formal provision that gives effect to the Schedule of amendments to the Land and Environment Court Act 1979 (Schedule 2).

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916

Schedule 1 (1) inserts into the Principal Act a definition of "forest environment plan", being a plan made by the Minister under proposed Part 4A of the Principal Act.

Forestry (Environmental Protection) Amendment 1988

Schedule 1 (2) inserts proposed Part 4A into the Principal Act (proposed sections 33B–33ZG):

PART 4A—ENVIRONMENTAL ASSESSMENT AND CONTROL OF CERTAIN FORESTRY OPERATIONS

Division 1—Preliminary

Proposed section 33B defines certain terms for the purposes of the proposed Part. An important definition is that of “designated forestry operation” which means certain forestry operations in State forests and timber reserves, namely, the taking of timber and other materials, the propagation of trees and shrubs, fire, drought, flood and disease protection measures, and other incidental development.

Proposed section 33C states that the object of the proposed Part is to provide for the proper management and orderly utilisation and development of State forests and timber reserves and for environmental protection that is consistent with forestry.

Proposed section 33D provides that the proposed Part binds the Crown.

Division 2—Forest environment plans to control designated forestry operations

Proposed section 33E requires designated forestry operations to be carried out in accordance with any applicable forest environment plan. The maximum penalty for a failure to do so is 200 penalty units (\$20,000).

Proposed section 33F makes it clear that compliance with a forest environment plan does not excuse a person from compliance with the rest of the Act (e.g. licensing provisions).

Proposed section 33G makes it clear that the fact that a forest environment plan does not apply to particular land does not prevent the carrying out of forestry operations on the land. In such a case, the provisions of an environmental planning instrument can still apply.

Division 3—Preparation and content of forest environment plans

Proposed section 33H charges the Forestry Commission with the duty of preparing forest environment plans for State forests and timber reserves throughout the State.

Proposed sections 33I–33M set out what a forest environment plan can provide for. The purpose of such a plan is to achieve the object of the proposed Part. It can control, regulate and prohibit designated forestry operations and protect or preserve the environment. It may provide that some operations can be carried out without the Minister’s consent and some only with the Minister’s consent and that some are prohibited. Each plan can apply to part or all of a discrete forest area or a number of forest areas in proximity to each other. Each plan must state its aims and objectives.

Proposed section 33N provides that a forest environment plan remains in force for up to 10 years, as specified in the plan.

Division 4—Procedure for making forest environment plans

Proposed section 33O requires the Commission to undertake an environmental study before a forest environment plan is prepared.

Proposed section 33P authorises the Commission to consult with persons, bodies and public authorities in respect of the environmental study and draft plan.

Proposed section 33Q requires the Commission to publicly exhibit draft plans.

Proposed section 33R authorises the making by the public of submissions on draft plans.

Proposed section 33S requires the Commission to consider any submission and authorises it to amend and re-exhibit draft plans.

Forestry (Environmental Protection) Amendment 1988

Proposed section 33T requires the draft plan to be submitted to the Minister together with a report on any public submissions received. The Commission can defer matter from a plan for further consideration.

Proposed section 33U authorises the Minister to refer certain matters to the Minister for Planning before making a forest environment plan. The matters that may be referred are those in which the Minister thinks there is a high level of public interest. The Minister for Planning can make representations on the matters referred.

Proposed section 33V deals with the Minister's power to make forest environment plans. The Minister can make the plan as submitted or may amend it or can decide not to proceed with it. When a plan is made it is required to be published in the Gazette.

Proposed section 33W requires forest environment plans to be made available for public inspection and purchase and to be furnished to any local council that is affected.

Division 5—Review and amendment of forest environment plans

Proposed section 33X requires the Commission to keep forest environment plans under regular and periodic review.

Proposed section 33Y permits the amendment or repeal of forest environment plans by subsequent forest environment plans.

Proposed section 33Z provides that the repeal of a plan does not affect its previous operation.

Division 6—Operation of Assessment Act while forest environment plan applies

Proposed section 33ZA provides that while a forest environment plan applies to land the provisions of an environmental planning instrument do not apply to the extent that those provisions would regulate or prohibit the carrying out of designated forestry operations on the land.

Proposed section 33ZB provides that when a forest environment plan is in force a designated forestry operation to which the plan applies is not an activity to which Part 5 of the Assessment Act applies unless the plan identifies the activity as likely to significantly affect the environment. (Part 5 of the Assessment Act relates to environmental assessment and the preparation of environmental impact statements.)

Division 7—Miscellaneous

Proposed section 33ZC applies the enforcement provisions of the Assessment Act to the enforcement of forest environment plans. This authorises, among other things, the granting of injunctions to restrain breaches, and class actions.

Proposed section 33ZD requires judicial notice to be taken of forest environment plans.

Proposed section 33ZE requires any legal proceedings challenging the validity of a forest environment plan to be taken in the Land and Environment Court. No such proceedings can be taken more than 3 months after a plan is published.

Proposed section 33ZF makes it clear that the Minister has power to initiate the preparation of forest environment plans and to direct the review of forest environment plans.

Proposed section 33ZG authorises the Minister to grant consent to designated forestry operations subject to conditions.

Schedule 1 (3) authorises the making of regulations prescribing the format, structure and subject-matter of forest environment plans.

Forestry (Environmental Protection) Amendment 1988

Schedule 1 (4) makes consequential amendments to the provisions of the Principal Act dealing with the taking of proceedings for offences. Proceedings for an offence under proposed Part 4A will now be able to be taken in the Land and Environment Court. If taken in a Local Court, the maximum penalty that may be imposed is 50 penalty units (\$5,000).

**SCHEDULE 2—AMENDMENT OF LAND AND ENVIRONMENT COURT ACT
1979**

Schedule 2 makes consequential amendments to the Land and Environment Court Act 1979 to reflect the fact that certain proceedings in respect of proposed Part 4A of the Forestry Act 1916 will be able to be taken in that Court and to confer exclusively on that Court the civil jurisdiction that the Supreme Court would have had in respect of the proposed Part.

FORESTRY (ENVIRONMENTAL PROTECTION) AMENDMENT BILL 1988

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Forestry Act 1916 No. 55
4. Amendment of Land and Environment Court Act 1979 No. 204

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916

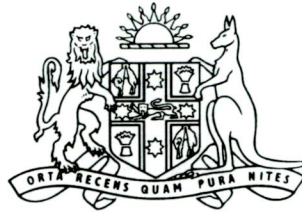
SCHEDULE 2—AMENDMENT OF LAND AND ENVIRONMENT COURT ACT
1979

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**FORESTRY (ENVIRONMENTAL PROTECTION)
AMENDMENT BILL 1988**

NEW SOUTH WALES



No. , 1988

A BILL FOR

An Act to amend the Forestry Act 1916 to make provision for environmental assessment of forestry operations in State forests and timber reserves, and for other purposes; and to make consequential amendments to the Land and Environment Court Act 1979.

Forestry (Environmental Protection) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Forestry (Environmental Protection) Amendment Act 1988.

5 Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Forestry Act 1916 No. 55

3. The Forestry Act 1916 is amended as set out in Schedule 1.

10 Amendment of Land and Environment Court Act 1979 No. 204

4. The Land and Environment Court Act 1979 is amended as set out in Schedule 2.

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916

(Sec. 3)

15 (1) Section 4 (Definitions)—

After the definition of "Flora reserve", insert:

"Forest environment plan" means a forest environment plan in force under Part 4A.

(2) Part 4A—

20 After Part 4, insert:

PART 4A—ENVIRONMENTAL ASSESSMENT AND CONTROL OF CERTAIN FORESTRY OPERATIONS

Division 1—Preliminary

Definitions

25 33B. In this Part—

"Assessment Act" means the Environmental Planning and Assessment Act 1979;

"designated forestry operation" means any of the following activities in a State forest or timber reserve:

- 30**
- (a) the taking of timber, products or forest materials;
 - (b) the propagation of trees and shrubs, whether for sale or other purposes;
 - (c) the taking of measures for the protection of timber or products from fire, drought, flood or disease;

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

- (d) development (within the meaning of the Assessment Act) that is carried out for the purposes of or that is reasonably incidental to an activity specified in paragraph (a), (b) or (c);

5 “environment” has the same meaning as in the Assessment Act;
 “environmental planning instrument” has the same meaning as in the Assessment Act (and includes a deemed environmental planning instrument within the meaning of that Act).

Object of Part

10 33C. The object of this Part is to make provision for—

- (a) the proper management and the orderly and economic utilisation and development of timber, products and forest materials in State forests and timber reserves; and
 15 (b) the protection of the environment of State forests and timber reserves, and of their surroundings, consistent with their use for the purposes of forestry.

Part binds Crown

20 33D. This Part binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities.

Division 2—Forest environment plans to control designated forestry operations**Forest environment plans must be complied with**

25 33E. (1) When a forest environment plan applies to land, a person who carries out a designated forestry operation on the land is guilty of an offence if—

- (a) the person does so otherwise than in accordance with the provisions of the plan; or
 30 (b) the person does so pursuant to a consent of the Minister and fails to comply with the terms of the consent or with any conditions to which the consent is subject; or
 (c) the plan prohibits the carrying out of the operation.

Maximum penalty: 200 penalty units.

35 (2) If a forest environment plan is in force but does not permit the carrying out of a designated forestry operation (whether with or without consent) on land to which it applies, the plan shall be regarded as prohibiting the carrying out of the operation on the land concerned.

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued***Compliance with rest of Act still required**

33F. Compliance with the provisions of a forest environment plan does not excuse a person from compliance with the other provisions of this Act (including, for example, the provisions of Part 3 concerning licences).

If no plan applies forestry operations can still be carried out

33G. The fact that no forest environment plan applies to particular land does not prevent the carrying out of designated forestry operations on the land and does not affect the operation of the Assessment Act in relation to the land.

Division 3—Preparation and content of forest environment plans**Duty of commission to prepare forest environment plans**

33H. (1) The commission shall prepare forest environment plans in respect of State forests and timber reserves.

(2) For that purpose, the commission shall undertake a program for the preparation of forest environment plans for all State forests and timber reserves throughout the State.

(3) The program shall be undertaken as expeditiously as the availability of the necessary resources reasonably allows.

What plans can make provision for

33I. (1) Forest environment plans may be made in accordance with this Part for the purpose of achieving the object of this Part.

(2) Without affecting the generality of subsection (1), a forest environment plan may make provision for or with respect to—

- (a) controlling, regulating or prohibiting the carrying out of designated forestry operations; and
- (b) protecting or preserving the environment (including flora and fauna); and
- (c) such other matters as are authorised or required to be included in the plan by or under this Act.

(3) A forest environment plan may make different provision for different parts of the land to which it applies.

Plans can prohibit or restrict forestry operations

33J. (1) Without limiting the generality of section 33I, a forest environment plan may provide that specified designated forestry operations or all designated forestry operations other than specified operations—

- (a) may be carried out without the Minister's consent; or

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

(b) shall not be carried out except with the Minister's consent;
or

(c) are prohibited.

5 (2) A forest environment plan may specify designated forestry operations by specifying a class of designated forestry operations.

Aims and objectives to be stated

33K. (1) A forest environment plan must state the aims, objectives, policies and strategies whereby the plan is designed to achieve the object of this Part.

10 (2) Such a statement does not affect the construction or effect of any other provision of the plan.

(3) If a provision of a forest environment plan is genuinely capable of different interpretations, that interpretation which best meets the stated aims, objectives, policies and strategies shall be preferred.

(4) A failure to comply with subsection (1) does not affect the validity, construction or effect of a forest environment plan.

Format of plans and draft plans

20 33L. The format, structure and subject-matter of a forest environment plan shall be as required by this Part and the regulations.

Extent of area to which a plan can apply

33M. A forest environment plan may apply only to all or part of—

25 (a) one State forest or timber reserve; or

(b) 2 or more State forests or timber reserves (or a combination of such forests and reserves) that are in proximity to each other or that are in the same locality.

Period for which plan is in force

30 33N. (1) A forest environment plan remains in force for the period, not exceeding 10 years, specified in the plan.

(2) Forest environment plans shall be reviewed as required by section 33X.

35 (3) If the Minister is satisfied that exceptional circumstances justify it, the Minister may by notice published in the Gazette extend the period for which a plan remains in force by up to 1 year.

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued***Division 4—Procedure for making forest environment plans****Environmental studies**

5 33O. (1) Before starting to prepare a draft forest environment plan, the commission shall undertake an environmental study of the land to which the plan is intended to apply.

(2) The environmental study shall have regard to such matters relating to the environment of the land concerned, or of part of that land, as the commission determines.

10 (3) The commission shall prepare the draft forest environment plan having regard to the results of the environmental study undertaken.

Consultation

15 33P. The commission may hold consultations with such persons, bodies or public authorities as the commission determines in respect of an environmental study or draft forest environment plan.

Public exhibition of draft plans

20 33Q. (1) When a draft forest environment plan has been prepared, the commission shall—

- 25 (a) give public notice of the places where and the dates and times when the draft plan may be inspected by the public; and
- (b) publicly exhibit the draft plan, together with a summary of the environmental study undertaken in connection with it, in accordance with that notice; and
- (c) publicly exhibit such other matters as the commission considers appropriate or necessary to enable the draft plan and its implications to be better understood; and
- 30 (d) specify, in the public notice, the period during which submissions may be made to the commission concerning the draft plan.

(2) The public notice shall be in the form and given in the manner that the commission determines.

Submissions

35 33R. Any person may make submissions to the commission concerning a draft forest environment plan during the period allowed for the making of submissions in the notice by which public exhibition of the plan is notified.

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued***Consideration of submissions**

33s. (1) The commission shall consider any submissions made within the period allowed and may, if the commission thinks fit—

- 5 (a) amend the draft plan, whether or not as a consequence of the consideration of any submission; and
- (b) publicly exhibit that amended draft plan together with a written explanation of the reasons for the amendments, at such places, on such dates and during such times as it determines.
- 10 (2) When an amended draft plan is publicly exhibited—
- (a) the commission shall cause public notice to be given in a form and manner determined by the commission specifying the period during which submissions may be made to the commission; and
- 15 (b) section 33R and subsection (1) apply to and in respect of the amended draft plan in the same way as they apply to and in respect of a draft plan.

Submission of draft plans to the Minister

20 33T. (1) The commission shall submit the draft forest environment plan, with any amendments made under section 33s, to the Minister.

25 (2) In submitting the draft plan, the commission may exclude provisions from it, or exclude land from its application, if the commission thinks the excluded matter requires further consideration but should not prejudice consideration by the Minister of the draft plan.

(3) When submitted to the Minister, the draft plan must be accompanied by a report by the commission on any submissions made under section 33R concerning the draft plan.

30 (4) The commission may subsequently take action under section 33s and this section in respect of matter excluded under subsection (2) and for that purpose the excluded matter shall be considered to be a draft forest environment plan.

Certain matters may be referred to Minister for Planning before plan is made

35 33U. If the Minister is of the opinion that any matter for which a forest environment plan will make provision has attracted or would be likely to attract a high level of public interest, the Minister may, before making the plan—

- 40 (a) notify the Minister for Planning of the matter; and

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

- (b) take into consideration any representations concerning the matter made by the Minister for Planning within 28 days after that Minister was notified.

Making of forest environment plans by the Minister

5 33v. (1) When the commission submits a draft forest environment plan to the Minister, the Minister may—

- (a) make a forest environment plan in accordance with the draft plan as submitted to the Minister or in accordance with that draft plan with such alterations as the Minister
10 thinks fit; or
- (b) direct the commission to publicly exhibit the draft plan with such alterations as the Minister specifies, in which case this section and sections 33Q–33T shall, with any necessary adaptations, apply to that plan; or
- (c) decide not to proceed with the draft forest environment
15 plan.

(2) A forest environment plan shall—

- (a) be published in the Gazette; and
20 (b) take effect on and from the date of publication or a later date specified in the plan.

(3) A plan shall be regarded as having been published in the Gazette even if any map or other instrument or material referred to, embodied or incorporated in the plan is not so published.

Public inspection etc.

25 33w. (1) Copies of each forest environment plan shall be available during ordinary office hours for public inspection without charge, or for purchase at a reasonable price determined by the commission, at the office of the commission nearest the area to which the plan applies.

30 (2) The commission shall furnish each council under the Local Government Act 1919 with a copy of any forest environment plan that affects the council's area.

(3) Any map or other instrument or material referred to, embodied or incorporated in the plan must accompany a plan
35 when it is made available for inspection or furnished to a council under this section.

Division 5—Review and amendment of forest environment plans**Review of plans**

40 33x. (1) The commission shall keep forest environment plans under regular and periodic review so as to have regard to such changing circumstances as may in the commission's opinion be relevant.

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

(2) A failure to comply with this section does not affect the validity of a forest environment plan.

(3) This section does not require the review of a forest environment plan if its only effect is to amend another forest environment plan.

Amendment of plans

33Y. (1) A forest environment plan may be amended or repealed, in whole or in part, by a subsequent forest environment plan made in accordance with this Part.

(2) Unless the Minister otherwise directs, section 33O (undertaking of environmental studies) does not apply to the making of the subsequent plan if its only effect is to amend or repeal a forest environment plan.

Effect of amendments or repeals

33Z. (1) The amendment or repeal (whether in whole or in part) of a forest environment plan does not affect—

- (a) the previous operation of the plan or anything duly suffered, done or commenced under the plan; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the plan; or
- (c) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability.

(2) Any such investigation, legal proceeding or remedy may be instituted, continued or enforced as if the plan had not been amended or repealed.

(3) When a plan ceases to be in force because of effluxion of time it shall be regarded as having been repealed.

Division 6—Operation of Assessment Act while forest environment plan applies**Environmental planning instruments not to apply to forestry operations while plan applies**

33ZA. (1) While a forest environment plan applies to land, the provisions of an environmental planning instrument that would otherwise apply to the carrying out of a designated forestry operation on the land do not apply to the carrying out of that operation and, in particular—

- (a) do not apply to impose requirements or restrictions on the carrying out of the designated forestry operation (including a requirement for consent under the Assessment Act); and

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

(b) do not apply to prohibit the carrying out of the designated forestry operation.

(2) This section has effect despite the provisions of the Assessment Act and any environmental planning instrument (whether made before or after the commencement of this section).

(3) This section does not affect the operation of the Assessment Act or an environmental planning instrument in respect of development that is not a designated forestry operation.

Forest environment plan removes forestry activities from Part 5 of Assessment Act

33ZB. (1) A forest environment plan may identify a specified activity, when carried out on all or part of the land to which the plan applies, as being an activity that is likely to significantly affect the environment.

(2) A designated forestry operation is not an activity within the meaning of Part 5 of the Assessment Act when carried out or proposed to be carried out on land to which a forest environment plan applies unless so identified.

(3) An activity so identified (when carried out or proposed to be carried out on the land concerned)—

(a) is an activity for the purposes of Part 5 (relating to environmental assessment) of the Assessment Act; and

(b) is, for the purposes of sections 112–115 (relating to environmental impact statements) of that Act, an activity that is likely to significantly affect the environment.

(4) If an activity is identified by a forest environment plan as being an activity that is likely to significantly affect the environment, the plan must provide that the activity is not to be carried out except with the consent of the Minister.

Division 7—Miscellaneous

Enforcement of forest environment plans

33ZC. For the purpose only of enabling a breach of section 33E (requirement to comply with forest environment plans) to be remedied or restrained, the provisions of sections 122–124 of the Assessment Act (relating to orders of the Land and Environment Court) apply to and in respect of this Part as if—

(a) the provisions of this Part were provisions of Part 4 of the Assessment Act; and

(b) a forest environment plan were an environmental planning instrument; and

SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*

- (c) an application for the Minister's consent to the carrying out of designated forestry operations were a development application.

Judicial notice etc.

5 33ZD. (1) Judicial notice shall be taken of a forest environment plan and of the date of its publication in the Gazette.

(2) It shall be presumed, in the absence of evidence to the contrary, that all conditions and preliminary steps precedent to the making of a forest environment plan have been complied with and performed.

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Legal proceedings to question validity

33ZE. The validity of a forest environment plan shall not be questioned in any legal proceedings except those commenced in the Land and Environment Court within 3 months of the date of its publication in the Gazette.

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Power of Minister to order preparation or review of plans

33ZF. (1) The Minister may direct the commission to prepare and submit to the Minister under this Part a forest environment plan for a specified purpose or purposes.

20

(2) The Minister may direct the commission to review the whole or any part of a specified forest environment plan having regard to such matters as the Minister directs.

(3) The commission must comply with a direction under this section but this section does not limit the Minister's power under section 9 to control and direct the commission in the exercise and discharge of its powers, authorities, duties and functions under this Part.

25

Minister's consent

33ZG. (1) An application to the Minister for consent required by a forest environment plan to the carrying out of a designated forestry operation—

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- (a) shall be made as prescribed; and
- (b) shall be accompanied by the fee (if any) required by the Minister, not exceeding the prescribed amount.

35 (2) The Minister may determine the application—

- (a) by granting consent, either unconditionally or subject to conditions; or
- (b) by refusing consent.
- (3) Consent to an application must be in writing.

*Forestry (Environmental Protection) Amendment 1988***SCHEDULE 1—AMENDMENT OF FORESTRY ACT 1916—*continued*****(3) Section 41 (Regulations)—**

Section 41 (1) (t)—

After section 41 (1) (s), insert:

- (t) regulating the format, structure and subject-matter of forest environment plans;

5

(4) Section 46 (Proceedings for offences)—

(a) Section 46 (1)—

Omit “before a stipendiary magistrate sitting alone”, insert instead “before a Local Court constituted by a Magistrate sitting alone”.

(b) Section 46 (2)–(6)—

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Omit section 46 (2), insert instead:

(2) Proceedings for an offence against Part 4A may alternatively be taken before the Land and Environment Court in its summary jurisdiction.

15

(3) The maximum penalty that may be imposed in any such proceedings by a Local Court is 50 penalty units or the maximum penalty provided in respect of the offence, whichever is the lesser.

(4) The maximum penalty that may be imposed in any such proceedings by the Land and Environment Court is the maximum penalty provided in respect of the offence.

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(5) Proceedings referred to in this section may be commenced not later than 12 months after the time when the matter giving rise to those proceedings occurred.

25

(6) Proceedings for an offence against Part 4A shall not be instituted in the Land and Environment Court in its summary jurisdiction without the written consent of the Minister.

SCHEDULE 2—AMENDMENT OF LAND AND ENVIRONMENT COURT ACT 1979

(Sec. 4)

(1) Section 20 (Class 4—environmental planning and protection civil enforcement)—

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(a) Section 20 (1) (bb)—

After section 20 (1) (ba), insert:

- (bb) proceedings referred to in section 33ZE of the Forestry Act 1916;

Forestry (Environmental Protection) Amendment 1988

SCHEDULE 2—AMENDMENT OF LAND AND ENVIRONMENT
COURT ACT 1979—*continued*

- (b) Section 20 (3) (a)—
In alphabetical order of Acts, insert:
Part 4A of the Forestry Act 1916;
- 5 (2) Section 21 (**Class 5—environmental planning and protection summary enforcement**)—
Section 21 (fb)—
After section 21 (fa), insert:
(fb) proceedings under section 46 of the Forestry Act 1916 for
an offence against Part 4A of that Act;

1911

1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part contains a detailed account of the work done during the year.

3. The third part is a summary of the results of the work.

4. The fourth part is a list of the names of the persons who have taken part in the work.