

LEGISLATIVE COUNCIL

Crown Lands Amendment (Multiple Land Use) Bill 2013

First print

Proposed amendments

- No. 1 Page 3, Schedule 1 [2]. Insert after line 23:
- (3) The regulations are to prescribe criteria to be used by the Minister to assess whether the use or occupation of a Crown reserve pursuant to a secondary interest would not be likely to materially harm its use or occupation for the reserved purpose.
- No. 2 Pages 3 and 4, Schedule 1 [2], line 42 on page 3 to line 3 on page 4. Omit all words on those lines. Insert instead:
- (5) When a secondary interest is validated under this section, the secondary interest is taken to have been validly granted from the date of validation (but not before that date).
- No. 3 Page 4, Schedule 1 [2]. Insert after line 3:
- (6) The validation of a secondary interest by the Minister under this section does not affect any land claim (within the meaning of the *Aboriginal Land Rights Act 1983*) or any proceedings under the *Native Title (New South Wales) Act 1994* whether made or commenced before or after the secondary interest is validated, and for the purposes of any such land claim or proceedings the secondary interest is deemed not to have been validated under this section.
- No. 4 Page 4, Schedule 1 [4], line 9. Omit “**Section 35A**”. Insert instead “**Sections 35A and 35B**”.
- No. 5 Page 4, Schedule 1 [4]. Insert after line 16:
- (2) This section does not apply to a question in legal proceedings that arises in connection with a land claim (within the meaning of the *Aboriginal Land Rights Act 1983*) or proceedings under the *Native Title (New South Wales) Act 1994*.
- No. 6 Page 4, Schedule 1 [4], line 17. Omit “6 months”. Insert instead “28 days”.
- No. 7 Page 4, Schedule 1 [4]. Insert after line 28:

35B Public register of validated secondary interests

- (1) The Minister is to maintain a register of the secondary interests validated by the Minister or a reserve trust pursuant to section 34AA.

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- (2) The register is to contain the following information in respect of each validated secondary interest:
- (a) a description of the nature of the secondary interest and details of its grant (including the purpose for which it was granted, the date of its grant, the identity of the person to whom it was granted and the terms and conditions on which it was granted),
 - (b) information sufficient to identify the Crown reserve in respect of which the secondary interest was granted (including the reserve ID, title reference and gazettal date),
 - (c) details of the changes made to validate the secondary interest,
 - (d) details of the assessment made in connection with the validation of the secondary interest that use or occupation of the Crown reserve pursuant to the secondary interest as validated would not be likely to materially harm its use or occupation for the reserve purpose.
- (3) The contents of the register are to be publicly available free of charge on the website of the Department.

No. 8 Page 5, Schedule 1 [7], lines 24–27. Omit all words on those lines. Insert instead:

- (7) This clause does not affect any land claim (within the meaning of the *Aboriginal Land Rights Act 1983*) or proceedings under the *Native Title (New South Wales) Act 1994* made or commenced before the date of assent to the *Crown Lands Amendment (Multiple Land Use) Act 2013*.

No. 9 Page 5, Schedule 1 [7]. Insert after line 36:

Sunset of amendments

- (1) The amendments made by the *Crown Lands Amendment (Multiple Land Use) Act 2013* cease to operate 2 years after the date of assent to that Act and this Act then applies as if those amendments had not been made.
- (2) Subclause (1) does not affect the validity of a secondary interest granted or validated before the amendments referred to in that subclause cease to operate.