



New South Wales

National Parks and Wildlife Legislation Amendment (Riverina) Bill 2018

Explanatory note

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

Overview of Bill

The object of this Bill is to revoke the reservation under the *National Parks and Wildlife Act 1974* of certain lands comprised in Murray Valley National Park and Murray Valley Regional Park and to dedicate those lands under the *Forestry Act 2012* as State forest. The lands concerned were reserved as national park and regional park by the *National Park Estate (Riverina Red Gum Reservations) Act 2010*.

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 2 months after the date of assent to the proposed Act.

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

Schedule 1 amends the *National Parks and Wildlife Act 1974* to revoke the reservation of the lands concerned as national park or regional park.

Schedule 2 Amendment of Forestry Act 2012 No 96

Schedule 2 [1] amends the *Forestry Act 2012* to dedicate the lands concerned as State forest and to provide for ancillary matters.

Schedule 2 [3] enables the making of regulations that amend savings, transitional and other provisions contained in the *Forestry Act 2012*. **Schedule 2 [2]** makes a consequential amendment.

Schedule 2 [4] contains savings, transitional and other provisions consequent on the enactment of the proposed Act.

**Schedule 3 Amendment of Native Title (New South Wales) Act
1994 No 45**

Schedule 3 amends the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of the dedication of the land concerned as State forest by the proposed Act.

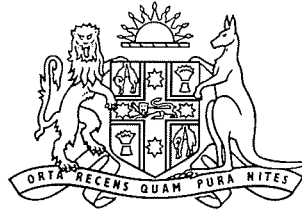


New South Wales

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New South Wales

National Parks and Wildlife Legislation Amendment (Riverina) Bill 2018

No. , 2018

A Bill for

An Act with respect to certain lands in the Riverina region reserved under the *National Parks and Wildlife Act 1974* or dedicated under the *Forestry Act 2012*; and for other purposes.

The Legislature of New South Wales enacts:

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1 Name of Act

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This Act is the *National Parks and Wildlife Legislation Amendment (Riverina) Act 2018*.

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2 Commencement

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This Act commences 2 months after the date of assent to this Act.

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Schedule 1	Amendment of National Parks and Wildlife Act 1974 No 80	1
		2
Schedule 2	Revocation of reservation or dedication of certain land	3
	Insert after Part 9:	4
Part 10	Revocations under the National Parks and Wildlife Legislation Amendment (Riverina) Act 2018	5
		6
39	Revocation of land in Murray Valley National Park and Murray Valley Regional Park	7
		8
(1)	This clause applies to the lands described in clauses 5 and 6 of Schedule 1 to the <i>National Park Estate (Riverina Red Gum Reservations) Act 2010</i> that are, or are part of, Murray Valley National Park or Murray Valley Regional Park.	9
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		11
(2)	The reservation under this Act as national park or regional park of the lands to which this clause applies is revoked.	12
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	Note. The lands to which this clause applies are dedicated as State forest by Schedule 2A to the <i>Forestry Act 2012</i> .	14
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Schedule 2	Amendment of Forestry Act 2012 No 96	1
[1]	Schedule 2A	2
	Insert after Schedule 2:	3
	Schedule 2A Dedication of land as State forest	4
	Part 1 Dedications under National Parks and Wildlife Legislation Amendment (Riverina) Act 2018	5
	1 Land to which Part applies	7
	This Part applies to the lands:	8
	(a) that are described in clauses 5 and 6 of Schedule 1 to the <i>National Park Estate (Riverina Red Gum Reservations) Act 2010</i> , and	9
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	(b) whose reservation under the <i>National Parks and Wildlife Act 1974</i> as, or as part of, Murray Valley National Park or Murray Valley Regional Park is revoked by Part 10 of Schedule 2 to that Act.	11
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	2 Dedication of former national park and regional park as State forest	14
	The lands to which this Part applies:	15
	(a) are dedicated under this Act as State forest, and	16
	(b) are, for the purposes of this Act, taken to have been so dedicated by notice published in the Gazette under section 14 (1).	17
		18
	3 Naming of State forests	19
	(1) The Minister may, by order published in the Gazette, declare that any of the lands dedicated under this Part and described in the order are, or are part of, the State forests named in the order.	20
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	(2) A name assigned to a State forest by an order under this clause is taken to have been assigned to that land by notice published in the Gazette under section 14 (1).	23
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	(3) An order under this clause may be published no later than 12 months after the commencement of this Part.	26
		27
[2]	Schedule 3 Savings, transitional and other provisions	28
	Omit clause 1 (1A).	29
[3]	Schedule 3, clause 1 (4)	30
	Insert after clause 1 (3):	31
	(4) Without limiting subclauses (1) and (2), regulations made for the purposes of this clause may amend this Schedule to provide for additional or different savings and transitional provisions instead of including the provisions in the regulations.	32
		33
		34
		35

[4] Schedule 3	1
Insert at the end of the Schedule, with appropriate Part and clause numbering:	2
Part Provisions consequent on enactment of National Parks and Wildlife Legislation Amendment (Riverina) Act 2018	3
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Existing leases or licences	6
(1) Any lease or licence granted under Part 12 of the <i>National Parks and Wildlife Act 1974</i> that affects any of the lands to which Part 1 of Schedule 2A to this Act applies and was is in force immediately before the commencement of the <i>National Parks and Wildlife Legislation Amendment (Riverina) Act 2018</i> , continues in force until the expiration of the term for which it was granted, unless sooner cancelled.	7
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(2) The <i>National Parks and Wildlife Act 1974</i> (except for section 151C (2)) continues to apply in respect of the existing lease or licence until the lease or licence expires or is cancelled.	13
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Existing easements	16
Any easement or right of way granted under Part 12 of the <i>National Parks and Wildlife Act 1974</i> through, on, in or over any of the lands to which Part 1 of Schedule 2A to this Act applies is taken to have been granted under section 34 of this Act.	17
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**Schedule 3 Amendment of Native Title (New South Wales) Act
1994 No 45**

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**Section 104A Saving of native title rights and interests with respect to national parks
and other reservations, dedications or declarations**

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Insert “, the *National Parks and Wildlife Legislation Amendment (Riverina) Act 2018*” after
“*National Parks and Wildlife (Adjustment of Areas) Act 2006*” in section 104A (1) (a).

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