

SUPPLEMENTARY EXPLANATORY STATEMENT

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

(Issued under the authority of the Minister for the Environment)

Purpose of the supplementary explanatory statement

The purpose of this Supplementary Explanatory Statement is to clarify the practical effect of the *Aboriginal and Torres Strait Islander Heritage Protection Amendment (Bellwood Sacred Site) Declaration 2019* (the **Amendment Declaration**). The Amendment Declaration corrected drafting errors in the *Aboriginal and Torres Strait Islander Heritage Protection (Bellwood Sacred Site) Declaration 2019* (the **Declaration**) relating to coordinates defining Part 3 of the Bellwood Sacred Site in Nambucca Heads, New South Wales (the **declared area**).

Effect of drafting error

The Declaration commenced on 10 April 2019, and the Amendment Declaration correcting the error commenced on 3 September 2019. As such, the incorrect coordinates for the declared area was in effect for a period of just under 5 months.

The erroneously listed coordinates in the Declaration captured all of the declared area.

The nature of the error was that two coordinate points were approximately 1.3 metres and 5.5 metres misaligned from their intended points, which meant the Declaration covered not only the declared area, but also a small additional area (**Area A**). Area A is privately owned land, and was not intended by the Minister to be protected under the Declaration.

Accordingly, the prohibitions and restrictions under section 6 of the Declaration have been in effect for all of the declared area from 10 April 2019, notwithstanding the error.