



New South Wales

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

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *National Parks and Wildlife Act 1974*:

- (a) to change the reservation of part of the Berowra Valley Regional Park to a national park to be known as Berowra Valley National Park, and
- (b) to revoke the reservation of parts of Broadwater National Park, Kooraban National Park, Yaegl Nature Reserve, Cooperabung Creek Nature Reserve and Bogandyera Nature Reserve and to vest that land in the Minister for the purposes of Part 11 of the Act, and
- (c) to provide that the Minister must not transfer that land (other than certain land in Bogandyera Nature Reserve) under Part 11 of the Act unless satisfied that appropriate compensation has been provided.

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 to the proposed Act.

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

Schedule 1 [2] revokes the reservation of about 3,876 hectares of land in Berowra Valley Regional Park and reserves that land as Berowra Valley National Park.

Schedule 1 [3] revokes the reservation of the following land and vests it in the Minister for the purposes of Part 11 of the Act which enables the Minister to sell, grant leases of, dispose of or otherwise deal with the land:

- (a) about 17.09 hectares of Broadwater National Park,
- (b) about 18.28 hectares of Kooraban National Park,
- (c) about 1.58 hectares of Yaegl Nature Reserve,
- (d) about 1.2 hectares of Cooperabung Creek Nature Reserve,
- (e) 2 different areas of Bogandyera Nature Reserve of about 7.7 hectares and 16.83 hectares.

The Minister must not transfer any of that land (other than the area of about 7.7 hectares at Bogandyera Nature Reserve) under Part 11 of the Act unless satisfied that appropriate compensation has been provided.

Schedule 1 [4] enables savings and transitional regulations to be made as a consequence of the enactment of the proposed Act.

Schedule 1 [1] makes an amendment in the nature of statute law revision.

First print



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New South Wales

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

No. , 2012

A Bill for

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.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6

Schedule 1	Amendment of National Parks and Wildlife Act 1974 No 80	1
		2
[1]	Schedule 1 Recategorisation of reserved land	3
	Omit “head office of the Department of Environment, Climate Change and Water” from clause 5.	4
		5
	Insert instead “Office of Environment and Heritage, Department of Premier and Cabinet”.	6
		7
[2]	Schedule 1, Part 4	8
	Insert after Part 3:	9
	Part 4 Recategorisation of land by National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012	10
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	11 Berowra Valley Regional Park (part only) recategorisation	13
	(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.	14
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	(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.	19
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[3]	Schedule 2 Revocation of reservation or dedication of certain land	23
	Insert after Part 6:	24
	Part 7 Revocations under the National Parks and Wildlife Amendment (Adjustment of Areas) Act 2012	25
		26
		27
	14 Revocation of part of Broadwater National Park	28
	(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	29
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	Roads and Maritime Services at Grafton, subject to any variations or exceptions noted on that diagram.	1 2
(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 4 5
(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.	6 7 8 9 10
15	Revocation of part of Kooraban National Park	11
(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.	12 13 14 15 16
(2)	The reservation under this Act as national park of land to which this clause applies, being part of Kooraban National Park, is revoked.	17 18 19
(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.	20 21 22 23 24
16	Revocation of part of Yaegl Nature Reserve	25
(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.	26 27 28 29 30
(2)	The reservation under this Act as nature reserve of land to which this clause applies, being part of Yaegl Nature Reserve, is revoked.	31 32 33
(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.	34 35 36 37 38

17	Revocation of part of Cooperabung Creek Nature Reserve	1
(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 3 4 5 6 7
(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.	8 9 10
(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.	11 12 13 14 15
18	Revocation of part of Bogandyera Nature Reserve	16
(1)	This clause applies to the following:	17
(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,	18 19 20 21
(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.	22 23 24 25 26
(2)	The reservation under this Act as nature reserve of land to which this clause applies, being part of Bogandyera Nature Reserve, is revoked.	27 28 29
(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.	30 31 32 33 34
19	Compensation	35
	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.	36 37 38 39

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

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

[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*

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