



New South Wales

# National Parks and Wildlife Legislation Amendment (Reservations) Bill 2020

## 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* (the **principal Act**) for the following purposes—

- (a) to revoke the reservation of the following land and to vest the land in the Minister for the purposes of Part 11 of the principal Act, which enables the Minister to sell, grant leases of, dispose of or otherwise deal with the land—
  - (i) about 0.38 hectares of Abercrombie River National Park,
  - (ii) about 15.39 hectares of Davidson Whaling Station Historic Site,
  - (iii) about 16.61 hectares of Macquarie Pass National Park,
  - (iv) about 1.91 hectares of Mount Jerusalem National Park,
  - (v) about 0.42 hectares of Munghorn Gap Nature Reserve,
  - (vi) about 6.05 hectares of Queens Lake State Conservation Area,
  - (vii) about 0.6 hectares of Roto House Historic Site,
- (b) to revoke the reservation of the following land and to vest the land in Transport for NSW—
  - (i) about 184 square metres of Kororo Nature Reserve,
  - (ii) about 5.4 hectares of Western Sydney Regional Park,
- (c) to revoke the reservation of about 45.2 hectares of Winburndale Nature Reserve and to vest the land in the Minister administering the *Forestry Act 2012*,

- (d) to provide that the Minister must not transfer the parts of the land currently forming part of the following reservations, unless the Minister is satisfied that appropriate compensation has been provided—
- (i) Abercrombie River National Park,
  - (ii) Macquarie Pass National Park,
  - (iii) Mount Jerusalem National Park,
  - (iv) Munghorn Gap Nature Reserve,
  - (v) Western Sydney Regional Park.

## 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** amends Schedule 2 to the principal Act for the purposes described in the overview above.



New South Wales

# National Parks and Wildlife Legislation Amendment (Reservations) Bill 2020

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New South Wales

# National Parks and Wildlife Legislation Amendment (Reservations) Bill 2020

No. \_\_\_\_\_, 2020

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## A Bill for

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

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<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>National Parks and Wildlife Legislation Amendment (Reservations) Act 2020</i> .	3 4
<b>2 Commencement</b>	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**

### **Schedule 2 Revocation of reservation or dedication of certain land**

Insert at the end of the Schedule, with appropriate Part and clause numbering—

## **Part            Revocations under the National Parks and Wildlife Legislation Amendment (Reservations) Act 2020**

### **Revocation of part of Abercrombie River National Park**

- (1) This clause applies to land having an area of about 0.38 hectares, as shown on the diagram marked MISC R 00356 (dated 6 April 2020) held in the Department of Planning, Industry and Environment, being part of Abercrombie River National Park.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.
- (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.
- (4) The Minister must not transfer land vested in the Minister under this clause unless the Minister is satisfied that appropriate compensation for the land has been provided.

### **Revocation of part of Davidson Whaling Station Historic Site**

- (1) This clause applies to land having an area of about 15.39 hectares, being Lot 2 as shown on the diagram marked MISC R 00359 (dated 21 February 2020) held in the Department of Planning, Industry and Environment, being part of Davidson Whaling Station Historic Site.
- (2) The reservation under this Act as a historic site of land to which this clause applies is revoked.
- (3) On the revocation of the reservation as a historic site 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.

### **Revocation of part of Kororo Nature Reserve**

- (1) This clause applies to land having an area of about 184 square metres, as shown on the diagram marked 0010 110 SP 2431 (dated 16 September 2020) held in the Department of Planning, Industry and Environment, being part of Kororo Nature Reserve.
- (2) The reservation under this Act as nature reserve of land to which this clause applies is revoked.
- (3) On the revocation of the reservation as nature reserve of land to which this clause applies, the land is vested in Transport for NSW for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.

**Revocation of part of Macquarie Pass National Park**

- (1) This clause applies to land having an area of about 16.61 hectares, being Lots 31–52 and Lots 54–94 as shown on the diagram marked 0025.4011.SS.4002 (dated 20 December 2019) held in the Department of Planning, Industry and Environment, being part of Macquarie Pass National Park.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.
- (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.
- (4) The Minister must not transfer land vested in the Minister under this clause unless the Minister is satisfied that appropriate compensation for the land has been provided.

**Revocation of part of Mount Jerusalem National Park**

- (1) This clause applies to land having an area of about 1.91 hectares, as shown on the diagram marked MISC R 00357 (dated 18 March 2020) held in the Department of Planning, Industry and Environment, being part of Mount Jerusalem National Park.
- (2) The reservation under this Act as national park of land to which this clause applies is revoked.
- (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.
- (4) The Minister must not transfer land vested in the Minister under this clause unless the Minister is satisfied that appropriate compensation for the land has been provided.

**Revocation of part of Munghorn Gap Nature Reserve**

- (1) This clause applies to land having an area of about 0.42 hectares, as shown on the diagram marked MISC R 00358 (dated 8 September 2020) held in the Department of Planning, Industry and Environment, being part of Munghorn Gap Nature Reserve.
- (2) The reservation under this Act as nature reserve of land to which this clause applies is revoked.
- (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.
- (4) The Minister must not transfer land vested in the Minister under this clause unless the Minister is satisfied that appropriate compensation for the land has been provided.

**Revocation of part of Queens Lake State Conservation Area**

- (1) This clause applies to land having an area of about 6.05 hectares, as shown on the diagram marked 6852-2-05 (dated 10 September 2020) held in the Department of Planning, Industry and Environment, being part of Queens Lake State Conservation Area.

(2)	The reservation under this Act as state conservation area of land to which this clause applies is revoked.	1 2
(3)	On the revocation of the reservation as state conservation area 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.	3 4 5 6 7
	<b>Revocation of part of Roto House Historic Site</b>	8
(1)	This clause applies to land having an area of about 0.6 hectares, being Lot 21, DP 1172308, being part of Roto House Historic Site.	9 10
(2)	The reservation under this Act as a historic site of land to which this clause applies is revoked.	11 12
(3)	On the revocation of the reservation as a historic site 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.	13 14 15 16
	<b>Revocation of part of Western Sydney Regional Park</b>	17
(1)	This clause applies to land having an area of about 5.4 hectares, as shown on the diagram marked SR 4933 (dated 9 November 2017) held in the Department of Planning, Industry and Environment, being part of Western Sydney Regional Park.	18 19 20 21
(2)	The reservation under this Act as regional park of land to which this clause applies is revoked.	22 23
(3)	On the revocation of the reservation as regional park of land to which this clause applies, the land is vested in Transport for NSW for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.	24 25 26 27
(4)	Transport for NSW is to provide compensation, that the Minister is satisfied is appropriate, for the land vested in Transport for NSW under this clause.	28 29
	<b>Revocation of part of Winburndale Nature Reserve</b>	30
(1)	This clause applies to land having an area of about 45.2 hectares, as shown on the diagram marked MISC F 1408 (dated 14 April 2020) held in the Department of Planning, Industry and Environment, being part of Winburndale Nature Reserve.	31 32 33 34
(2)	The reservation under this Act as nature reserve of land to which this clause applies is revoked.	35 36
(3)	On the revocation of the reservation as nature reserve of land to which this clause applies, the land is vested in the Minister administering the <i>Forestry Act 2012</i> for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests, rights of way or other easements.	37 38 39 40