

FIRST PRINT

**NATIONAL PARKS AND WILDLIFE (NEW AREAS AND
MISCELLANEOUS PROVISIONS) AMENDMENT BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to protect certain lands by reserving or dedicating those lands as national parks or nature reserves under the National Parks and Wildlife Act 1974 (or by adding them to existing national parks or nature reserves). To permit this, the Bill revokes any reservation or dedication as nature reserves, State forests, Crown reserves and flora reserves (or parts of them) and any dedication, reservation or setting apart under the Forestry Act 1916 of the lands concerned.

The Bill also amends the National Parks and Wildlife Act 1974 so as to provide for an alternative method of reserving and dedicating lands under the Act. The new method allows public participation in the process.

Clause 1 specifies the short title of the proposed Act.

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

Clause 3 gives effect to the Schedule of amendments to the National Parks and Wildlife Act 1974.

Clause 4 reserves as national parks the land identified in Part 1 of Schedule 2 as national parks.

Clause 5 dedicates as nature reserves the land identified in Part 2 of Schedule 2 as nature reserves.

Clause 6 revokes the dedication as a State forest and the dedication or setting apart as a flora reserve of so much of the land described in Schedule 2 as is, at present, so dedicated or set apart.

Clause 7 revokes the dedication as a nature reserve of certain land specified in Schedule 2 so that it can be reserved as a national park.

National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment 1993

Clause 8 revokes the reservation as a Crown reserve of so much of the land described in Schedule 2 as is, at present, so reserved.

Clause 9 preserves any existing leases or occupancies under the Forestry Act 1916 relating to the land being reserved or dedicated.

Clause 10 transfers the administration of any leases, licences, permits or occupancies affecting land reserved or dedicated by the proposed Act to the Minister administering the National Parks and Wildlife Act 1974.

Clause 11 provides that the land identified on the maps tabled with the Bill is taken to have been made (at the commencement of the Act) the subject of a request to the Director of National Parks and Wildlife that it be investigated to determine whether it should be reserved or dedicated under the Act, and of a recommendation to the Minister that an interim protection order be made in respect of it.

Schedule 1 (5) inserts a new Division (proposed sections 58AA to 58AN) into Part 4 of the Act. The proposed Division provides for organisations and individual members of the public to propose areas of land for reservation or dedication under the Act. It also allows public comment on the results of investigations of those proposals.

Schedule 1 (1)–(4) and (6) make consequential amendments.

Schedule 2 identifies the lands to be reserved or dedicated by the proposed Act.

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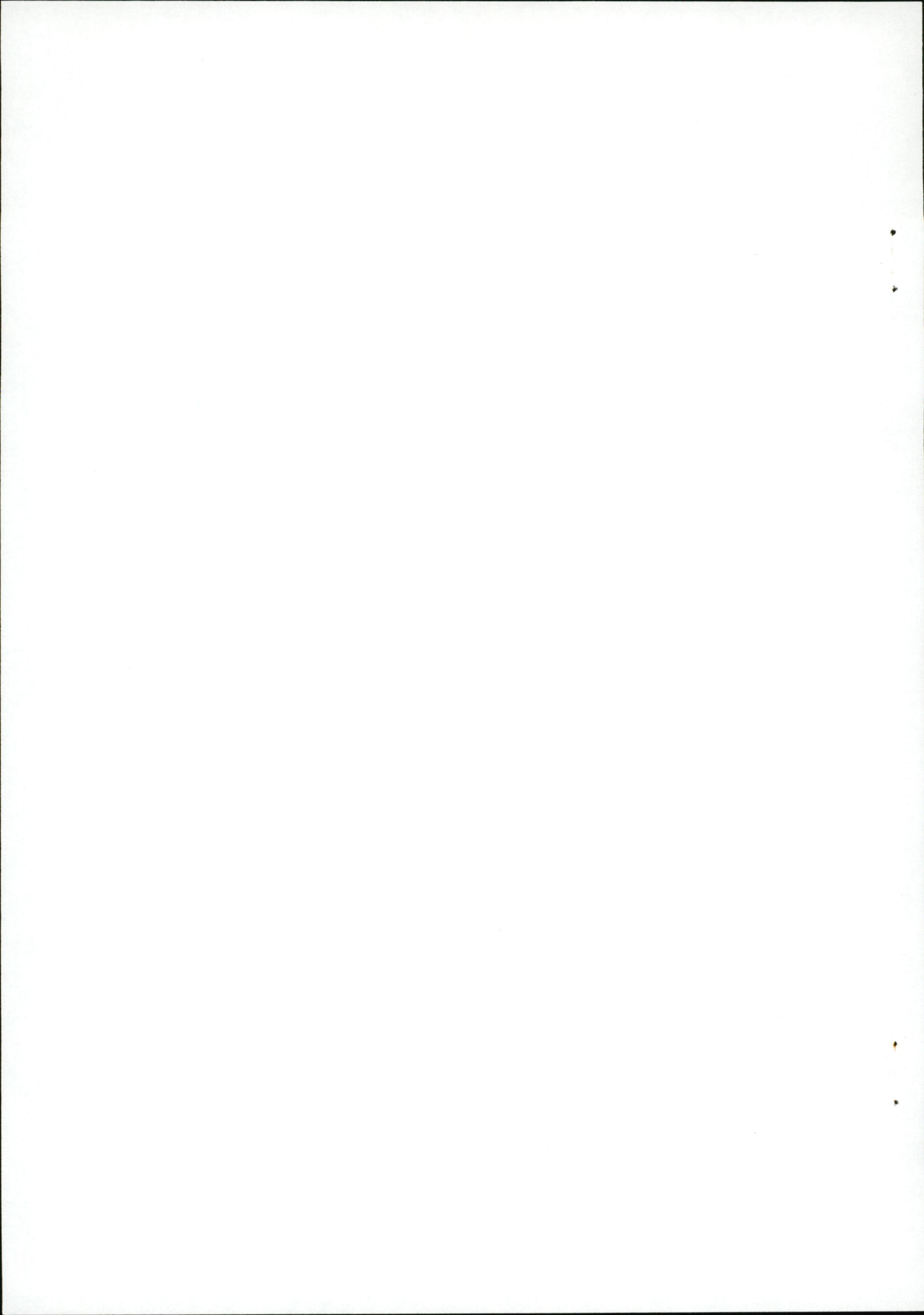


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**NATIONAL PARKS AND WILDLIFE (NEW AREAS AND
MISCELLANEOUS PROVISIONS) AMENDMENT BILL 1993**

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to protect certain lands by reserving or dedicating them as, or as parts of, national parks or nature reserves; to amend the National Parks and Wildlife Act 1974 to provide for nomination of areas for reservation or dedication under that Act; and for other purposes.

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993.

5 Commencement

2. This Act commences on the date of assent.

Amendment of National Parks and Wildlife Act 1974 No. 80

3. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 1.

10 Reservation of certain lands as national parks

4. (1) The lands described in Part 1 of Schedule 2 as national parks, including the land described as Cudmirrah Nature Reserve, are reserved as national parks.

15 (2) The lands described in Part 1 of Schedule 2 as an addition to Nangar National Park are reserved as national park and are added to Nangar National Park.

20 (3) Land reserved as, or as a part of, a national park by this section is, for the purposes of the National Parks and Wildlife Act 1974, taken to have been so reserved by proclamation made under section 33 (2) or (3) of that Act.

(4) A reference in the National Parks and Wildlife Act 1974 to the publication of a proclamation under section 33 (2) or (3) of that Act is, in relation to a reservation under this section, taken to be a reference to the enactment of this Act.

25 (5) Section 35 of the National Parks and Wildlife Act 1974 does not apply in relation to a reservation under this section.

Dedication of certain lands as nature reserves

5. (1) The lands described in Part 2 of Schedule 2 as nature reserves are dedicated as nature reserves.

(2) Land dedicated as a nature reserve by this section is, for the purposes of the National Parks and Wildlife Act 1974, taken to have been so dedicated by proclamation made under section 49 (1) or (2) of that Act.

(3) A reference in the National Parks and Wildlife Act 1974 to the publication of a proclamation under section 49 (1) or (2) of that Act is, in relation to a dedication under this section, taken to be a reference to the enactment of this Act. 5

(4) Section 58 (b) of the National Parks and Wildlife Act 1974 does not apply in relation to a dedication under this section. 10

Consequential revocation of dedication of certain State forests and flora reserves

6. (1) The dedication, as a State forest under the Forestry Act 1916, of so much of the land described in Schedule 2 as is a State forest, or part of a State forest, is revoked. 15

(2) The dedication or setting apart, as a flora reserve under the Forestry Act 1916, of so much of the land described in Schedule 2 as is a flora reserve is revoked.

(3) A revocation effected by this section in relation to any land does not affect anything done or omitted to be done before the commencement of this Act. 20

Consequential revocation of dedication of certain nature reserve

7. The dedication, as a nature reserve under the National Parks and Wildlife Act 1974, of the land described as Cudmirrah Nature Reserve in the description of Cudmirrah National Park in Part 1 of Schedule 2 is revoked. 25

Consequential revocation of reservation or dedication of other lands

8. The reservation or dedication of any of the land described in Schedule 2 as a Crown reserve under the Crown Lands Act 1989 is revoked. 30

Preservation of existing leases and occupancies under the Forestry Act 1916

9. Sections 42 (2) and 55 (2) of the National Parks and Wildlife Act 1974 apply to a lease or occupancy under the Forestry Act 1916, being a lease or occupancy: 35

- (a) that affects land reserved or dedicated by this Act; and
- (b) that is current and in force immediately before the commencement of this Act,

in the same way as they apply to a licence or permit under the Forestry Act 1916 affecting land within a national park or nature reserve.

Administration of existing leases etc.

10. (1) In this section, “existing interest” means a lease, licence, permit or occupancy affecting land reserved or dedicated by this Act, and current and in force immediately before the commencement of this Act.

10 (2) The administration of matters relating to existing interests, to the extent that those interests affect any such land and are not revoked by this Act, is (on and from the commencement of this Act) vested in the Minister administering the National Parks and Wildlife Act 1974.

15 (3) For the purposes of subsection (2), the Minister administering the National Parks and Wildlife Act 1974 is taken to have:

- (a) the powers of the Minister administering the Forestry Act 1916 in respect of existing interests under that Act; and
- (b) the powers of the Minister administering the Crown Lands Act 1989 in respect of existing interests under that Act.

20 **Certain land to be investigated for possible reservation or dedication**

11. (1) The parcels of land shown by black edging and hatching on the maps are taken to have been made, as at the commencement of this Act, the subject of a request and recommendation under section 58AE of the National Parks and Wildlife Act 1974 (as amended by this Act) and 25 the succeeding provisions of Division 2AA of Part 4 of that Act, as so amended, apply accordingly.

(2) In this section, “the maps” means the maps marked as follows:

- (a) “National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Abercrombie River National Park Proposal”;
- 30 (b) “National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Binghi National Park Proposal”;

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- (c) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Coolah Tops National Park Proposal";
- (d) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Gardens of Stone National Park Proposal"; 5
- (e) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Maroota National Park Proposal";
- (f) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Mummuga National Park Proposal"; 10
- (g) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Woomargama National Park Proposal"; 15
- (h) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Cudgen Nature Reserve Proposal";
- (i) "National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Act 1993—Queens Lake Nature Reserve Proposal"; 20

and tabled in the Legislative Assembly, when the Bill for this Act was introduced into the Legislative Assembly.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 8 (Miscellaneous powers and functions of Director):

5 At the end of section 8 (1), insert “The Director must investigate a proposal if requested to do so by the Council under section 58AE.”.

(2) Section 23 (Functions and duties of Council):

10 In section 23 (1) (a), after “Minister” where firstly occurring, insert “on matters relating to the reservation or dedication of lands under this Act and”.

(3) Section 49 (Dedication of nature reserves):

After section 49 (1) (a) and 2 (a), insert:

(a1) lands of the Crown; or

(4) Section 50 (Limitation on power to dedicate under s. 49):

15 At the end of section 50, insert:

(2) Despite section 49, no lands that are lands of the Crown are to be dedicated under section 49 (1) or (2) without the concurrence in writing of the Minister or public authority in whom they were vested immediately before the dedication.

(5) Part 4, Division 2AA:

After Division 2, insert:

Division 2AA—National parks, historic sites and nature reserves: additional methods of reservation and dedication

25 Definitions

58AA. In this Division:

“eligible land” means:

- (a) Crown lands; or
 (b) lands of the Crown; or
 30 (c) lands acquired under section 145, 146 or 148;

“exhibition notice” means a notice referred to in section 58AI;

SCHEDULE 1—AMENDMENTS—*continued*

“report package” means the report, submissions and comments referred to in section 58AK (3).

Additional provisions

58AB. (1) Any eligible land: 5

- (a) may be reserved as a national park or historic site, or as a part of a national park or historic site; or
- (b) may be dedicated as a nature reserve, or as a part of a nature reserve,

in accordance with this Division. 10

(2) Nothing in this section limits the operation of section 33 (2) and (3) or section 49 (1) and (2).

Proposals for investigations of new areas

58AC. Any person, body or organisation (including a statutory authority) may submit to the Council a written proposal that an area of eligible land be reserved as, or as a part of, a national park or historic site or dedicated as, or as a part of, a nature reserve. 15

Advisory Council to consider proposals

58AD. (1) Within 3 months after receiving such a proposal, the Council must consider whether the proposal should be investigated. 20

(2) In considering whether the proposal should be investigated, the Council must have regard to such of the principles set out in section 8 (2) as are, in the opinion of the Council, relevant. 25

Council request and recommendation

58AE. As a result of its consideration, the Council may do either or both of the following:

- (a) request the Director to investigate the proposal; 30
- (b) recommend to the Minister that an interim protection order be made in respect of the land concerned.

Director to investigate

58AF. (1) Within 9 months after receiving a request under this Division, the Director must investigate the proposal concerned and submit a report on it to the Council. 35

SCHEDULE 1—AMENDMENTS—*continued*

5 (2) In carrying out an investigation, the Director must ensure that the land that is the subject of the proposal is eligible land and must reject a proposal or part of a proposal that does not relate to eligible land.

(3) As soon as practicable after receiving a request, the Director must advise:

10 (a) the Local Aboriginal Land Council or Councils constituted for the area to which the proposal relates; and

(b) the person or persons in whom the land to which the proposal relates is vested,

of the proposal and invite those parties to comment on it.

Interim protection orders

15 58AG. Within 1 month after receiving a recommendation under this Division, the Minister must either make an interim protection order in respect of the land concerned or give the Council written reasons for not doing so.

Reports

20 58AH. (1) Any report submitted by the Director under this Division must include a consideration of each of the following:

25 (a) the cultural significance (being the aesthetic, historic, scientific or social value for past, present or future generations) of the land which is the subject of the proposal;

(b) the principles set out in section 8 (2) if, in the opinion of the Director, they are relevant;

30 (c) any comments received from the Local Aboriginal Land Council or Councils;

(d) any representation received from the person or persons in whom the land is vested;

35 (e) any representation received from the Water Board, the Hunter Water Corporation Limited, the Broken Hill Water Board or any other water supply authority, if the land the subject of the proposal is wholly or partly within the catchment area of the Board, Corporation or authority making the representation or if the waters from the land drain into the catchment area or a

SCHEDULE 1—AMENDMENTS—*continued*

structure or work of that Board, Corporation or authority;

- (f) any representation received from the Minister administering the Fisheries and Oyster Farms Act 1935, if the land the subject of the proposal is wholly or partly submerged by water; 5
- (g) any representation received from the Minister administering the Forestry Act 1916, if the land the subject of the proposal is wholly or partly under the control or management of the Forestry Commission; 10
- (h) any views expressed by a local government authority.

(2) Any such report must include a recommendation that the land the subject of the report be reserved or dedicated as, or as a part of, a national park, historic site or nature reserve, or that it not be so reserved or dedicated, or that part of it be so reserved or dedicated and part of it not be. 15

Public notice of investigation reports

58AI. After preparing a report under this Division, the Director must, before submitting it to the Council: 20

- (a) give public notice (an “**exhibition notice**”), in a form and manner determined by the Director, of the places where, and the dates and times when, copies of the report may be inspected; and
- (b) specify, in that notice, the address to which submissions in respect of the report may be sent. 25

Public submissions on reports

58AJ. Any person may, within one month of the publication of an exhibition notice (or such longer period as may be specified in the notice), make written submissions to the Director in respect of the report the subject of the notice. 30

Council comment on investigation reports

58AK. (1) One month after the publication of an exhibition notice (or, if the notice specifies a longer period for the making of submissions, on the expiration of that period), the Director must refer the report the subject of the notice, together with any submissions received in respect of it, to the Council for its comments. 35

SCHEDULE 1—AMENDMENTS—*continued*

(2) The Council may, within 3 months after receiving the report and any submissions, comment in writing on the report. Any such comments must be given to the Director.

5 (3) On the expiration of a period of 3 months after the report and any submissions were referred to the Council (or, if the Council comments on the report within that 3 months, on receiving the Council's comments), the Director must submit the report together with any submissions and any
10 comments of the Council (the "report package") to the Minister.

Tabling of report package

15 58AL. The Minister must cause the report package to be laid before each House of Parliament within 14 sitting days of the House after receiving it.

Minister's response

58AM. (1) The Minister must consider a report package.

20 (2) After considering the report package, the Minister may recommend to the Governor that the Governor, by proclamation made under section 33 (2) or (3) or section 49 (1) or (2) (as appropriate):

- 25 (a) reserve the eligible land or part of it as, or as a part of, a national park or historic site; or
(b) dedicate the eligible land or part of it as, or as a part of, a nature reserve.

(3) The Minister may make an interim protection order in respect of the eligible land or in respect of part of that land.

30 (4) The Minister must, within 3 months after receiving a report package, advise the Council and the Director in writing of the action taken or proposed to be taken, or that the Minister proposes to take no action, under subsection (2) or (3) in relation to the report package, and of the Minister's reasons.

Register of report packages

35 58AN. (1) The Director must keep a register containing:

- (a) copies of report packages; and

SCHEDULE 1—AMENDMENTS—*continued*

- (b) copies of the Minister's reasons, provided under section 58AG, for not making an interim protection order as recommended under section 58AE (b); and
- (c) copies of the Minister's reasons, provided under section 58AM (4), for the action taken (or for taking no action) under section 58AM (2) or (3). 5
- (2) The Director must make the register available for public inspection during ordinary business hours at the head office of the National Parks and Wildlife Service and must, on request and on the payment of reasonable copying fees, provide copies of or extracts from it. 10
- (6) Section 91B (**Interim protection orders**):
From section 91B (1), omit "section 91A", insert instead "section 58AE (b) or 91A". 15

SCHEDULE 2—LAND RESERVED OR DEDICATED

(Secs. 4–8)

PART 1—LAND RESERVED AS, OR AS PARTS OF, NATIONAL PARKS

CUDMIRRAH NATIONAL PARK

All that piece or parcel of land commencing at mean low water of the South Pacific Ocean northward by the southern prolongation of the western boundary of land grant to the Commonwealth (vide the Seat of Government Surrender Act 1909, and the Seat of Government Acceptance Act 1909 of the Commonwealth); thence by the western and northern boundaries of the said grant, thence by the easterly prolongation of the northern boundary of the said grant to mean low water of Sussex Inlet; thence generally northward by mean low water to the easterly prolongation of the southern boundary of Portion 83 (Parish of Farnham); thence west by the southern boundaries of Portion 83 and Portion 19, north by the western boundary of Portion 19, west by the southern boundary of Portion 126, south by the eastern boundary of public road (The Springs Road), generally south by the eastern boundary of Portion 128, west by the southern boundary of Portion 128, generally south by the eastern boundary of public road (The Springs Avenue), east by the northern boundary of Lot 1 D.P. 554118, south by the eastern boundary of Lot 1 D.P. 554118, west by the southern boundary of Lot 1 D.P. 554118, west by the southern boundary of Lot 2 D.P. 554118; thence generally north by the western boundary of Portion 139 and Portion 143; thence north by the western boundary of public road (Lake Drive); thence east by the northern boundary of public road (Hoffman Drive); north by the western boundary of Lot 1 Section 5 at Swanhaven, east by the northern boundary of Lot 1 Section 5, north by the western boundary of Lot 2 Section 5, generally east by the northern boundaries of Lots 2 to 8 Section 5, south by the eastern boundary of Lot 8 Section 5, east by the public road (Hoffman Drive), north 20
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SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

by the western boundary of Lot 1 Section 12, east by the northern boundary of Lot 1 Section 12, south by the eastern boundary of Section 12, east by public road (Hoffman Drive), north by the western boundary of public road (The Springs Road), generally

5 west by the southern boundaries of Portion 122 and Portion 169, north by the western boundary of Portion 169; thence north by the northerly prolongation of the western boundary of Portion 169; thence west by the southern boundary of Portion 4 and Portion 3, north by the western boundary of Portion 3, west by the southern boundary of Portion 1 and Portion 7 to the eastern boundary of public road (Old Berrara Road); thence south

10 by the eastern boundary of public road (Old Berrara Road and Mondayong Road) to the northern boundary of Portion 2 (Parish of Cudmirrah); thence east by the northern boundary of Portion 2, south by the eastern boundary of Portion 2, west by the southern boundary of Portion 2 to the south-western corner of Portion 2; thence south by the southerly prolongation of the western boundary of Portion 2 to a point 10 metres north

15 of the centre line of Slatybox Road; thence generally east by a line 10 metres north of the centre line of Slatybox Road to its intersection with Sheoak Road; thence generally south by a line 10 metres east of the centre line of Sheoak Road to its intersection with Blackbutt Road; thence generally west by a line 10 metres south of the centre line of Blackbutt Road to its intersection with Cedar Road; thence generally west by the line 10

20 metres south of the centre line of Cedar Road to its intersection with public road (Red Head Road); thence generally south by the eastern boundary of the public road to the northern boundary of Portion 18 (Parish of Cudmirrah); thence generally east by the northern boundaries of Portion 18, Portion 13, south by the eastern boundary of Portion 13, end of road, Portion 16, east by the northern boundary of Portion 16, north by the

25 western boundary of Portion 11 and Portion 12, east by the northern boundary of Portion 12, south by the eastern boundary of Portion 12, Portion 10, east by the northern boundary of Portion 9, Portion 31, south by the eastern boundary of Portion 31, Portion 29; west by the southern boundary of Portion 29, Portion 7; thence generally west by the southern boundary of Portion 166 (Parish of Conjola), Portion 167; thence north by the

30 western boundary of Portion 167, west by the northern boundary of Portion 180, Portion 90 and Portion 155 to its intersection with Public Road (Red Head Road); thence generally south by the western boundary of Portion 155, the eastern boundary of Portion 182, east by the northern boundary of Portion 194, generally south by the eastern boundary of Portion 194, west by the southern boundary of Portion 194, south by the

35 eastern boundary of Portion 141, east by the northern boundary of Portion 193, south by the eastern boundary of Portion 193, west by the southern boundary of Portion 193, west by the westerly prolongation of the southern boundary of Portion 193 to mean low water of Conjola Lake; thence by mean low water to its intersection with the easterly prolongation of the southern boundary of Portion 102; thence west by the easterly

40 prolongation of the southern boundary of Portion 102, the southern boundary of Portion 102 and Portion 158, north by the western boundary of Portion 158, east by the northern boundaries of Portion 158, Portion 102, and the easterly prolongation of the northern boundary of Portion 102 to its intersection with mean low water Berringer Lake; thence by mean low water generally north to its intersection with the southerly prolongation of

45 the western boundary of Portion 10; thence north by the southerly prolongation of the western boundary of Portion 10, the western boundary of Portion 10, end of road, west by the southern boundary of Portion 438, north by the western boundary of Portion 438, east by the northern boundary of Portion 438, south by the eastern boundary of Portion

SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

- 438, end of road, east by the northern boundary of Portion 10, north by the western boundary of Portion 9, east by the northern boundary of Portion 9, Portion 108, Portion 106 and Portion 204, generally south by the eastern boundary of Portion 204, east by the easterly prolongation of the southern boundary of Portion 204 to its intersection with mean low water of the South Pacific Ocean; thence generally north by mean low water to its intersection with the southerly prolongation of the eastern boundary of Portion 1, north by the southerly prolongation of the eastern boundary of Portion 1, eastern boundary of Portion 1, end of road, thence west by the easterly prolongation of the southern boundary of public road (Waratah Street), public road (Waratah Street) to its intersection with public road (Maple Street); thence north by the western boundary of public road (Maple Street) to its intersection with non-public road, west by the southern boundary of non-public road to its intersection with the southerly prolongation of the western boundary of Portion 444, thence north by the southerly prolongation of the western boundary of Portion 444, western boundary of Portion 444, east by the northern boundary of Portion 444, south by the eastern boundary of Portion 444, east by the northern boundary of non-public road, north by the western boundary of Portion 467, east by the northern boundary of Portion 467, south by the eastern boundary of Portion 467, east by the northern boundary of Portion 466, north by the western boundary of public road (Maple Street), generally north-east by the northern boundary of public road (Cherry Street), generally north-east by the north-easterly prolongation of the northern boundary of public road (Cherry Street) to its intersection with mean low water of the South Pacific Ocean; generally north by mean low water to its intersection, mean low water of the right bank of Berrara Creek, thence generally north by mean low water of the right bank of Berrara Creek to its intersection with the southerly prolongation of the western boundary of Portion 1 (Parish of Cudmirrah); thence north by the southerly prolongation of the western boundary of Portion 1, western boundary of Portion 1, east by the northern boundary of Portion 1, generally north by the western boundary of non-public road from the north-eastern corner of Portion 1 to the south-western corner of R.78638 generally east by the northern boundary of non-public road (Coonawarra Drive) to its intersection with public road (The Springs Road); thence generally east by the northern boundary of public road (The Springs Road) to its intersection with mean low water of left bank of Swan Lake Inlet; thence generally south by mean low water left bank Swan Lake Inlet to its intersection with mean low water of the South Pacific Ocean; thence generally east to the point of commencement including the bed of Swan Lake. 5
- Also all that piece or parcel of land commencing at the north-eastern corner of Portion 422 (Parish of Conjola) south by the eastern boundary of Portion 422, end of road, south by the eastern boundary of Portion 428 to its intersection with Crown reserve (R.81501), thence south by the western boundary of non-public road and the southerly prolongation of the western boundary of non-public road to its intersection with mean low water of Conjola Lake; thence by mean low water to its intersection with the westerly prolongation of the southern boundary of Portion 10; thence east by the westerly prolongation of the southern boundary of Portion 10, the southern boundary of Portion 10, generally south by the western boundary of non-public road (Berringer Crescent), generally north by the eastern boundary of non-public road (Donnelly Street) to a point 10
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SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

- 10 metres south of the centre line of Berringer Lake Road; thence generally east by a line 10 metres south of the centre line of Berringer Lake Road to its intersection with the eastern boundary of Portion 11, thence south by the eastern boundary of Portion 11 to the point of commencement.
- 5 Also all that piece or parcel of land commencing at the north-western corner of Portion 61 (Parish of Conjola) east by the northern boundary of Portion 61, Portion 60, Portion 66; thence north by the eastern boundary of Portion 59, end of road, Portion 55; thence north by the northerly prolongation of the eastern boundary of Portion 55 to its intersection with mean low water of Conjola Lake; thence by mean low water to its intersection with the southerly prolongation of the eastern boundary of Portion 124; thence north by the southerly prolongation of the eastern boundary of Portion 124, the eastern boundary of Portion 124, west by the northern boundary of Portion 124, south by the western boundary of Portion 124, west by the northern boundary of Portion 191, Portion 122, north by the eastern boundary of Portion 134, west by the northern boundary of Portion 134, north by the eastern boundary of Portion 152, generally north by the eastern boundary of public road (Princes Highway) to its intersection with Portion 65, east by the southern boundary of Portion 65, Portion 57 to the point of commencement.
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- 20 Also all those pieces or parcels of land comprising R.97 for public recreation and other purposes and R.72106 for public recreation, in each case to mean low water.
- Also all that piece or parcel of land comprising R.72104 for future public requirements.
- Also all that piece or parcel of land commencing at the north-eastern corner of Portion 133 (Parish of Conjola) south by the eastern boundary of Portion 133, end of road, east by the northern boundary of Portion 16, south by the eastern boundary of Portion 16, east by the northern boundary of Portion 423, south by the eastern boundary of Portion 423, generally east by the northern boundary of public road to its intersection with the western boundary of Narrawallee Nature Reserve; thence north by the western boundary of Narrawallee Nature Reserve to its intersection with public road; thence generally west by the southern boundary of public road to its intersection with public road (Lake Conjola Entrance Road); thence generally west by the southern boundary of Public Road (Lake Conjola Entrance Road) to its intersection with Crown reserve (R.97 for public recreation and other purposes); thence south by the eastern boundary of R.97 to the point of commencement.
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- 35 Also all that piece or parcel of land commencing at the south-western corner of Portion 137 (Parish of Conjola) east by the southern boundary of Portion 137, generally south and west by the northern boundary of public road to its intersection with the eastern boundary of R.72104; thence north by the eastern boundary of R.72104 to the point of commencement.
- 40 Also Green Island and all islands within Conjola Lake and Berringer Lake (excluding Chinamans Island), in each case to mean low water.
- Also all that piece or parcel of land commencing at the north-eastern corner of Portion 175 (Parish of Conjola) east by the southern boundary of Portion 191 and the easterly prolongation of that boundary to its intersection with mean low water of Conjola Lake; thence by mean low water to its intersection with the southerly prolongation of eastern boundary of Portion 78; thence north by the southerly prolongation of the eastern
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SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

boundary of Portion 78 and the easterly boundary of Portion 78, west by the northern boundary of Portion 78; thence north by the eastern boundary of Portion 175 to the point of commencement.

Also all that piece or parcel of land being Cudmirrah Nature Reserve dedicated by proclamation published in the Gazette of 20 February 1959 and addition thereto dedicated by proclamation published in the Gazette of 11 January 1963. 5

Excluding thereout Portions 115, 138, 153, 157 and 158 of the Parish of Farnham, Portions 24, 30 and 37 of the Parish of Cudmirrah, Portions 159, 173, 212-223, 229-240, 397-419, 431, 442-443, 455-465, 471 and 473 of the Parish of Conjola and all public roads. 10

ADDITION TO NANGAR NATIONAL PARK

All that piece or parcel of land containing approximately 5 124 hectares situate in the Shire of Cabonne, Parishes of Mogong and Goimbla and County of Ashburnham, being Nangar State Forest No. 636 dedicated by proclamation published in the Gazette of 31 May 1918, and Extension No. 1 thereto dedicated by proclamation published in the Gazette of 28 June 1968, but excluding Revocation declared by proclamation published in the Gazette of 11 August 1967. 15

NGUMBAR NATIONAL PARK

All that piece or parcel of land situate at Stuarts Point in the Shires of Kempsey and Nambucca, Parishes of Arakoon, Yarrahapinni and Warrell and Counties of Macquarie, Dudley and Raleigh commencing at a point on the southernmost boundary of the Parish of Yarrahapinni at its intersection with the western mean high water mark of the Macleay River and bounded on the west by the western mean high water mark of the Macleay River aforementioned in a northerly direction to the southernmost corner of Reserve R.63879 such mean high water mark being coincidental in part with the eastern boundaries of the land in Deposited Plans 602405, 604990 and 598595 and thence bounded on the west by the western boundary of Reserve R.63879 aforementioned to the southern boundary of Deposited Plan 608275 and bounded thence on the north by the southern boundary of the land in Deposited Plan 608275 and the eastern boundary of the land in Deposited Plan 608275 and thence on the west by the eastern boundary of the land in Deposited Plan 608275 and the eastern boundary of Portion 86 of the Parish of Yarrahapinni and bounded thence on the south by the northern boundary of Portion 86 aforementioned and the northern boundary of Portion 66 of the Parish of Yarrahapinni thence on the east by the western boundary of Portion 66 aforementioned thence on the south by the northern boundary of Portion 52 of the Parish of Yarrahapinni thence on the south west by a line in a north westerly direction from the north western corner of Portion 52 aforementioned to the south eastern corner of Portion 130 of the Parish of Warrell and thence on the north and west by part of the southern and by the eastern boundary of Portion 99 of the Parish of Warrell and a road 20.115 wide to the southern boundary of Lot 4 in Deposited Plan 811013 thence bounded on the north by part of the southern boundary of Lot 4 aforementioned to the north eastern corner of Portion 149 of the Parish of Warrell thence bounded on the east by the eastern boundary of Portion 149 aforementioned to the southern boundary of the land in 20
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SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

Deposited Plan 609373 and bounded thence on the north and north west by the southern and south eastern boundaries of the land in Deposited Plan 609373 and Deposited Plan 561073 to the easternmost corner of Lot 1 in Deposited Plan 561073 thence bounded on the east and north by the western and southern alignments of a road 20.115 wide such boundaries being the eastern and northern boundaries of the Yarrhapinni State Forest No. 32 to the north western corner of Portion 129 of the Parish of Yarrhapinni thence bounded on the east and north by the western and southern boundaries of Portion 129 aforementioned thence further on the north by a line from the easternmost corner of Portion 129 aforementioned to the south eastern corner of Lot 8 in Deposited Plan 719849 thence further on the north by the southern boundary of Lot 8 aforementioned to the south eastern corner of that Lot thence bounded on the west by the eastern boundary of Lot 8 aforementioned thence further on the west by a line from the northernmost corner of Lot 8 aforementioned to the south eastern corner of Lot 4 Deposited Plan 811013 aforementioned thence further on the west by the eastern boundary of Lot 4 aforementioned to the northernmost corner of that lot thence bounded on the north by a line bearing due east from that northernmost corner of Lot 4 aforementioned to the mean low water mark of the South Pacific Ocean thence bounded on the east by that mean low water mark of the South Pacific Ocean aforementioned to a point due east of the northernmost part of Shark Island thence bounded on the south by a line bearing due west from the point aforementioned to the northernmost part of Shark Island thence bounded in the south east by a line bearing north westerly from the northernmost part of Shark Island aforementioned to the point of commencement.

Also all that piece or parcel of land situate between Scotts Head and Nambucca Heads in the Shire of Nambucca, Parishes of Warrell, Congarinni and Nambucca and County of Raleigh, commencing at the north eastern corner of Lot 3 in Deposited Plan 710419 and bounded on the south by the northern boundary of Lot 3 aforementioned and its prolongation in a westerly direction to the western bank of Warrell Creek thence bounded on the west by the western bank of Warrell Creek to the north eastern corner of Portion 188 of the Parish of Congarinni thence bounded on the east, south and west by the eastern southern and western boundaries of Portion 188 aforementioned to the south eastern corner of Portion 187 of the Parish of Congarinni thence bounded on the south, west and north by the southern, western and northern boundaries of Portion 187 aforementioned to the western bank of Warrell Creek thence bounded on the west by the western bank of Warrell Creek to the northern boundary of the land in Deposited Plan 591448 thence bounded on the south by the northern boundary of the land in Deposited Plan 591448 aforementioned to the mean high water mark of the Nambucca River thence bounded on the west by the eastern mean high water mark of the Nambucca River to its junction with the mean low water mark of the South Pacific Ocean thence bounded on the east by the mean low water mark of the South Pacific Ocean aforementioned to a point on the easterly prolongation of the northern boundary of Lot 3 in Deposited Plan 710419 thence bounded on the south by a line from that point on the mean low water mark to the point of commencement but excluding the land shown as Lot 1 in Deposited Plan 710419.

SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued**POPTRAN NATIONAL PARK*

All that piece or parcel of land containing approximately 5 000 hectares situate in the City of Gosford, Parish of Popran and County of Northumberland, being vacant Crown Land extending approximately 1.6 kilometres to the east, 4 kilometres to the west, 3.6 kilometres to the south and 4.6 kilometres to the north from the centre of Mount Olive and notified in the Gazette of 5 May 1916, Crown Reserve for Preservation of Native Flora R.67322, Crown Reserve R.49196, Portion 126 (being vacant Crown land), Timber Reserve 57244, Portions 180, 179, 175 (being vacant Crown land). 5

Also all that piece or parcel of land containing approximately 1 900 hectares situate in the City of Gosford, Parish of Cowan and County of Northumberland, being Crown Reserve for Preservation of Native Fauna and Flora 89280, Crown Reserve for Promotion of Study and Preservation of Native Fauna and Flora R.90999, Part Crown Reserve for Preservation of Native Flora R.65572, Part Crown Reserve for Water and Access R.22503, Crown Reserve for Preservation of Native Flora R.66070, Portion 186 (being vacant Crown land), Portion 127 (being vacant Crown land) and Crown Water and Camping Reserve 14768. 10
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WIRADJURI NATIONAL PARK

All that piece or parcel of land containing approximately 20 035 hectares situate in the Shires of Goobang and Cabonne, Parishes of Hervey, Rocky Ponds, Benya and Curumbenya and Counties of Gordon and Narromine, being Herveys Range State Forest No. 634 dedicated by proclamation published in the Gazette of 14 June 1918, and Extensions Nos. 1 and 2 thereto dedicated by proclamations published in the Gazettes of 3 January 1936 and 8 December 1944, respectively, but excluding Revocations declared by proclamations published in the Gazettes of 6 February 1925, 14 March 1930, 29 May 1931 and 28 July 1939. 20
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Also all that piece or parcel of land containing approximately 9 228 hectares situate in the Shires of Timbregongie and Goobang, Parishes of Biridoo, Caloma and Belmore and Counties of Narromine and Gordon, being Wanda Wandong State Forest No. 763 dedicated by proclamation published in the Gazette of 14 January 1921, and Extensions Nos. 1, 2, 3 and 4 thereto, dedicated by proclamations published in the Gazettes of 12 November 1937, 12 January 1945, 18 April 1952 and 18 April 1958, respectively, but excluding Revocations declared by proclamations published in the Gazettes of 14 July 1939 and 6 March 1981. 30

Also all that piece or parcel of land containing approximately 1 283 hectares situate in the Shires of Goobang and Cabonne, Parish of Bumberry and County of Ashburnham, being Bumberry State Forest No. 891 dedicated by proclamation published in the Gazette of 18 April 1947. 35

SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

PART 2—LANDS DEDICATED AS NATURE RESERVES

BEN HALL'S GAP NATURE RESERVE

5 All that piece or parcel of land containing approximately 2 164 hectares situate in the Shire of Nundle, Parish of Yeerawun and County of Hawes, being Portions 51 and 49 and being part of Ben Hall's Gap State Forest No. 950 dedicated by proclamation published in the Gazette on 23 November 1956.

10 Also all that piece or parcel of land containing approximately 340 hectares situate in the Shire of Scone, Parish of Ellerston and County of Brisbane, being Portion 113 and being part of Ben Hall's Gap State Forest No. 950 dedicated by proclamation published in the Gazette on 23 November 1956.

LONGNECK NATURE RESERVE

15 All that piece or parcel of land containing approximately 500 hectares situate in the Shire of Hawkesbury, Parish of Pitt Town and County of Cumberland bounded by Portions 279, 262, 205, 204, public road, 261, 274, 275, public road (Avondale Road), 273, public road (Pitt Town—Dural Road), public road (Scheyville Road), public road (Midson Road), public road (Old Pitt Town Road), 306, 307, 308, 309, 310, 311, public road (Saunders Road), 312, 313, 314, 315, 301, 300, 299, 298, public road (Saunders Road), 291, 292, 290, 316, 317, 318, 319, public road (Old Pitt Town Road), 322, public road (Pitt Town Road), public road (Old Stock Route Road), public road (Avondale Road), General Cemetery (dedicated 27 November 1895), public road (Old Stock Route Road), 203, public road (Cattai Road). Excluding Portion 305 and all public roads. Revokes Reserve for the promotion of the study of the conservation of native flora and fauna (gazetted on 31 December 1987).

25 *NULLUM NATURE RESERVE*

30 All that piece or parcel of land containing approximately 920 hectares situate in the Shires of Tweed and Byron, Parish of Toolond and County of Rous, being part of Nullum State Forest No. 356 first dedicated by proclamation published in the Gazette of 9 March 1917, and being those areas identified by the Forestry Commission as Compartments 54, 55, 56, 57, 58 and 62.

OURIMBAH CREEK NATURE RESERVE

All that piece or parcel of land containing approximately 25.6 hectares situate in the City of Gosford, Parish of Gosford and County of Northumberland, being Portion 19 and being Water Reserve 14412 notified 5 September 1891.

35 Also all that piece or parcel of land containing approximately 9.156 hectares situate in the City of Gosford, Parish of Eglington and County of Northumberland, being Portion 12 and being Water Reserve 93 notified 25 October 1880.

SCHEDULE 2—LAND RESERVED OR DEDICATED—*continued*

Also all that piece or parcel of land containing approximately 208 hectares situate in the City of Gosford, Parish of Eglington and County of Northumberland, being Crown Reserve for Preservation of Native Flora R.43657 notified 17 March 1909.

Also all that piece or parcel of land containing approximately 13.76 hectares situate in the City of Gosford, Parish of Eglington and County of Northumberland, being Portion 84 and being Crown Reserve for Preservation of Native Flora R.71450 notified 16 March 1945.

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