

NATIONAL PARKS AND WILDLIFE (AMENDMENT) ACT 1985
No. 128

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 128, 1985

An Act to amend the National Parks and Wildlife Act 1974 in relation to the undertaking of or arranging for the cutting and marketing of timber of commercial value on lands within catchment areas, and for other purposes. [Assented to, 25th November, 1985.]

National Parks and Wildlife (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "National Parks and Wildlife (Amendment) Act 1985".

Amendment of Act No. 80, 1974

2. The National Parks and Wildlife Act 1974 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

AMENDMENTS TO THE NATIONAL PARKS
AND WILDLIFE ACT 1974

(Sec. 2)

(1) (a) Section 185 (2), (3)—

Omit "nature reserve or state game reserve" wherever occurring, insert instead "state recreation area, nature reserve, state game reserve or Aboriginal area".

(b) Section 185 (5)—

After section 185 (4), insert:

(5) Notwithstanding subsection (2) or (3) or any provision of either of the Acts, neither The Metropolitan Water Sewerage and Drainage Board nor the Hunter District Water Board shall, except with the concurrence in writing of the Director, undertake or arrange for the cutting and marketing of timber of commercial value on lands within a national park, historic site, state recreation area, nature reserve, state game reserve or Aboriginal area that are also lands within a catchment area.

National Parks and Wildlife (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE NATIONAL PARKS AND WILDLIFE ACT
1974—*continued*

(2) Section 186—

After section 185, insert:

Requirement for examination

186. (1) The Minister shall not grant—

- (a) an approval under section 39 (3) or 47H (3);
- (b) a concurrence under section 40 (2), 41 (4), 44 (2) or 47J (3) or (4);
- (c) a lease of lands or licence under section 151 (1);
- (d) a franchise under section 152 (3); or
- (e) an easement or right of way under section 153 (1),

except after the fullest examination.

(2) The Director shall not grant—

- (a) a concurrence under section 53 (2), 58E (2) or 185 (5); or
- (b) a licence under section 152 (1),

except after the fullest examination.

(3) Subsection (1) extends to—

- (a) an approval under section 39 (3); and
- (b) a concurrence under section 41 (4) or 44 (2),

as applied by this Act to state recreation areas, nature reserves, state game reserves or Aboriginal areas.