

# **Contents (2013 - 49)**

## **Forest Management Act 2013**

### **Long Title**

#### **Part 1 - Preliminary**

1. Short title
2. Commencement
3. Interpretation
4. Application of Act
5. Repealed

#### **Part 2 - Forestry Corporation**

6. Continuation of Forestry corporation

#### **Part 3 - Forest Manager for Permanent Timber Production Zone Land**

7. Forest Manager for permanent timber production zone land
8. Functions of Forest Manager
9. Powers of Forest Manager

#### **Part 4 - Permanent Timber Production Zone Land**

10. Reservation of Crown land as permanent timber production zone land
11. Revocation of permanent timber production zone land
- 11A. Exchange of land
- 11B. Conversion of future potential production forest land to permanent timber production zone land
12. Land purchased, &c., by Forestry corporation becomes permanent timber production zone land
- 12A. Prohibition on purchase, &c., of future potential production forest land
13. Access to permanent timber production zone land
14. Forest Manager may charge fee

#### **Part 5 - Wood Production Policy**

15. Sustainable management of Tasmania's forests
16. Wood production supply

#### **Part 5A - Compensation Arrangements**

- 16A. Interpretation of Part
- 16B. Forestry compensation certificate
- 16C. Contents of forestry compensation certificate
- 16D. Transfer or assignment, &c., of forestry compensation certificate
- 16E. Effect of forestry compensation certificate
- 16F. Entitlement to compensation
- 16G. Determination of compensation
- 16H. Amendment of forestry compensation certificate
- 16I. Continuation of forestry compensation certificates

#### **Part 6 - Miscellaneous**

17. Timber classification officers
18. Power to construct drains on adjoining land

19. Constructing forest roads, &c.
20. Forest Manager not liable for failure to maintain forest road
21. Signage
22. Request to leave, &c., permanent timber production zone land
23. Closure of forest roads
24. Conversion of forest roads to public roads
25. Exemption of certain vehicles from laws specifying vehicle mass, weight or dimension limits
26. Easements over Crown land in permanent timber production zone land
27. Land Acquisition Act 1993 applies to Forestry corporation
28. Alternative to prosecution for certain offences
29. Fire protection
30. Person may not make certain claims
31. Vicarious liability
32. Transfer of assets, &c.
33. Recognition of service with Forestry corporation
34. Superannuation entitlements not affected
35. Regulations
36. Administration of Act
37. Savings and transitional provisions relating to continuation of Forestry corporation
38. Savings and transitional provisions relating to State forest becoming permanent timber production zone land
39. Certain forest reserves declared to be reserved land under Nature Conservation Act 2002
40. Legislation repealed

**Schedule 1 - Savings and Transitional Provisions Relating to Continuation of Forestry Corporation**

**Schedule 2 - Savings and Transitional Provisions Relating to State Forest Becoming Permanent Timber Production Zone Land**

**Schedule 3 - Certain forest reserves declared to be reserved land under**

**Schedule 4 - Legislation repealed**

---

**Forest Management Act 2013**

Version current from 21 November 2017 to date (accessed 16 October 2018 at 15:57)

---



---

**Forest Management Act 2013**

**An Act to provide for the management of permanent timber production zone land, to repeal the Forestry Act 1920 and for related purposes**

**[Royal Assent 6 November 2013]**

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

# PART 1 - Preliminary

## 1. Short title

This Act may be cited as the Forest Management Act 2013 .

## 2. Commencement

This Act commences on a day to be proclaimed.

## 3. Interpretation

In this Act, unless the contrary intention appears –

***annual supply of veneer and sawlog*** means the minimum aggregate quantity of eucalypt veneer logs and eucalypt sawlogs that the Forest Manager must make available annually for the veneer and sawmilling industries in accordance with section 16 ;

***conservation area*** has the same meaning as in the Nature Conservation Act 2002 ;

***CPR Plan*** means a plan in the Central Plan Register;

***Crown land*** has the same meaning as in the Crown Lands Act 1976 ;

***Forest Manager*** means the Forest Manager referred to in section 7 ;

***forest operations*** means work connected with –

- (a) seeding and planting trees; or
- (b) managing trees before they are harvested; or
- (c) harvesting, extracting or quarrying forest products –

and includes any related land clearing, land preparation, burning-off or access construction;

***Forest Practices Code*** means the Code issued by the Forest Practices Authority pursuant to section 30 of the Forest Practices Act 1985 and in force under that Act, and includes any amendments to that Code;

***forest product*** means any of the following:

- (a) vegetable growth that is on or from permanent timber production zone land;
- (b) a product of growing or dead trees, shrub, timber or other vegetable growth that is on or from permanent timber production zone land;
- (c) sand, gravel, clay, loam or stone that is on or from permanent timber production zone land;

***forest road*** means –

- (a) any road constructed or maintained by or for the Forest Manager either inside or outside permanent timber production zone land; or
- (b) any other road on permanent timber production zone land, other than –
  - (i) a State highway within the meaning of the Roads and Jetties Act 1935 ; or
  - (ii) a subsidiary road within the meaning of the Roads and Jetties Act 1935 ; or
  - (iii) a local highway within the meaning of the Local Government (Highways) Act 1982 ;or
- (c) any other road that is –
  - (i) on Crown land; and
  - (ii) being managed by a person for the purpose of timber production; or

(d) any bridge, tunnel, embankment, causeway, culvert, drain or other works constructed in respect of a road referred to in paragraph (a) , (b) or (c) ;

***Forestry corporation*** means the Forestry corporation continued under section 6 ;

***future potential production forest land*** has the same meaning as in the Forestry (Rebuilding the Forest Industry) Act 2014 ;

***permanent timber production zone land*** means –

(a) Crown land declared to be permanent timber production zone land under section 10 ; or

(b) land referred to in section 12 ; or

(c) land referred to in Schedule 2 ;

***regional reserve*** has the same meaning as in the Nature Conservation Act 2002 ;

***regulations*** means regulations made and in force in accordance with this Act;

***repealed Act*** means the Forestry Act 1920 ;

***timber*** includes the trunks and branches of trees, whether standing or not, and all wood, whether or not the same is cut up, sawn, hewn, split, or otherwise fashioned;

***timber classification officer*** means a person appointed as a timber classification officer under section 17 ;

***trees*** includes not only timber trees, but trees, shrubs and bushes, seedlings, saplings and re-shoots of every description and the roots of any such trees.

#### **4. Application of Act**

(1) Except as provided in this Act, this Act does not apply to Crown land that is reserved land within the meaning of the Nature Conservation Act 2002 .

(2) This Act does not apply to Crown land that is reserved as a public reserve under the Crown Lands Act 1976 .

#### **5.**

. . . . .

## **PART 2 - Forestry Corporation**

### **6. Continuation of Forestry corporation**

The Forestry corporation established under the repealed Act continues in existence as a corporation with the same corporate name it had immediately before the commencement of this Act.

## **PART 3 - Forest Manager for Permanent Timber Production Zone Land**

### **7. Forest Manager for permanent timber production zone land**

- (1) The Forestry corporation is the Forest Manager for permanent timber production zone land and has the functions and powers specified in this Act.
- (2) Notwithstanding section 9(1) , sections 9 and 10 of the Government Business Enterprises Act 1995 apply to the Forestry corporation in exercising its powers as the Forest Manager under this Act.

### **8. Functions of Forest Manager**

The Forest Manager has the following functions:

- (a) to manage and control all permanent timber production zone land;
- (b) to undertake forest operations on permanent timber production zone land for the purpose of selling forest products;
- (c) such other functions as are approved in writing by the Minister and the Treasurer.

### **9. Powers of Forest Manager**

- (1) The Forest Manager has such powers as are necessary to enable it to perform its functions.
- (2) Without limiting subsection (1) , the Forest Manager may grant to a person a permit, licence, lease, or other occupation right, in relation to permanent timber production zone land.

## PART 4 - Permanent Timber Production Zone Land

### 10. Reservation of Crown land as permanent timber production zone land

(1) The Minister, by order published in the *Gazette* (a ***permanent timber production zone land order***), may declare Crown land specified in that order to be permanent timber production zone land for the purposes of this Act.

(1A) Subsection (1) does not apply to Crown land that is future potential production forest land.

(2) A permanent timber production zone land order is not a statutory rule for the purposes of the Rules Publication Act 1953 .

(3) Before making a permanent timber production zone land order, the Minister must have obtained advice from the Forest Manager that the land proposed to be specified in the order is required for the supply of forest products.

(4) The Minister must cause a permanent timber production zone land order and the advice referred to in subsection (3) to be laid before each House of Parliament within the first 5 sitting-days after the permanent timber production zone land order is made.

(5) A proposed permanent timber production zone land order is of no effect unless it has been accepted by both Houses of Parliament.

(6) A House of Parliament is taken to have accepted a proposed permanent timber production zone land order if the order has been laid on the table of that House and –

(a) it is accepted by that House; or

(b) at the expiration of 5 sitting-days after it was laid on the table of that House, no notice has been given of a motion to disallow it, or, if such notice has been given, the notice has been withdrawn or the motion has been negatived; or

(c) if any notice of a motion to disallow it is given during that period of 5 sitting-days, the notice is, after the expiration of that period, withdrawn or the motion is negatived.

(7) If the proposed permanent timber production zone land order is accepted by both Houses of Parliament, the land specified in the order becomes permanent timber production zone land.

### 11. Revocation of permanent timber production zone land

(1) Subject to subsection (2) , the Minister may, by order published in the *Gazette* (a ***permanent timber production zone land revocation order***), declare that any area of land specified in the order ceases to be, or form part of, permanent timber production zone land.

(1A) Subsection (1) does not apply to permanent timber production zone land that is the subject of advice from the Minister administering the Crown Lands Act 1976 under section 6(7) of the Forestry (Rebuilding the Forest Industry) Act 2014 .

(2) . . . . .

(3) A permanent timber production zone land revocation order is not a statutory rule for the purposes of the Rules Publication Act 1953 .

(4) Before making a permanent timber production zone land revocation order, the Minister must have obtained advice from the Forest Manager on the impact, of the land proposed to be specified in the order ceasing to be, or form part of, permanent timber production zone land, on the capacity of the Forest Manager –

(a) to meet the annual supply of veneer and sawlog; and

(b) to supply logs to the holder of a forestry compensation certificate in accordance with Part 5A .

(5) The Minister must cause a permanent timber production zone land revocation order and the advice referred to in subsection (4) to be laid before each House of Parliament within the first 5 sitting-days after the permanent

timber production zone land revocation order is made.

(6) A proposed permanent timber production zone land revocation order is of no effect unless it has been accepted by both Houses of Parliament.

(7) A House of Parliament is taken to have accepted a proposed permanent timber production zone land revocation order if the order has been laid on the table of that House and –

(a) it is accepted by that House; or

(b) at the expiration of 5 sitting-days after it was laid on the table of that House, no notice has been given of a motion to disallow it, or, if such notice has been given, the notice has been withdrawn or the motion has been negatived; or

(c) if any notice of a motion to disallow it is given during that period of 5 sitting-days, the notice is, after the expiration of that period, withdrawn or the motion is negatived.

(8) If the proposed permanent timber production zone land revocation order is accepted by both Houses of Parliament, the land specified in the order ceases to be permanent timber production zone land and becomes Crown land for the purposes of the Crown Lands Act 1976 .

(9) A revocation order under this section is not required in respect of any permanent timber production zone land, that is not Crown land, that is sold, or otherwise disposed of, by the Forestry corporation.

(10) Any permanent timber production zone land, that is not Crown land, that is sold, or otherwise disposed of, by the Forestry corporation ceases to be, or form part of, permanent timber production zone land on its sale or disposition.

#### **11A. Exchange of land**

(1) On advice from the Minister administering the Crown Lands Act 1976 under section 6(7) of the Forestry (Rebuilding the Forest Industry) Act 2014 , the Minister, by order published in the *Gazette* (a **land exchange order**), must –

(a) declare Crown land specified in that order to be permanent timber production zone land for the purposes of this Act; and

(b) declare that any other area of land specified in the order ceases to be, or form part of, permanent timber production zone land.

(2) A land exchange order is not a statutory rule for the purposes of the Rules Publication Act 1953 .

(3) The Minister must cause a land exchange order and the advice referred to in subsection (1) and the information obtained under section 6(2) and (4) of the Forestry (Rebuilding the Forest Industry) Act 2014 to be laid before each House of Parliament within the first 5 sitting-days after the land exchange order is made.

(4) A proposed land exchange order is of no effect unless it has been accepted by both Houses of Parliament.

(5) A House of Parliament is taken to have accepted a proposed land exchange order if the order has been laid on the table of that House and –

(a) it is accepted by that House; or

(b) at the expiration of 15 sitting-days after it was laid on the table of that House, no notice has been given of a motion to disallow it, or, if such notice has been given, the notice has been withdrawn or the motion has been negatived; or

(c) if any notice of a motion to disallow it is given during that period of 15 sitting-days, the notice is, after the expiration of that period, withdrawn or the motion is negatived.

(6) If the proposed land exchange order is accepted by both Houses of Parliament –

(a) land specified in the order to be permanent timber production zone land becomes permanent timber production zone land and ceases to be future potential production forest land; and

(b) land specified in the order to cease to be, or form part of, permanent timber production zone land, ceases to be permanent timber production zone land and becomes –

(i) Crown land for the purposes of the Crown Lands Act 1976 ; and

(ii) future potential production forest land.

#### **11B. Conversion of future potential production forest land to permanent timber production zone land**

(1) On receipt of advice from the Minister administering the Crown Lands Act 1976 under section 7(7) of the Forestry (Rebuilding the Forest Industry) Act 2014 , the Minister, by order published in the *Gazette* (a ***land conversion order***), must declare Crown land specified in that order to be permanent timber production zone land for the purposes of this Act.

(2) A land conversion order is not a statutory rule for the purposes of the Rules Publication Act 1953 .

(3) The Minister must cause a land conversion order and the advice referred to in subsection (1) together with the information obtained under section 7(2) and (4) of the Forestry (Rebuilding the Forest Industry) Act 2014 to be laid before each House of Parliament within the first 5 sitting-days after the land conversion order is made.

(4) A proposed land conversion order is of no effect unless it has been accepted by both Houses of Parliament.

(5) A House of Parliament is taken to have accepted a proposed land conversion order if the order has been laid on the table of that House and –

(a) it is accepted by that House; or

(b) at the expiration of 15 sitting-days after it was laid on the table of that House, no notice has been given of a motion to disallow it, or, if such notice has been given, the notice has been withdrawn or the motion has been negatived; or

(c) if any notice of a motion to disallow it is given during that period of 15 sitting-days, the notice is, after the expiration of that period, withdrawn or the motion is negatived.

(6) If the proposed land conversion order is accepted by both Houses of Parliament, land specified in the order to be permanent timber production zone land becomes permanent timber production zone land and ceases to be future potential production forest land.

#### **12. Land purchased, &c., by Forestry corporation becomes permanent timber production zone land**

(1) Any land purchased or acquired by the Forestry corporation becomes permanent timber production zone land.

(2) In this section –

***land*** does not include houses, buildings or similar structures on land.

#### **12A. Prohibition on purchase, &c., of future potential production forest land**

The Forestry corporation must not purchase or otherwise acquire future potential production forest land.

#### **13. Access to permanent timber production zone land**

(1) The Forest Manager must perform its functions and exercise its powers so as to allow access to permanent timber production zone land for such purposes as are not incompatible with the management of permanent timber production zone land under this Act.

(2) Nothing in subsection (1) prevents the Forest Manager from exercising its powers under sections 21 , 22 and 23 .

#### **14. Forest Manager may charge fee**

The Forest Manager may, with the approval of the Minister, charge a person or a class of persons a fee for the right to access permanent timber production zone land or use a forest road for any purpose.

## PART 5 - Wood Production Policy

### 15. Sustainable management of Tasmania's forests

The Forest Manager must perform its functions in a manner that is consistent with the principles of forest management set out in the Forest Practices Code, as a contribution to the sustainable management of Tasmania's forests.

### 16. Wood production supply

(1) Each year the Forest Manager must make available –

(a) for the veneer and sawmilling industries, a minimum aggregate quantity of eucalypt veneer logs and eucalypt sawlogs, from permanent timber production zone land, that meets the prescribed specifications that are in force immediately before the commencement of this Act; and

(b) for a prescribed industry, the prescribed quantity, prescribed type and prescribed specification of other prescribed timber (including special species timber, as defined in section 19(1) of the Tasmanian Forests Agreement Act 2013 ).

(2) In subsection (1)(a) –

*minimum aggregate quantity* means –

(a) 137 000 cubic metres of any combination of eucalypt veneer quality 1, eucalypt veneer quality 2, category 1 sawlogs, and category 3 sawlogs, as specified in Schedule 1 to the Forestry Regulations 2009 ; or

(b) if another quantity is prescribed, the prescribed quantity.

(3) The regulations may prescribe the time for which the quantity, type and specification of other timber is to be made available and the source of the other timber.

## PART 5A - Compensation Arrangements

### 16A. Interpretation of Part

In this Part –

***forest product*** means any of the following:

- (a) sawn timber;
- (b) veneer products;
- (c) poles, piles or posts;
- (d) any other forest product but not including –
  - (i) woodchips that are to be further processed outside Tasmania; or
  - (ii) whole logs that are to be further processed outside Tasmania; or
  - (iii) any other product excluded by the regulations, being a product not referred to in paragraph (a), (b) or (c);

***wood supply contract*** means a contract made between the Forestry corporation and a purchaser, the principal, or a principal, term of which is that the Forestry corporation should make available to that purchaser over a period of not less than 2 years a supply of a quantity of logs in return for monetary or other consideration.

### 16B. Forestry compensation certificate

(1) Subject to this Part, the Minister must issue a forestry compensation certificate to a purchaser under a wood supply contract at the request of the Forestry corporation or the purchaser.

(2) Before issuing a forestry compensation certificate the Minister –

(a) must be satisfied that –

- (i) there is an enforceable wood supply contract; and
- (ii) the logs to be supplied under the wood supply contract will be processed in Tasmania into a forest product; and
- (iii) any requirements set out in regulations made under this Act that prescribe any economic or environmental requirement, concerning the logs, the source of the logs or the processing of the logs, are met; and

(b) must have received from the Forestry corporation certification that, having regard to all other enforceable wood supply contracts, it is able to supply the quantities of logs specified in the wood supply contract in accordance with its terms.

(3) The Forestry corporation must issue certification if, having regard to all other enforceable wood supply contracts, it is able to supply the quantities of wood specified in the wood supply contract in accordance with its terms.

### 16C. Contents of forestry compensation certificate

A forestry compensation certificate is to contain the following information:

- (a) the name of the person to whom the certificate is issued;
- (b) a description of the wood supply contract to which the certificate relates that is sufficient to enable that contract to be identified;
- (c) the annual quantity of logs to which the certificate relates;
- (d) the date on which the certificate ceases to have effect.

#### **16D. Transfer or assignment, &c., of forestry compensation certificate**

- (1) Subject to subsection (2), the person to whom a forestry compensation certificate is issued may assign the rights and entitlements associated with that certificate in part or in full to a person to whom the purchaser's rights and entitlements, under the wood supply contract to which the certificate relates, are assigned.
- (2) The assignment of the rights and entitlements associated with the forestry compensation certificate must correspond to the assignment of the purchaser's rights and entitlements under the wood supply contract to which the certificate relates.
- (3) If the person to whom a forestry compensation certificate is issued assigns to another person the rights and entitlements associated with that certificate in part or in full in accordance with subsection (1), the first-mentioned person is to –
  - (a) provide evidence to the Minister that the assignments referred to in subsection (1) have been effected; and
  - (b) deliver the certificate to the Minister; and
  - (c) deliver a copy of the contract by which the rights and entitlements, under the wood supply contract to which the certificate relates, are assigned.
- (4) On receipt of the evidence, forestry compensation certificate and contract, the Minister, if satisfied that the assignments referred to in subsection (1) have been effected, is to –
  - (a) issue to the assignee of the rights and entitlements under the forestry compensation certificate a new certificate to reflect the details of that assignment; and
  - (b) if any rights and entitlements under the forestry compensation certificate were not assigned by the assignor, issue to the assignor a new certificate in respect of those rights and entitlements that were not assigned.
- (5) On the issue of any new forestry compensation certificate or certificates in accordance with subsection (4), the forestry compensation certificate referred to in subsection (3) is cancelled.
- (6) The cancellation of a forestry compensation certificate in accordance with subsection (5) does not affect any claim to compensation under that certificate that accrued before its cancellation.

#### **16E. Effect of forestry compensation certificate**

- (1) A forestry compensation certificate entitles the holder of the certificate to receive compensation in accordance with this section.
- (2) The holder of a forestry compensation certificate is entitled to compensation if the Forestry corporation certifies to the Minister that the Forestry corporation is, when requested by the holder, prevented from supplying logs to the holder, up to the quantities specified in the forestry compensation certificate and on the terms specified in the wood supply contract to which the certificate relates, as a result of –
  - (a) a change of the law of the State, including any change to section 16 of this Act, that has the effect of diminishing the quantities of logs available to the Forestry corporation for the supply of logs in accordance with the terms of the wood supply contract; or
  - (b) a change of policy –
    - (i) in relation to forest practices, within the meaning of the Forest Practices Act 1985 ; or
    - (ii) solely or primarily in relation to the Tasmanian forest industry by the Tasmanian Government –

that has the effect of diminishing the quantities of logs available to the Forestry corporation for the supply of logs in accordance with the terms of the wood supply contract.

- (3) The Forestry corporation must certify in accordance with subsection (2) if it is unable to supply logs in accordance with the terms of a wood supply contract.

(4) Certification by the Forestry corporation under subsection (2) must include –

- (a) the name of the holder of the forestry compensation certificate at the date of certification; and
- (b) a description of the wood supply contract to which the certificate relates that is sufficient to enable that contract to be identified; and
- (c) the annual quantity of logs to which the certificate relates; and
- (d) the annual quantity of logs requested from the Forestry corporation by the holder of the certificate; and
- (e) the annual quantity of logs that the Forestry corporation has made available, or can make available, to the holder of the certificate; and
- (f) having regard to paragraphs (c) , (d) and (e) , the annual quantity of logs that the Forestry corporation is prevented from supplying to the holder as a result of the circumstances referred to in paragraph (a) or (b) of subsection (2) ; and
- (g) the period during which the Forestry corporation is prevented from supplying to the holder of the certificate the quantity referred to in paragraph (f) .

(5) For the purposes of calculating the annual quantity of logs that the Forestry corporation has made available, or can make available, to the holder of a forestry compensation certificate under subsection (4)(e) , any quantity of logs supplied to the holder under any other wood supply contract, in respect of which a forestry compensation certificate has not been issued, is taken to have been supplied in full satisfaction or in part satisfaction, as the case may be, of the wood supply contract to which the certification by the Forestry corporation under subsection (2) relates.

#### **16F. Entitlement to compensation**

(1) On receipt of the Forestry corporation's certification under section 16E(2) , the Minister becomes liable to pay compensation to the holder of the forestry compensation certificate to which the certification relates in accordance with this Part.

(2) Subject to subsections (3) and (4) , the amount of compensation referred to in subsection (1) is the amount of damages that would have been payable by the Forestry corporation if the non-supply of the quantity of logs referred to in section 16E(4)(f) for the period referred to in section 16E(4)(g) in accordance with the terms of the wood supply contract had constituted a breach of contract by the Forestry corporation.

(3) Subsection (2) applies only to the extent that the non-supply referred to in that subsection occurs as a result of the circumstances referred to in paragraph (a) or (b) of section 16E(2) .

(4) For the purposes of subsection (2) , the following matters are to be disregarded when calculating compensation:

- (a) any agreement between the holder of the forestry compensation certificate and the Forestry corporation that limits the damages payable for a breach of the wood supply contract;
- (b) any agreement between the holder of the forestry compensation certificate and the Forestry corporation to pay an agreed amount of damages for a breach of the wood supply contract.

(5) A holder of a forestry compensation certificate entitled to compensation in accordance with this Part and the Forestry corporation must take all reasonable steps to minimise the loss or damage referred to in subsection (2) .

#### **16G. Determination of compensation**

(1) In this section –

*affected person* means a person who is entitled to compensation in accordance with this Part.

(2) Before agreeing an amount of compensation, the Minister must obtain the approval of the Solicitor-General to that amount.

(3) If the affected person and the Minister agree the amount of compensation in writing, the compensation is that amount.

(4) If the affected person and the Minister cannot agree the amount of compensation, the claim for compensation is to be determined in the same manner as a disputed claim for compensation under the Land Acquisition Act 1993 and, for that purpose –

(a) the certification given by the Forestry corporation is taken to be a notice of acquisition, within the meaning of that Act; and

(b) the amount of compensation to be determined is the amount referred to in section 16F(2) ; and

(c) the Crown is the acquiring authority.

(5) Any compensation that an affected person receives under this section extinguishes any claim that the affected person would otherwise have had against the Forestry corporation in respect of the matters to which the compensation relates.

(6) An affected person and the Forestry corporation are taken to be discharged from the performance of their respective obligations under a wood supply contract to the extent that the non-performance of those obligations is taken into account in agreeing or determining the compensation payable to the affected person in accordance with this section.

#### **16H. Amendment of forestry compensation certificate**

(1) If the Forestry corporation and the holder of a forestry compensation certificate have agreed to vary the terms of the wood supply contract to which that certificate relates, the Forestry corporation must advise the Minister, within 14 days from the date on which the variation takes effect, of the varied terms.

(2) On receipt of advice from the Forestry corporation under subsection (1) , the Minister must amend the forestry compensation certificate to which the wood supply contract relates to give effect to the variation.

(3) Before amending a forestry compensation certificate, the Minister –

(a) must be satisfied that there is an enforceable wood supply contract; and

(b) must have received from the Forestry corporation certification that, having regard to all other enforceable wood supply contracts, it is able to supply the quantities of wood specified in the wood supply contract in accordance with its terms.

#### **16I. Continuation of forestry compensation certificates**

(1) A forestry compensation certificate issued pursuant to section 8(1) of the Tasmanian Forests Agreement Act 2013 , as in force immediately before the commencement of the Forestry (Rebuilding the Forest Industry) Act 2014 (the former certificate) –

(a) is taken to be a forestry compensation certificate issued under this Act; and

(b) a reference in the former certificate to section 8(1) of the Tasmanian Forests Agreement Act 2013 is to be read as a reference to section 16B(1) of the Forest Management Act 2013 ; and

(c) a reference in the former certificate to section 11 is to be read as a reference to section 16E.

(2) A reference to a forestry compensation certificate, issued pursuant to section 8(1) of the Tasmanian Forests Agreement Act 2013 , as in force immediately before the commencement of the Forestry (Rebuilding the Forest Industry) Act 2014 , in any document is taken to be a reference to a forestry compensation certificate issued under this Act.

## **PART 6 - Miscellaneous**

### **17. Timber classification officers**

- (1) The Forest Manager may appoint any of its employees, any person employed by a body corporate involved in the forest industry, or any other person whom it regards as being suitably qualified, to be a timber classification officer for the purposes of classifying timber and other forest products on, or harvested from, permanent timber production zone land.
- (2) A person who is not an employee of the Forest Manager is to be appointed on such terms as the Forest Manager determines and specifies in the instrument of appointment.
- (3) A person appointed as a timber classification officer must perform such duties relating to the classification of timber and other forest products as the Forest Manager directs.
- (4) A person appointed as a timber classification officer does not incur any personal liability for an act done or purported or omitted to be done by the officer acting as such in good faith.
- (5) An employee or other person appointed as a timber classification officer may hold that appointment and perform the duties of a timber classification officer in conjunction with any other office or appointment held by that person.
- (6) Notwithstanding the other provisions of this section, a State Service officer or State Service employee is not, without the prior approval of the Head of the State Service Agency in which the officer or employee is employed –
  - (a) capable of being appointed as a timber classification officer; or
  - (b) entitled to receive any remuneration or allowances in his or her capacity as a timber classification officer.
- (7) In any proceedings, a certificate purporting to be signed by a person authorised, in writing, by the Forest Manager and stating that a person named in the certificate is, or was at a particular time or during a particular period, a timber classification officer is admissible as evidence of the matter stated in the certificate.

### **18. Power to construct drains on adjoining land**

- (1) The Forest Manager may construct or maintain a drain or watercourse in and through land adjoining or near a forest road as it considers necessary.
- (2) The Forest Manager must maintain a drain or watercourse constructed by it under subsection (1) .
- (3) The Forest Manager must not enter land for any purpose specified in subsection (1) or (2) unless –
  - (a) the Forest Manager has notified the owner and occupier of the land, in writing, of its intention to enter the land and the purpose of that entry; and
  - (b) not less than 14 days have elapsed since that notice was provided to the owner and occupier.
- (4) The Forest Manager must pay compensation to the owner and occupier of land entered under this section for any damage or loss suffered by reason of the construction or maintenance of a drain or watercourse by the Forest Manager under this section.
- (5) The compensation payable by the Forest Manager under this section is to be determined in the same manner as a disputed claim for compensation under the Land Acquisition Act 1993 .
- (6) For the purposes of subsection (4) –

*land* means –

  - (a) land other than Crown land; or
  - (b) land that is owned or occupied by a Government Business Enterprise; or
  - (c) land that is owned by any other person or body.

## 19. Constructing forest roads, &c.

The Forest Manager may construct and maintain forest roads, works and other facilities –

- (a) in permanent timber production zone land; or
- (b) for access to permanent timber production zone land.

## 20. Forest Manager not liable for failure to maintain forest road

The Forest Manager does not incur any liability by virtue of its failure to keep a forest road in repair in respect of pedestrian or vehicular traffic using that road.

## 21. Signage

(1) The Forest Manager may erect signs –

- (a) on or in respect of forest roads; or
- (b) on permanent timber production zone land –

for the purposes of discharging its responsibilities or in the interests of safety.

(2) The Forest Manager, wherever practicable, is to erect signs stating that a particular road is a forest road.

(3) A person must not, without lawful excuse, undertake an activity or engage in conduct on a forest road or other land in permanent timber production zone land contrary to the directions of the Forest Manager expressed on a sign authorised by the Forest Manager.

Penalty: Fine not exceeding 20 penalty units.

(4) In any proceedings under subsection (3), a certificate purporting to be signed by a person authorised, in writing, by the Forest Manager stating that at a particular time a sign was authorised by the Forest Manager for the purposes of this section is admissible as evidence that, at that time, the sign was so authorised.

(5) A police officer who reasonably considers that a person is offending against subsection (3) may direct that person to leave the forest road or other land in permanent timber production zone land.

(6) A person who is given a direction by a police officer under subsection (5) must comply with that direction.

Penalty: Fine not exceeding 20 penalty units.

(7) A police officer may arrest, without warrant, any person who fails to comply with a direction under subsection (5).

## 22. Request to leave, &c., permanent timber production zone land

(1) In this section –

***authorised officer*** means a person appointed as an authorised officer under subsection (2).

(2) The Forest Manager may appoint any of its employees to be an authorised officer for the purpose of this section.

(3) An authorised officer may request a person –

- (a) not to enter permanent timber production zone land or a forest road; or
- (b) to leave permanent timber production zone land or a forest road; or
- (c) to cease to undertake an activity conducted, or to cease to engage in conduct, on that land or road –

if the authorised officer is of the opinion that the entry or presence of that person, or the activity conducted, or the conduct engaged in, by that person on the land or road is preventing, has prevented or is about to prevent the Forest Manager from effectively or efficiently performing its functions.

(4) An authorised officer may prohibit a person from entering, or remaining in, an area of permanent timber production zone land –

(a) that has been declared under section 68 of the Fire Service Act 1979 to be an area of extreme fire hazard; or

(b) that is an area in respect of which another person has a right of exclusive possession; or

(c) in the interests of a person's safety.

(5) A person who fails to comply with a request from an authorised officer under subsection (3) or (4) is guilty of an offence.

Penalty: Fine not exceeding 20 penalty units.

(6) A person must not, without lawful excuse, undertake an activity or engage in conduct on permanent timber production zone land or a forest road contrary to the directions of a police officer.

Penalty: Fine not exceeding 20 penalty units.

(7) A police officer may arrest, without warrant, any person who fails to comply with a direction under subsection (6) .

(8) In any proceedings under subsection (5) , a certificate purporting to be signed by a person authorised, in writing, by the Forest Manager stating that at a particular time a person was an authorised officer is admissible as evidence that, the person was, at that time, an authorised officer.

### 23. Closure of forest roads

(1) In this section –

***artificial barricade*** includes a gate or chain;

***prescribed sign*** means a sign that clearly indicates that the forest road, or the section of forest road, in respect of which it is erected is closed to all traffic or to a class of traffic;

***traffic*** means pedestrian or vehicular traffic.

(2) The Forest Manager may close a forest road or any section of forest road either permanently or temporarily to all traffic, or to a class of traffic, if the Forest Manager considers that the closure is necessary or expedient –

(a) for the purposes of discharging its responsibilities; or

(b) in the interests of safety.

(3) The closure may be effected by means of –

(a) a prescribed sign; or

(b) a prescribed sign in conjunction with an artificial barricade; or

(c) a prescribed sign in conjunction with an earthen barricade; or

(d) a prescribed sign in conjunction with a trench –

or by any combination of those means.

(4) A person must not –

(a) drive or use a vehicle on; or

(b) be on or otherwise use –

a forest road or a section of forest road that has been closed in accordance with this section or in contravention of the regulations.

Penalty: Fine not exceeding 20 penalty units.

(5) In any proceedings under subsection (4) , a certificate purporting to be signed by a person authorised, in writing, by the Forest Manager and stating that, at a particular time, a forest road or a section of forest road was

closed to all traffic, or to a class of traffic, and that the closure was effected in accordance with this section, is admissible as evidence that, at that particular time, the forest road or section of forest road was so closed.

#### **24. Conversion of forest roads to public roads**

(1) In this section –

*forest road* means a forest road that is made up of land that has the status of permanent timber production zone land under this Act.

(2) The power that the Governor may exercise under section 7 of the Roads and Jetties Act 1935, in respect of a road or any specified portion of a road within the meaning of that Act, may also, with the consent of the Forest Manager, be exercised in respect of a forest road or any specified portion of a forest road in all respects as if the forest road were a road within the meaning of that Act.

(3) If, pursuant to subsection (2), the Governor by proclamation declares any forest road or any specified portion of a forest road to be a State highway or subsidiary road for the purposes of Part II of the Roads and Jetties Act 1935, the land comprising that forest road or specified part of that forest road ceases, by virtue of the proclamation, to be permanent timber production zone land on the date on which the proclamation takes effect.

(4) The power that a council may exercise under section 12 of the Local Government (Highways) Act 1982 in respect of a road, or other way within its municipal area that is not a highway, may also, with the consent of the Forest Manager, be exercised in respect of a forest road in all respects as if that forest road were a road or way within the meaning of that section of that Act.

(5) If, pursuant to subsection (4), a council by resolution declares that a forest road within its municipal area is to become, as specified in the resolution, a highway maintainable by the council or a particular kind of highway so maintainable, the land comprising that forest road ceases, by virtue of the resolution, to be permanent timber production zone land on the date on which the resolution is published in the *Gazette* in accordance with section 12(4) of the Local Government (Highways) Act 1982.

(6) This section has effect notwithstanding any other enactment.

#### **25. Exemption of certain vehicles from laws specifying vehicle mass, weight or dimension limits**

(1) In this section –

*combination* has the same meaning as in the Vehicle and Traffic Act 1999;

*vehicle* has the same meaning as in the Vehicle and Traffic Act 1999.

(2) Except as otherwise provided by the regulations, a law of Tasmania does not apply in respect of the use of a vehicle, or combination, on a forest road if the law would otherwise operate to prohibit or restrict the use on a forest road of a vehicle, or combination, that exceeds a certain mass, weight or dimension (whether inclusive or exclusive of its load).

#### **26. Easements over Crown land in permanent timber production zone land**

(1) The Forest Manager may, on behalf of the Crown, grant easements over Crown land in permanent timber production zone land for such purposes and upon such terms and conditions as the Forest Manager determines.

(2) An easement granted under subsection (1) is registrable under the Land Titles Act 1980.

#### **27. Land Acquisition Act 1993 applies to Forestry corporation**

The Land Acquisition Act 1993 applies to the Forestry corporation and for that purpose the Forestry corporation is taken to be an acquiring authority under that Act.

#### **28. Alternative to prosecution for certain offences**

(1) If –

(a) the Forest Manager is satisfied that a person has committed an offence involving a forest product but that in the circumstances the offence does not merit prosecution; and

(b) the person pays or agrees to pay the Forest Manager an amount not exceeding 3 times the commercial value of the forest product as reasonably determined by the Forest Manager –

the Forest Manager may accept such payment or agreement to pay and, if so, it must waive or, if applicable, discontinue the proceedings for the offence.

(2) In a case to which subsection (1) applies, the Forest Manager may allow the person to take, remove or retain the whole or any part of the forest product.

(3) If the whole or any part of an amount that a person has agreed to pay the Forest Manager under subsection (1) is not paid by such date or within such period as that person and the Forest Manager have agreed for the purpose, the Forest Manager may recover the unpaid amount as a debt due to the Forest Manager in a court of competent jurisdiction.

## **29. Fire protection**

(1) A person who is engaged in any forest operations in an area of permanent timber production zone land must –

(a) take reasonable measures to protect the area from fire; and

(b) promptly check and suppress any fire that may occur in the area.

Penalty: Fine not exceeding 20 penalty units.

(2) Nothing in subsection (1) prohibits a person from carrying out reasonable and controlled burning-off operations with the written approval of the Forest Manager as part of any forest operations or for the purposes of land management or fire safety.

(3) A person who is engaged in any forest operations in an area of permanent timber production zone land must, if requested to do so by a police officer or an employee of the Forest Manager, provide reasonable assistance to the Forest Manager in taking action to check and suppress any fire that is threatening, or likely to threaten, the area.

Penalty: Fine not exceeding 20 penalty units.

(4) The Forest Manager must reimburse a person for the reasonable costs incurred by that person in complying with a request under subsection (3) .

## **30. Person may not make certain claims**

No person –

(a) has any claim against the Crown or the Forest Manager including, without limitation, a claim for breach of confidence; or

(b) is entitled to claim that the Forest Manager has breached any contract; or

(c) is entitled to terminate a contract or claim any other remedy –

arising out of anything that the Forest Manager is required to do under section 58 of the Government Business Enterprises Act 1995 .

## **31. Vicarious liability**

(1) In this section –

*employee* includes a contractor, whether independent or otherwise.

(2) If an offence against this Act is committed by an agent or employee, the principal or employer is also guilty of an offence and liable to the same penalty as is provided for the first-mentioned offence unless it is proved that the principal or employer could not by the exercise of reasonable diligence have prevented the agent or employee from committing the offence.

## **32. Transfer of assets, &c.**

- (1) The Treasurer may, by notice of transfer published in the *Gazette*, transfer any assets, rights or liabilities of the Forestry corporation to another person or body.
- (2) Section 10A(1), (3) and (4) and Schedule 1A of the Government Business Enterprises Act 1995 apply to the transfer referred to in subsection (1) as if references to the transferor were references to the Forestry corporation and references to the transferee were references to the person or body referred to in subsection (1).

### 33. Recognition of service with Forestry corporation

- (1) In this section –

*continuous employment* has the same meaning as in the Long Service Leave Act 1976 or the Long Service Leave (State Employees) Act 1994, as the case may be.

- (2) If a person who is employed by the Forestry corporation resigns after the commencement of this Act and is appointed under the State Service Act 2000 to a position in the responsible Department in relation to the National Parks and Reserves Management Act 2002, that person's period of service with the Forestry corporation is taken to be continuous employment with the State Service –

- (a) for the purposes of calculating the long service leave which that person will be entitled to, or eligible for, under the Long Service Leave (State Employees) Act 1994; and

- (b) for the purposes of calculating any redundancy payment if the employee is made redundant from the State Service.

- (3) If the Long Service Leave Act 1976 applies to a person referred to in subsection (2), that person may elect in writing, on the day on which that person gives notice of his or her resignation, to not be paid in accordance with section 12(4) of that Act.

- (4) If the Long Service Leave (State Employees) Act 1994 applies to a person referred to in subsection (2), that person may elect in writing, on the day on which that person gives notice of his or her resignation, to not be paid the allowance specified in section 20(2) of that Act.

- (5) On appointment under the State Service Act 2000, a person referred to in subsection (2) is entitled, subject to subsection (11), to the amount of long service leave that the person would have been entitled to, or been eligible for, on that person's date of resignation if –

- (a) the person had not resigned from the Forestry corporation; and

- (b) the person has not received any payment in respect of that long service leave.

- (6) For the purposes of calculating the long service leave entitlement under the Long Service Leave (State Employees) Act 1994 of a person referred to in subsection (2), the amount of long service leave to which that person is entitled is to be no more than the combined amount of –

- (a) the long service leave under subsection (5); and

- (b) the amount of long service leave to which that person is entitled under the Long Service Leave (State Employees) Act 1994 on and from the date on which that person is appointed under the State Service Act 2000 but excluding that person's period of service with the Forestry corporation.

- (7) On appointment under the State Service Act 2000, a person referred to in subsection (2), who is not entitled to long service leave in accordance with section 8(2)(a)(i) of the Long Service Leave Act 1976, is entitled to long service leave if the combined period of continuous employment with the Forestry corporation and continuous employment in the State Service is 10 years.

- (8) For the purposes of calculating the long service leave entitlement of a person referred to in subsection (7), the amount of long service leave to which that person is entitled is to be no more than the combined amount of –

- (a) 0.866 weeks of long service leave for each year of continuous employment with the Forestry corporation; and

- (b) 6.5 days of long service leave for each year of continuous employment in the State Service.

(9) On appointment under the State Service Act 2000 , a person referred to in subsection (2) , who is not entitled to long service leave in accordance with section 8(2)(a)(ii) of the Long Service Leave Act 1976 , is entitled to long service leave for the period of that person's continuous employment with the Forestry corporation.

(10) Subject to subsection (11) , for the purposes of calculating the long service leave entitlement of a person referred to in subsection (9) , the amount of long service leave to which that person is entitled is to be no more than the amount of 0.866 weeks of long service leave for each year of continuous employment with the Forestry corporation.

(11) If a person referred to in subsection (2) has taken or exhausted the long service leave to which that person is entitled as a result of his or her employment with the Forestry corporation, the amount of long service leave taken or exhausted by that person is to be deducted from any amount of long service leave to which the person is, or becomes, entitled, or for which that person is, or becomes, eligible, on or after that person's appointment under the State Service Act 2000 .

(12) Subsections (2) , (5) , (7) and (9) do not apply if the period from the date of the person's resignation from the Forestry corporation to the date of commencement of the person's appointment under the State Service Act 2000 exceeds 3 months.

(13) Subsection (5) does not apply to a person referred to in subsection (2) if that person has received payment in respect of his or her full entitlement to long service leave accrued in respect of his or her employment with the Forestry corporation.

#### **34. Superannuation entitlements not affected**

(1) Nothing in this Act affects the superannuation entitlements of a person referred to in section 33(2) that were in existence immediately before the date on which that person resigned from his or her employment with the Forestry corporation.

(2) Subsection (1) does not apply if the period from the date of the person's resignation from the Forestry corporation to the date of commencement of the person's appointment under the State Service Act 2000 exceeds 3 months.

#### **35. Regulations**

(1) The Governor may make regulations for the purposes of this Act.

(2) Without limiting the generality of subsection (1) , the regulations may prescribe the day on which sections 33 and 34 cease to have effect.

(3) The regulations may –

(a) be of general or limited application; and

(b) apply differently according to specified matters, limitations or restrictions, whether as to time, location, circumstance or otherwise; and

(c) authorise any matter to be determined, applied or regulated by the Forest Manager or by a person or class of persons authorised by the Forest Manager.

(4) The regulations may –

(a) provide that a contravention of, or a failure to comply with, any of the regulations is an offence; and

(b) in respect of such an offence, provide for the imposition of a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

#### **36. Administration of Act**

Until provision is made in relation to this Act by order under section 4 of the Administrative Arrangements Act 1990 –

(a) the administration of this Act is assigned to the Minister for Energy and Resources; and

(b) the department responsible to that Minister in relation to the administration of this Act is the Department of Infrastructure, Energy and Resources.

**37. Savings and transitional provisions relating to continuation of Forestry corporation**

Schedule 1 has effect.

**38. Savings and transitional provisions relating to State forest becoming permanent timber production zone land**

Schedule 2 has effect.

**39. Certain forest reserves declared to be reserved land under Nature Conservation Act 2002**

Schedule 3 has effect.

**40. Legislation repealed**

The legislation specified in Schedule 4 is repealed.

# **SCHEDULE 1 - Savings and Transitional Provisions Relating to Continuation of Forestry Corporation**

Section 37

## **1. Interpretation**

In this Schedule –

*commencement day* means the day on which this Act commences.

## **2. Transfer of property**

For the avoidance of doubt, any estate or interest in land or other property and all rights, obligations and liabilities of the Forestry corporation that are subsisting immediately before the commencement day are, on that day, taken to vest in the Forestry corporation continued under this Act.

## **3. Acts, &c., done by or to Forestry corporation**

For the avoidance of doubt, all acts, matters and things done or omitted to be done by, or done or suffered in relation to, the Forestry corporation before the commencement day have, on and after that day, the same force and effect as if they had been done or omitted to be done by, or done or suffered in relation to, the Forestry corporation continued under this Act.

## **4. Continuation of proceedings**

For the avoidance of doubt, all legal or other proceedings that might, before the commencement day, have been continued or instituted by or against the Forestry corporation may, on and after that day, be continued or instituted by or against the Forestry corporation continued under this Act.

## **5. Contracts, agreements, &c.**

(1) For the avoidance of doubt, any contract, agreement, arrangement or undertaking entered into by the Forestry corporation in relation to land other than land referred to in Schedule 3 is, if not executed, discharged or otherwise terminated by the commencement day, taken to be a contract, agreement, arrangement or undertaking entered into with the Forestry corporation continued under this Act.

(2) Subclause (1) does not apply to any contract, agreement, arrangement or undertaking referred to in clause 4 of Schedule 3 .

## **6. Leases, licence, &c.**

(1) For the avoidance of doubt, any lease, licence, permit, easement or other authority granted by the Forestry corporation is, if not surrendered, released, discharged or otherwise terminated by the commencement day, taken to be a lease, licence, permit, easement or other authority granted by the Forestry corporation continued under this Act.

(2) Subclause (1) does not apply to any lease, licence, permit, easement or other authority referred to in clause 3 of Schedule 3 .

## **7. Chief executive officer**

The person holding office as chief executive officer under the repealed Act immediately before the commencement day continues to hold that office on and after that day on the same terms and conditions applicable to that office immediately before the commencement day.

## **8. Forestry rights**

For the avoidance of doubt, any forestry right, within the meaning of section 22A of the repealed Act, in existence under that Act immediately before the commencement day continues in existence on and from that day.

## **9. Employees**

A person employed by the Forestry corporation immediately before the commencement day continues to be employed on and after that day by the Forestry corporation continued under this Act, on the same terms and conditions applicable to the position held by that person immediately before the commencement day.

#### **10. Timber classification officers**

A person holding office as a timber classification officer immediately before the commencement day is taken to have been appointed as a timber classification officer under this Act on the same terms applicable to that office immediately before the commencement day.

#### **11. Joint ventures**

(1) An arrangement entered into under section 24 of the repealed Act and in force immediately before the commencement day continues in force on and after that day, as if it had been made by the Forestry corporation continued under this Act, on the same terms and conditions that related to that arrangement immediately before the commencement day.

(2) Notwithstanding subclause (1), an arrangement referred to in that subclause may not be extended for any period after the term specified in the agreement relating to the arrangement except with the written approval of the Minister and the Treasurer.

#### **12. Sign**

Any signs erected under section 25 of the repealed Act are taken to have been erected under section 21 of this Act.

#### **13. Closed forest roads**

Any forest road closed under section 26 of the repealed Act is taken to have been closed under section 23 of this Act.

## SCHEDULE 2 - Savings and Transitional Provisions Relating to State Forest Becoming Permanent Timber Production Zone Land

Section 38

### 1. Certain State forest becomes permanent timber production zone land

(1) Except as provided in subclause (2) , land that was State forest under the repealed Act immediately before the commencement of this Act, but was not dedicated as a forest reserve under the repealed Act, becomes permanent timber production zone land under this Act.

(2) Land that was State forest under the repealed Act immediately before the commencement of this Act and was dedicated as a forest reserve, under the repealed Act, specified in column 1, and indicated by heavy black lines in the relevant CPR Plan listed in column 2, comprising the area specified in column 3, of the table set out at the end of this Schedule, becomes permanent timber production zone land.

| <b>Column 1</b><br><b>Forest reserve name</b> | <b>Column 2</b><br><b>CPR Plan</b> | <b>Column 3</b><br><b>Area (ha)</b> |
|-----------------------------------------------|------------------------------------|-------------------------------------|
| Brookerana Forest Reserve (part)              | 9642                               | 30                                  |
| Dalgarth Forest Reserve                       | 2274                               | 17                                  |
| Griffin Forest Reserve                        | 3933                               | 17                                  |
| Hollybank Forest Reserve                      | 2272                               | 135                                 |
| Hopetoun Forest Reserve                       | 2296                               | 20                                  |
| Jean Brook Forest Reserve                     | 2278                               | 12                                  |
| Lawrence Rivulet Forest Reserve               | 4369                               | 14                                  |
| Oldina Forest Reserve                         | 2273                               | 11                                  |
| Springfield Forest Reserve                    | 3935                               | 34                                  |
| Tahune Forest Reserve                         | 2270                               | 103                                 |
| Upper Natone Forest Reserve                   | 2275                               | 3                                   |
| Wes Beckett Forest Reserve                    | 2289                               | 29                                  |

## **SCHEDULE 3 - Certain forest reserves declared to be reserved land under Nature Conservation Act 2002**

Section 39

### **1. Interpretation**

In column 4 of the table set out at the end of this Schedule –

*CA* means a conservation area within the meaning of the Nature Conservation Act 2002 ;

*RR* means a regional reserve within the meaning of the Nature Conservation Act 2002 .

### **2. Certain forest reserves declared to be reserved land under Nature Conservation Act 2002**

(1) Land that was State forest under the repealed Act immediately before the commencement of this Act and was dedicated as a forest reserve, under the repealed Act, specified in column 1 in the table set out at the end of this Schedule, and indicated by heavy black lines in the relevant CPR Plan listed in column 2 of that table, comprising the area specified in column 3 of that table –

(a) ceases to be dedicated as a forest reserve; and

(b) ceases to be dedicated as State forest; and

(c) is declared to be reserved land in the class of regional reserve or conservation area, within the meaning of the Nature Conservation Act 2002 , as specified in column 4 of that table and is taken to have been so declared under section 11 of the Nature Conservation Act 2002 .

(2) Land declared as reserved land under subclause (1)(c) is given the name listed in column 5 of the table set out at the end of this Schedule and is taken to have been so named under section 19 of the Nature Conservation Act 2002 .

### **3. Continuation of leases and licences, &c., in relation to land referred to in this Schedule**

(1) Any lease, licence, permit, easement or other authority in existence and entered into before the commencement of this Act in relation to land specified in column 1 of the table set out at the end of this Schedule, and identified by the CPR Plan listed in column 2 of that table, remains in force until it expires or is surrendered, released, discharged or terminated.

(2) Any lease, licence, permit, easement or other authority referred to in subclause (1) is to be administered by the responsible Department in relation to the National Parks and Reserves Management Act 2002 .

(3) Any lease, licence or temporary licence granted by the Crown Lands Act 1976 , and in existence immediately before the commencement of this Act, continues to have effect as if this Act had not been enacted.

(4) Any contract for the sale of Crown land entered into by the Minister under the Crown Lands Act 1976 and not discharged or otherwise terminated before the commencement of this Act continues to have effect as if this Act had not been enacted.

### **4. Continuation of contracts, agreements, &c.**

(1) Any contract, agreement, arrangement or undertaking entered into by the Forestry corporation, and in existence immediately before the commencement of this Act, in relation to land specified in column 1 of the table set out at the end of this Schedule, and identified in the CPR Plan listed in column 2 of that table, remains in force until it expires or is surrendered, released, discharged or terminated.

(2) Any contract, agreement, arrangement or undertaking referred to in subclause (1) is taken to have been entered into with the Crown.

### **5. Continuation of management plans**

A management plan under the National Parks and Reserves Management Act 2002 in existence immediately before the commencement of this Act in relation to any land referred to in clause 2 continues as if it were a management plan for a class of reserve under the Nature Conservation Act 2002 .

## 6. Mineral Resources Development Act 1995 applies

The Mineral Resources Development Act 1995 does not apply to the surface, or within 15 metres below the surface, of any land identified with the word "No" in column 6 of the table set out at the end of this Schedule.

| Column 1<br>Forest reserve name  | Column 2<br>CPR Plan | Column 3<br>Area (ha) | Column 4<br>NCA<br>reserve class | Column 5<br>Reserve name          | Column 6<br>MRDA<br>applies |
|----------------------------------|----------------------|-----------------------|----------------------------------|-----------------------------------|-----------------------------|
| Alma Tier Forest Reserve         | 5096                 | 287                   | CA                               | Alma Tier Conservation Area       | No                          |
| Andersons Creek Forest Reserve   | 4391                 | 317                   | RR                               | Andersons Creek Regional Reserve  |                             |
| Apslawn Forest Reserve           | 4432                 | 2,866                 | RR                               | Apslawn Regional Reserve          |                             |
| Arm River Forest Reserve         | 2302                 | 127                   | RR                               | Arm River Regional Reserve        |                             |
| Arthur River Forest Reserve      | 4376, 6870           | 3,678                 | RR                               | Arthur River Regional Reserve     |                             |
| Arve Loop Forest Reserve         | 4363                 | 944                   | CA                               | Arve Loop Conservation Area       |                             |
| Avenue River Forest Reserve      | 4433                 | 4,306                 | RR                               | Avenue River Regional Reserve     |                             |
| Badger River Forest Reserve      | 2906                 | 316                   | RR                               | Badger River Regional Reserve     |                             |
| Balfour Track Forest Reserve     | 4055                 | 322                   | RR                               | Balfour Track Regional Reserve    |                             |
| Bells Marsh Forest Reserve       | 4434                 | 441                   | RR                               | Bells Marsh Regional Reserve      |                             |
| Big Sassy Creek Forest Reserve   | 2916                 | 189                   | CA                               | Big Sassy Creek Conservation Area |                             |
| Big Tree Forest Reserve          | 7198                 | 112                   | CA                               | Big Tree Conservation Area        |                             |
| Black Creek Forest Reserve       | 2893                 | 311                   | RR                               | Black Creek Regional Reserve      |                             |
| Black Jack Hill Forest Reserve   | 2879                 | 662                   | RR                               | Black Jack Hill Regional Reserve  |                             |
| Blue Tier Forest Reserve         | 4435, 6872           | 5,305                 | RR                               | Blue Tier Regional Reserve        |                             |
| Boco Creek Forest Reserve        | 4377                 | 923                   | RR                               | Boco Creek Regional Reserve       |                             |
| Bond Tier Forest Reserve         | 2877                 | 1,814                 | RR                               | Bond Tier Regional Reserve        |                             |
| Bonneys Tier Forest Reserve      | 2932                 | 363                   | RR                               | Bonneys Tier Regional Reserve     |                             |
| Borradaile Forest Reserve        | 2924                 | 255                   | RR                               | Borradaile Regional Reserve       |                             |
| Boyd Forest Reserve              | 2298                 | 10                    | CA                               | Boyd Conservation Area            |                             |
| Break O'Day Forest Reserve       | 4436                 | 331                   | RR                               | Break O'Day Regional Reserve      |                             |
| Bridgenorth Forest Reserve       | 4392                 | 41                    | CA                               | Bridgenorth Conservation Area     |                             |
| Brookerana Forest Reserve (part) | 9643                 | 28                    | CA                               | Brookerana Conservation Area      |                             |
| Brown Mountain Forest Reserve    | 2919                 | 654                   | CA                               | Brown Mountain Conservation Area  |                             |
| Brushy Rivulet Forest Reserve    | 2909                 | 593                   | CA                               | Brushy Rivulet Conservation Area  |                             |
| Burns Peak Forest Reserve        | 4378                 | 952                   | RR                               | Burns Peak Regional Reserve       |                             |
| Buxton River Forest Reserve      | 4438                 | 3,616                 | CA                               | Buxton River Conservation Area    |                             |
| Caroline Creek Forest Reserve    | 2894                 | 212                   | RR                               | Caroline Creek Regional Reserve   |                             |
| Christmas Hills Forest Reserve   | 2937                 | 344                   | CA                               | Christmas Hills Conservation Area |                             |
| Coppermine Creek Forest Reserve  | 2931                 | 685                   | RR                               | Coppermine Creek Regional Reserve |                             |
| Crayfish Creek Forest Reserve    | 4399                 | 313                   | RR                               | Crayfish Creek Regional Reserve   |                             |
| Cygnets River Forest Reserve     | 4663                 | 4,311                 | RR                               | Cygnets River Regional Reserve    |                             |
| Deep Gully Forest Reserve        | 4379, 6874           | 3,397                 | RR                               | Deep Gully Regional Reserve       |                             |
| Den Hill Forest Reserve          | 2925                 | 947                   | CA                               | Den Hill Conservation             |                             |

|                                    |            |       |    |                                       |    |
|------------------------------------|------------|-------|----|---------------------------------------|----|
| Den Ranges Forest Reserve          | 4407       | 404   | RR | Area<br>Den Ranges Regional Reserve   | No |
| Denison Ridge Forest Reserve       | 2929       | 148   | CA | Denison Ridge Conservation Area       |    |
| Derby Forest Reserve               | 4408       | 200   | RR | Derby Regional Reserve                |    |
| Dial Range Forest Reserve          | 4380       | 2,522 | RR | Dial Range Regional Reserve           |    |
| Dickies Ridge Forest Reserve       | 4437       | 621   | RR | Dickies Ridge Regional Reserve        |    |
| Dip Falls Forest Reserve           | 1350       | 34    | RR | Dip Falls Regional Reserve            |    |
| Dip River Forest Reserve           | 2933       | 2,746 | RR | Dip River Regional Reserve            |    |
| Dismal Range Forest Reserve        | 4409       | 199   | CA | Dismal Range Conservation Area        |    |
| Dismal Swamp Forest Reserve        | 5095       | 310   | RR | Dismal Swamp Regional Reserve         |    |
| Doctors Peak Forest Reserve        | 2881       | 3,038 | RR | Doctors Peak Regional Reserve         |    |
| Dogs Head Hill Forest Reserve      | 4393       | 1,508 | RR | Dogs Head Hill Regional Reserve       | No |
| Dove River Forest Reserve          | 4394       | 2,415 | RR | Dove River Regional Reserve           |    |
| Drys Bluff Forest Reserve          | 2291       | 691   | CA | Drys Bluff Conservation Area          |    |
| Duck River Forest Reserve          | 2895       | 464   | RR | Duck River Regional Reserve           |    |
| Eastern Tiers Forest Reserve       | 4439, 6876 | 4,917 | CA | Eastern Tiers Conservation Area       |    |
| Emu Ground Forest Reserve          | 3574       | 919   | RR | Emu Ground Regional Reserve           |    |
| Emu River Forest Reserve           | 4381       | 584   | RR | Emu River Regional Reserve            |    |
| Esperance River Forest Reserve     | 2305       | 149   | CA | Esperance River Conservation Area     |    |
| Evercreech Forest Reserve          | 2276       | 52    | RR | Evercreech Regional Reserve           |    |
| Fisher Tier Forest Reserve         | 4410       | 269   | CA | Fisher Tier Conservation Area         |    |
| Fletchers Hill West Forest Reserve | 2951       | 57    | CA | Fletchers Hill West Conservation Area |    |
| Flowerdale River Forest Reserve    | 4382       | 292   | RR | Flowerdale River Regional Reserve     |    |
| Fords Pinnacle Forest Reserve      | 2952       | 95    | RR | Fords Pinnacle Regional Reserve       |    |
| Franklin Rivulet Forest Reserve    | 2954       | 321   | CA | Franklin Rivulet Conservation Area    |    |
| Frome Forest Reserve               | 4411       | 930   | RR | Frome Regional Reserve                |    |
| German Town Forest Reserve         | 4440       | 935   | RR | German Town Regional Reserve          |    |
| Hardings Falls Forest Reserve      | 4441, 6878 | 1,938 | RR | Hardings Falls Regional Reserve       |    |
| Hatfield River Forest Reserve      | 4383, 6879 | 1,518 | RR | Hatfield River Regional Reserve       |    |
| Henty Forest Reserve               | 2907       | 105   | RR | Henty Regional Reserve                |    |
| Huntsmans Cap Forest Reserve       | 4442       | 216   | RR | Huntsmans Cap Regional Reserve        |    |
| Huskisson River Forest Reserve     | 4384       | 690   | RR | Huskisson River Regional Reserve      |    |
| Jackeys Creek Forest Reserve       | 2940       | 213   | CA | Jackeys Creek Conservation Area       |    |
| John Lynch Forest Reserve          | 4386, 6880 | 7,231 | RR | John Lynch Regional Reserve           |    |
| Joy Creek Forest Reserve           | 4412       | 233   | RR | Joy Creek Regional Reserve            |    |
| Julius River Forest Reserve        | 2281       | 84    | RR | Julius River Regional Reserve         |    |
| Kenmere Creek Forest Reserve       | 2945       | 232   | CA | Kenmere Creek Conservation Area       |    |
| Kohls Falls Forest Reserve         | 4413       | 145   | RR | Kohls Falls Regional Reserve          |    |
| Lady Binney Forest Reserve         | 4367       | 379   | RR | Lady Binney Regional Reserve          |    |
| Lady Nelson Forest Reserve         | 4414       | 156   | RR | Lady Nelson Regional Reserve          |    |
| Lake Binney Forest Reserve         | 4368       | 461   | CA | Lake Binney Conservation Area         |    |

|                                   |            |       |    |                                     |    |
|-----------------------------------|------------|-------|----|-------------------------------------|----|
| Lake Chisholm Forest Reserve      | 2629       | 175   | RR | Lake Chisholm Regional Reserve      |    |
| Lake Pieman Forest Reserve        | 5094       | 1,008 | RR | Lake Pieman Regional Reserve        |    |
| Lanes Tier Forest Reserve         | 2948       | 221   | CA | Lanes Tier Conservation Area        |    |
| Laurel Creek Forest Reserve       | 4385       | 1,115 | RR | Laurel Creek Regional Reserve       |    |
| Lefroy Forest Reserve             | 4415       | 3,584 | RR | Lefroy Regional Reserve             |    |
| Liffey Forest Reserve             | 2133       | 1,056 | CA | Liffey Conservation Area            | No |
| Lizard Hill Forest Reserve        | 2934       | 94    | RR | Lizard Hill Regional Reserve        |    |
| Lobster Rivulet Forest Reserve    | 2897       | 130   | RR | Lobster Rivulet Regional Reserve    |    |
| Long Hill Forest Reserve          | 4395       | 558   | CA | Long Hill Conservation Area         |    |
| Long Ridge Forest Reserve         | 2899       | 169   | RR | Long Ridge Regional Reserve         |    |
| Lost Falls Forest Reserve         | 2286       | 486   | CA | Lost Falls Conservation Area        | No |
| Lovells Creek Forest Reserve      | 2876       | 553   | RR | Lovells Creek Regional Reserve      |    |
| Lower Marsh Creek Forest Reserve  | 6688       | 1,091 | RR | Lower Marsh Creek Regional Reserve  |    |
| Luncheon Hill Forest Reserve      | 4400       | 1,031 | RR | Luncheon Hill Regional Reserve      |    |
| Lutregala Creek Forest Reserve    | 2957       | 109   | RR | Lutregala Creek Regional Reserve    |    |
| Mackintosh Forest Reserve         | 4388       | 1,029 | RR | Mackintosh Regional Reserve         |    |
| MacLaines Creek Forest Reserve    | 5123       | 429   | CA | MacLaines Creek Conservation Area   | No |
| Maggs Mountain Forest Reserve     | 3579       | 1,112 | RR | Maggs Mountain Regional Reserve     |    |
| Martins Hill Forest Reserve       | 3707       | 1,186 | RR | Martins Hill Regional Reserve       |    |
| Mathinna Falls Forest Reserve     | 2292, 2902 | 447   | RR | Mathinna Falls Regional Reserve     | No |
| Meander Forest Reserve            | 2132       | 1,664 | CA | Meander Conservation Area           | No |
| Meetus Falls Forest Reserve       | 2290       | 191   | CA | Meetus Falls Conservation Area      | No |
| Mersey River Forest Reserve       | 4396       | 633   | CA | Mersey River Conservation Area      |    |
| Mersey White Water Forest Reserve | 2284       | 241   | RR | Mersey White Water Regional Reserve |    |
| Midday Hill Forest Reserve        | 4416       | 310   | CA | Midday Hill Conservation Area       |    |
| Milkshake Hills Forest Reserve    | 2271       | 279   | RR | Milkshake Hills Regional Reserve    |    |
| Millers Bluff Forest Reserve      | 2941       | 670   | CA | Millers Bluff Conservation Area     |    |
| Montagu River Forest Reserve      | 4401       | 1,014 | RR | Montagu River Regional Reserve      |    |
| Montagu Swamp Forest Reserve      | 4402       | 1,582 | RR | Montagu Swamp Regional Reserve      |    |
| Mount Arthur Forest Reserve       | 4418       | 881   | RR | Mount Arthur Regional Reserve       |    |
| Mount Bruny Forest Reserve        | 4364       | 1,353 | CA | Mount Bruny Conservation Area       |    |
| Mount Careless Forest Reserve     | 4397       | 689   | RR | Mount Careless Regional Reserve     |    |
| Mount Dromedary Forest Reserve    | 4370       | 859   | CA | Mount Dromedary Conservation Area   |    |
| Mount Horror Forest Reserve       | 6690       | 1,116 | RR | Mount Horror Regional Reserve       |    |
| Mount Kershaw Forest Reserve      | 4387       | 259   | RR | Mount Kershaw Regional Reserve      |    |
| Mount Mangana Forest Reserve      | 2927       | 855   | CA | Mount Mangana Conservation Area     |    |
| Mount Maurice Forest Reserve      | 4423, 6881 | 6,744 | RR | Mount Maurice Regional Reserve      |    |
| Mount Midway Forest Reserve       | 2930       | 463   | CA | Mount Midway Conservation Area      |    |
| Mount Morrison Forest Reserve     | 4371       | 747   | CA | Mount Morrison Conservation Area    |    |
| Mount Ponsonby Forest Reserve     | 2921       | 462   | CA | Mount Ponsonby Conservation Area    |    |
| Mount Puzzler Forest Reserve      | 4057       | 404   | RR | Mount Puzzler                       |    |

|                                      |      |        |    |                                                        |    |
|--------------------------------------|------|--------|----|--------------------------------------------------------|----|
| Mount Stronach Forest Reserve        | 4417 | 1,026  | RR | Regional Reserve<br>Mount Stronach<br>Regional Reserve |    |
| Mount Thunderbolt Forest Reserve     | 2922 | 317    | CA | Mount Thunderbolt<br>Conservation Area                 |    |
| Mount Victoria Forest Reserve        | 4424 | 8,269  | RR | Mount Victoria<br>Regional Reserve                     |    |
| Mount Wedge Forest Reserve           | 4056 | 11     | CA | Mount Wedge<br>Conservation Area                       |    |
| Nicholas Range Forest Reserve        | 4444 | 809    | RR | Nicholas Range<br>Regional Reserve                     |    |
| North Esk Forest Reserve             | 4420 | 621    | RR | North Esk Regional<br>Reserve                          |    |
| North Scottsdale Forest Reserve      | 6689 | 4,087  | RR | North Scottsdale<br>Regional Reserve                   |    |
| North Styx Forest Reserve            | 6883 | 4,224  | CA | North Styx<br>Conservation Area                        |    |
| Nunamara Forest Reserve              | 4422 | 287    | RR | Nunamara Regional<br>Reserve                           |    |
| Old Park Forest Reserve              | 4389 | 1,587  | RR | Old Park Regional<br>Reserve                           |    |
| Ouse River Forest Reserve            | 2926 | 363    | CA | Ouse River<br>Conservation Area                        |    |
| Oxberry Plains Forest Reserve        | 4426 | 324    | RR | Oxberry Plains<br>Regional Reserve                     |    |
| Paradise Plains Forest Reserve       | 4425 | 439    | RR | Paradise Plains<br>Regional Reserve                    |    |
| Parangana Sugarloaf Forest Reserve   | 2911 | 279    | RR | Parangana Sugarloaf<br>Regional Reserve                |    |
| Peaked Hill Forest Reserve           | 2912 | 234    | RR | Peaked Hill Regional<br>Reserve                        |    |
| Pepper Hill Forest Reserve           | 4445 | 432    | RR | Pepper Hill Regional<br>Reserve                        |    |
| Pipers River Forest Reserve          | 2903 | 195    | RR | Pipers River Regional<br>Reserve                       |    |
| Plains Creek Forest Reserve          | 4403 | 861    | CA | Plains Creek<br>Conservation Area                      |    |
| Porcupine Hill Forest Reserve        | 2953 | 207    | RR | Porcupine Hill<br>Regional Reserve                     |    |
| Promised Land Forest Reserve         | 2892 | 124    | RR | Promised Land<br>Regional Reserve                      |    |
| Prossers Forest Reserve              | 2884 | 1,122  | RR | Prossers Regional<br>Reserve                           |    |
| Pruana Forest Reserve                | 2935 | 3,032  | RR | Pruana Regional<br>Reserve                             |    |
| Quamby Bluff Forest Reserve          | 2611 | 945    | CA | Quamby Bluff<br>Conservation Area                      |    |
| Rayners Hill Forest Reserve          | 4427 | 331    | RR | Rayners Hill Regional<br>Reserve                       |    |
| Rebecca Creek Forest Reserve         | 2949 | 345    | CA | Rebecca Creek<br>Conservation Area                     |    |
| Reedy Marsh Forest Reserve           | 4398 | 3,870  | CA | Reedy Marsh<br>Conservation Area                       |    |
| Remarkable Rock Forest Reserve       | 2947 | 391    | CA | Remarkable Rock<br>Conservation Area                   |    |
| Rimons Hill Forest Reserve           | 4365 | 391    | CA | Rimons Hill<br>Conservation Area                       |    |
| Ringarooma River Forest Reserve      | 4428 | 291    | RR | Ringarooma River<br>Regional Reserve                   |    |
| River Hill Forest Reserve            | 4429 | 343    | CA | River Hill<br>Conservation Area                        |    |
| Roaring Magg Hill Forest Reserve     | 2914 | 115    | RR | Roaring Magg Hill<br>Regional Reserve                  |    |
| Royal George Forest Reserve          | 4446 | 768    | RR | Royal George<br>Regional Reserve                       |    |
| Sand River Forest Reserve            | 5097 | 79     | CA | Sand River<br>Conservation Area                        | No |
| Sandspit River Forest Reserve        | 2310 | 232    | CA | Sandspit River<br>Conservation Area                    | No |
| Savage River Pipeline Forest Reserve | 6886 | 31,025 | RR | Savage River Pipeline<br>Regional Reserve              |    |
| Sawmill Creek Forest Reserve         | 4390 | 873    | RR | Sawmill Creek<br>Regional Reserve                      |    |
| Sawpit Ridge Forest Reserve          | 2943 | 1,694  | RR | Sawpit Ridge Regional<br>Reserve                       |    |
| Scamander Forest Reserve             | 3934 | 209    | RR | Scamander Regional<br>Reserve                          |    |
| Shakespeare Hills Forest Reserve     | 4404 | 2,157  | RR | Shakespeare Hills<br>Regional Reserve                  |    |
| Shingle Hill Forest Reserve          | 5098 | 70     | CA | Shingle Hill<br>Conservation Area                      | No |

|                                   |            |       |    |                                      |    |
|-----------------------------------|------------|-------|----|--------------------------------------|----|
| Snaky Creek Forest Reserve        | 6882       | 1,272 | CA | Snaky Creek Conservation Area        | No |
| Snow Hill Forest Reserve          | 2944       | 1,324 | RR | Snow Hill Regional Reserve           |    |
| Snowy River Forest Reserve        | 2904       | 90    | RR | Snowy River Regional Reserve         | No |
| South Esk Forest Reserve          | 4430, 6887 | 1,334 | RR | South Esk Regional Reserve           |    |
| South Weld Forest Reserve         | 2287       | 47    | RR | South Weld Regional Reserve          | No |
| Spinning Gum Forest Reserve       | 2923       | 3     | CA | Spinning Gum Conservation Area       |    |
| Staverton Forest Reserve          | 2891       | 109   | RR | Staverton Regional Reserve           | No |
| Stringybark Forest Reserve        | 4056       | 33    | CA | Stringybark Conservation Area        |    |
| Styx Tall Trees Forest Reserve    | 6888       | 337   | CA | Styx Tall Trees Conservation Area    | No |
| Sumac Forest Reserve              | 2890       | 9,860 | RR | Sumac Regional Reserve               |    |
| Swan River Forest Reserve         | 4662       | 3,155 | RR | Swan River Regional Reserve          | No |
| Tanina Bluff Forest Reserve       | 4372       | 246   | CA | Tanina Bluff Conservation Area       |    |
| Tarraleah Forest Reserve          | 4373       | 620   | CA | Tarraleah Conservation Area          | No |
| Teds Flat Forest Reserve          | 4447       | 249   | RR | Teds Flat Regional Reserve           |    |
| Teepookana Forest Reserve         | 2309       | 615   | RR | Teepookana Regional Reserve          | No |
| Tippogoree Hills Forest Reserve   | 3104       | 903   | CA | Tippogoree Hills Conservation Area   |    |
| Tombstone Creek Forest Reserve    | 4431       | 486   | RR | Tombstone Creek Regional Reserve     | No |
| Tooms Lake Forest Reserve         | 4448, 6889 | 3,601 | CA | Tooms Lake Conservation Area         |    |
| Trowutta Forest Reserve           | 4405, 6890 | 2,859 | RR | Trowutta Regional Reserve            | No |
| Tungatinah Forest Reserve         | 4374       | 176   | CA | Tungatinah Conservation Area         |    |
| Virginstow Forest Reserve         | 2915       | 453   | CA | Virginstow Conservation Area         | No |
| Waratah Creek Forest Reserve      | 6873       | 520   | RR | Waratah Creek Regional Reserve       |    |
| Warra Creek Forest Reserve        | 2878       | 572   | RR | Warra Creek Regional Reserve         | No |
| Warrawee Forest Reserve           | 2939, 9639 | 227   | CA | Warrawee Conservation Area           |    |
| Wayatinah Forest Reserve          | 4375       | 495   | CA | Wayatinah Conservation Area          | No |
| Weavers Creek Forest Reserve      | 2885       | 776   | RR | Weavers Creek Regional Reserve       |    |
| Welcome Swamp Forest Reserve      | 4406       | 163   | RR | Welcome Swamp Regional Reserve       | No |
| Wentworth Creek Forest Reserve    | 3635       | 250   | CA | Wentworth Creek Conservation Area    |    |
| Wielangta Forest Reserve          | 6891       | 846   | CA | Wielangta Conservation Area          | No |
| Wild Bee Forest Reserve           | 4366       | 529   | CA | Wild Bee Conservation Area           |    |
| Winterbrook Falls Forest Reserve  | 2955       | 555   | RR | Winterbrook Falls Regional Reserve   | No |
| Yellow Bluff Creek Forest Reserve | 2918       | 479   | CA | Yellow Bluff Creek Conservation Area |    |

## **SCHEDULE 4 - Legislation repealed**

Section 40

Notice under section 20B of the Forestry Act 1920 (No. 48 of 1989)  
Notice under section 20B of the Forestry Act 1920 (No. 49 of 1989)  
Forestry Act 1920 (No. 60 of 1920)  
Notice under section 20B of the Forestry Act 1920 (No. 203 of 1989)  
Forestry Amendment (Miscellaneous) Act 1999 (No. 30 of 1999)