

[Act 1996 No 71]



Lane Cove National Park (Sugarloaf Point Additions) Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to add the land known as Sugarloaf Point, and certain other land, to the Lane Cove National Park.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on assent.

Clause 3 defines the terms *Director-General*, *Marine Ministerial Holding Corporation* and *the map* for the purposes of the proposed Act.

Clause 4 provides that notes in the proposed Act do not form part of the proposed Act.

Part 2 Reservation of additional land as part of Lane Cove National Park

Clause 5 reserves the land shown on the map (as defined) by heavy black edging (whether with or without hatching) as additions to Lane Cove National Park. However, the land so identified is excluded from the reservation if it does not fall within the definition of *prescribed lands* in section 33 of the *National Parks and Wildlife Act 1974*, or is a public road.

Clause 6 requires a formal description of the land concerned (some of which is currently part of Sydney Harbour) to be prepared within 6 months after the commencement of the proposed Act (or within such other period as the Minister may allow).

Clause 7 requires the publication in the Gazette of the formal description of the land referred to in proposed section 6 (certified by a registered surveyor) and provides that, on that publication, the description is taken to replace the map.

Clause 8 provides for the date on which a reservation of land under the proposed Act takes effect. It also provides that, if the published description of the land differs from the land shown on the map by heavy black edging, any land excluded from the description is taken never to have been reserved under the proposed Act, and any additional land is taken always to have been so reserved.

Part 3 Ancillary provisions

Clause 9 specifies that so much of the land reserved by the proposed Act as adjoins tidal waters is reserved to the mean low water mark.

Clause 10 makes it clear that the land reserved by the proposed Act is taken to have been reserved by a proclamation under section 33 (3) of the *National Parks and Wildlife Act 1974*.

Clause 11 extends section 46 of the *National Parks and Wildlife Act 1974* (which provides for the transfer of the rights, liabilities and property of persons who cease to hold office as trustees of land reserved by a proclamation under section 33 of that Act) to the Marine Ministerial Holding Corporation constituted under the *Ports Corporatisation and Waterways Management Act 1995* in relation to such of the land reserved by the proposed Act as was, immediately before that reservation, vested in that Corporation.

Clause 12 makes it clear that no compensation is payable in respect of the land reserved by the proposed Act.