

## **National Park Estate (Reservations) Bill 2003**

### **Explanatory note**

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

#### Overview of Bill

The object of this Bill is to transfer certain land to the national park estate.

#### Outline of provisions

##### **Part 1 Preliminary**

**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 1 July 2003.

**Clause 3** defines expressions used in the proposed Act.

##### **Part 2 Land transfers**

**Clause 4** revokes the dedication as State forest of land that is:

(a) to be reserved under the *National Parks and Wildlife Act 1974*, or

(b) to be vested in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*.

Clause 4 also revokes notices setting apart flora reserves, declarations of national forests and declarations of special management zones (being notices or declarations in respect of the State forest land whose dedication is revoked by the clause).

**Clause 5** reserves certain land in revoked State forests as national park, nature reserve or state conservation area. The land concerned is set out in Schedules 1 and 2.

**Clause 6** delays the transfer to the national park estate for up to 3 years of certain land in State forests. The land concerned is set out in Schedule 2. In order that the land is transferred on the future date, the clause prevents any disposal or lease of the land under the *Forestry Act 1916* before that date.

**Clause 7** vests certain land in revoked State forests in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*. The land concerned is set out in Schedule 3.

**Clause 8** declares certain land in State forests as special management zones under the *Forestry Act 1916*. The land concerned is set out in Schedule 4.

**Clause 9** enables the Director-General of National Parks and Wildlife to adjust the descriptions of land in Schedule 1, 2, 3 or 4 in order to alter the boundaries of the land for the purposes of the more effective management of national park estate land and State forest land and to adjust boundaries to public roads (so long as the adjustment will not result in any significant reduction in the size or value of any such land). Adjustments are also authorised in connection with easements and to provide a more detailed description of land.

**Clause 10** gives effect to Schedule 5, which contains ancillary and special provisions with respect to the land transfers under this Part.

##### **Part 3 Miscellaneous**

**Clause 11** provides that the proposed Act binds the Crown.

**Clause 12** enables the making of regulations for the purposes of the proposed Act, including regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

**Clause 13** amends the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of a reservation or vesting of, or declaration over, land or waters by the operation of the proposed Act.

##### **Schedule 1 State forests reserved as national park, nature reserve or state conservation area**

This Schedule sets out land whose dedication as State forest is revoked and that is reserved on 1 July 2003 as national park, nature reserve or state conservation area.

**Schedule 2 State forests reserved as national park, nature reserve or state conservation area on delayed transfer date**

This Schedule sets out land whose dedication as State forest is revoked and that is reserved on 1 July 2006 (or an earlier date appointed by proclamation) as national park, nature reserve or state conservation area.

**Schedule 3 State forests vested in NPW Minister**

This Schedule sets out the land (being land whose dedication as State forest is revoked) that is vested in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*.

**Schedule 4 Areas in State forests declared as special management zones under Forestry**

**Act 1916**

This Schedule sets out the land within State forests that is declared as special management zones under the *Forestry Act 1916*.

**Schedule 5 Land transfers—ancillary and special provisions**

This Schedule makes ancillary and special provisions with respect to land transferred under the proposed Act.