

1995—No. 556

**FORESTRY ACT 1916—REGULATION**

(Relating to the taking of small quantities of timber, products and forest materials  
and to public participation in the formulation of management plans)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council,  
and in pursuance of the Forestry Act 1916, has been pleased to make the  
Regulation set forth hereunder.

KIM YEADON, MP.,  
Minister for Land and Water Conservation.

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The Forestry Regulation 1994 is amended:

- (a) by inserting after clause 4 (4) the following subclause:
  - (5) For the purposes of section 30I (1) (a) and (b) of the Act, the prescribed value is \$750.
- (b) by omitting clause 6 (2) and by inserting instead the following subclauses:
  - (2) The Commission must not approve a management plan (or a significant amendment to a management plan) for a forest unless:
    - (a) a draft management plan (or draft amendment to a management plan) has been dealt with in accordance with subclauses (2A)–(2C); or
    - (b) the management plan (or the amendment to the management plan) is in accordance with the terms of an approval given by the Minister under Division 4 of Part 5 of the Environmental Planning and Assessment Act 1979 within 5 years before the date on which the plan (or amendment) is to take effect.

(2A) A draft management plan (or draft amendment to a management plan) is to be publicly advertised in a notice that:

- (a) is published in both a daily newspaper circulating throughout the State and a local newspaper (if any) circulating in any local government area in which the forest to which the draft plan or amendment applies is located; and
- (b) includes a brief description of the draft plan or amendment; and
- (c) includes a statement indicating a location at which members of the public may examine a copy of the draft plan or amendment; and
- (d) indicates a closing date on or before which written submissions may be made to the Commission concerning the draft plan or amendment, being a date that is not less than 30 days after the date on which the notice is first published.

(2B) The Commission is to consider any submissions made to it on or before the closing date for submissions specified in a notice under subclause (2A).

(2C) A draft management plan must specify:

- (a) the forest management strategy to be adopted by the Commission in relation to the forest to which the plan applies; and
- (b) the conditions under which any timber, products or forest material may be taken from the forest and the conditions subject to which the forest may otherwise be used.

(c) by inserting after clause 6 (3) the following subclause:

(4) In this clause:

**“local government area”** means an area as constituted under Division 1 of Part 1 of Chapter 9 of the Local Government Act 1993.

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**EXPLANATORY NOTE**

The objects of this Regulation are:

- to prescribe the amount of \$750 as the maximum value of any timber, products or forest materials that can be taken from a State forest by an unlicensed person authorised by the Commission under section 30I of the Forestry Act 1916 (item (a)); and
- to provide for public participation in the formulation of state forest management plans (items (b) and (c)).

This Regulation is made under the Forestry Act 1916, including sections 30I and 41 (the general regulation-making power).

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