

First print



New South Wales

## **National Parks and Wildlife (Parramatta Regional Park) Bill 1998**

### **Explanatory note**

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

#### **Overview of Bill**

The objects of this Bill are:

- (a) to confirm the status of the land known as Parramatta Regional Park as a regional park under the *National Parks and Wildlife Act 1974*, and
- (b) to excise and provide for the lease of part of that land.

The Bill also makes consequential amendments to the *National Parks and Wildlife Act 1974*.

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## 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 the date of assent.

**Clause 3** confirms the status of the land described in Schedule 1 to the proposed Act as a regional park reserved under the *National Parks and Wildlife Act 1974* with the name "Parramatta Regional Park".

**Clause 4** excises the part of the land specified in Schedule 2 to the proposed Act from that Park, revokes its reservation as a regional park, and vests it in the Minister administering the *National Parks and Wildlife Act 1974*. However, the proposed section prohibits the Minister from dealing with the land concerned otherwise than by granting a lease of it or easements over it. Proceeds of any such lease are to be used for the management, maintenance and improvement of Parramatta Regional Park. The proposed section is also identified for the purposes of section 150 of the *National Parks and Wildlife Act 1974* (as to which, see the explanatory note to Schedule 3).

**Clause 5** allows the making of savings and transitional provisions consequent on the enactment of the proposed Act.

**Clause 6** is a formal provision giving effect to the amendments to the *National Parks and Wildlife Act 1974* set out in Schedule 3.

## Schedules

**Schedule 1** describes the land that constitutes Parramatta Regional Park.

**Schedule 2** describes the land that is excised from that Park by proposed section 4.

**Schedule 3** amends section 150 of the *National Parks and Wildlife Act 1974*. That section constitutes the Minister administering the *National Parks and Wildlife Act 1974* a "corporation sole" for the purpose of the exercise and performance of the Minister's authorities, duties and functions under the Parts of that Act that are specified in the section. The proposed amendments extend that purpose to include the exercise and performance of the Minister's authorities, duties and functions under any other provisions of any Act if the provisions concerned are identified for the purpose of section 150. (A "corporation sole" is a legal body, consisting of one member at a time in succession—such as the Minister for the time being administering a particular Act—having rights and duties distinct from those of the individuals who successively constitute it.)



New South Wales

# National Parks and Wildlife (Parramatta Regional Park) Bill 1998

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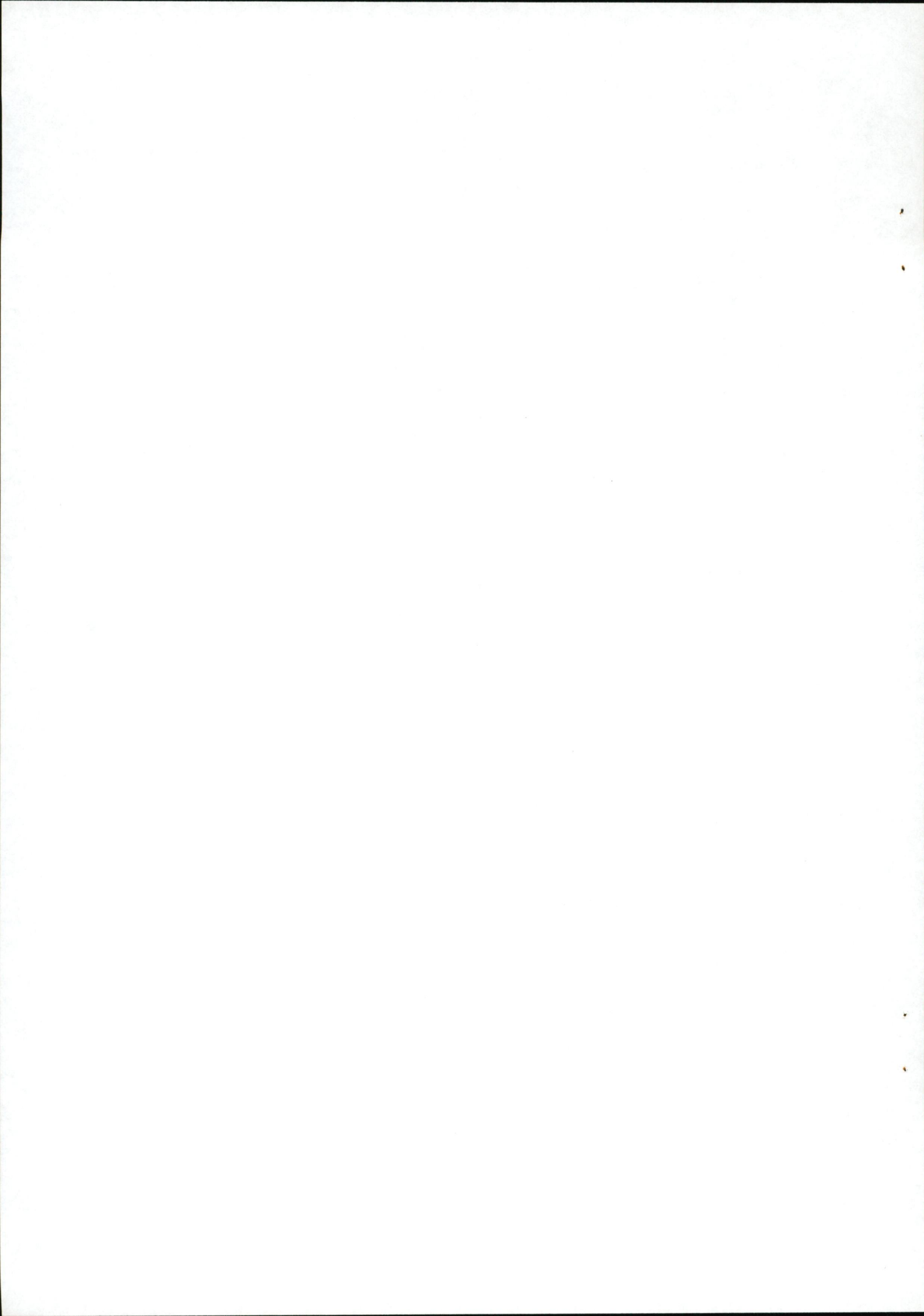
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### Schedules

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New South Wales

## **National Parks and Wildlife (Parramatta Regional Park) Bill 1998**

No , 1998

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### **A Bill for**

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.

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**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**

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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 47O of the *National Parks and Wildlife Act 1974* on and from 12 September 1997 under the name "Parramatta Regional Park".

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**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:

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(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.

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(2) However, the Minister is not to deal with the excised land otherwise than by granting a lease of it or easements over it.

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(3) Proceeds of any lease of the excised land are to be paid into the National Parks and Wildlife Fund referred to in section 137 of the *National Parks and Wildlife Act 1974* and are to be used for the purposes of the management, maintenance and improvement of Parramatta Regional Park.

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(4) This section is identified for the purposes of section 150 of the *National Parks and Wildlife Act 1974*.

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**5 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. 5
- (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 10
  - (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. 15

**6 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.

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**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.

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**Schedule 3 Amendment of National Parks and  
Wildlife Act 1974**

(Section 6)

**[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). 5

**[2] Section 150 (2) (d)**

Insert "(or with such provisions of any other Act as are identified as  
referred to in subsection (1))" after "this Act". 10