

**NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL  
1985**

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**EXPLANATORY NOTE**

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

The object of this Bill is to amend the National Parks and Wildlife Act 1974 so as—

- (a) to require the concurrence of the Director of National Parks and Wildlife to the carrying out of certain activities on lands within catchment areas; and
- (b) to require that certain approvals, concurrences and other matters under that Act may be given only after the fullest examination.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments.

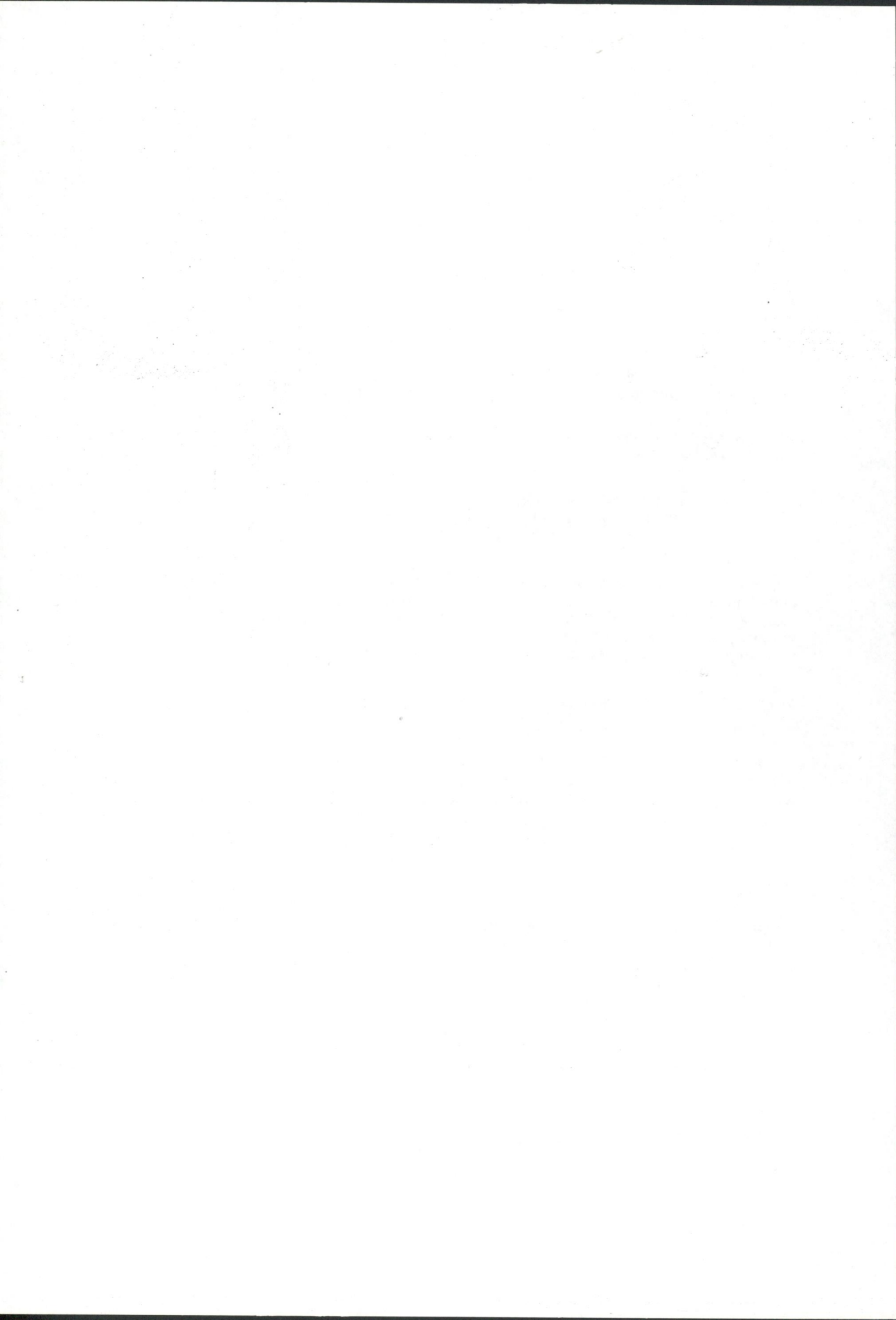
Schedule 1 (1) (a) applies section 185 (catchment areas) of the Principal Act to state recreation areas and Aboriginal areas.

Schedule 1 (1) (b) amends section 185 of the Principal Act so as to provide that commercial timber shall not be taken by The Metropolitan Water Sewerage and Drainage Board or the Hunter District Water Board, except with the concurrence of the Director of National Parks and Wildlife, from lands within a national park, historic site, state recreation area, nature reserve, state game reserve or Aboriginal area that are also within a catchment area.

Schedule 1 (2) inserts a new section 186 (requirement for examination) in the Principal Act. The proposed section provides that the Minister and the Director shall not grant certain approvals, concurrences, leases, licences, franchises, etc., except after the fullest examination.

The proposed amendments will ensure that the Principal Act complies with the Convention on Conservation of Nature in the South Pacific which is to be ratified by the Commonwealth. The Convention provides—

- (a) that no portions of any national parks shall be capable of alienation; and
  - (b) that the resources of national parks shall not be subject to exploitation for commercial profit,
- except after the fullest examination.



**NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL  
1985**

No.           , 1985

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**A BILL FOR**

**An Act to amend the National Parks and Wildlife Act 1974 in relation to the undertaking of or arranging for the cutting and marketing of timber of commercial value on lands within catchment areas, and for other purposes.**

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*National Parks and Wildlife (Amendment) 1985*

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

**5 Short title**

1. This Act may be cited as the "National Parks and Wildlife (Amendment) Act 1985".

**Amendment of Act No. 80, 1974**

2. The National Parks and Wildlife Act 1974 is amended in the manner set forth in Schedule 1.

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**SCHEDULE 1**

(Sec. 2)

**AMENDMENTS TO THE NATIONAL PARKS  
AND WILDLIFE ACT 1974**

15 (1) (a) Section 185 (2), (3)—

Omit "nature reserve or state game reserve" wherever occurring, insert instead "state recreation area, nature reserve, state game reserve or Aboriginal area".

(b) Section 185 (5)—

20 After section 185 (4), insert:

(5) Notwithstanding subsection (2) or (3) or any provision of either of the Acts, neither The Metropolitan Water Sewerage and Drainage Board nor the Hunter District Water Board shall, except with the concurrence in writing of the Director, undertake or arrange for the cutting and marketing of timber of commercial value on lands within a national park, historic site, state recreation area, nature reserve, state game reserve or Aboriginal area that are also lands within a catchment area.

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*National Parks and Wildlife (Amendment) 1985*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE NATIONAL PARKS AND WILDLIFE ACT  
1974—*continued*

(2) Section 186—

After section 185, insert:

**Requirement for examination**

186. (1) The Minister shall not grant—

- 5 (a) an approval under section 39 (3) or 47H (3);  
 (b) a concurrence under section 40 (2), 41 (4), 44 (2) or 47J  
 (3) or (4);  
 (c) a lease of lands or licence under section 151 (1);  
 (d) a franchise under section 152 (3); or  
 10 (e) an easement or right of way under section 153 (1),  
 except after the fullest examination.

(2) The Director shall not grant—

- (a) a concurrence under section 53 (2), 58E (2) or 185 (5); or  
 (b) a licence under section 152 (1),  
 15 except after the fullest examination.

(3) Subsection (1) extends to—

- (a) an approval under section 39 (3); and  
 (b) a concurrence under section 41 (4) or 44 (2),

20 as applied by this Act to state recreation areas, nature reserves,  
 state game reserves or Aboriginal areas.

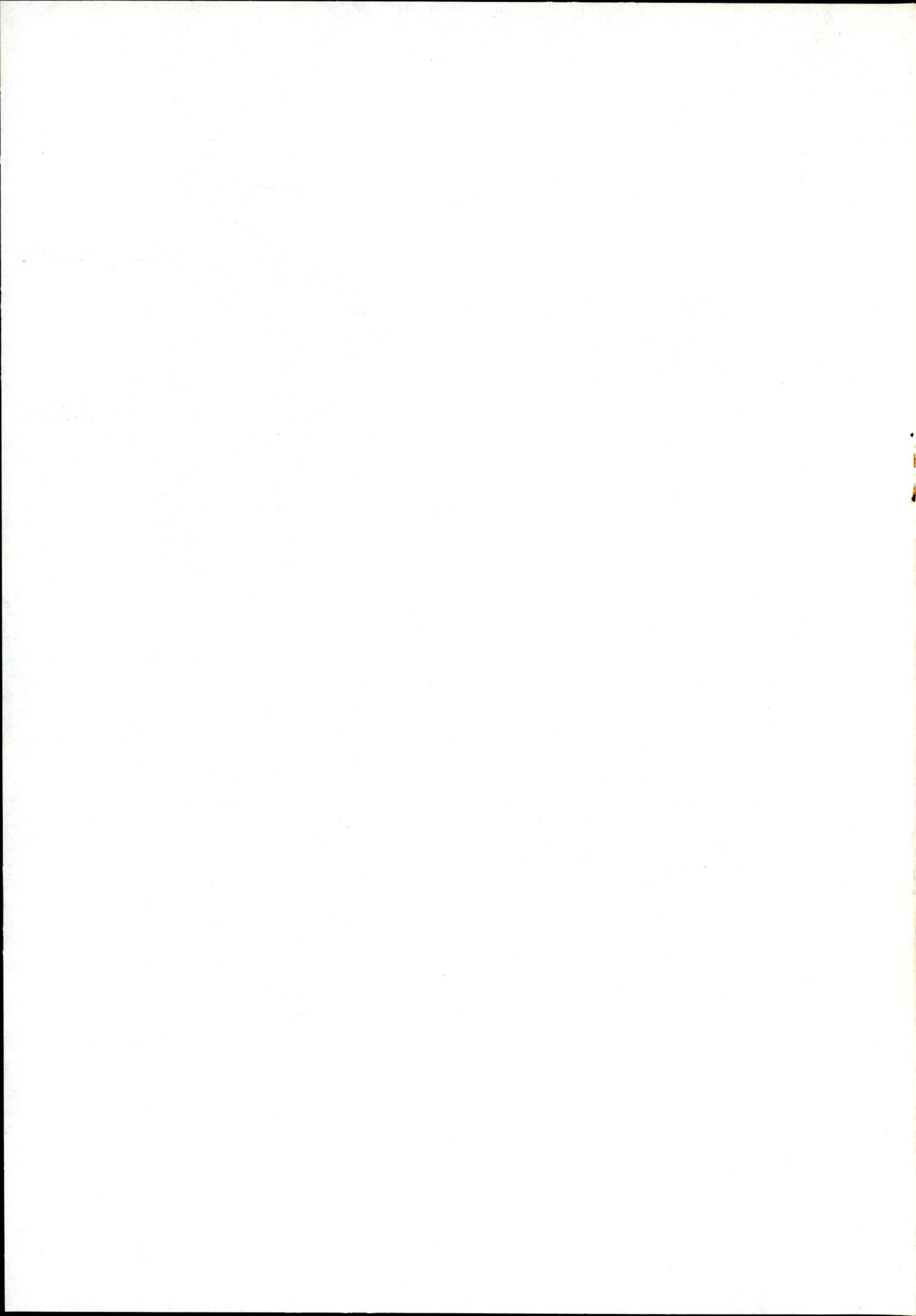
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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985









**NATIONAL PARKS AND WILDLIFE (AMENDMENT) ACT 1985**  
**No. 128**

*New South Wales*



ANNO TRICESIMO QUARTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 128, 1985**

An Act to amend the National Parks and Wildlife Act 1974 in relation to the undertaking of or arranging for the cutting and marketing of timber of commercial value on lands within catchment areas, and for other purposes. [Assented to, 25th November, 1985.]

*National Parks and Wildlife (Amendment) 1985*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the "National Parks and Wildlife (Amendment) Act 1985".

**Amendment of Act No. 80, 1974**

2. The National Parks and Wildlife Act 1974 is amended in the manner set forth in Schedule 1.

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SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE NATIONAL PARKS  
AND WILDLIFE ACT 1974

(1) (a) Section 185 (2), (3)—

Omit "nature reserve or state game reserve" wherever occurring, insert instead "state recreation area, nature reserve, state game reserve or Aboriginal area".

(b) Section 185 (5)—

After section 185 (4), insert:

(5) Notwithstanding subsection (2) or (3) or any provision of either of the Acts, neither The Metropolitan Water Sewerage and Drainage Board nor the Hunter District Water Board shall, except with the concurrence in writing of the Director, undertake or arrange for the cutting and marketing of timber of commercial value on lands within a national park, historic site, state recreation area, nature reserve, state game reserve or Aboriginal area that are also lands within a catchment area.

*National Parks and Wildlife (Amendment) 1985*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE NATIONAL PARKS AND WILDLIFE ACT  
1974—*continued*

(2) Section 186—

After section 185, insert:

**Requirement for examination**

186. (1) The Minister shall not grant—

- (a) an approval under section 39 (3) or 47H (3);
- (b) a concurrence under section 40 (2), 41 (4), 44 (2) or 47J (3) or (4);
- (c) a lease of lands or licence under section 151 (1);
- (d) a franchise under section 152 (3); or
- (e) an easement or right of way under section 153 (1),

except after the fullest examination.

(2) The Director shall not grant—

- (a) a concurrence under section 53 (2), 58E (2) or 185 (5); or
- (b) a licence under section 152 (1),

except after the fullest examination.

(3) Subsection (1) extends to—

- (a) an approval under section 39 (3); and
- (b) a concurrence under section 41 (4) or 44 (2),

as applied by this Act to state recreation areas, nature reserves, state game reserves or Aboriginal areas.

