



FORESTRY AMENDMENT (BOUNDARIES) ACT 1989

No. 18 of 1989

TABLE OF PROVISIONS

- 1. Short title.
- 2. Commencement.
- 3. Principal Act.
- 4. Amendment of section 15 of Principal Act (Revocation of dedication).
- 5. Insertion in Principal Act of new section 15A.
15A—Minor alterations of boundaries of State forests.

AN ACT to amend the Forestry Act 1920.

[Royal Assent 18 April 1989]

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:—

1—This Act may be cited as the *Forestry Amendment* Short title. *(Boundaries) Act 1989.*

2—This Act shall commence on the day on which it receives Commencement. the Royal assent.

Principal Act.

3—In this Act the *Forestry Act 1920** is referred to as the Principal Act.

Amendment of section 15 of Principal Act (Revocation of dedication).

4—Section 15 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) “A dedication” and substituting “Subject to section 15A, a dedication”;

(b) by omitting paragraph (b) of subsection (1) and substituting the following paragraph:—

(b) If the proposal is deemed, in accordance with subsection (1A), to have received the approval of each House of Parliament, the Governor shall, by proclamation, revoke the dedication;

(c) by inserting after subsection (1) the following subsection:—

(1A) A proposal laid before a House of Parliament under subsection (1) shall be deemed to have received the approval of that House if—

(a) at the expiration of 5 sitting days following the laying of the proposal before that House, no notice has been given of a motion for that House to disallow the proposal; or

(b) where such a notice has been so given—

(i) the notice is withdrawn; or

(ii) the motion is negatived.

Insertion in Principal Act of new section 15A.

5—After section 15 of the Principal Act, the following section is inserted:—

Minor alterations of boundaries of State forests.

15A—(1) The Governor may, by proclamation, effect minor alterations to the boundaries of a State forest.

(2) For the purposes of subsection (1), alterations to the boundaries of a State forest shall be taken to be minor alterations if those alterations are such that—

(a) any diminution in the overall area of the State forest resulting from those alterations does not exceed 1 per cent of the total area of the State forest immediately before the making of the alterations; or

* 11 Geo. V No. 60. For this Act, as amended up to and including 1st September 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 117 of 1977, Nos. 19 and 95 of 1980, No. 18 of 1981, Nos. 29, 56, and 104 of 1984, No. 49 of 1985, and No. 69 of 1986.

(b) no portion of the boundaries of the State forest is relocated by a distance in excess of 100 metres.

(3) Subject to subsection (4), where the boundaries of a State forest are altered in pursuance of this section, paragraph (c) of subsection (1), and subsections (2) and (3), of section 15 apply in relation to any land excised from that State forest as a result of those boundaries being so altered as if the excision of that land were the revocation, under that section, of the dedication of that land as part of a State forest.

(4) Subsection (3) has effect in relation to the alteration of the boundaries of a State forest subject to any agreement as to the exchange of lands made by the Minister with a person from whom land is acquired for incorporation into that State forest in connection with that alteration.

