NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT ACT 1990 No. 106

NEW SOUTH WALES



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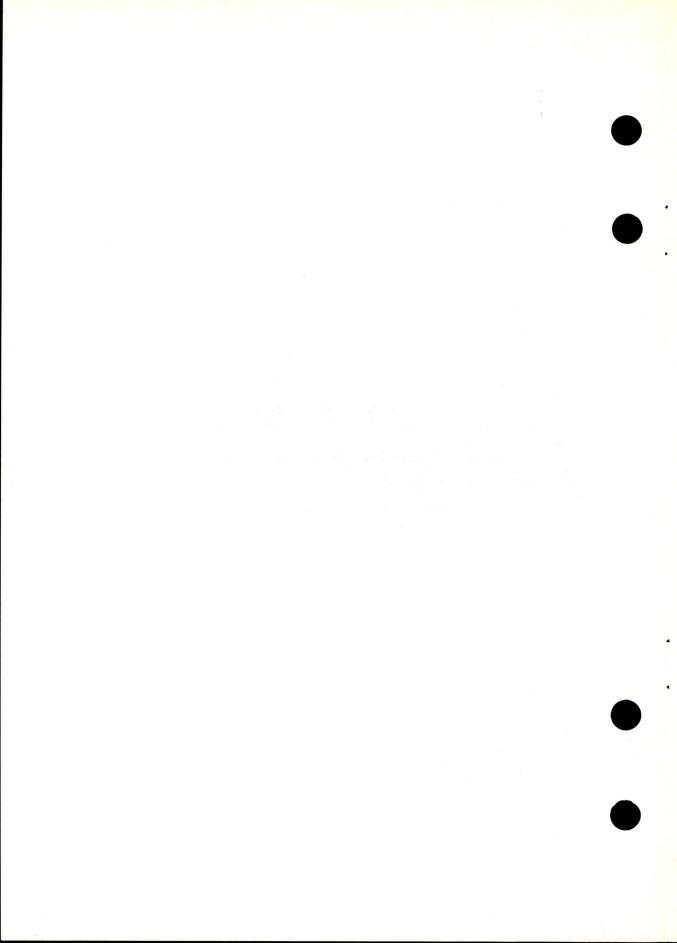
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SCHEDULE 1-AMENDMENTS





NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT ACT 1990 No. 106

NEW SOUTH WALES



Act No. 106, 1990

An Act to amend the National Parks and Wildlife Act 1974 with respect to the granting of leases and with respect to the application to lands reserved or dedicated under that Act of certain provisions of the Local Government Act 1919. [Assented to 13 December 1990]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks and Wildlife (Leases) Amendment Act 1990.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of National Parks and Wildlife Act 1974 No. 80

3. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 151 (Leases of and licences over lands in a national park, historic site, nature reserve or state game reserve):

In section 151 (4), after "149", insert "or 151A".

(2) Section 151A:

After section 151, insert:

New head leases for certain lands

151A. (1) The Minister may grant leases (in this section referred to as "head leases") in respect of the lands the subject of any or all of the leases mentioned in Schedule 15, whether or not those lands are still the subject of the leases so mentioned.

(2) On the granting of a head lease, the following provisions have effect with respect to such of the leases mentioned in Schedule 15 as apply to the land the subject of the head lease:

(a) the lease is taken to be varied by substituting the name of the head lessee for that of the lessor;

SCHEDULE 1—AMENDMENTS—continued

- (b) the lease is taken to become a sublease (in this section referred to as a "statutory sublease") of the head lease;
- (c) except as otherwise provided by the regulations—the lease continues to have effect according to its tenor;
- (d) any proceedings under the lease in relation to any matter arising before the head lease was granted are to be commenced or maintained by or against the lessor as if the lease had not been varied as referred to in paragraph (a).

(3) If a head lease is granted to a person in respect of land the subject of a lease mentioned in Schedule 15 of which the person is the sole lessee, the lease so mentioned is, by virtue of the granting of the head lease, extinguished.

(4) A head lease is taken to include a condition to the effect that the head lessee must not:

- (a) assign or mortgage the head lessee's interest in the lease to any other person; or
- (b) exercise any right of forfeiture or termination in respect of any statutory sublease of the lease; or
- (c) vary any rent payable under any statutory sublease of the lease,

except with the prior consent in writing of the Minister, and that any purported assignment, mortgage, forfeiture, termination or variation of rent that does not have such consent is void.

(5) A head lease is not affected merely because a lease mentioned in Schedule 15 ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) while the head lease is in force.

(6) If a head lease ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) the following provisions have effect with respect to any statutory sublease of the head lease:

- (a) the sublease is taken to be varied by substituting the title of the Minister for the name of the head lessee;
- (b) the sublease is taken to cease to be a statutory sublease and to become a lease granted under section 151;

SCHEDULE 1—AMENDMENTS—continued

- (c) the lease continues to have effect according to its tenor;
- (d) any proceedings under the sublease in relation to any matter arising before the head lease ceased to have effect are to be commenced or maintained against the head lessee as if the lease had not been varied as referred to in paragraph (a).

(7) No duty is payable under the Stamp Duties Act 1920 in respect of a variation referred to in subsection (2) (a) or (6) (a).

- (8) The operation of this section is not to be regarded:
- (a) as a breach of contract or confidence or otherwise as a civil wrong; or
- (b) as a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of a lease or statutory sublease; or
- (c) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a variation referred to in subsection (2) (a) or (6) (a).

(9) No attornment to a head lessee by a statutory sublessee is required.

(10) The regulations may amend Schedule 15:

- (a) by omitting the matter relating to any lease mentioned in that Schedule; or
- (b) by varying the matter relating to any lease mentioned in that Schedule; or
- (c) by inserting matter relating to any other lease (not being a head lease) in relation to land in, or in the vicinity of, Perisher Valley, Smiggin Holes or Guthega.

(11) A head lease granted in respect of land the subject of a lease mentioned in Schedule 15 is not affected merely because the matter relating to the lease so mentioned is omitted from that Schedule, or is varied, while the head lease is in force.

SCHEDULE 1—AMENDMENTS—continued

(3) Section 163A:

After section 163, insert:

Application of Local Government Act 1919

163A. Parts 11 (Building regulation) and 12 (Town planning) of the Local Government Act 1919 do not apply, and are to be taken never to have applied, to or in respect of lands reserved or dedicated under this Act.

(4) Schedule 15:

After Schedule 14, insert:

SCHEDULE 15—LEASES IN RESPECT OF WHICH HEAD LEASES MAY BE GRANTED

(Sec. 151A)

1. Lease dated 6.10.1978 between Minister for Lands and The Man at Perisher Hotel Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 580 P.6512)

2. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 585 P.7792)

3. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 586 P.7792)

4. Lease dated 2.12.1987 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 970 P.7792)

5. Lease dated 13.10.1967 between Minister for Lands and Kosciusko Alpine Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 573 P.50)

6. Lease dated 14.1.1984 between Minister for Planning and Environment and Leighton Contractors Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 27 P.34)

7. Lease dated 20.12.1965 between Minister for Lands and Harbord Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 571 P.4922)

SCHEDULE 1—AMENDMENTS—continued

8. Lease dated 20.5.1969 between Minister for Lands and G. Stipis in respect of land situated at Perisher Valley (NPWS reference: MTR 576 P.301)

9. Lease dated 15.6.1966 between Minister for Lands and City Tattersalls Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 578 P.5602)

10. Lease dated 21.8.1973 between Minister for Lands and Chez Jean Apartments Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 747 P.197)

11. Lease dated 25.9.1964 between Minister for Lands and Corroboree Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 25 P.164)

12. Lease dated 30.7.1964 between Minister for Lands and Eiger Chalet Nominees Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 579 P.354)

13. Lease dated 23.12.1963 between Minister for Lands and Jolly Swagman Alpine Inn Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 399 P.876)

14. Lease dated 21.11.1975 between Minister for Lands and Southern Alps Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 577 P.184)

15. Lease dated 24.2.1984 between Minister for Planning and Environment and Pelagon Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 21 P.843)

16. Lease dated 11.7.1984 between Minister for Planning and Environment and Matterhorn Ski Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 24 P.337)

17. Lease dated 14.3.1963 between Minister for Lands and F. and C. Breitfuss in respect of land situated at Perisher Valley (NPWS reference: MTR 574 P.182)

18. Lease dated 13.3.1984 between Minister for Planning and Environment and Salzburg Chalet Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 22 P.4163)

SCHEDULE 1—AMENDMENTS—continued

19. Lease dated 25.11.1965 between Minister for Lands and G. and E. Step in respect of land situated at Perisher Valley (NPWS reference: MTR 575 P.6649)

20. Lease dated 10.9.1964 between Minister for Lands and Preskiss Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 398 P.3612)

21. Lease dated 10.9.1973 between Minister for Lands and Barina Milpara Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 572 P.3931)

22. Lease dated 18.1.1965 between Minister for Lands and Inghams Enterprises Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 415 P.221)

23. Lease dated 20.3.1984 between Minister for Planning and Environment and The Stables Perisher Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 23 P.494)

24. Lease dated 10.12.1984 between Minister for Planning and Environment and Alexandra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 32 P.2731)

25. Lease dated 10.12.1984 between Minister for Planning and Environment and Aurora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 36 P.7774)

26. Lease dated 29.8.1986 between Minister for Planning and Environment and Australian Golf Club Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 532 P.1981)

27. Lease dated 28.5.1987 between Minister for Planning and Environment and Avalanche Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 566 P.5712)

28. Lease dated 10.12.1984 between Minister for Planning and Environment and Beachcombers Alpine Retreat Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 51 P.7772)

SCHEDULE 1—AMENDMENTS—continued

29. Lease dated 24.4.1985 between Minister for Planning and Environment and Canberra Alpine Club Incorporated in respect of land situated at Perisher Valley (NPWS reference: MTR 62 P.183)

30. Lease dated 10.12.1984 between Minister for Planning and Environment and Cooma Ski Club Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 8 P.798)

31. Lease dated 31.1.1985 between Minister for Planning and Environment and Cronulla Alpine Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 56 P.840)

32. Lease dated 12.12.1984 between Minister for Planning and Environment and CSIRO Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 4 P.8)

33. Lease dated 29.1.1986 between Minister for Planning and Environment and Dianella Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 368 P.7148)

34. Lease dated 16.1.1985 between Minister for Planning and Environment and Dulmison Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 57 P.1272)

35. Lease dated 25.11.1985 between Minister for Planning and Environment and Edelweiss Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 366 P.7412)

36. Lease dated 10.12.1984 between Minister for Planning and Environment and Eremo Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 42 P.7413)

37. Lease dated 10.12.1984 between Minister for Planning and Environment and Fjellheim Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 37 P.2673)

38. Lease dated 18.7.1978 between Minister for Lands and Geebung Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 385 P.6414)

SCHEDULE 1—AMENDMENTS—continued

39. Lease dated 28.12.1984 between Minister for Planning and Environment and Gunyah Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 54 P.6868)

40. Lease dated 11.1.1988 between Minister for Planning and Environment and Highway Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 568 P.4635)

41. Lease dated 10.12.1984 between Minister for Planning and Environment and Hus-ski Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 33 P.162)

42. Lease dated 10.12.1984 between Minister for Planning and Environment and The Port Kembla Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 1 P.1343)

43. Lease dated 10.12.1984 between Minister for Planning and Environment and Kalymaro Lodge (Co-op) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 48 P.5338)

44. Lease dated 11.12.1984 between Minister for Planning and Environment and Kandahar Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 6 P.842)

45. Lease dated 4.3.1987 between Minister for Planning and Environment and Karralika Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 528 P.202)

46. Lease dated 10.12.1984 between Minister for Planning and Environment and Kosciusko Snow Revellers Club in respect of land situated at Perisher Valley (NPWS reference: MTR 31 P.191)

47. Lease dated 28.1.1987 between Minister for Planning and Environment and Kunapipi Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 529 P.200)

48. Lease dated 10.12.1984 between Minister for Planning and Environment and Ku-ring-gai Alpine Lodge Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 55 P.7773)

SCHEDULE 1—AMENDMENTS—continued

49. Lease dated 10.12.1986 between Minister for Planning and Environment and Lampada Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 522 P.181)

50. Lease dated 10.1.1986 between Minister for Planning and Environment and Langlauf Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 369 P.7000)

51. Lease dated 10.12.1984 between Minister for Planning and Environment and Manly-Warringah Master Builders Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 52 P.2457)

52. Lease dated 19.11.1984 between Minister for Planning and Environment and Thirroul Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 53 P.179)

53. Lease dated 10.12.1984 between Minister for Planning and Environment and Merriment Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 10 P.1943)

54. Lease dated 10.12.1984 between Minister for Planning and Environment and Mirrabooka Co-op Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 43 P.7693)

55. Lease dated 28.2.1985 between Minister for Planning and Environment and Munjarra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 58 P.3989)

56. Lease dated 23.4.1987 between Minister for Planning and Environment and Narraburra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 527 P.5956)

57. Lease dated 10.1.1985 between Minister for Planning and Environment and Oldina Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 5 P.5869)

SCHEDULE 1—AMENDMENTS—continued

58. Lease dated 10.12.1984 between Minister for Planning and Environment and Orana Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 13 P.7511)

59. Lease dated 10.12.1986 between Minister for Planning and Environment and Parrawa Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 531 P.203)

60. Lease dated 22.7.1985 between Minister for Planning and Environment and Kiandra Pioneer Ski Club (1870) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 29 P.878)

61. Lease dated 20.5.1988 between Minister for Environment and R.A.N. Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 525 P.4763)

62. Lease dated 10.12.1986 between Minister for Planning and Environment and Redwood Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 523 P.5706)

63. Lease dated 3.12.1985 between Minister for Planning and Environment and Rock Creek Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 371 P.7775)

64. Lease dated 10.12.1984 between Minister for Planning and Environment and Rugby Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 45 P.296)

65. Lease dated 7.8.1984 between Minister for Planning and Environment and Snowgums Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 7 P.4893)

66. Lease dated 22.2.1988 between Minister for Planning and Environment and Sundowner Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 384 P.875)

67. Lease dated 10.12.1984 between Minister for Planning and Environment and Sydney Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 11 P.321)

SCHEDULE 1—AMENDMENTS—continued

68. Lease dated 10.1.1986 between Minister for Planning and Environment and Tambaroora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 370 P.7707)

69. Lease dated 7.1.1987 between Minister for Planning and Environment and Tarrawonga Alpine Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 530 P.6475)

70. Lease dated 2.4.1985 between Minister for Planning and Environment and Technology Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 2 P.5335)

71. Lease dated 26.2.1986 between Minister for Planning and Environment and Telemark Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 367 P.3226)

72. Lease dated 17.2.1987 between Minister for Planning and Environment and Trissana Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 524 P.879)

73. Lease dated 10.12.1984 between Minister for Planning and Environment and University Alpine Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 9 P.1355)

74. Lease dated 23.4.1987 between Minister for Planning and Environment and Ullr Ski Lodge Co-op Society in respect of land situated at Perisher Valley (NPWS reference: MTR 526 P.231)

75. Lease dated 12.12.1984 between Minister for Planning and Environment and Waratah Ski Club Limited in respect of land situated at Perisher Valley (NPWS reference: MTR 35 P.877)

76. Lease dated 6.8.1984 between Minister for Planning and Environment and Wirruna Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 3 P.3327)

77. Lease dated 10.12.1984 between Minister for Planning and Environment and Warrugang Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 34 P.6611)

SCHEDULE 1—AMENDMENTS—continued

78. Lease dated 6.6.1989 between Minister for Environment and Public Service Officers Ski Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 597 P.118)

79. Lease dated 10.12.1984 between Minister for Planning and Environment and Yaraandoo Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 44 P.6970)

80. Lease dated 15.9.1986 between Minister for Planning and Environment and Yeti Alpine Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 520 P.800)

81. Lease dated 26.10.1972 between Minister for Lands and South Perisher Co-op Alpine Club in respect of land situated at Perisher Valley (NPWS reference: MTR 383 P.1346)

82. Lease dated 17.5.1974 between Minister for Lands and Shortland Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 386 P.4161)

83. Lease dated 15.2.1965 between Minister for Lands and Perisher Heutte Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 400 P.7119)

84. Lease dated 12.8.1986 between Minister for Planning and Environment and Cowra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 521 P.5581)

85. Lease dated 10.12.1984 between Minister for Planning and Environment and Christina Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 46 P.7550)

86. Lease dated 29.10.1986 between Minister for Planning and Environment and Health Administration Corporation in respect of land situated at Perisher Valley (NPWS reference: MTR 437 P.8401)

87. Lease dated 13.11.1989 between Minister for Environment and Board of Fire Commissioners in respect of land situated at Perisher Valley (NPWS reference: MTR 675 P.7995)

SCHEDULE 1—AMENDMENTS—continued

88. Lease dated 7.1.1987 between Minister for Planning and Environment and G. J. Cocker in respect of land situated at Perisher Valley (NPWS reference: MTR 650 P.6313)

89. Lease dated 27.8.1986 between Minister for Planning and Environment and Hans Oversnow Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 802 P.20)

90. Lease dated 18.2.1981 between Minister for Planning and Environment and NSW Ski Association in respect of land situated at Perisher Valley (NPWS reference: MTR 685 P.3975)

91. Lease dated 7.12.1984 between Minister for Planning and Environment and Perisher Skitube Joint Venture in respect of land situated at Perisher Valley (NPWS reference: MTR 396 P.7842)

92. Lease dated 7.7.1982 between Director of National Parks and Wildlife and Commissioner of Police in respect of land situated at Perisher Valley (NPWS reference: MTR 676 P.7150)

93. Lease dated 27.10.1972 between Minister for Lands and Trustees of the All Denominational Alpine Church in respect of land situated at Perisher Valley (NPWS reference: MTR 690 P.437)

94. Lease dated 9.9.1966 between Minister for Lands and Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn in respect of land situated at Perisher Valley (NPWS reference: MTR 684 P.8791)

95. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 591 P.6835)

96. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 593 P.7925)

97. Lease dated 13.10.1966 between Minister for Lands and J. P. and C. M. Grant in respect of land situated at Smiggin Holes (NPWS reference: MTR 374 P.291)

SCHEDULE 1—AMENDMENTS—continued

98. Lease dated 23.3.1965 between Minister for Lands and Valse Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 512 P.511)

99. Lease dated 29.1.1965 between Minister for Lands and Dalgama Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 373 P.237)

100. Lease dated 27.8.1979 between Minister for Planning and Environment and Aymost Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 372 P.6833)

101. Lease dated 17.8.1979 between Minister for Planning and Environment and Snow Accommodation Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR[•] 513 P.6837)

102. Lease dated 31.7.1975 between Minister for Lands and Heidis Hideaway Bistro Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 375 P.57)

103. Lease dated 1.11.1966 between Minister for Lands and Snowline Ski Centre (Kosciusko) Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 515 P.928)

104. Lease dated 6.5.1980 between Minister for Planning and Environment and Norman Tonkin in respect of land situated at Smiggin Holes (NPWS reference: MTR 514 P.6835)

105. Lease dated 17,10.1979 between Minister for Planning and Environment and Apex Foundation in respect of land situated at Smiggin Holes (NPWS reference: MTR 516 P.6437)

106. Lease dated 10.12.1984 between Minister for Planning and Environment and Caloola Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 50 P.7777)

SCHEDULE 1—AMENDMENTS—continued

107. Lease dated 19.4.1978 between Minister for Lands and Clancy Alpine Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 381 P.5668)

108. Lease dated 29.5.1975 between Minister for Lands and Fellowship Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 377 P.2447)

109. Lease dated 2.11.1977 between Minister for Lands and Gunuma Lodge Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 382 P.5573)

110. Lease dated 10.12.1984 between Minister for Planning and Environment and Illawarra Alpine Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 49 P.220)

111. Lease dated 22.2.1988 between Minister for Planning and Environment and IMBAC Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 376 P.4021)

112. Lease dated 25.3.1968 between Minister for Lands and Illoura Lodge Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 378 P.199)

113. Lease dated 10.12.1984 between Minister for Planning and Environment and Muniong Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 47 P.3585)

114. Lease dated 28.1.1987 between Minister for Planning and Environment and Smugglers Ski Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 519 P.3592)

115. Lease dated 3.12.1984 between Minister for Planning and Environment and Snow Country Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 39 P.4903)

SCHEDULE 1—AMENDMENTS—continued

116. Lease dated 10.12.1984 between Minister for Planning and Environment and Anglican Youth Department Diocese in respect of land situated at Smiggin Holes (NPWS reference: MTR 38 P.3422)

117. Lease dated 4.5.1977 between Minister for Lands and Wild Spitz Ski Club Incorporated in respect of land situated at Smiggin Holes (NPWS reference: MTR 379 P.5596)

118. Lease dated 17.12.1973 between Minister for Lands and Windarra Ski Lodge Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 380 P.3613)

119. Lease dated 15.12.1975 between Minister for Lands and Guthega Hoteliers Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 351 P.211)

120. Lease dated 5.12.1979 between Minister for Planning and Environment and Guthega Developments Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 352 P.936)

121. Lease dated 28.7.1972 between Minister for Lands and Tate Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 349 P.895)

122. Lease dated 1.9.1977 between Minister for Lands and Australian Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 347 P.5380)

123. Lease dated 26.6.1971 between Minister for Lands and ACTP Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 348 P.532)

124. Lease dated 10.12.1984 between Minister for Planning and Environment and Guthega Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 40 P.69)

125. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 59 P.3372)

126. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 60 P.3372)

SCHEDULE 1—AMENDMENTS—continued

127. Lease dated 23.12.1975 between Minister for Lands and Snowy River Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 350 P.5309)

128. Lease dated 10.12.1984 between Minister for Planning and Environment and Blue Cow Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 12 P.215)

129. Lease dated 10.12.1984 between Minister for Planning and Environment and Turnak Co-op Ski Club Ltd in respect of land situated at Guthega (NPWS reference: MTR 41 P.249)

130. Lease dated 27.6.1986 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 570 P.8429)

131. Lease dated 30.1.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 587 P.6409)

132. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 588 P.6409)

133. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 589 P.6409)

134. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 590 P.6409)

135. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 864 P.6409)

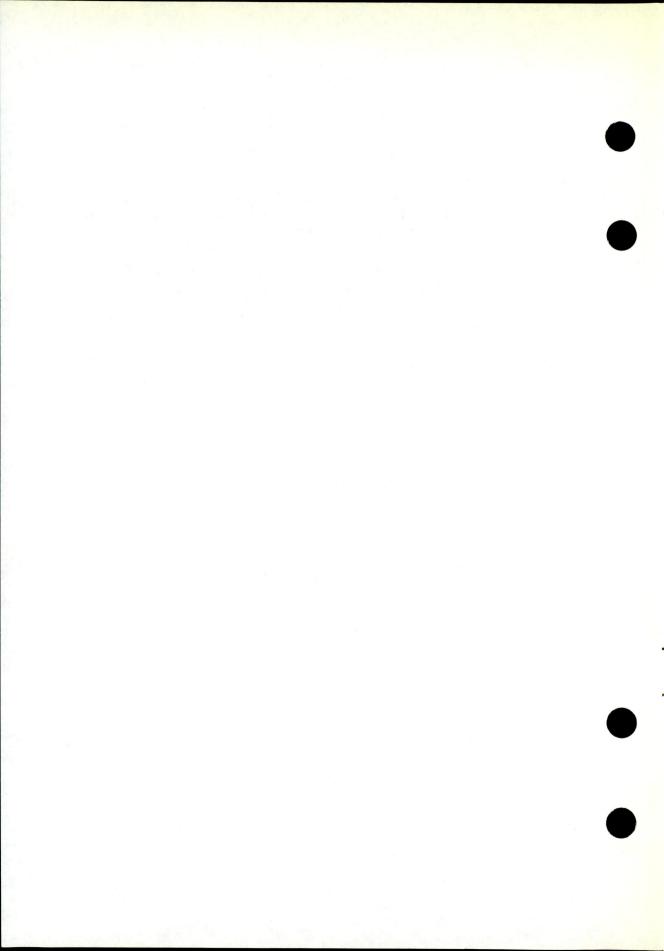
SCHEDULE 1—AMENDMENTS—continued

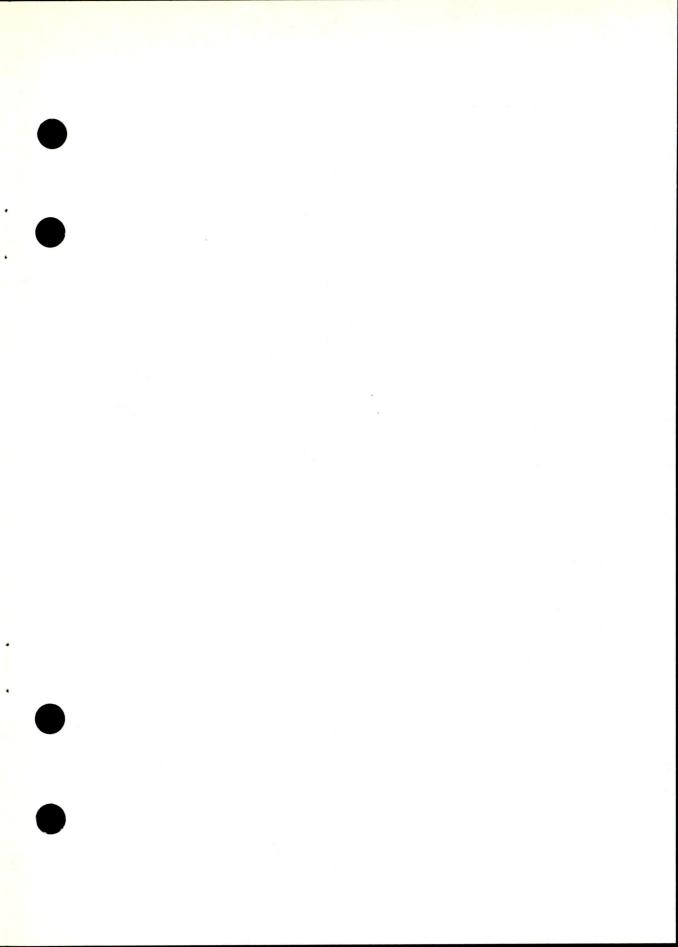
136. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 865 P.6409)

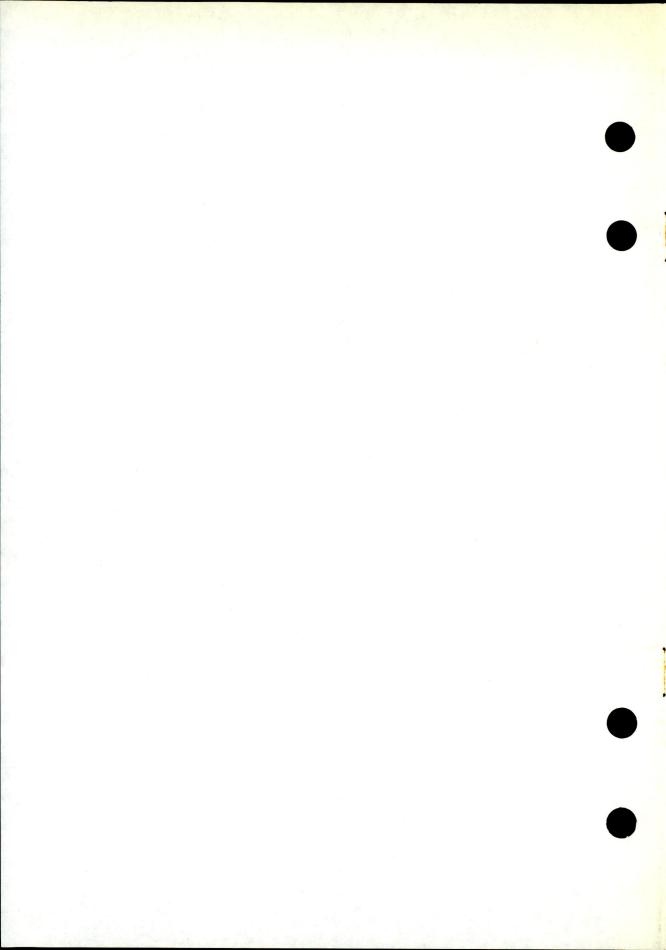
137. Lease dated 17.3.1988 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 866 P.6409)

[Minister's second reading speech made in-Legislative Assembly on 22 November 1990 Legislative Council on 4 December 1990]

> BY AUTHORITY R. MILLIGAN, ACTING GOVERNMENT PRINTER-1990







FIRST PRINT

NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL 1990

NEW SOUTH WALES



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 enable the Minister to grant a head lease in respect of certain lands the subject of existing leases within the Kosciusko National Park; and
- (b) to clarify that lands reserved or dedicated under that Act are not subject to the provisions of Parts 11 (Building regulation) and 12 (Town planning) of the Local Government Act 1919.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day or days to be proclaimed.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

SCHEDULE 1—AMENDMENTS

Head leases

Schedule 1 (2) inserts proposed section 151A. The proposed section provides that the Minister may grant head leases in respect of lands (being lands within the Kosciusko National Park) referred to in all or any of the leases mentioned in proposed Schedule 15. Notwithstanding the granting of such a head lease, the provisions of the existing leases will (except as provided by regulations under the Act) continue to have effect, as subleases of the head lease, according to their tenor. A head lease will be taken to include a condition that the head lessee must not take certain action with respect to the lease or any sublease without the consent of the Minister. Any such action that does not have the Minister's consent will be void. In the event that a head lease ceases to have effect, each sublease will become a lease from the Minister and will continue to have effect according to its tenor. No stamp duty will be payable in respect of the variations to a lease or sublease occasioned by the granting or expiry of a head lease. The regulations under the Act will be able to amend Schedule 15 by omitting or varying the

matter relating to any lease or by inserting matter relating to any other lease in respect of land in, or in the vicinity of, Perisher Valley, Smiggin Holes or Guthega.

Schedule 1 (1) makes a consequential amendment to section 151 (4) so as to ensure that a lease granted under proposed section 151A may be granted subject to such terms and conditions as the Minister may determine.

Schedule 1 (4) inserts proposed Schedule 15 which identifies the leases in respect of which head leases may be granted under proposed section 151A.

Application of Local Government Act 1919

Schedule 1 (3) inserts proposed section 163A which provides that lands reserved or dedicated under the Act are not subject to the provisions of Parts 11 (Building regulation) and 12 (Town planning) of the Local Government Act 1919.

FIRST PRINT

NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL 1990

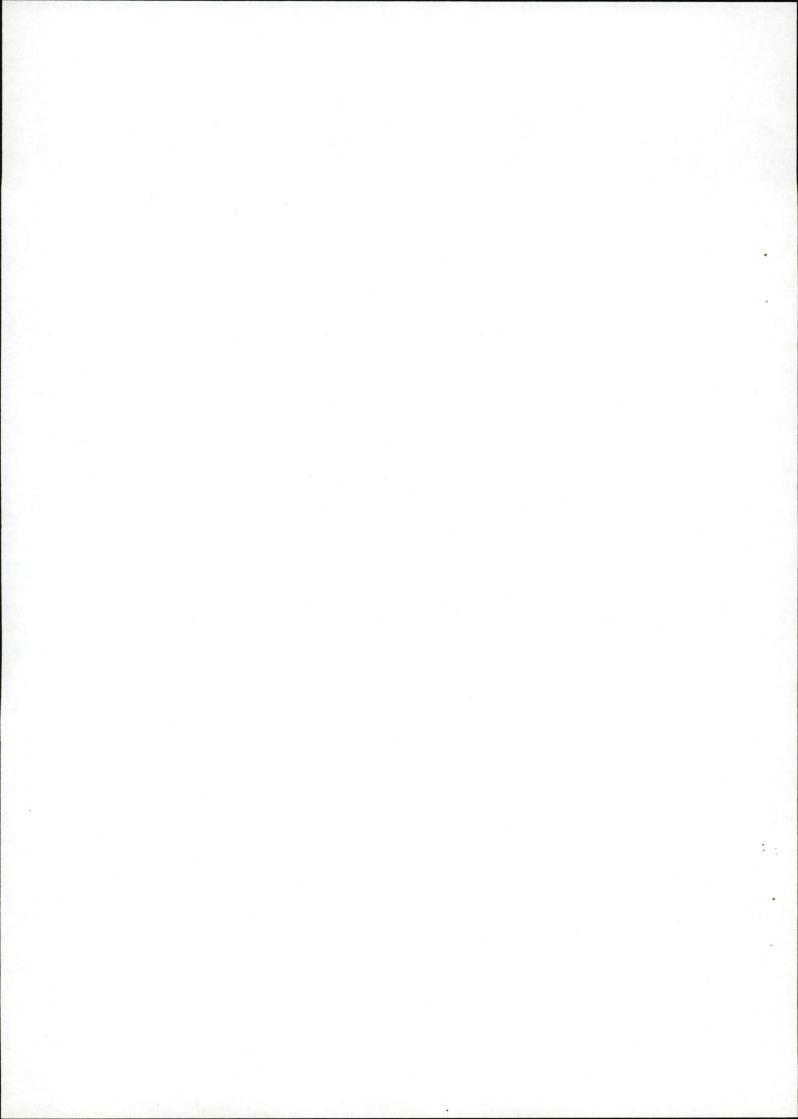
NEW SOUTH WALES



TABLE OF PROVISIONS

- 1. Short title
- Commencement
 Amendment of National Parks and Wildlife Act 1974 No. 80

SCHEDULE 1-AMENDMENTS



NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL 1990

NEW SOUTH WALES



No. , 1990

A BILL FOR

An Act to amend the National Parks and Wildlife Act 1974 with respect to the granting of leases and with respect to the application to lands reserved or dedicated under that Act of certain provisions of the Local Government Act 1919.

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks and Wildlife (Leases) Amendment Act 1990.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of National Parks and Wildlife Act 1974 No. 80

3. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

 Section 151 (Leases of and licences over lands in a national park, historic site, nature reserve or state game reserve): In section 151 (4), after "149", insert "or 151A".

(2) Section 151A:

After section 151, insert:

New head leases for certain lands

151A. (1) The Minister may grant leases (in this section referred to as "head leases") in respect of the lands the subject of any or all of the leases mentioned in Schedule 15, whether or not those lands are still the subject of the leases so mentioned.

(2) On the granting of a head lease, the following provisions have effect with respect to such of the leases mentioned in Schedule 15 as apply to the land the subject of the head lease:

(a) the lease is taken to be varied by substituting the name of the head lessee for that of the lessor;

SCHEDULE 1—AMENDMENTS—continued

- (b) the lease is taken to become a sublease (in this section referred to as a "statutory sublease") of the head lease;
- (c) except as otherwise provided by the regulations—the lease continues to have effect according to its tenor;
- (d) any proceedings under the lease in relation to any matter arising before the head lease was granted are to be commenced or maintained by or against the lessor as if the lease had not been varied as referred to in paragraph (a).

(3) If a head lease is granted to a person in respect of land the subject of a lease mentioned in Schedule 15 of which the person is the sole lessee, the lease so mentioned is, by virtue of the granting of the head lease, extinguished.

(4) A head lease is taken to include a condition to the effect that the head lessee must not:

- (a) assign or mortgage the head lessee's interest in the lease to any other person; or
- (b) exercise any right of forfeiture or termination in respect of any statutory sublease of the lease; or
- (c) vary any rent payable under any statutory sublease of the lease,

except with the prior consent in writing of the Minister, and that any purported assignment, mortgage, forfeiture, termination or variation of rent that does not have such consent is void.

(5) A head lease is not affected merely because a lease mentioned in Schedule 15 ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) while the head lease is in force.

(6) If a head lease ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) the following provisions have effect with respect to any statutory sublease of the head lease:

- (a) the sublease is taken to be varied by substituting the title of the Minister for the name of the head lessee;
- (b) the sublease is taken to cease to be a statutory sublease and to become a lease granted under section 151;

SCHEDULE 1—AMENDMENTS—continued

- (c) the lease continues to have effect according to its tenor;
- (d) any proceedings under the sublease in relation to any matter arising before the head lease ceased to have effect are to be commenced or maintained against the head lessee as if the lease had not been varied as referred to in paragraph (a).

(7) No duty is payable under the Stamp Duties Act 1920 in respect of a variation referred to in subsection (2) (a) or (6) (a).

- (8) The operation of this section is not to be regarded:
- (a) as a breach of contract or confidence or otherwise as a civil wrong; or
- (b) as a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of a lease or statutory sublease; or
- (c) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a variation referred to in subsection (2) (a) or (6) (a).

(9) No attornment to a head lessee by a statutory sublessee is required.

- (10) The regulations may amend Schedule 15:
- (a) by omitting the matter relating to any lease mentioned in that Schedule; or
- (b) by varying the matter relating to any lease mentioned in that Schedule; or
- (c) by inserting matter relating to any other lease (not being a head lease) in relation to land in, or in the vicinity of, Perisher Valley, Smiggin Holes or Guthega.

(11) A head lease granted in respect of land the subject of a lease mentioned in Schedule 15 is not affected merely because the matter relating to the lease so mentioned is omitted from that Schedule, or is varied, while the head lease is in force.

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SCHEDULE 1—AMENDMENTS—continued

(3) Section 163A:

After section 163, insert:

Application of Local Government Act 1919

163A. Parts 11 (Building regulation) and 12 (Town planning) of the Local Government Act 1919 do not apply to or in respect of lands reserved or dedicated under this Act.

(4) Schedule 15:

After Schedule 14, insert:

SCHEDULE 15—LEASES IN RESPECT OF WHICH HEAD LEASES MAY BE GRANTED

(Sec. 151A)

1. Lease dated 6.10.1978 between Minister for Lands and The Man at Perisher Hotel Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 580 P.6512)

2. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 585 P.7792)

3. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 586 P.7792)

4. Lease dated 2.12.1987 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 970 P.7792)

5. Lease dated 13.10.1967 between Minister for Lands and Kosciusko Alpine Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 573 P.50)

6. Lease dated 14.1.1984 between Minister for Planning and Environment and Leighton Contractors Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 27 P.34)

7. Lease dated 20.12.1965 between Minister for Lands and Harbord Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 571 P.4922)

SCHEDULE 1—AMENDMENTS—continued

8. Lease dated 20.5.1969 between Minister for Lands and G. Stipis in respect of land situated at Perisher Valley (NPWS reference: MTR 576 P.301)

9. Lease dated 15.6.1966 between Minister for Lands and City Tattersalls Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 578 P.5602)

10. Lease dated 21.8.1973 between Minister for Lands and Chez Jean Apartments Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 747 P.197)

11. Lease dated 25.9.1964 between Minister for Lands and Corroboree Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 25 P.164)

12. Lease dated 30.7.1964 between Minister for Lands and Eiger Chalet Nominees Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 579 P.354)

13. Lease dated 23.12.1963 between Minister for Lands and Jolly Swagman Alpine Inn Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 399 P.876)

14. Lease dated 21.11.1975 between Minister for Lands and Southern Alps Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 577 P.184)

15. Lease dated 24.2.1984 between Minister for Planning and Environment and Pelagon Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 21 P.843)

16. Lease dated 11.7.1984 between Minister for Planning and Environment and Matterhorn Ski Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 24 P.337)

17. Lease dated 14.3.1963 between Minister for Lands and F. and C. Breitfuss in respect of land situated at Perisher Valley (NPWS reference: MTR 574 P.182)

18. Lease dated 13.3.1984 between Minister for Planning and Environment and Salzburg Chalet Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 22 P.4163)

SCHEDULE 1—AMENDMENTS—continued

19. Lease dated 25.11.1965 between Minister for Lands and G. and E. Step in respect of land situated at Perisher Valley (NPWS reference: MTR 575 P.6649)

20. Lease dated 10.9.1964 between Minister for Lands and Preskiss Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 398 P.3612)

21. Lease dated 10.9.1973 between Minister for Lands and Barina Milpara Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 572 P.3931)

22. Lease dated 18.1.1965 between Minister for Lands and Inghams Enterprises Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 415 P.221)

23. Lease dated 20.3.1984 between Minister for Planning and Environment and The Stables Perisher Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 23 P.494)

24. Lease dated 10.12.1984 between Minister for Planning and Environment and Alexandra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 32 P.2731)

25. Lease dated 10.12.1984 between Minister for Planning and Environment and Aurora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 36 P.7774)

26. Lease dated 29.8.1986 between Minister for Planning and Environment and Australian Golf Club Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 532 P.1981)

27. Lease dated 28.5.1987 between Minister for Planning and Environment and Avalanche Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 566 P.5712)

28. Lease dated 10.12.1984 between Minister for Planning and Environment and Beachcombers Alpine Retreat Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 51 P.7772)

SCHEDULE 1—AMENDMENTS—continued

29. Lease dated 24.4.1985 between Minister for Planning and Environment and Canberra Alpine Club Incorporated in respect of land situated at Perisher Valley (NPWS reference: MTR 62 P.183)

30. Lease dated 10.12.1984 between Minister for Planning and Environment and Cooma Ski Club Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 8 P.798)

31. Lease dated 31.1.1985 between Minister for Planning and Environment and Cronulla Alpine Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 56 P.840)

32. Lease dated 12.12.1984 between Minister for Planning and Environment and CSIRO Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 4 P.8)

33. Lease dated 29.1.1986 between Minister for Planning and Environment and Dianella Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 368 P.7148)

34. Lease dated 16.1.1985 between Minister for Planning and Environment and Dulmison Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 57 P.1272)

35. Lease dated 25.11.1985 between Minister for Planning and Environment and Edelweiss Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 366 P.7412)

36. Lease dated 10.12.1984 between Minister for Planning and Environment and Eremo Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 42 P.7413)

37. Lease dated 10.12.1984 between Minister for Planning and Environment and Fjellheim Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 37 P.2673)

38. Lease dated 18.7.1978 between Minister for Lands and Geebung Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 385 P.6414)

SCHEDULE 1—AMENDMENTS—continued

39. Lease dated 28.12.1984 between Minister for Planning and Environment and Gunyah Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 54 P.6868)

40. Lease dated 11.1.1988 between Minister for Planning and Environment and Highway Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 568 P.4635)

41. Lease dated 10.12.1984 between Minister for Planning and Environment and Hus-ski Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 33 P.162)

42. Lease dated 10.12.1984 between Minister for Planning and Environment and The Port Kembla Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 1 P.1343)

43. Lease dated 10.12.1984 between Minister for Planning and Environment and Kalymaro Lodge (Co-op) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 48 P.5338)

44. Lease dated 11.12.1984 between Minister for Planning and Environment and Kandahar Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 6 P.842)

45. Lease dated 4.3.1987 between Minister for Planning and Environment and Karralika Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 528 P.202)

46. Lease dated 10.12.1984 between Minister for Planning and Environment and Kosciusko Snow Revellers Club in respect of land situated at Perisher Valley (NPWS reference: MTR 31 P.191)

47. Lease dated 28.1.1987 between Minister for Planning and Environment and Kunapipi Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 529 P.200)

48. Lease dated 10.12.1984 between Minister for Planning and Environment and Ku-ring-gai Alpine Lodge Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 55 P.7773)

SCHEDULE 1—AMENDMENTS—continued

49. Lease dated 10.12.1986 between Minister for Planning and Environment and Lampada Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 522 P.181)

50. Lease dated 10.1.1986 between Minister for Planning and Environment and Langlauf Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 369 P.7000)

51. Lease dated 10.12.1984 between Minister for Planning and Environment and Manly-Warringah Master Builders Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 52 P.2457)

52. Lease dated 19.11.1984 between Minister for Planning and Environment and Thirroul Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 53 P.179)

53. Lease dated 10.12.1984 between Minister for Planning and Environment and Merriment Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 10 P.1943)

54. Lease dated 10.12.1984 between Minister for Planning and Environment and Mirrabooka Co-op Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 43 P.7693)

55. Lease dated 28.2.1985 between Minister for Planning and Environment and Munjarra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 58 P.3989)

56. Lease dated 23.4.1987 between Minister for Planning and Environment and Narraburra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 527 P.5956)

57. Lease dated 10.1.1985 between Minister for Planning and Environment and Oldina Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 5 P.5869)

SCHEDULE 1—AMENDMENTS—continued

58. Lease dated 10.12.1984 between Minister for Planning and Environment and Orana Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 13 P.7511)

59. Lease dated 10.12.1986 between Minister for Planning and Environment and Parrawa Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 531 P.203)

60. Lease dated 22.7.1985 between Minister for Planning and Environment and Kiandra Pioneer Ski Club (1870) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 29 P.878)

61. Lease dated 20.5.1988 between Minister for Environment and R.A.N. Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 525 P.4763)

62. Lease dated 10.12.1986 between Minister for Planning and Environment and Redwood Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 523 P.5706)

63. Lease dated 3.12.1985 between Minister for Planning and Environment and Rock Creek Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 371 P.7775)

64. Lease dated 10.12.1984 between Minister for Planning and Environment and Rugby Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 45 P.296)

65. Lease dated 7.8.1984 between Minister for Planning and Environment and Snowgums Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 7 P.4893)

66. Lease dated 22.2.1988 between Minister for Planning and Environment and Sundowner Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 384 P.875)

67. Lease dated 10.12.1984 between Minister for Planning and Environment and Sydney Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 11 P.321)

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SCHEDULE 1—AMENDMENTS—continued

68. Lease dated 10.1.1986 between Minister for Planning and Environment and Tambaroora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 370 P.7707)

69. Lease dated 7.1.1987 between Minister for Planning and Environment and Tarrawonga Alpine Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 530 P.6475)

70. Lease dated 2.4.1985 between Minister for Planning and Environment and Technology Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 2 P.5335)

71. Lease dated 26.2.1986 between Minister for Planning and Environment and Telemark Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 367 P.3226)

72. Lease dated 17.2.1987 between Minister for Planning and Environment and Trissana Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 524 P.879)

73. Lease dated 10.12.1984 between Minister for Planning and Environment and University Alpine Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 9 P.1355)

74. Lease dated 23.4.1987 between Minister for Planning and Environment and Ullr Ski Lodge Co-op Society in respect of land situated at Perisher Valley (NPWS reference: MTR 526 P.231)

75. Lease dated 12.12.1984 between Minister for Planning and Environment and Waratah Ski Club Limited in respect of land situated at Perisher Valley (NPWS reference: MTR 35 P.877)

76. Lease dated 6.8.1984 between Minister for Planning and Environment and Wirruna Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 3 P.3327)

77. Lease dated 10.12.1984 between Minister for Planning and Environment and Warrugang Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 34 P.6611)

SCHEDULE 1—AMENDMENTS—continued

78. Lease dated 6.6.1989 between Minister for Environment and Public Service Officers Ski Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 597 P.118)

79. Lease dated 10.12.1984 between Minister for Planning and Environment and Yaraandoo Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 44 P.6970)

80. Lease dated 15.9.1986 between Minister for Planning and Environment and Yeti Alpine Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 520 P.800)

81. Lease dated 26.10.1972 between Minister for Lands and South Perisher Co-op Alpine Club in respect of land situated at Perisher Valley (NPWS reference: MTR 383 P.1346)

82. Lease dated 17.5.1974 between Minister for Lands and Shortland Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 386 P.4161)

83. Lease dated 15.2.1965 between Minister for Lands and Perisher Heutte Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 400 P.7119)

84. Lease dated 12.8.1986 between Minister for Planning and Environment and Cowra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 521 P.5581)

85. Lease dated 10.12.1984 between Minister for Planning and Environment and Christina Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 46 P.7550)

86. Lease dated 29.10.1986 between Minister for Planning and Environment and Health Administration Corporation in respect of land situated at Perisher Valley (NPWS reference: MTR 437 P.8401)

87. Lease dated 13.11.1989 between Minister for Environment and Board of Fire Commissioners in respect of land situated at Perisher Valley (NPWS reference: MTR 675 P.7995)

SCHEDULE 1—AMENDMENTS—continued

88. Lease dated 7.1.1987 between Minister for Planning and Environment and G. J. Cocker in respect of land situated at Perisher Valley (NPWS reference: MTR 650 P.6313)

89. Lease dated 27.8.1986 between Minister for Planning and Environment and Hans Oversnow Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 802 P.20)

90. Lease dated 18.2.1981 between Minister for Planning and Environment and NSW Ski Association in respect of land situated at Perisher Valley (NPWS reference: MTR 685 P.3975)

91. Lease dated 7.12.1984 between Minister for Planning and Environment and Perisher Skitube Joint Venture in respect of land situated at Perisher Valley (NPWS reference: MTR 396 P.7842)

92. Lease dated 7.7.1982 between Director of National Parks and Wildlife and Commissioner of Police in respect of land situated at Perisher Valley (NPWS reference: MTR 676 P.7150)

93. Lease dated 27.10.1972 between Minister for Lands and Trustees of the All Denominational Alpine Church in respect of land situated at Perisher Valley (NPWS reference: MTR 690 P.437)

94. Lease dated 9.9.1966 between Minister for Lands and Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn in respect of land situated at Perisher Valley (NPWS reference: MTR 684 P.8791)

95. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 591 P.6835)

96. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 593 P.7925)

97. Lease dated 13.10.1966 between Minister for Lands and J. P. and C. M. Grant in respect of land situated at Smiggin Holes (NPWS reference: MTR 374 P.291)

SCHEDULE 1—AMENDMENTS—continued

98. Lease dated 23.3.1965 between Minister for Lands and Valse Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 512 P.511)

99. Lease dated 29.1.1965 between Minister for Lands and Dalgama Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 373 P.237)

100. Lease dated 27.8.1979 between Minister for Planning and Environment and Aymost Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 372 P.6833)

101. Lease dated 17.8.1979 between Minister for Planning and Environment and Snow Accommodation Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 513 P.6837)

102. Lease dated 31.7.1975 between Minister for Lands and Heidis Hideaway Bistro Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 375 P.57)

103. Lease dated 1.11.1966 between Minister for Lands and Snowline Ski Centre (Kosciusko) Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 515 P.928)

104. Lease dated 6.5.1980 between Minister for Planning and Environment and Norman Tonkin in respect of land situated at Smiggin Holes (NPWS reference: MTR 514 P.6835)

105. Lease dated 17.10.1979 between Minister for Planning and Environment and Apex Foundation in respect of land situated at Smiggin Holes (NPWS reference: MTR 516 P.6437)

106. Lease dated 10.12.1984 between Minister for Planning and Environment and Caloola Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 50 P.7777)

107. Lease dated 19.4.1978 between Minister for Lands and Clancy Alpine Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 381 P.5668)

SCHEDULE 1—AMENDMENTS—continued

108. Lease dated 29.5.1975 between Minister for Lands and Fellowship Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 377 P.2447)

109. Lease dated 2.11.1977 between Minister for Lands and Gunuma Lodge Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 382 P.5573)

110. Lease dated 10.12.1984 between Minister for Planning and Environment and Illawarra Alpine Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 49 P.220)

111. Lease dated 22.2.1988 between Minister for Planning and Environment and IMBAC Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 376 P.4021)

112. Lease dated 25.3.1968 between Minister for Lands and Illoura Lodge Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 378 P.199)

113. Lease dated 10.12.1984 between Minister for Planning and Environment and Muniong Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 47 P.3585)

114. Lease dated 28.1.1987 between Minister for Planning and Environment and Smugglers Ski Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 519 P.3592)

115. Lease dated 3.12.1984 between Minister for Planning and Environment and Snow Country Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 39 P.4903)

116. Lease dated 10.12.1984 between Minister for Planning and Environment and Anglican Youth Department Diocese in respect of land situated at Smiggin Holes (NPWS reference: MTR 38 P.3422)

117. Lease dated 4.5.1977 between Minister for Lands and Wild Spitz Ski Club Incorporated in respect of land situated at Smiggin Holes (NPWS reference: MTR 379 P.5596)

SCHEDULE 1—AMENDMENTS—continued

118. Lease dated 17.12.1973 between Minister for Lands and Windarra Ski Lodge Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 380 P.3613)

119. Lease dated 15.12.1975 between Minister for Lands and Guthega Hoteliers Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 351 P.211)

120. Lease dated 5.12.1979 between Minister for Planning and Environment and Guthega Developments Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 352 P.936)

121. Lease dated 28.7.1972 between Minister for Lands and Tate Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 349 P.895)

122. Lease dated 1.9.1977 between Minister for Lands and Australian Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 347 P.5380)

123. Lease dated 26.6.1971 between Minister for Lands and ACTP Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 348 P.532)

124. Lease dated 10.12.1984 between Minister for Planning and Environment and Guthega Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 40 P.69)

125. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 59 P.3372)

126. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 60 P.3372)

127. Lease dated 23.12.1975 between Minister for Lands and Snowy River Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 350 P.5309)

128. Lease dated 10.12.1984 between Minister for Planning and Environment and Blue Cow Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 12 P.215)

SCHEDULE 1—AMENDMENTS—continued

129. Lease dated 10.12.1984 between Minister for Planning and Environment and Turnak Co-op Ski Club Ltd in respect of land situated at Guthega (NPWS reference: MTR 41 P.249)

130. Lease dated 27.6.1986 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 570 P.8429)

131. Lease dated 30.1.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 587 P.6409)

132. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 588 P.6409)

133. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 589 P.6409)

134. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 590 P.6409)

135. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 864 P.6409)

136. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 865 P.6409)

137. Lease dated 17.3.1988 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 866 P.6409)

SECOND PRINT

NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL 1990

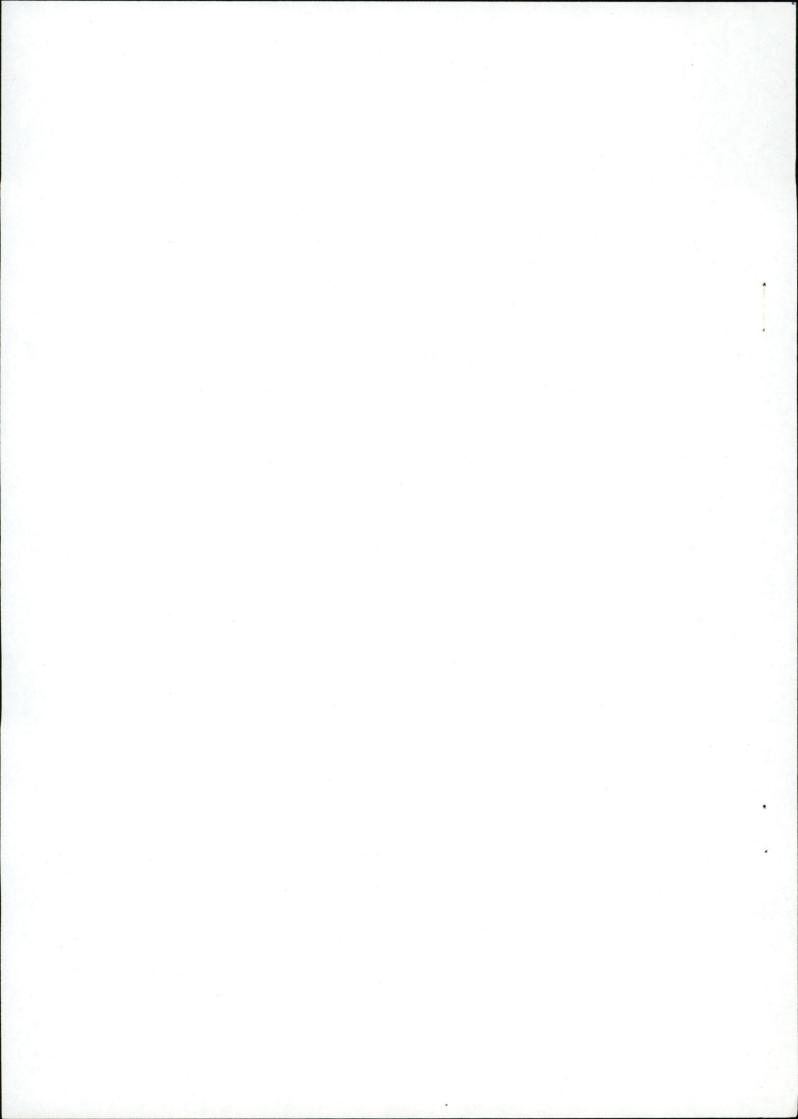
NEW SOUTH WALES



TABLE OF PROVISIONS

- Short title
 Commencement
 Amendment of National Parks and Wildlife Act 1974 No. 80

SCHEDULE 1—AMENDMENTS



This Public Bill originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, , 1990 Clerk of the Legislative Assembly.

NEW SOUTH WALES



Act No. , 1990

An Act to amend the National Parks and Wildlife Act 1974 with respect to the granting of leases and with respect to the application to lands reserved or dedicated under that Act of certain provisions of the Local Government Act 1919.

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the National Parks and Wildlife (Leases) Amendment Act 1990.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of National Parks and Wildlife Act 1974 No. 80

3. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

- Section 151 (Leases of and licences over lands in a national park, historic site, nature reserve or state game reserve): In section 151 (4), after "149", insert "or 151A".
- (2) Section 151A:

After section 151, insert:

New head leases for certain lands

151A. (1) The Minister may grant leases (in this section referred to as "head leases") in respect of the lands the subject of any or all of the leases mentioned in Schedule 15, whether or not those lands are still the subject of the leases so mentioned.

(2) On the granting of a head lease, the following provisions have effect with respect to such of the leases mentioned in Schedule 15 as apply to the land the subject of the head lease:

(a) the lease is taken to be varied by substituting the name of the head lessee for that of the lessor;

SCHEDULE 1—AMENDMENTS—continued

- (b) the lease is taken to become a sublease (in this section referred to as a "statutory sublease") of the head lease;
- (c) except as otherwise provided by the regulations—the lease continues to have effect according to its tenor;
- (d) any proceedings under the lease in relation to any matter arising before the head lease was granted are to be commenced or maintained by or against the lessor as if the lease had not been varied as referred to in paragraph (a).

(3) If a head lease is granted to a person in respect of land the subject of a lease mentioned in Schedule 15 of which the person is the sole lessee, the lease so mentioned is, by virtue of the granting of the head lease, extinguished.

(4) A head lease is taken to include a condition to the effect that the head lessee must not:

- (a) assign or mortgage the head lessee's interest in the lease to any other person; or
- (b) exercise any right of forfeiture or termination in respect of any statutory sublease of the lease; or
- (c) vary any rent payable under any statutory sublease of the lease,

except with the prior consent in writing of the Minister, and that any purported assignment, mortgage, forfeiture, termination or variation of rent that does not have such consent is void.

(5) A head lease is not affected merely because a lease mentioned in Schedule 15 ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) while the head lease is in force.

(6) If a head lease ceases to have effect (whether by reason of expiry, surrender, termination, forfeiture or otherwise) the following provisions have effect with respect to any statutory sublease of the head lease:

- (a) the sublease is taken to be varied by substituting the title of the Minister for the name of the head lessee;
- (b) the sublease is taken to cease to be a statutory sublease and to become a lease granted under section 151;

SCHEDULE 1—AMENDMENTS—continued

- (c) the lease continues to have effect according to its tenor;
- (d) any proceedings under the sublease in relation to any matter arising before the head lease ceased to have effect are to be commenced or maintained against the head lessee as if the lease had not been varied as referred to in paragraph (a).

(7) No duty is payable under the Stamp Duties Act 1920 in respect of a variation referred to in subsection (2) (a) or (6) (a).

- (8) The operation of this section is not to be regarded:
- (a) as a breach of contract or confidence or otherwise as a civil wrong; or
- (b) as a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of a lease or statutory sublease; or
- (c) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a variation referred to in subsection (2) (a) or (6) (a).
- (9) No attornment to a head lessee by a statutory sublessee is required.
 - (10) The regulations may amend Schedule 15:
 - (a) by omitting the matter relating to any lease mentioned in that Schedule; or
 - (b) by varying the matter relating to any lease mentioned in that Schedule; or
 - (c) by inserting matter relating to any other lease (not being a head lease) in relation to land in, or in the vicinity of, Perisher Valley, Smiggin Holes or Guthega.

(11) A head lease granted in respect of land the subject of a lease mentioned in Schedule 15 is not affected merely because the matter relating to the lease so mentioned is omitted from that Schedule, or is varied, while the head lease is in force.

SCHEDULE 1—AMENDMENTS—continued

(3) Section 163A:

After section 163, insert:

Application of Local Government Act 1919

163A. Parts 11 (Building regulation) and 12 (Town planning) of the Local Government Act 1919 do not apply, and are to be taken never to have applied, to or in respect of lands reserved or dedicated under this Act.

(4) Schedule 15:

After Schedule 14, insert:

SCHEDULE 15—LEASES IN RESPECT OF WHICH HEAD LEASES MAY BE GRANTED

(Sec. 151A)

1. Lease dated 6.10.1978 between Minister for Lands and The Man at Perisher Hotel Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 580 P.6512)

2. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 585 P.7792)

3. Lease dated 14.6.1985 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 586 P.7792)

4. Lease dated 2.12.1987 between Minister for Planning and Environment and Qurveh Holdings Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 970 P.7792)

5. Lease dated 13.10.1967 between Minister for Lands and Kosciusko Alpine Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 573 P.50)

6. Lease dated 14.1.1984 between Minister for Planning and Environment and Leighton Contractors Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 27 P.34)

7. Lease dated 20.12.1965 between Minister for Lands and Harbord Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 571 P.4922)

SCHEDULE 1—AMENDMENTS—continued

8. Lease dated 20.5.1969 between Minister for Lands and G. Stipis in respect of land situated at Perisher Valley (NPWS reference: MTR 576 P.301)

9. Lease dated 15.6.1966 between Minister for Lands and City Tattersalls Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 578 P.5602)

10. Lease dated 21.8.1973 between Minister for Lands and Chez Jean Apartments Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 747 P.197)

11. Lease dated 25.9.1964 between Minister for Lands and Corroboree Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 25 P.164)

12. Lease dated 30.7.1964 between Minister for Lands and Eiger Chalet Nominees Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 579 P.354)

13. Lease dated 23.12.1963 between Minister for Lands and Jolly Swagman Alpine Inn Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 399 P.876)

14. Lease dated 21.11.1975 between Minister for Lands and Southern Alps Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 577 P.184)

15. Lease dated 24.2.1984 between Minister for Planning and Environment and Pelagon Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 21 P.843)

16. Lease dated 11.7.1984 between Minister for Planning and Environment and Matterhorn Ski Lodge Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 24 P.337)

17. Lease dated 14.3.1963 between Minister for Lands and F. and C. Breitfuss in respect of land situated at Perisher Valley (NPWS reference: MTR 574 P.182)

18. Lease dated 13.3.1984 between Minister for Planning and Environment and Salzburg Chalet Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 22 P.4163)

SCHEDULE 1—AMENDMENTS—continued

19. Lease dated 25.11.1965 between Minister for Lands and G. and E. Step in respect of land situated at Perisher Valley (NPWS reference: MTR 575 P.6649)

20. Lease dated 10.9.1964 between Minister for Lands and Preskiss Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 398 P.3612)

21. Lease dated 10.9.1973 between Minister for Lands and Barina Milpara Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 572 P.3931)

22. Lease dated 18.1.1965 between Minister for Lands and Inghams Enterprises Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 415 P.221)

23. Lease dated 20.3.1984 between Minister for Planning and Environment and The Stables Perisher Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 23 P.494)

24. Lease dated 10.12.1984 between Minister for Planning and Environment and Alexandra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 32 P.2731)

25. Lease dated 10.12.1984 between Minister for Planning and Environment and Aurora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 36 P.7774)

26. Lease dated 29.8.1986 between Minister for Planning and Environment and Australian Golf Club Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 532 P.1981)

27. Lease dated 28.5.1987 between Minister for Planning and Environment and Avalanche Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 566 P.5712)

28. Lease dated 10.12.1984 between Minister for Planning and Environment and Beachcombers Alpine Retreat Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 51 P.7772)

SCHEDULE 1—AMENDMENTS—continued

29. Lease dated 24.4.1985 between Minister for Planning and Environment and Canberra Alpine Club Incorporated in respect of land situated at Perisher Valley (NPWS reference: MTR 62 P.183)

30. Lease dated 10.12.1984 between Minister for Planning and Environment and Cooma Ski Club Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 8 P.798)

31. Lease dated 31.1.1985 between Minister for Planning and Environment and Cronulla Alpine Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 56 P.840)

32. Lease dated 12.12.1984 between Minister for Planning and Environment and CSIRO Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 4 P.8)

33. Lease dated 29.1.1986 between Minister for Planning and Environment and Dianella Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 368 P.7148)

34. Lease dated 16.1.1985 between Minister for Planning and Environment and Dulmison Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 57 P.1272)

35. Lease dated 25.11.1985 between Minister for Planning and Environment and Edelweiss Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 366 P.7412)

36. Lease dated 10.12.1984 between Minister for Planning and Environment and Eremo Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 42 P.7413)

37. Lease dated 10.12.1984 between Minister for Planning and Environment and Fjellheim Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 37 P.2673)

38. Lease dated 18.7.1978 between Minister for Lands and Geebung Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 385 P.6414)

SCHEDULE 1—AMENDMENTS—continued

39. Lease dated 28.12.1984 between Minister for Planning and Environment and Gunyah Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 54 P.6868)

40. Lease dated 11.1.1988 between Minister for Planning and Environment and Highway Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 568 P.4635)

41. Lease dated 10.12.1984 between Minister for Planning and Environment and Hus-ski Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 33 P.162)

42. Lease dated 10.12.1984 between Minister for Planning and Environment and The Port Kembla Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 1 P.1343)

43. Lease dated 10.12.1984 between Minister for Planning and Environment and Kalymaro Lodge (Co-op) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 48 P.5338)

44. Lease dated 11.12.1984 between Minister for Planning and Environment and Kandahar Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 6 P.842)

45. Lease dated 4.3.1987 between Minister for Planning and Environment and Karralika Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 528 P.202)

46. Lease dated 10.12.1984 between Minister for Planning and Environment and Kosciusko Snow Revellers Club in respect of land situated at Perisher Valley (NPWS reference: MTR 31 P.191)

47. Lease dated 28.1.1987 between Minister for Planning and Environment and Kunapipi Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 529 P.200)

48. Lease dated 10.12.1984 between Minister for Planning and Environment and Ku-ring-gai Alpine Lodge Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 55 P.7773)

SCHEDULE 1—AMENDMENTS—continued

49. Lease dated 10.12.1986 between Minister for Planning and Environment and Lampada Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 522 P.181)

50. Lease dated 10.1.1986 between Minister for Planning and Environment and Langlauf Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 369 P.7000)

51. Lease dated 10.12.1984 between Minister for Planning and Environment and Manly-Warringah Master Builders Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 52 P.2457)

52. Lease dated 19.11.1984 between Minister for Planning and Environment and Thirroul Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 53 P.179)

53. Lease dated 10.12.1984 between Minister for Planning and Environment and Merriment Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 10 P.1943)

54. Lease dated 10.12.1984 between Minister for Planning and Environment and Mirrabooka Co-op Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 43 P.7693)

55. Lease dated 28.2.1985 between Minister for Planning and Environment and Munjarra Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 58 P.3989)

56. Lease dated 23.4.1987 between Minister for Planning and Environment and Narraburra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 527 P.5956)

57. Lease dated 10.1.1985 between Minister for Planning and Environment and Oldina Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 5 P.5869)

SCHEDULE 1—AMENDMENTS—continued

58. Lease dated 10.12.1984 between Minister for Planning and Environment and Orana Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 13 P.7511)

59. Lease dated 10.12.1986 between Minister for Planning and Environment and Parrawa Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 531 P.203)

60. Lease dated 22.7.1985 between Minister for Planning and Environment and Kiandra Pioneer Ski Club (1870) Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 29 P.878)

61. Lease dated 20.5.1988 between Minister for Environment and R.A.N. Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 525 P.4763)

62. Lease dated 10.12.1986 between Minister for Planning and Environment and Redwood Ski Club Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 523 P.5706)

63. Lease dated 3.12.1985 between Minister for Planning and Environment and Rock Creek Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 371 P.7775)

64. Lease dated 10.12.1984 between Minister for Planning and Environment and Rugby Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 45 P.296)

65. Lease dated 7.8.1984 between Minister for Planning and Environment and Snowgums Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 7 P.4893)

66. Lease dated 22.2.1988 between Minister for Planning and Environment and Sundowner Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 384 P.875)

67. Lease dated 10.12.1984 between Minister for Planning and Environment and Sydney Ski Club in respect of land situated at Perisher Valley (NPWS reference: MTR 11 P.321)

SCHEDULE 1—AMENDMENTS—continued

68. Lease dated 10.1.1986 between Minister for Planning and Environment and Tambaroora Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 370 P.7707)

69. Lease dated 7.1.1987 between Minister for Planning and Environment and Tarrawonga Alpine Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 530 P.6475)

70. Lease dated 2.4.1985 between Minister for Planning and Environment and Technology Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 2 P.5335)

71. Lease dated 26.2.1986 between Minister for Planning and Environment and Telemark Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 367 P.3226)

72. Lease dated 17.2.1987 between Minister for Planning and Environment and Trissana Ski Lodge Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 524 P.879)

73. Lease dated 10.12.1984 between Minister for Planning and Environment and University Alpine Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 9 P.1355)

74. Lease dated 23.4.1987 between Minister for Planning and Environment and Ullr Ski Lodge Co-op Society in respect of land situated at Perisher Valley (NPWS reference: MTR 526 P.231)

75. Lease dated 12.12.1984 between Minister for Planning and Environment and Waratah Ski Club Limited in respect of land situated at Perisher Valley (NPWS reference: MTR 35 P.877)

76. Lease dated 6.8.1984 between Minister for Planning and Environment and Wirruna Lodge Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 3 P.3327)

77. Lease dated 10.12.1984 between Minister for Planning and Environment and Warrugang Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 34 P.6611)

SCHEDULE 1—AMENDMENTS—continued

78. Lease dated 6.6.1989 between Minister for Environment and Public Service Officers Ski Club Co-op in respect of land situated at Perisher Valley (NPWS reference: MTR 597 P.118)

79. Lease dated 10.12.1984 between Minister for Planning and Environment and Yaraandoo Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 44 P.6970)

80. Lease dated 15.9.1986 between Minister for Planning and Environment and Yeti Alpine Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 520 P.800)

81. Lease dated 26.10.1972 between Minister for Lands and South Perisher Co-op Alpine Club in respect of land situated at Perisher Valley (NPWS reference: MTR 383 P.1346)

82. Lease dated 17.5.1974 between Minister for Lands and Shortland Alpine Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 386 P.4161)

83. Lease dated 15.2.1965 between Minister for Lands and Perisher Heutte Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 400 P.7119)

84. Lease dated 12.8.1986 between Minister for Planning and Environment and Cowra Ski Club Co-op Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 521 P.5581)

85. Lease dated 10.12.1984 between Minister for Planning and Environment and Christina Ski Club Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 46 P.7550)

86. Lease dated 29.10.1986 between Minister for Planning and Environment and Health Administration Corporation in respect of land situated at Perisher Valley (NPWS reference: MTR 437 P.8401)

87. Lease dated 13.11.1989 between Minister for Environment and Board of Fire Commissioners in respect of land situated at Perisher Valley (NPWS reference: MTR 675 P.7995)

SCHEDULE 1—AMENDMENTS—continued

88. Lease dated 7.1.1987 between Minister for Planning and Environment and G. J. Cocker in respect of land situated at Perisher Valley (NPWS reference: MTR 650 P.6313)

89. Lease dated 27.8.1986 between Minister for Planning and Environment and Hans Oversnow Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 802 P.20)

90. Lease dated 18.2.1981 between Minister for Planning and Environment and NSW Ski Association in respect of land situated at Perisher Valley (NPWS reference: MTR 685 P.3975)

91. Lease dated 7.12.1984 between Minister for Planning and Environment and Perisher Skitube Joint Venture in respect of land situated at Perisher Valley (NPWS reference: MTR 396 P.7842)

92. Lease dated 7.7.1982 between Director of National Parks and Wildlife and Commissioner of Police in respect of land situated at Perisher Valley (NPWS reference: MTR 676 P.7150)

93. Lease dated 27.10.1972 between Minister for Lands and Trustees of the All Denominational Alpine Church in respect of land situated at Perisher Valley (NPWS reference: MTR 690 P.437)

94. Lease dated 9.9.1966 between Minister for Lands and Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn in respect of land situated at Perisher Valley (NPWS reference: MTR 684 P.8791)

95. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 591 P.6835)

96. Lease dated 21.6.1985 between Minister for Planning and Environment and R. L., J. C., D. J. and C. R. Pryke in respect of land situated at Smiggin Holes (NPWS reference: MTR 593 P.7925)

97. Lease dated 13.10.1966 between Minister for Lands and J. P. and C. M. Grant in respect of land situated at Smiggin Holes (NPWS reference: MTR 374 P.291)

SCHEDULE 1—AMENDMENTS—continued

98. Lease dated 23.3.1965 between Minister for Lands and Valse Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 512 P.511)

99. Lease dated 29.1.1965 between Minister for Lands and Dalgama Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 373 P.237)

100. Lease dated 27.8.1979 between Minister for Planning and Environment and Aymost Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 372 P.6833)

101. Lease dated 17.8.1979 between Minister for Planning and Environment and Snow Accommodation Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 513 P.6837)

102. Lease dated 31.7.1975 between Minister for Lands and Heidis Hideaway Bistro Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 375 P.57)

103. Lease dated 1.11.1966 between Minister for Lands and Snowline Ski Centre (Kosciusko) Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 515 P.928)

104. Lease dated 6.5.1980 between Minister for Planning and Environment and Norman Tonkin in respect of land situated at Smiggin Holes (NPWS reference: MTR 514 P.6835)

105. Lease dated 17.10.1979 between Minister for Planning and Environment and Apex Foundation in respect of land situated at Smiggin Holes (NPWS reference: MTR 516 P.6437)

106. Lease dated 10.12.1984 between Minister for Planning and Environment and Caloola Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 50 P.7777)

107. Lease dated 19.4.1978 between Minister for Lands and Clancy Alpine Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 381 P.5668)

SCHEDULE 1—AMENDMENTS—continued

108. Lease dated 29.5.1975 between Minister for Lands and Fellowship Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 377 P.2447)

109. Lease dated 2.11.1977 between Minister for Lands and Gunuma Lodge Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 382 P.5573)

110. Lease dated 10.12.1984 between Minister for Planning and Environment and Illawarra Alpine Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 49 P.220)

111. Lease dated 22.2.1988 between Minister for Planning and Environment and IMBAC Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 376 P.4021)

112. Lease dated 25.3.1968 between Minister for Lands and Illoura Lodge Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 378 P.199)

113. Lease dated 10.12.1984 between Minister for Planning and Environment and Muniong Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 47 P.3585)

114. Lease dated 28.1.1987 between Minister for Planning and Environment and Smugglers Ski Club Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 519 P.3592)

115. Lease dated 3.12.1984 between Minister for Planning and Environment and Snow Country Ski Club Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 39 P.4903)

116. Lease dated 10.12.1984 between Minister for Planning and Environment and Anglican Youth Department Diocese in respect of land situated at Smiggin Holes (NPWS reference: MTR 38 P.3422)

117. Lease dated 4.5.1977 between Minister for Lands and Wild Spitz Ski Club Incorporated in respect of land situated at Smiggin Holes (NPWS reference: MTR 379 P.5596)

SCHEDULE 1—AMENDMENTS—continued

118. Lease dated 17.12.1973 between Minister for Lands and Windarra Ski Lodge Co-op Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 380 P.3613)

119. Lease dated 15.12.1975 between Minister for Lands and Guthega Hoteliers Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 351 P.211)

120. Lease dated 5.12.1979 between Minister for Planning and Environment and Guthega Developments Pty Ltd in respect of land situated at Guthega (NPWS reference: MTR 352 P.936)

121. Lease dated 28.7.1972 between Minister for Lands and Tate Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 349 P.895)

122. Lease dated 1.9.1977 between Minister for Lands and Australian Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 347 P.5380)

123. Lease dated 26.6.1971 between Minister for Lands and ACTP Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 348 P.532)

124. Lease dated 10.12.1984 between Minister for Planning and Environment and Guthega Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 40 P.69)

125. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 59 P.3372)

126. Lease dated 31.1.1985 between Minister for Planning and Environment and YMCA Ski Club of Canberra Incorporated in respect of land situated at Guthega (NPWS reference: MTR 60 P.3372)

127. Lease dated 23.12.1975 between Minister for Lands and Snowy River Ski Club Co-op Ltd in respect of land situated at Guthega (NPWS reference: MTR 350 P.5309)

128. Lease dated 10.12.1984 between Minister for Planning and Environment and Blue Cow Ski Club Incorporated in respect of land situated at Guthega (NPWS reference: MTR 12 P.215)

SCHEDULE 1—AMENDMENTS—continued

129. Lease dated 10.12.1984 between Minister for Planning and Environment and Turnak Co-op Ski Club Ltd in respect of land situated at Guthega (NPWS reference: MTR 41 P.249)

130. Lease dated 27.6.1986 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 570 P.8429)

131. Lease dated 30.1.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 587 P.6409)

132. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 588 P.6409)

133. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 589 P.6409)

134. Lease dated 21.6.1985 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Smiggin Holes (NPWS reference: MTR 590 P.6409)

135. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 864 P.6409)

136. Lease dated 23.2.1987 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 865 P.6409)

137. Lease dated 17.3.1988 between Minister for Planning and Environment and Murray Publishers Pty Ltd in respect of land situated at Perisher Valley (NPWS reference: MTR 866 P.6409)