



New South Wales

National Parks and Wildlife (Parramatta Regional Park) Act 1998 No 92

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National Parks and Wildlife (Parramatta Regional Park) Act 1998 No 92

Act No 92, 1998

An Act to confirm the status of the land known as Parramatta Regional Park as a regional park under the *National Parks and Wildlife Act 1974*; to excise and provide for the lease of part of that land; to make consequential amendments to the *National Parks and Wildlife Act 1974*; and for other purposes. [Assented to 2 October 1998]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *National Parks and Wildlife (Parramatta Regional Park) Act 1998*.

2 Commencement

This Act commences on the date of assent.

3 Confirmation of status of Parramatta Regional Park

For avoidance of doubt, the land described in Schedule 1 is taken to have been validly reserved as a regional park pursuant to section 470 of the *National Parks and Wildlife Act 1974* on and from 12 September 1997 under the name “Parramatta Regional Park”.

4 Excise and lease of part of Parramatta Regional Park

- (1) The land described in Schedule 2 (the *excised land*) is, on the commencement of this section, by force of this section:
 - (a) excised from Parramatta Regional Park (and its reservation as part of that regional park is revoked), and
 - (b) vested in the Minister administering the *National Parks and Wildlife Act 1974* for an estate in fee simple subject to any easements in force as at the date of assent to this Act but freed and discharged from all other estates, interests, restrictions, dedications, reservations, rights, charges, rates and contracts in, over or in connection with the land.
- (2) However, the Minister is not to deal with the excised land otherwise than by granting a lease of it or easements over it.
- (3) Proceeds of any lease of the excised land are to be paid to the trustees of the Parramatta Regional Park Trust and are to be used for the purposes of the management, maintenance and improvement of Parramatta Regional Park.
- (4) This section is identified for the purposes of section 150 of the *National Parks and Wildlife Act 1974*.

5 Saving of native title rights and interests

- (1) This section applies to the excised land referred to in section 4.
- (2) This Act does not operate to extinguish any native title rights and interests existing in relation to the land immediately before its vesting by section 4.
- (3) This section does not affect any extinguishment of native title rights and interests by the operation of the *Native Title Act 1993* of the Commonwealth or the *Native Title (New South Wales) Act 1994*.
- (4) Words and expressions used in the *Native Title Act 1993* of the Commonwealth and in this section have the same meanings as they have in that Act.

6 Savings and transitional regulations

- (1) The Governor may make regulations, not inconsistent with this Act, containing provisions of a savings or transitional nature consequent on the enactment of this Act.
- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication. or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

7 Consequential amendment of National Parks and Wildlife Act 1974 No 80

The *National Parks and Wildlife Act 1974* is amended as set out in Schedule 3.

Schedule 1 Description of land constituting Parramatta Regional Park

(Section 3)

All that piece or parcel of land situated in the City of Parramatta, Parishes of St John and Field of Mars, County of Cumberland, containing an area of about 85.36 hectares, being the area shown in the plan catalogued Ms 80-3000 in the Department of Land and Water Conservation exclusive of the following parcels: lots 951–965 inclusive DP 42643, lots 362 and 369 DP 752058, lot 1 DP 795042, lots 1 and 2 DP 615339, public road (Park Parade) and the area shown in the plan catalogued Ms 9250-3000 in the Department of Land and Water Conservation.

Schedule 2 Description of land excised from Parramatta Regional Park

(Section 4)

All that piece or parcel of land situated in the City of Parramatta, Parish of Field of Mars, County of Cumberland, bounded by a line commencing at the north-west corner of lot 1, DP 579912, thence by a line bearing 141 degrees 50 minutes for a distance of 90.935 metres, then by a line bearing 184 degrees 37 minutes for a distance of 3 metres, then by a line bearing 273 degrees 20 minutes for a distance of 29 metres, then by a line bearing 182 degrees 45 minutes 30 seconds for a distance of 28.85 metres, then by a line bearing 273 degrees 30 minutes for a distance of 48 metres, then by a line bearing 290 degrees for a distance of 24 metres, then by a line bearing 309 degrees for a distance of 34.5 metres, then by a line bearing 311 degrees 20 minutes for a distance of 42.4 metres, then by a line bearing 320 degrees 30 minutes for a distance of 34.2 metres, then by a line bearing 15 degrees 33 minutes 30 seconds for a distance of 37.085 metres, then by a line bearing 91 degrees 12 minutes 45 seconds for a distance of 100.21 metres. then by a line bearing 141 degrees 50 minutes for a distance of 24.465 metres to the point of commencement.

Schedule 3 Amendment of National Parks and Wildlife Act 1974

(Section 7)

[1] Section 150 Minister to be corporation sole for certain purposes

Insert “and under any other provisions of this or any other Act that are identified (by those provisions) for the purposes of this section” after “this Part” in section 150 (1).

[2] Section 150 (2) (d)

Insert “(or with such provisions of any other Act as are identified as referred to in subsection after “this Act”.

[Minister’s second reading speech made in—
Legislative Assembly on 22 September 1998
Legislative Council on 23 September 1998]