

[Act 2001 No 49]



New South Wales

National Parks and Wildlife (Adjustment of Areas) Bill 2001

Explanatory note

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

Overview of Bill

The object of this Bill is to revoke the reservation or dedication under the *National Parks and Wildlife Act 1974* of areas of land as parts of certain national parks and nature reserves, and to vest those areas of land in the Minister administering that Act.

* Amended in committee—see table at end of volume.

Outline of provisions

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 a day or days to be appointed by proclamation.

Clause 3 revokes the reservation under the *National Parks and Wildlife Act 1974* of land described in Schedule 1 as part of the national park referred to in that Schedule in relation to that land.

Clause 4 revokes the dedication under the *National Parks and Wildlife Act 1974* of land described in Schedule 2 as part of the nature reserve referred to in that Schedule in relation to that land.

Clause 5 vests the land whose revocation or dedication as national park or nature reserve is revoked under the proposed Act (*the excised land*) in the Minister administering the *National Parks and Wildlife Act 1974*. The Minister may sell, grant leases of, dispose of or otherwise deal with the excised land. Proceeds of any dealing with the land by the Minister are to be paid into the National Parks and Wildlife Fund established under that Act.

The proposed section is also identified for the purposes of section 150 of the *National Parks and Wildlife Act 1974*. Section 150 constitutes the Minister administering that Act a corporation sole for various purposes, including for the purposes of the exercise and performance of the Minister's authorities, duties and functions under any provisions of any Act that are identified for the purposes of section 150.

Clause 6 ensures that the proposed Act does not operate to extinguish native title rights and interests existing in relation to the excised land immediately before its vesting under the proposed Act in the Minister administering the *National Parks and Wildlife Act 1974*.

Clause 7 allows for the making of savings and transitional provisions consequent on the enactment of the proposed Act.

Schedules

Schedule 1 describes the land whose reservation as national park under the *National Parks and Wildlife Act 1974* is to be revoked under proposed section 3.

Schedule 2 describes the land whose dedication as nature reserve under the *National Parks and Wildlife Act 1974* is to be revoked under proposed section 4.