

**MISCELLANEOUS ACTS (NATIONAL PARKS AND
WILDLIFE) AMENDMENT ACT 1987 No. 159**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Acts

SCHEDULE 1—AMENDMENTS

100-100000-1000

100-100000-1000
100-100000-1000
100-100000-1000

100-100000-1000

100-100000-1000

100-100000-1000
100-100000-1000

**MISCELLANEOUS ACTS (NATIONAL PARKS AND WILDLIFE)
AMENDMENT ACT 1987 No. 159**

NEW SOUTH WALES



Act No. 159, 1987

An Act to amend certain Acts as a result of the enactment of the National Parks and Wildlife (Conservation Agreements) Amendment Act 1987.
[Assented to 18 November 1987]

Miscellaneous Acts (National Parks and Wildlife) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Miscellaneous Acts (National Parks and Wildlife) Amendment Act 1987.

Amendment of Acts

2. Each Act specified in Schedule 1 is amended as set out in that Schedule in relation to that Act.

SCHEDULE 1—AMENDMENTS

(Sec. 2)

Crown Lands Consolidation Act 1913 No. 7—

Section 226 (6)—

After section 226 (5), insert:

(6) To the extent that the provisions of this section are inconsistent with those of a conservation agreement entered into under the National Parks and Wildlife Act 1974, this section does not apply to a lease or licence relating to land subject to that agreement.

Environmental Planning and Assessment Act 1979 No. 203—

(1) Section 90 (1) (a1)—

After section 90 (1) (a), insert:

(a1) the provisions of—

- (i) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the development application relates; and
- (ii) any plan of management adopted under that Act for the conservation area to which the agreement relates;

(2) Section 111 (2)—

At the end of section 111, insert:

(2) Without limiting subsection (1), a determining authority shall consider the effect of an activity on—

- (a) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the activity relates; and
- (b) any plan of management adopted under that Act for the conservation area to which the agreement relates.

Land and Environment Court Act 1979 No. 204—

Section 20 (1) (ce)—

After section 20 (1) (cd), insert:

(ce) proceedings referred to in section 69G of the National Parks and Wildlife Act 1974;

SCHEDULE 1—AMENDMENTS—*continued*

Valuation of Land Act 1916 No. 2—

(1) Section 7F (1)—

After “that Act,” insert “or a conservation agreement under Division 7 of Part IV of that Act.”.

(2) Section 7F (2) (c)—

Omit “or”.

(3) Section 7F (2) (d), (e)—

At the end of section 7F (2) (d), insert:

; or

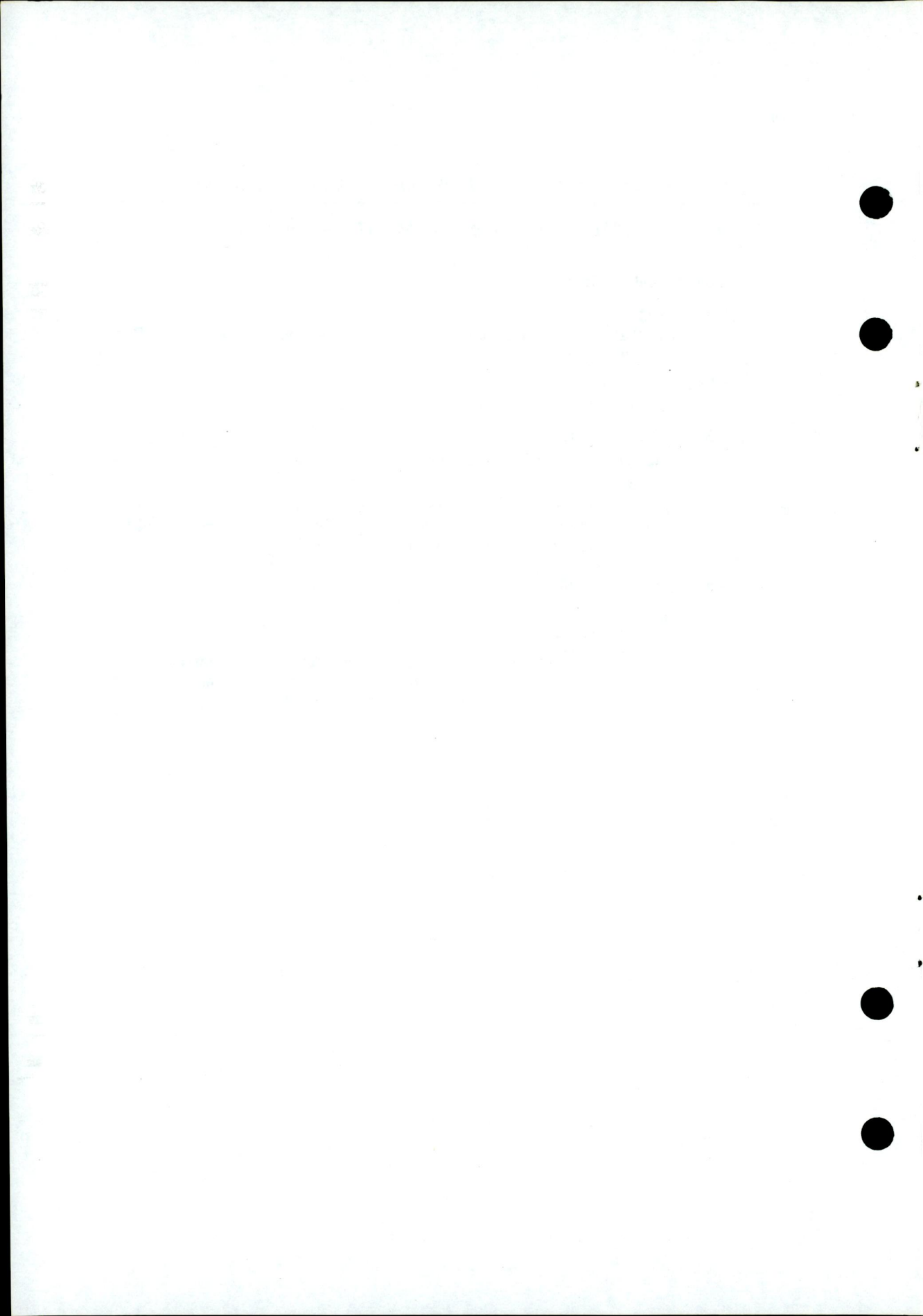
- (e) a conservation area within the meaning of that Act—that the land so comprised may be used only for purposes which are not prohibited by the conservation agreement relating to the land.

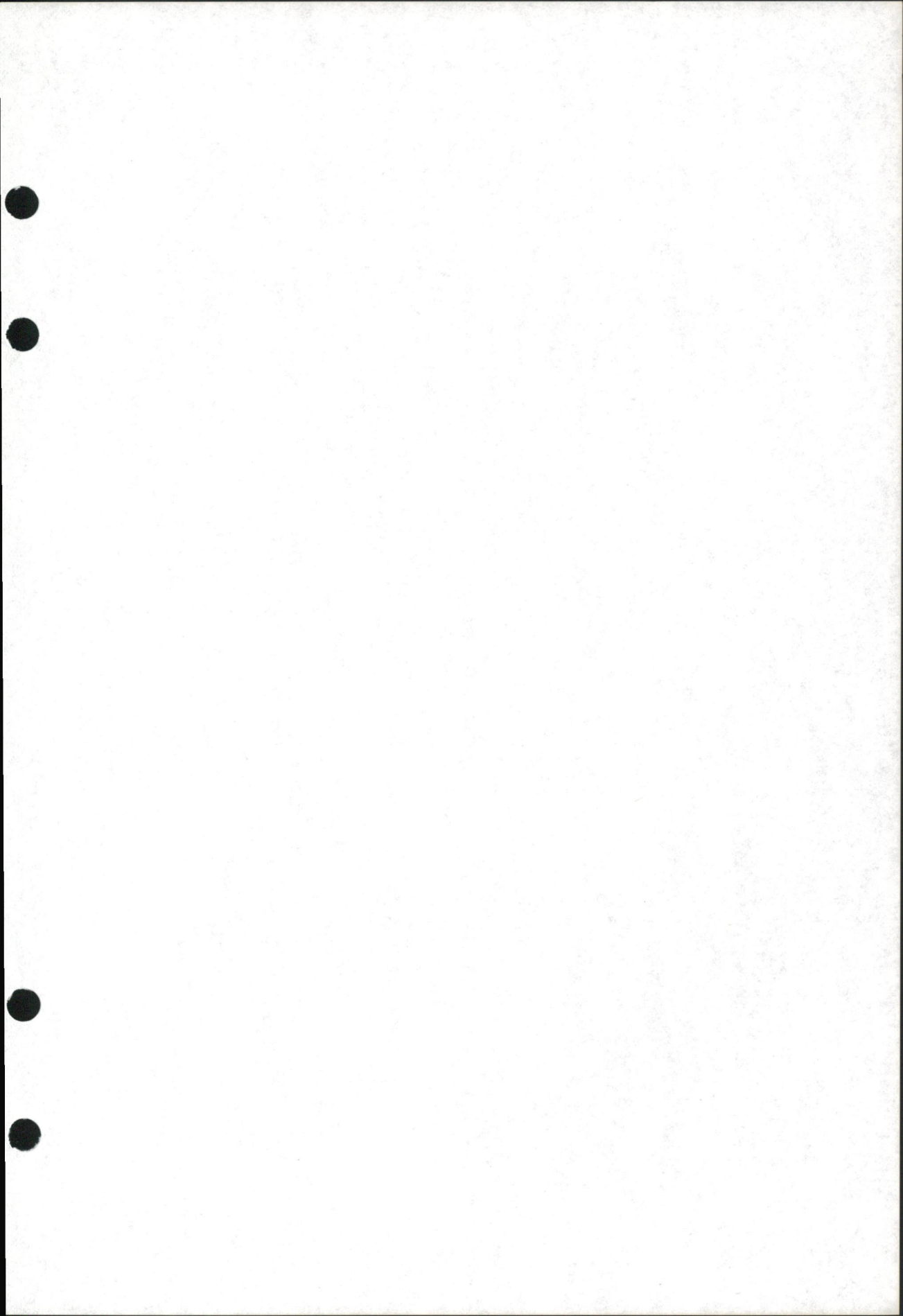
Western Lands Act 1901 No. 70—

Section 18D (2)—

At the end of section 18D, insert:

- (2) To the extent that the provisions of this section are inconsistent with those of a conservation agreement entered into under the National Parks and Wildlife Act 1974, this section does not apply to a lease relating to land subject to that agreement.





**MISCELLANEOUS ACTS (NATIONAL PARKS AND
WILDLIFE) AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the National Parks and Wildlife (Conservation Agreements) Amendment Bill 1987.

The object of this Bill is to amend certain Acts as a result of the proposed enactment of the National Parks and Wildlife (Conservation Agreements) Amendment Bill 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 gives effect to the Schedule amending certain Acts.

Schedule 1 amends—

- (a) the Crown Lands Consolidation Act 1913 and the Western Lands Act 1901, to ensure that those Acts do not conflict with the terms of a conservation agreement affecting Crown land;
 - (b) the Environmental Planning and Assessment Act 1979, to require councils to consider the provisions of conservation agreements and plans of management when considering development applications and to require determining authorities to consider the effect of a proposed activity on any such agreement or plan;
 - (c) the Land and Environment Court Act 1979, to confer jurisdiction on the Court relating to conservation agreements; and
 - (d) the Valuation of Land Act 1916, to enable the fact that land is a conservation area to be taken into account for the purpose of valuing the land.
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MISCELLANEOUS ACTS (NATIONAL PARKS AND WILDLIFE) AMENDMENT BILL 1987

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS



**MISCELLANEOUS ACTS (NATIONAL PARKS AND
WILDLIFE) AMENDMENT BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend certain Acts as a result of the enactment of the National
Parks and Wildlife (Conservation Agreements) Amendment Act 1987.

Miscellaneous Acts (National Parks and Wildlife) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Miscellaneous Acts (National Parks and Wildlife) Amendment Act 1987.

5 Amendment of Acts

2. Each Act specified in Schedule 1 is amended as set out in that Schedule in relation to that Act.

SCHEDULE 1—AMENDMENTS

(Sec. 2)

10 Crown Lands Consolidation Act 1913 No. 7—

Section 226 (6)—

After section 226 (5), insert:

- 15 (6) To the extent that the provisions of this section are inconsistent with those of a conservation agreement entered into under the National Parks and Wildlife Act 1974, this section does not apply to a lease or licence relating to land subject to that agreement.

Environmental Planning and Assessment Act 1979 No. 203—

(1) Section 90 (1) (a1)—

After section 90 (1) (a), insert:

20 (a1) the provisions of—

- (i) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the development application relates; and
 25 (ii) any plan of management adopted under that Act for the conservation area to which the agreement relates;

(2) Section 111 (2)—

At the end of section 111, insert:

- (2) Without limiting subsection (1), a determining authority shall consider the effect of an activity on—
 30 (a) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the activity relates; and
 (b) any plan of management adopted under that Act for the conservation area to which the agreement relates.

35 Land and Environment Court Act 1979 No. 204—

Section 20 (1) (ce)—

After section 20 (1) (cd), insert:

(ce) proceedings referred to in section 69G of the National Parks and Wildlife Act 1974;

Miscellaneous Acts (National Parks and Wildlife) Amendment 1987

SCHEDULE 1—AMENDMENTS—*continued*

Valuation of Land Act 1916 No. 2—

- (1) Section 7F (1)—
After “that Act.”, insert “or a conservation agreement under Division 7 of Part IV of that Act.”.
- 5 (2) Section 7F (2) (c)—
Omit “or”.
- (3) Section 7F (2) (d), (e)—
At the end of section 7F (2) (d), insert:
; or
- 10 (e) a conservation area within the meaning of that Act—that the land so comprised may be used only for purposes which are not prohibited by the conservation agreement relating to the land.

Western Lands Act 1901 No. 70—

- Section 18D (2)—
- 15 At the end of section 18D, insert:
(2) To the extent that the provisions of this section are inconsistent with those of a conservation agreement entered into under the National Parks and Wildlife Act 1974, this section does not apply to a lease relating to land subject to that agreement.

