

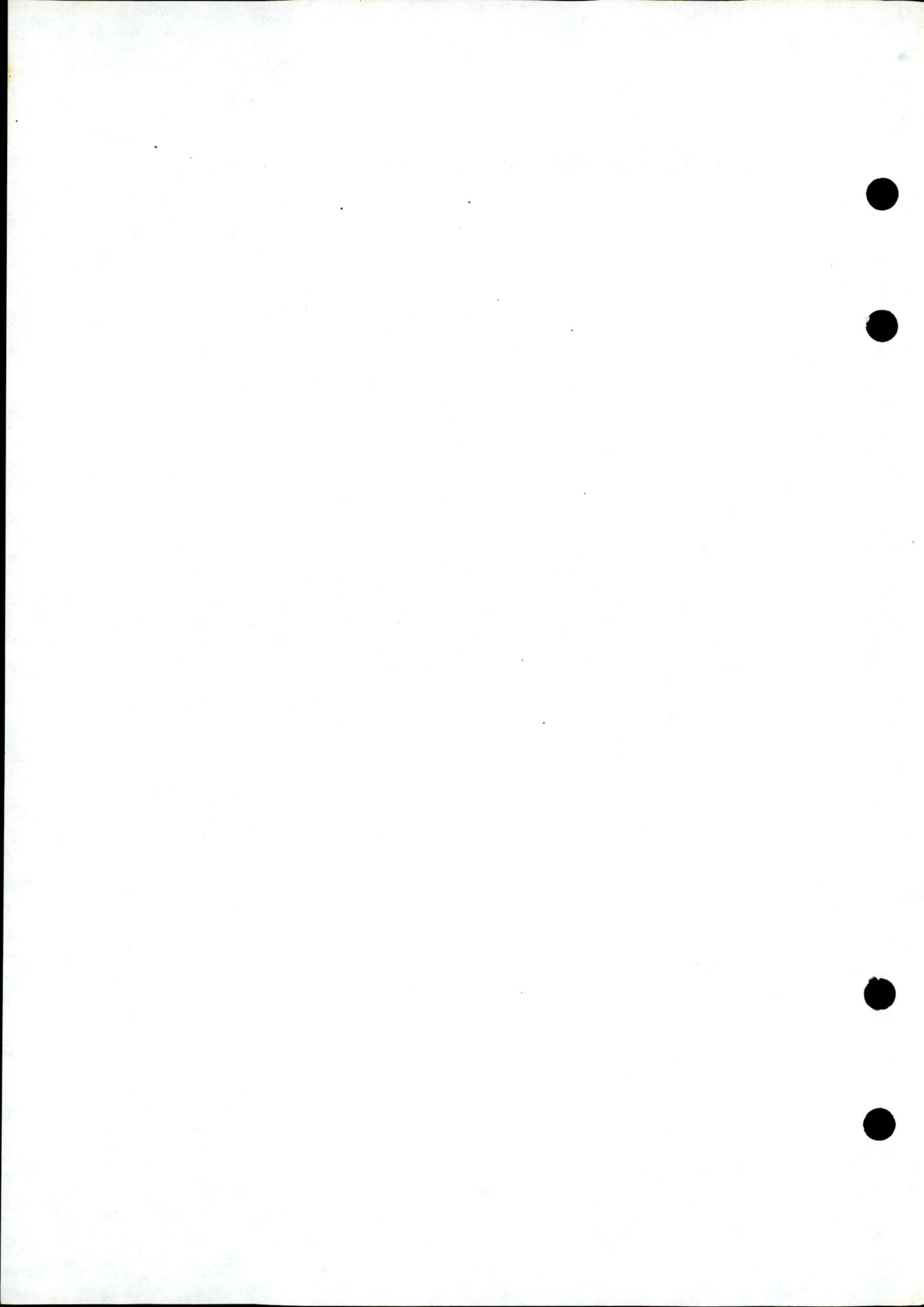
NATIONAL PARKS (SPECIAL PROVISIONS) ACT 1988
No. 14

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Definitions
 3. Exclusion of minor areas from certain national parks
 4. Exclusion of minor areas from certain nature reserves
 5. Revocation of dedication of certain nature reserves
 6. Reservation of lands (formerly nature reserves) as parts of national parks
- SCHEDULE 1—EXCLUSION OF MINOR AREAS FROM CERTAIN NATIONAL PARKS
- SCHEDULE 2—EXCLUSION OF MINOR AREAS FROM CERTAIN NATURE RESERVES
- SCHEDULE 3—REVOCAION OF CERTAIN NATURE RESERVES AND RESERVATION AS PARTS OF NATIONAL PARKS
-



NATIONAL PARKS (SPECIAL PROVISIONS) ACT 1988 No. 14

NEW SOUTH WALES



Act No. 14, 1988

An Act to exclude minor areas of land from certain national parks and nature reserves; and to incorporate certain nature reserves into existing national parks. [Assented to 21 June 1988]

National Parks (Special Provisions) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks (Special Provisions) Act 1988.

Definitions

2. In this Act—

“dedication” means—

- (a) a dedication of land by or under the Fauna Protection Act 1948 (being a dedication of land deemed to be dedicated as a nature reserve under the National Parks and Wildlife Act 1974); or
- (b) a dedication of land by or under the National Parks and Wildlife Act 1974;

“reservation” means—

- (a) a reservation of land by or under the National Parks and Wildlife Act 1967 (being a reservation of land deemed to be reserved as a national park under the National Parks and Wildlife Act 1974); or
- (b) a reservation of land by or under the National Parks and Wildlife Act 1974.

Exclusion of minor areas from certain national parks

3. (1) The reservation of land as Blue Mountains National Park is, to the extent that that reservation applies to the land described in Part 1 of Schedule 1, revoked.

(2) The reservation of land as Wollemi National Park is, to the extent that that reservation applies to the land described in Part 2 of Schedule 1, revoked.

(3) The reservation of land as Kinchega National Park is, to the extent that that reservation applies to the land described in Part 3 of Schedule 1, revoked.

(4) The reservation of land as Mimosa Rocks National Park is, to the extent that that reservation applies to the land described in Part 4 of Schedule 1, revoked.

(5) The reservation of land as Brisbane Water National Park is, to the extent that that reservation applies to the land described in Part 5 of Schedule 1, revoked.

(6) The reservation of land as Hat Head National Park is, to the extent that that reservation applies to the land described in Part 6 of Schedule 1, revoked.

National Parks (Special Provisions) 1988

(7) The reservation of land as Woko National Park is, to the extent that that reservation applies to the land described in Part 7 of Schedule 1, revoked.

(8) The reservation of land as Ku-ring-gai Chase National Park is, to the extent that that reservation applies to the land described in Part 8 of Schedule 1, revoked.

(9) The reservation of land as Tomaree National Park is, to the extent that that reservation applies to the land described in Part 9 of Schedule 1, revoked.

Exclusion of minor areas from certain nature reserves

4. (1) The dedication of land as Gurumbi Nature Reserve is, to the extent that that dedication applies to the land described in Part 1 of Schedule 2, revoked.

(2) The dedication of land as Goura Nature Reserve is, to the extent that that dedication applies to the land described in Part 2 of Schedule 2, revoked.

Revocation of dedication of certain nature reserves

5. (1) The dedication as a nature reserve of the land described in Part 1 of Schedule 3 (being Warrabah Nature Reserve) is revoked.

(2) The dedication as a nature reserve of the land described in Part 2 of Schedule 3 (being The Hole Creek Nature Reserve) is revoked.

(3) The dedication as a nature reserve of the land described in Part 3 of Schedule 3 (being Rowley's Creek Gulf Nature Reserve) is revoked.

Reservation of lands (formerly nature reserves) as parts of national parks

6. (1) The land described in Part 1 of Schedule 3 is reserved as part of the Warrabah National Park.

(2) The lands described in Parts 2 and 3 of Schedule 3 are reserved as part of the Oxley Wild Rivers National Park.

(3) For the purposes of the National Parks and Wildlife Act 1974, the lands described in Schedule 3 shall be deemed to have been so reserved by a proclamation published on the commencement of this Act under section 33 (3) of the National Parks and Wildlife Act 1974.

(4) Section 35 of the National Parks and Wildlife Act 1974 does not apply to the reservation of land by this section.

National Parks (Special Provisions) 1988

**SCHEDULE 1—EXCLUSION OF MINOR AREAS
FROM CERTAIN NATIONAL PARKS**

Part 1

(Sec. 3 (1))

Blue Mountains National Park

All that piece or parcel of land containing about 1,492 square metres situated in the County of Cook, Parish of Irvine, and being lot 1, D.P. 531999.

Part 2

(Sec. 3 (2))

Wollemi National Park

All those pieces or parcels of land containing about 4.775 hectares situated in the County of Cook, Parish of Wheeny, and being lots 1-5, D.P. 193557 and lots 2, 3 and 4, D.P. 193559.

All that piece or parcel of land containing about 2.263 hectares situated in the County of Cook, Parish of Wheeny, and being Portion 73 and the adjoining non-public road 20.115 metres wide separating Portion 73 from Portion 74.

All that piece or parcel of land containing about 4,878 square metres situated in the County of Phillip, Parish of Kerrabee, and being lot 21, D.P. 735150.

All that piece or parcel of land containing about 4,450 square metres situated in the County of Cook, Parish of Bilpin, and being Crown road 20.115 metres wide adjoining the western boundary of Portions 68 and 74.

Part 3

(Sec. 3 (3))

Kinchega National Park

All those pieces or parcels of land containing about 1.927 hectares situated in the County of Menindee, Parish of Perry, Town of Menindee, and being lots 1 and 2, section 2.

Part 4

(Sec. 3 (4))

Mimosa Rocks National Park

All that piece or parcel of land containing about 2.02 hectares situated in the County of Dampier, Parish of Tanja, and being Crown subdivision road 20.115 metres wide extending southerly and easterly from the southern boundary of Portion 145 to its junction with public road R29903-1603.

Part 5

(Sec. 3 (5))

Brisbane Water National Park

All that piece or parcel of land containing about 451.8 square metres situated in the County of Northumberland, Parish of Patonga, and being lot 1, D.P. 722253.

National Parks (Special Provisions) 1988

SCHEDULE 1—EXCLUSION OF MINOR AREAS FROM CERTAIN NATIONAL PARKS—*continued*

Part 6

(Sec. 3 (6))

Hat Head National Park

All that piece or parcel of land containing about 2.66 hectares situated in the County of Macquarie, Parish of Beranghi, and being lot 283, D.P. 47355.

Part 7

(Sec. 3 (7))

Woko National Park

All that piece or parcel of land containing about 20 hectares situated in the County of Hawes, Parish of Barnard, and being part lot 63, D.P. 720872 (being that part bounded by the right bank of Curricabark River, lot 62, D.P. 720872, and Portion 50, Parish of Cobb, inclusive of reserved road).

Part 8

(Sec. 3 (8))

Ku-ring-gai Chase National Park

All that piece or parcel of land containing about 386.2 square metres situated in the County of Cumberland, Parish of Broken Bay, and being lot 1, D.P. 721575.

Part 9

(Sec. 3 (9))

Tomaree National Park

All that piece or parcel of land containing about 37.76 square metres situated in the County of Gloucester, Parish of Tomaree, and being lot 469, D.P. 726237.

SCHEDULE 2—EXCLUSION OF MINOR AREAS FROM CERTAIN NATURE RESERVES

Part 1

(Sec. 4 (1))

Gurumbi Nature Reserve

All those pieces or parcels of land containing about 6,055 square metres situated in the County of St. Vincent, Parish of Bherwerre, and being lots 3 and 10, D.P. 720020.

Part 2

(Sec. 4 (2))

Goura Nature Reserve

All those pieces or parcels of land containing about 1.006 hectares situated in the County of Dampier, Parish of Narooma, and being lots 54 and 55, D.P. 748941.

National Parks (Special Provisions) 1988

**SCHEDULE 3—REVOCATION OF CERTAIN NATURE RESERVES
AND RESERVATION AS PARTS OF NATIONAL PARKS**

Part 1

(Secs. 5 (1), 6 (1))

Warrabah Nature Reserve

The whole of the Warrabah Nature Reserve, dedicated by proclamation published in the Gazette on 7 May 1971 and containing about 835.7 hectares.

Part 2

(Secs. 5 (2), 6 (2))

The Hole Creek Nature Reserve

The whole of The Hole Creek Nature Reserve, formerly known as The Hole Gulf Faunal Reserve No. 37 and dedicated by proclamation published in the Gazette on 5 February 1965 and further dedicated by proclamation published in the Gazette on 14 March 1980 and containing about 5,587 hectares.

Part 3

(Secs. 5 (3), 6 (2))

Rowley's Creek Gulf Nature Reserve

The whole of the Rowley's Creek Gulf Nature Reserve, formerly known as the Rowley's Creek Gulf Faunal Reserve No. 23 and dedicated by proclamation published in the Gazette on 29 June 1962 and containing about 1,659 hectares.

NATIONAL PARKS (SPECIAL PROVISIONS) BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

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

The objects of this Bill are—

- (a) to revoke the reservation of minor areas of certain national parks mostly for road works;
- (b) to revoke the dedication of certain nature reserves for road works; and
- (c) to revoke the dedication of certain nature reserves and to reserve the areas as parts of national parks.

Under sections 37 and 52 of the National Parks and Wildlife Act 1974 the reservation or dedication of land for national parks or nature reserves cannot be revoked except by an Act of Parliament.

Clause 1 specifies the short title of the proposed Act.

Clause 2 defines "dedication" to mean a dedication of land (or deemed dedication of land) by or under the National Parks and Wildlife Act 1974. It also defines "reservation" to mean a reservation of land (or deemed reservation of land) by or under that Act.

Clause 3 revokes the reservation of minor areas of land of certain national parks (being the areas of national parks described in Schedule 1). The national parks involved are as follows:

- (a) Blue Mountains National Park (1,492 square metres—widening of the Bell's Line of Road);
- (b) Wollemi National Park (4,775 hectares—widening of the Mountain Lagoon Road; 2,263 hectares—restoration of a special lease and non-public road; 4,878 square metres—re-routing and upgrading of the Sandy Hollow-Bylong Road; 4,450 square metres—continuity of a road and resolution of access problem);
- (c) Kinchega National Park (1,927 hectares—surplus land);
- (d) Mimosa Rocks National Park (2.02 hectares—excluding a road and resolution of access problem);

National Parks (Special Provisions) 1988

- (e) Brisbane Water National Park (451.8 square metres—minor reconstruction of part of Pearl Beach Drive);
- (f) Hat Head National Park (2.66 hectares—excluding part of Crescent Head Road);
- (g) Woko National Park (20 hectares—boundary adjustment);
- (h) Ku-ring-gai Chase National Park (386.2 square metres—road widening);
- (i) Tomaree National Park (37.76 square metres—boundary adjustment).

Clause 4 revokes the dedication of minor areas of land of certain nature reserves (being the areas of nature reserves described in Schedule 2). The nature reserves involved are as follows:

- (a) Gurumbi Nature Reserve (6,055 square metres—upgrading the Erowal Bay—Wrights Beach Road);
- (b) Goura Nature Reserve (1.006 hectares—upgrading Princes Highway).

Clause 5 wholly revokes the dedication of Warrabah Nature Reserve, The Hole Creek Nature Reserve and Rowley's Creek Gulf Nature Reserve (being the areas of land described in Schedule 3). These nature reserves are to be incorporated into existing national parks.

Clause 6 reserves the revoked Warrabah Nature Reserve as part of the Warrabah National Park and reserves the other 2 revoked nature reserves as part of the Oxley Wild Rivers National Park.

Schedule 1 describes the minor areas of land of national parks that will be revoked by the proposed Act.

Schedule 2 describes the minor areas of land of nature reserves that will be revoked by the proposed Act.

Schedule 3 describes the areas of the nature reserves that will be revoked by the proposed Act and that will be reserved as parts of national parks.

NATIONAL PARKS (SPECIAL PROVISIONS) BILL 1988

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Definitions
3. Exclusion of minor areas from certain national parks
4. Exclusion of minor areas from certain nature reserves
5. Revocation of dedication of certain nature reserves
6. Reservation of lands (formerly nature reserves) as parts of national parks

SCHEDULE 1—EXCLUSION OF MINOR AREAS FROM CERTAIN NATIONAL PARKS

SCHEDULE 2—EXCLUSION OF MINOR AREAS FROM CERTAIN NATURE RESERVES

SCHEDULE 3—REVOCATION OF CERTAIN NATURE RESERVES AND RESERVATION AS PARTS OF NATIONAL PARKS



NATIONAL PARKS (SPECIAL PROVISIONS) BILL 1988

NEW SOUTH WALES



No. , 1988

A BILL FOR

An Act to exclude minor areas of land from certain national parks and nature reserves; and to incorporate certain nature reserves into existing national parks.

National Parks (Special Provisions) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks (Special Provisions) Act 1988.

5 Definitions

2. In this Act—

“dedication” means—

- 10 (a) a dedication of land by or under the Fauna Protection Act 1948 (being a dedication of land deemed to be dedicated as a nature reserve under the National Parks and Wildlife Act 1974); or
- (b) a dedication of land by or under the National Parks and Wildlife Act 1974;

“reservation” means—

- 15 (a) a reservation of land by or under the National Parks and Wildlife Act 1967 (being a reservation of land deemed to be reserved as a national park under the National Parks and Wildlife Act 1974); or
- (b) a reservation of land by or under the National Parks and Wildlife Act 1974.

20 Exclusion of minor areas from certain national parks

3. (1) The reservation of land as Blue Mountains National Park is, to the extent that that reservation applies to the land described in Part 1 of Schedule 1, revoked.

25 (2) The reservation of land as Wollemi National Park is, to the extent that that reservation applies to the land described in Part 2 of Schedule 1, revoked.

(3) The reservation of land as Kinchega National Park is, to the extent that that reservation applies to the land described in Part 3 of Schedule 1, revoked.

30 (4) The reservation of land as Mimosa Rocks National Park is, to the extent that that reservation applies to the land described in Part 4 of Schedule 1, revoked.

35 (5) The reservation of land as Brisbane Water National Park is, to the extent that that reservation applies to the land described in Part 5 of Schedule 1, revoked.

(6) The reservation of land as Hat Head National Park is, to the extent that that reservation applies to the land described in Part 6 of Schedule 1, revoked.

National Parks (Special Provisions) 1988

(7) The reservation of land as Woko National Park is, to the extent that that reservation applies to the land described in Part 7 of Schedule 1, revoked.

(8) The reservation of land as Ku-ring-gai Chase National Park is, to the extent that that reservation applies to the land described in Part 8 of Schedule 1, revoked.

(9) The reservation of land as Tomaree National Park is, to the extent that that reservation applies to the land described in Part 9 of Schedule 1, revoked.

10 Exclusion of minor areas from certain nature reserves

4. (1) The dedication of land as Gurumbi Nature Reserve is, to the extent that that dedication applies to the land described in Part 1 of Schedule 2, revoked.

(2) The dedication of land as Goura Nature Reserve is, to the extent that that dedication applies to the land described in Part 2 of Schedule 2, revoked.

Revocation of dedication of certain nature reserves

5. (1) The dedication as a nature reserve of the land described in Part 1 of Schedule 3 (being Warrabah Nature Reserve) is revoked.

(2) The dedication as a nature reserve of the land described in Part 2 of Schedule 3 (being The Hole Creek Nature Reserve) is revoked.

(3) The dedication as a nature reserve of the land described in Part 3 of Schedule 3 (being Rowley's Creek Gulf Nature Reserve) is revoked.

Reservation of lands (formerly nature reserves) as parts of national parks

6. (1) The land described in Part 1 of Schedule 3 is reserved as part of the Warrabah National Park.

(2) The lands described in Parts 2 and 3 of Schedule 3 are reserved as part of the Oxley Wild Rivers National Park.

(3) For the purposes of the National Parks and Wildlife Act 1974, the lands described in Schedule 3 shall be deemed to have been so reserved by a proclamation published on the commencement of this Act under section 33 (3) of the National Parks and Wildlife Act 1974.

(4) Section 35 of the National Parks and Wildlife Act 1974 does not apply to the reservation of land by this section.

National Parks (Special Provisions) 1988

**SCHEDULE 1—EXCLUSION OF MINOR AREAS
FROM CERTAIN NATIONAL PARKS**

Part 1

(Sec. 3 (1))

- 5 *Blue Mountains National Park*
All that piece or parcel of land containing about 1,492 square metres situated in the County of Cook, Parish of Irvine, and being lot 1, D.P. 531999.

Part 2

(Sec. 3 (2))

- 10 *Wollemi National Park*
All those pieces or parcels of land containing about 4.775 hectares situated in the County of Cook, Parish of Wheeny, and being lots 1-5, D.P. 193557 and lots 2, 3 and 4, D.P. 193559.
- 15 All that piece or parcel of land containing about 2.263 hectares situated in the County of Cook, Parish of Wheeny, and being Portion 73 and the adjoining non-public road 20.115 metres wide separating Portion 73 from Portion 74.

All that piece or parcel of land containing about 4,878 square metres situated in the County of Phillip, Parish of Kerrabee, and being lot 21, D.P. 735150.

- 20 All that piece or parcel of land containing about 4,450 square metres situated in the County of Cook, Parish of Bilpin, and being Crown road 20.115 metres wide adjoining the western boundary of Portions 68 and 74.

Part 3

(Sec. 3 (3))

Kinchega National Park

- 25 All those pieces or parcels of land containing about 1.927 hectares situated in the County of Menindee, Parish of Perry, Town of Menindee, and being lots 1 and 2, section 2.

Part 4

(Sec. 3 (4))

- 30 *Mimosa Rocks National Park*
All that piece or parcel of land containing about 2.02 hectares situated in the County of Dampier, Parish of Tanja, and being Crown subdivision road 20.115 metres wide extending southerly and easterly from the southern boundary of Portion 145 to its junction with public road R29903-1603.

Part 5

(Sec. 3 (5))

Brisbane Water National Park

- 35 All that piece or parcel of land containing about 451.8 square metres situated in the County of Northumberland, Parish of Patonga, and being lot 1, D.P. 722253.

National Parks (Special Provisions) 1988

SCHEDULE 1—EXCLUSION OF MINOR AREAS FROM CERTAIN NATIONAL PARKS—*continued*

Part 6

(Sec. 3 (6))

Hat Head National Park

5 All that piece or parcel of land containing about 2.66 hectares situated in the County of Macquarie, Parish of Beranghi, and being lot 283, D.P. 47355.

Part 7

(Sec. 3 (7))

Woko National Park

10 All that piece or parcel of land containing about 20 hectares situated in the County of Hawes, Parish of Barnard, and being part lot 63, D.P. 720872 (being that part bounded by the right bank of Curricabark River, lot 62, D.P. 720872, and Portion 50, Parish of Cobb, inclusive of reserved road).

Part 8

(Sec. 3 (8))

15 *Ku-ring-gai Chase National Park*

All that piece or parcel of land containing about 386.2 square metres situated in the County of Cumberland, Parish of Broken Bay, and being lot 1, D.P. 721575.

Part 9

(Sec. 3 (9))

20 *Tomaree National Park*

All that piece or parcel of land containing about 37.76 square metres situated in the County of Gloucester, Parish of Tomaree, and being lot 469, D.P. 726237.

SCHEDULE 2—EXCLUSION OF MINOR AREAS FROM CERTAIN NATURE RESERVES

25 *Part 1*

(Sec. 4 (1))

Gurumbi Nature Reserve

All those pieces or parcels of land containing about 6,055 square metres situated in the County of St. Vincent, Parish of Bherwerre, and being lots 3 and 10, D.P. 720020.

30 *Part 2*

(Sec. 4 (2))

Goura Nature Reserve

All those pieces or parcels of land containing about 1,006 hectares situated in the County of Dampier, Parish of Narooma, and being lots 54 and 55, D.P. 748941.

National Parks (Special Provisions) 1988

**SCHEDULE 3—REVOCATION OF CERTAIN NATURE RESERVES
AND RESERVATION AS PARTS OF NATIONAL PARKS**

Part 1

(Secs. 5 (1), 6 (1))

5 *Warrabah Nature Reserve*

The whole of the Warrabah Nature Reserve, dedicated by proclamation published in the Gazette on 7 May 1971 and containing about 835.7 hectares.

Part 2

(Secs. 5 (2), 6 (2))

10 *The Hole Creek Nature Reserve*

The whole of The Hole Creek Nature Reserve, formerly known as The Hole Gulf Faunal Reserve No. 37 and dedicated by proclamation published in the Gazette on 5 February 1965 and further dedicated by proclamation published in the Gazette on 14 March 1980 and containing about 5,587 hectares.

15 *Part 3*

(Secs. 5 (3), 6 (2))

Rowley's Creek Gulf Nature Reserve

20 The whole of the Rowley's Creek Gulf Nature Reserve, formerly known as the Rowley's Creek Gulf Faunal Reserve No. 23 and dedicated by proclamation published in the Gazette on 29 June 1962 and containing about 1,659 hectares.

