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New South Wales

# **Western Sydney Regional Park (Revocation for Western Sydney Orbital) Bill 2001**

## **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 land as part of the Western Sydney Regional Park and to vest that land in the corporation sole known as the “Minister administering the *Environmental Planning and Assessment Act 1979*”. The land will be used for the Western Sydney Orbital tollway.

## 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 a day to be appointed by proclamation.

**Clause 3** specifies the land to which the proposed Act applies.

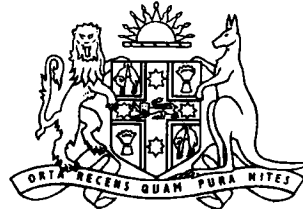
**Clause 4** revokes the reservation under the *National Parks and Wildlife Act 1974* of that land as part of the Western Sydney Regional Park.

**Clause 5** vests the land whose reservation is revoked in the corporation sole known as the “Minister administering the *Environmental Planning and Assessment Act 1979*”.

**Clause 6** ensures that the proposed Act does not operate to extinguish native title rights and interests existing in relation to the land immediately before its vesting under the proposed Act in the Minister administering the *Environmental Planning and Assessment Act 1979*.

**Clause 7** allows for the making of savings and transitional regulations consequent on the enactment of the proposed Act.

First print



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# Western Sydney Regional Park (Revocation for Western Sydney Orbital) Bill 2001

## Contents

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	Page
1 Name of Act	2
2 Commencement	2
3 Land to which this Act applies	2
4 Revocation of land as regional park	2
5 Vesting of land	2
6 Saving of native title rights and interests	3
7 Regulations	3



New South Wales

# **Western Sydney Regional Park (Revocation for Western Sydney Orbital) Bill 2001**

No. , 2001

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## **A Bill for**

An Act to revoke the reservation under the *National Parks and Wildlife Act 1974* of an area of land as part of a regional park; and for other purposes.

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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>Western Sydney Regional Park (Revocation for Western Sydney Orbital) Act 2001</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on a day to be appointed by proclamation.	6
<b>3 Land to which this Act applies</b>	7
This Act applies to all those pieces or parcels of land containing about 18.2 hectares situated in the County of Cumberland, Parish of Melville, local government area of Fairfield and being lots 33–37 and 40–42, DP 1021940, lots 12–22, DP 1021938, lots 22–29 and 31, DP 1022008 and lots 22–28, DP 1021839.	8 9 10 11 12
<b>4 Revocation of land as regional park</b>	13
The reservation under the <i>National Parks and Wildlife Act 1974</i> of the land to which this Act applies as part of a regional park (to which was assigned the name Western Sydney Regional Park) is revoked.	14 15 16
<b>5 Vesting of land</b>	17
(1) On the revocation under this Act of the reservation of land to which this Act applies as regional park, the land (the <i>excised land</i> ) vests in the corporation sole with the corporate name “Minister administering the <i>Environmental Planning and Assessment Act 1979</i> ” (the <i>corporation sole</i> ) for an estate in fee simple, freed and discharged from all trusts, obligations, estates, interests and rights of way or other easements.	18 19 20 21 22 23 24
(2) The corporation sole may sell, grant leases of, dispose of or otherwise deal with the excised land.	25 26
(3) Proceeds of any dealing by the corporation sole with the excised land are to be paid into the Sydney Region Development Fund created under section 129 of the <i>Environmental Planning and Assessment Act 1979</i> .	27 28 29 30

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<b>6</b>	<b>Saving of native title rights and interests</b>	1
(1)	This section applies to land vested in the corporation sole by operation of section 5.	2 3
(2)	This Act does not operate to extinguish any native title rights and interests existing in relation to the land immediately before its vesting by section 5.	4 5 6
(3)	This section does not affect any extinguishment of native title rights and interests by the operation of the <i>Native Title Act 1993</i> of the Commonwealth or the <i>Native Title (New South Wales) Act 1994</i> .	7 8 9
(4)	Words and expressions used in the <i>Native Title Act 1993</i> of the Commonwealth and in this section have the same meanings as they have in that Act.	10 11 12
<b>7</b>	<b>Regulations</b>	13
(1)	The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of this Act.	14 15
(2)	Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.	16 17
(3)	To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:	18 19 20
(a)	to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or	21 22 23
(b)	to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.	24 25 26