

Passed by both Houses



New South Wales

# National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012

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*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2012*



New South Wales

## **National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012**

Act No , 2012

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An Act to amend the *National Parks and Wildlife Act 1974* to change the reservation status of certain lands under that Act; and for other purposes.

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*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1    Name of Act**

This Act is the *National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012*.

**2    Commencement**

This Act commences on the date of assent to this Act.

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## **Schedule 1      Amendment of National Parks and Wildlife Act 1974 No 80**

### **[1]      Schedule 1 Recategorisation of reserved land**

Omit “head office of the Department of Environment, Climate Change and Water” from clause 5.

Insert instead “Office of Environment and Heritage, Department of Premier and Cabinet”.

### **[2]      Schedule 1, Part 4**

Insert after Part 3:

## **Part 4      Recategorisation of land by National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012**

### **11      Berowra Valley Regional Park (part only) recategorisation**

- (1) This clause applies to an area of about 3,876 hectares of Berowra Valley Regional Park, being the land shown hatched black on the diagram catalogued Misc R 00327 in the Office of Environment and Heritage, Department of Premier and Cabinet, subject to any variations or exceptions noted on that diagram.
- (2) The reservation under this Act of the land to which this clause applies as part of a regional park is revoked and the land is reserved as a national park to be known as Berowra Valley National Park.

### **[3]      Schedule 2 Revocation of reservation or dedication of certain land**

Insert after Part 6:

## **Part 7      Revocations under the National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012**

### **14      Revocation of part of Broadwater National Park**

- (1) This clause applies to an area of about 17.09 hectares of Broadwater National Park, being the land shown by orange shading on the diagram catalogued W2B\_APO\_165\_NPWS\_BroadwaterNP held in the office of

Roads and Maritime Services at Grafton, subject to any variations or exceptions noted on that diagram.

- (2) The reservation under this Act as national park of land to which this clause applies, being part of Broadwater National Park, is revoked.
- (3) On the revocation of the reservation as national park of land to which this clause applies, the land is vested in the Minister on behalf of the Crown for the purposes of Part 11 of this Act for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**15 Revocation of part of Kooraban National Park**

- (1) This clause applies to an area of about 18.28 hectares of Kooraban National Park, being the land shown by orange shading on the diagram catalogued MS Plan No 0001 145 SK 0001 held in the office of Roads and Maritime Services at Wollongong, subject to any variations or exceptions noted on that diagram.
- (2) The reservation under this Act as national park of land to which this clause applies, being part of Kooraban National Park, is revoked.
- (3) On the revocation of the reservation as national park of land to which this clause applies, the land is vested in the Minister on behalf of the Crown for the purposes of Part 11 of this Act for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**16 Revocation of part of Yaegl Nature Reserve**

- (1) This clause applies to an area of about 1.58 hectares of Yaegl Nature Reserve, being the land shown by orange shading on the diagram catalogued W2B\_APO\_165\_NPWS\_YaeglNR held in the office of Roads and Maritime Services at Grafton, subject to any variations or exceptions noted on that diagram.
- (2) The reservation under this Act as nature reserve of land to which this clause applies, being part of Yaegl Nature Reserve, is revoked.
- (3) On the revocation of the reservation as nature reserve of land to which this clause applies, the land is vested in the Minister on behalf of the Crown for the purposes of Part 11 of this Act for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**17 Revocation of part of Cooperabung Creek Nature Reserve**

- (1) This clause applies to an area of about 1.2 hectares of Cooperabung Creek Nature Reserve, being the land shown by orange shading on the diagram catalogued PA\_OH2K\_PropID\_56\_V1.dgn held in the office of Roads and Maritime Services at Grafton, subject to any variations or exceptions noted on that diagram.
- (2) The reservation under this Act as nature reserve of land to which this clause applies, being part of Cooperabung Creek Nature Reserve, is revoked.
- (3) On the revocation of the reservation as nature reserve of land to which this clause applies, the land is vested in the Minister on behalf of the Crown for the purposes of Part 11 of this Act for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**18 Revocation of part of Bogandyera Nature Reserve**

- (1) This clause applies to the following:
  - (a) an area of about 7.7 hectares of Bogandyera Nature Reserve, being the land shown as Lot 2 on the diagram catalogued TUM001 and held in the office of the Tumbarumba Shire Council,
  - (b) an area of about 16.83 hectares of Bogandyera Nature Reserve, being the land shown by blue shading on the diagram catalogued Misc F 1407, held in the Estates Unit, Forests NSW, West Pennant Hills, subject to any variations and exceptions noted on that diagram.
- (2) The reservation under this Act as nature reserve of land to which this clause applies, being part of Bogandyera Nature Reserve, is revoked.
- (3) On the revocation of the reservation as nature reserve of land to which this clause applies, the land is vested in the Minister on behalf of the Crown for the purposes of Part 11 of this Act for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**19 Compensation**

The Minister must not transfer under Part 11 of this Act the whole or any part of the land to which clause 14, 15, 16, 17 or 18 (1) (b) applies unless the Minister is satisfied that appropriate compensation for the land has been provided.

**[4]    Schedule 3 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*National Parks and Wildlife Amendment (Adjustment of Areas)  
Act 2012*