

Passed by both Houses



New South Wales

National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2016

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council
2016

Clerk of the Parliaments



New South Wales

National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2016

Act No. , 2016

An Act to amend the *National Parks and Wildlife Act 1974* to change the reservation status of certain land; and for other purposes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *National Parks and Wildlife Amendment (Adjustment of Areas) Act 2016*.

2 Commencement

This Act commences on the date of assent to this Act.

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

[1] Schedule 1 Recategorisation of reserved land

Insert after Part 4:

Part 5 Recategorisation of land by National Parks and Wildlife Amendment (Adjustment of Areas) Act 2016

12 Ben Halls Gap National Park recategorisation

- (1) This clause applies to Ben Halls Gap National Park, which consists of the following land and has a total area of about 3,018 hectares:
 - (a) Lots 38, 39, 49 and 51, DP 753722,
 - (b) Lot 113, DP 750925.
- (2) The reservation under this Act as national park of the land to which this clause applies is revoked and the land is reserved as a nature reserve to be known as Ben Halls Gap Nature Reserve.

13 Khappinghat Nature Reserve (part only) recategorisation

- (1) This clause applies to land having an area of about 2,020 hectares, as shown by hatching on the diagram catalogued Misc R 00335 (dated 5 February 2015).
- (2) The reservation under this Act as nature reserve of land to which this clause applies is revoked and the land is reserved as a national park to be known as Khappinghat National Park.

[2] Schedule 2 Revocation of reservation or dedication of certain land

Insert after Part 8:

Part 9 Revocations under the National Parks and Wildlife Amendment (Adjustment of Areas) Act 2016

25 Revocation of part of Gwydir Wetlands State Conservation Area

- (1) This clause applies to Lot 6, DP 750519, which has an area of about 88.42 hectares.
- (2) The reservation under this Act as state conservation area of land to which this clause applies is revoked.

26 Revocation of part of Jervis Bay National Park

- (1) This clause applies to land having an area of about 0.1 hectare, as shown by hatching on the diagram catalogued Misc R 01056 (dated 11 February 2015) in the Office of Environment and Heritage.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

27 Revocation of part of Kosciuszko National Park

- (1) This clause applies to the following land, which has a total area of about 140.94 hectares:
 - (a) Lots 12–22, DP 1171834,

- (b) Lots 21–22, DP 1171835,
- (c) Lots 30–48, DP 1171836,
- (d) Lots 40–45, DP 1171838,
- (e) Lots 50–53, DP 1171839,
- (f) Lots 60–73, DP 1171841,
- (g) Lots 7–15, DP 1171844,
- (h) Lots 27–50, DP 1171846,
- (i) Lots 25, 28 and 33, DP 711392.

- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

28 Revocation of part of Ku-ring-gai Chase National Park

- (1) This clause applies to the following land:
 - (a) land having an area of about 1.25 hectares, as shown by blue hatching on the diagram catalogued Misc R 00337 (dated 11 February 2015) in the Office of Environment and Heritage,
 - (b) land having an area of about 0.768 hectare, as shown by pink shading on the map marked “DS2015/001182”, held in the office of Roads and Maritime Services at Parramatta.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

29 Revocation of part of Lane Cove National Park (beneath surface)

- (1) This clause applies to Lot 107, DP 1115606, which has an area of about 0.04 hectare.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

30 Revocation of part of Macquarie Pass State Conservation Area

- (1) This clause applies to Lot 100, DP 1188472, which has an area of about 86.31 hectares.
- (2) To the extent to which land to which this clause applies is reserved under this Act as state conservation area, the reservation is revoked and is taken to have been revoked when the land was transferred to the Illawarra Local Aboriginal Land Council under section 36 of the *Aboriginal Land Rights Act 1983*.

31 Revocation of part of Middle Brother National Park

- (1) This clause applies to land having an area of about 0.34 hectare, as shown by orange shading on the map marked “C2HC_MIDDLE_BROTHER_A_V2.dgn”, held in the office of Roads and Maritime Services at Newcastle.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

32 Revocation of parts of Morton National Park

- (1) This clause applies to the following land, which has a total area of about 18.5 hectares:
 - (a) the land shown by hatching on the diagram catalogued Misc R 01055 (dated 5 December 2007) in the Office of Environment and Heritage,
 - (b) the land shown by solid black shading on the diagram catalogued Misc R 00336 (dated 17 March 2014) in the Office of Environment and Heritage.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

33 Revocation of Penrith Lakes Regional Park

- (1) This clause applies to Penrith Lakes Regional Park (being Lot 1, DP 860391), which has an area of about 6,656 square metres.
- (2) The reservation under this Act as regional park of land to which this clause applies is revoked.

34 Revocation of parts of Royal National Park

- (1) This clause applies to the following land:
 - (a) land having an area of about 8.2 hectares, as shown by blue hatching on the diagram catalogued Misc R 00330 (dated 24 January 2014) in the Office of Environment and Heritage,
 - (b) land having an area of about 2.4 hectares, as shown by blue hatching on the diagram catalogued Misc R 00331 (dated 24 January 2014) in the Office of Environment and Heritage,
 - (c) land having an area of about 2.7 hectares, as shown by blue hatching on the diagram catalogued Misc R 00332 (dated 31 January 2014) in the Office of Environment and Heritage,
 - (d) land having an area of about 0.1 hectare, as shown by blue hatching on the diagram catalogued Misc R 00333 (dated 24 January 2014) in the Office of Environment and Heritage.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

35 Revocation of part of Wollemi National Park

- (1) This clause applies to land having an area of about 1.6 hectares, as shown by hatching on the diagram catalogued Misc R 00334 (dated 28 January 2014) in the Office of Environment and Heritage.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.

36 Revocation of part of Yaegl Nature Reserve

- (1) This clause applies to land having an area of about 0.11 hectare, as shown edged red on Sheet 3 of the map marked "W2B_APO_165b_NPWS_YaeglNR", held in the office of Roads and Maritime Services at Grafton.
- (2) The reservation under this Act as nature reserve of land to which this clause applies is revoked.

37 Land vested in Minister for purposes of Part 11

- (1) This clause does not apply to land to which clause 25 or 30 applies.
- (2) On the revocation by this Part of the reservation of land, 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.

38 Compensation

The Minister must not transfer under Part 11 of this Act the whole or any part of the land described in clause 28 (1) or 31 (1) unless the Minister is satisfied that appropriate compensation for the land has been provided.

[3] Schedule 3 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

any other Act that amends this Act