

[Act 2000 No 103]



New South Wales

National Park Estate (Southern Region Reservations) Bill 2000

Explanatory note

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

Overview of Bill

The object of this Bill is to make provision with respect to additions to the national park estate in the Southern region of the State.

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 1 January 2001, unless commenced sooner by proclamation.

Clause 3 defines expressions used in the proposed Act. In particular:

- (a) *national park estate* is defined to include wilderness areas, national parks, nature reserves, state recreation areas, Crown land reserves and State forest flora reserves.
- (b) *State forest* is defined as land currently dedicated under the forestry legislation as a State forest.

Part 2 Land transfers to national park estate

Clause 4 revokes the dedication, as State forest, of land that is to be transferred to the national park estate.

Clause 5 reserves or dedicates certain land in revoked State forests as national park, nature reserve or state recreation area. The land concerned is set out in Schedule 1.

Clause 6 reserves or dedicates certain Crown lands as national park, nature reserve or state recreation area. The land concerned is set out in Schedule 2.

Clause 7 sets apart certain land in State forests as flora reserves under the *Forestry Act 1916*. The land concerned is set out in Schedule 3.

Clause 8 dedicates certain land in revoked State forests, Crown land and certain other land as a single Crown reserve under the *Crown Lands Act 1989* and appoints the Director-General of National Parks and Wildlife as the manager of the reserve trust. The land concerned is set out in Schedule 4.

Clause 9 vests certain land in revoked State forests in the Minister administering the *National Parks and Wildlife Act 1974* for the purposes of Part 11 of that Act, subject to existing leases. The land concerned is set out in Schedule 5 and comprises two existing quarries.

Clause 10 enables the Director-General of National Parks and Wildlife to adjust the descriptions of land in Schedules 1–6 in order to alter the boundaries of the land for the purposes of the more effective management of national park estate land and State forest land and to adjust boundaries to public roads (so long as the adjustment will not result in any significant reduction in the size or value of any such land). Adjustments are also authorised in connection with easements.

Clause 11 effects a number of changes within the national park estate referred to in Schedule 6, namely:

- (a) the revocation of Wallaga Lake National Park and Goura Nature Reserve and the addition of the land to a new national park to be called Gulaga National Park (a new park to be established under Schedule 1 that comprises land within Gulaga Flora Reserve), and
- (b) the revocation of the reservation of Burrinjuck State Recreation Area and the dedication of part of the land as Burrinjuck Nature Reserve, with the remainder of the land becoming Crown land dedicated for public recreation.

Clause 12 gives effect to Schedule 7, which contains ancillary and special provisions with respect to the land transfers under this Part.

Part 3 Miscellaneous

Clause 13 provides that the proposed Act binds the Crown.

Clause 14 empowers the making of regulations for the purposes of the proposed Act, including regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

Clause 15 gives effect to Schedule 8, which amends:

- (a) the *National Parks and Wildlife Act 1974* to add Gulaga National Park to Schedule 14 to that Act (Lands of cultural significance to Aboriginals), and
- (b) the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of land or waters reserved, dedicated or vested by the operation of the proposed Act.

Schedules

Schedule 1 sets out the land whose dedication as State forest is revoked and that is reserved or dedicated as national park, nature reserve or state recreation area.

Schedule 2 sets out the Crown lands that are reserved or dedicated as national park, nature reserve or state recreation area.

Schedule 3 sets out the land within State forests that is set apart as flora reserves under the *Forestry Act 1916*.

Schedule 4 sets out the land (being land whose dedication as State forest is revoked and certain Crown land and other land) that is dedicated as Crown reserve under the *Crown Lands Act 1989*.

Schedule 5 sets out the land (currently used as quarries) that is vested in the Minister administering the *National Parks and Wildlife Act 1974* (being land whose dedication as State forest is revoked).

Schedule 6 sets out the land affected by the changes in the national park estate referred to in clause 11.

Schedule 7 makes ancillary and special provisions with respect to land transferred under the proposed Act.

Schedule 8 contains the amendments to the *National Parks and Wildlife Act 1974* and the *Native Title (New South Wales) Act 1994* referred to in clause 15.