

FIRST PRINT

NATTAI NATIONAL PARK BILL 1991

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to protect certain land in the Nattai River Catchment in the Blue Mountains by reserving that land as the Nattai National Park and declaring part of the land so reserved to be wilderness under the Wilderness Act 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines "the Map" as the map tabled in the Legislative Assembly in conjunction with the introduction of this Bill.

Clause 4 reserves as a national park the land identified on the Map as the Nattai National Park. The reservation takes effect on the date of publication in the Gazette of a notification or notifications, prepared in accordance with Schedule 1, identifying that land.

Clause 5 declares to be a wilderness area under the Wilderness Act 1987 the land identified on the Map as wilderness within the Nattai National Park. The declaration takes effect on the date of publication in the Gazette of a notification or notifications, prepared in accordance with Schedule 1, identifying that land. The clause also requires a wilderness protection agreement to be entered into in relation to that land.

Clause 6 revokes the dedication as a State forest or as part of a State forest and the dedication, reservation or setting apart under the Forestry Act 1916 of any land reserved by the proposed Act.

Clause 7 gives effect to Schedule 1.

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Schedule 1 provides for identification of the land shown on the Map as land to form part of the Nattai National Park or of the wilderness area within the national park, and for publication of descriptions of that land by a notification or notifications in the Gazette.

Schedule 2 provides for ancillary matters and matters to assist the implementation of the proposed Act.

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SCHEDULE 1—IDENTIFICATION OF THE NATTAI NATIONAL PARK AND
WILDERNESS AREA

SCHEDULE 2—ANCILLARY PROVISIONS

NATTAI NATIONAL PARK BILL 1991

NEW SOUTH WALES



No. , 1991

A BILL FOR

An Act to protect certain land by reservation as a national park, to declare part of the reserved land a wilderness area and to revoke the dedication of part of the reserved land as a State forest; and for related purposes.

Nattai National Park 1991

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Nattai National Park Act 1991.

Commencement

2. This Act commences on the date of assent.

Meaning of "the Map"

3. In this Act:

"the Map" means the map marked "Nattai National Park Act 1991—Nattai National Park and Wilderness Area" and tabled (by the member of the Assembly introducing the Bill for this Act) in the Legislative Assembly, when the Bill was introduced into the Assembly.

Reservation of certain land as Nattai National Park

4. (1) The land identified on the Map as being the Nattai National Park is reserved as the Nattai National Park.

- (2) The reservation takes effect in respect of any particular part of that land on the date of publication in the Gazette of a notification in respect of it under Schedule 1. Schedule 1 has effect.

Declaration of part of land within the Park as a wilderness area

5. (1) The land identified on the Map as being a wilderness area (within the land identified on the Map as being the Nattai National Park) is declared to be a wilderness area for the purposes of the Wilderness Act 1987.

- (2) The declaration takes effect in respect of any particular part of that land on the date of publication in the Gazette of the relevant notification in respect of it under Schedule 1.

- (3) Within 12 months after publication of the relevant notification, the Minister administering section 10 of the Wilderness Act 1987 is to enter into a wilderness protection agreement (with the appropriate statutory authority or responsible Minister) relating to the land concerned, in accordance with the Wilderness Act 1987.

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Consequential revocation of dedication etc. as State forest

6. (1) The dedication as a State forest, or as a part of a State forest, of any land reserved under this Act is revoked when the reservation of the relevant land under this Act takes effect.

(2) The dedication, reservation or setting apart under the Forestry Act 1916 of any land reserved under this Act is revoked when the reservation of the relevant land under this Act takes effect.

Ancillary provisions

7. Schedule 2 has effect.

**SCHEDULE 1—IDENTIFICATION OF THE NATTAI NATIONAL PARK
AND WILDERNESS AREA**

(Secs. 4, 5)

Preparation of description

1. Within 12 months after the commencement of this Act, the Director of National Parks and Wildlife must cause to be prepared, as accurately as is reasonably possible, metes and bounds or other appropriate descriptions of:

- (a) the land identified on the Map as within the Nattai National Park; and
- (b) the land identified on the Map as wilderness area within the Nattai National Park.

Publication of description by notification in Gazette

2. Within 1 month of the completion of a description, the Minister administering the National Parks and Wildlife Act 1974 must cause one or more notifications to be published in the Gazette, containing the descriptions and a certificate of a registered surveyor to the effect that the land comprised in each description substantially accords with the boundaries of the relevant land as shown on the Map.

SCHEDULE 2—ANCILLARY PROVISIONS

(Sec. 7)

Meaning of "the relevant date"

1. In this Schedule, "the relevant date" for any land reserved under this Act means the date when the reservation of the land takes effect under this Act.

Reservation as national park

2. (1) The land reserved as a national park by this Act is, for the purposes of the National Parks and Wildlife Act 1974, taken to have been so reserved by proclamation made under section 33 (2) of that Act.

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SCHEDULE 2—ANCILLARY PROVISIONS—*continued*

(2) A reference in the National Parks and Wildlife Act 1974 to the publication of a proclamation under section 33 (2) of that Act is, in relation to any particular land, taken to be a reference to the publication of the relevant notification in respect of that land under Schedule 1.

(3) Section 35 of the National Parks and Wildlife Act 1974 does not apply in relation to a reservation under this Act.

Declaration of wilderness area

3. (1) The land declared to be a wilderness area by this Act is, for the purposes of the National Parks and Wildlife Act 1974 and the Wilderness Act 1987, taken to have been so declared by notification under section 59 of the National Parks and Wildlife Act 1974.

(2) The land so declared is taken to have been identified by the Director of National Parks and Wildlife as wilderness pursuant to the Wilderness Act 1987.

Existing leases under the Forestry Act 1916

4. Section 42 (2) of the National Parks and Wildlife Act 1974 applies to a lease under the Forestry Act 1916, being a lease:

- (a) affecting any of the land reserved by this Act; and
- (b) current and in force immediately before the relevant date,

in the same way as it applies to a licence or permit under the Forestry Act 1916 affecting land within a national park.

Administration of existing leases etc.

5. (1) In this clause, “existing interest” means a lease, licence, permit or occupancy affecting land reserved by this Act, and current and in force immediately before the relevant date.

(2) The administration of matters relating to existing interests, to the extent that those interests affect any such land, is (on and from the relevant date) vested in the Minister administering the National Parks and Wildlife Act 1974.

(3) For the purposes of subclause (2), the Minister administering the National Parks and Wildlife Act 1974 is to have:

- (a) in respect of existing interests under the Forestry Act 1916—the powers of the Minister administering that Act; and
- (b) in respect of existing interests under the Crown Lands Act 1989—the powers of the Minister administering that Act.

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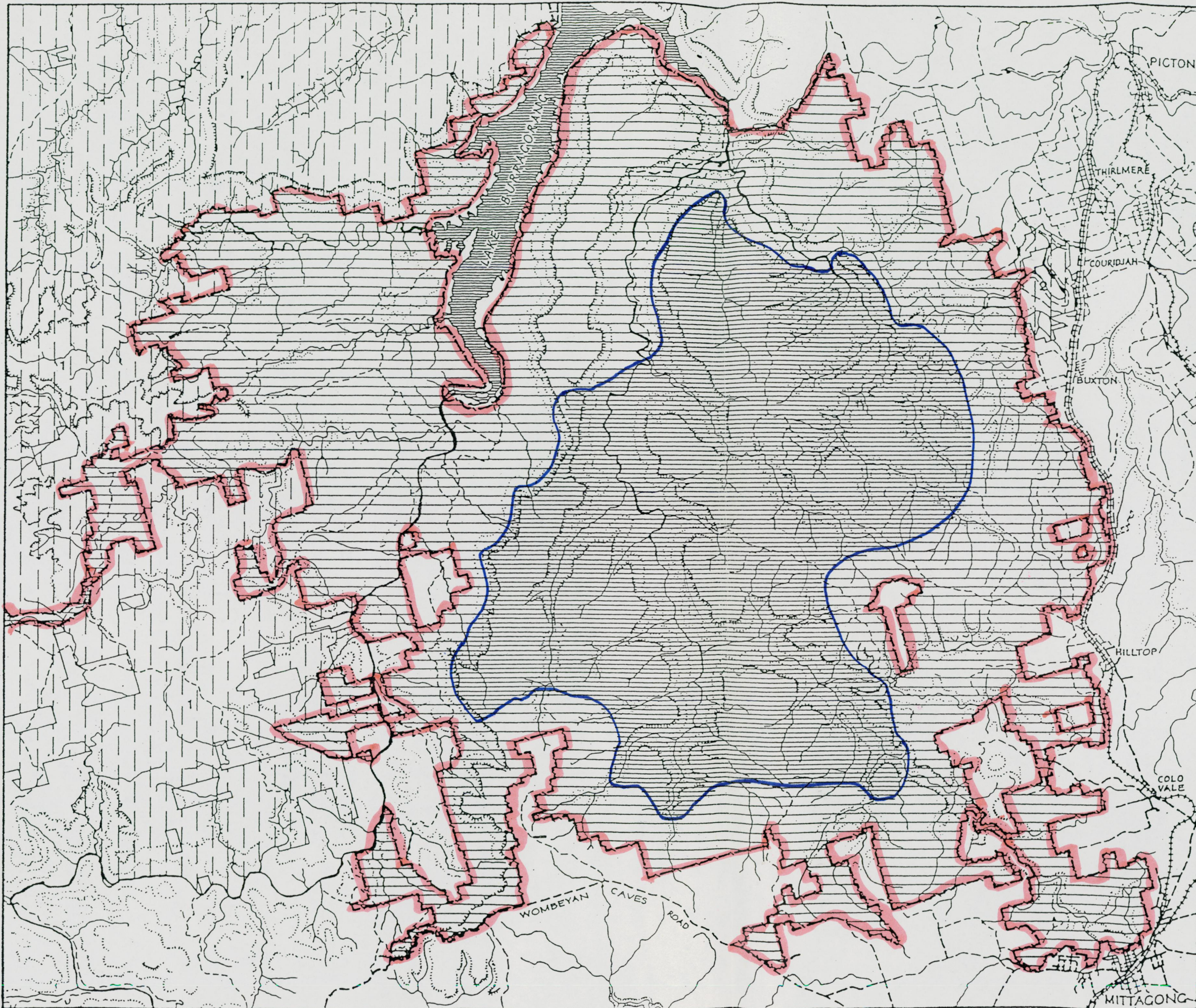
SCHEDULE 2—ANCILLARY PROVISIONS—*continued*

Revocations of State forests etc.

6. (1) Section 6 has effect despite the provisions of the Forestry Act 1916.

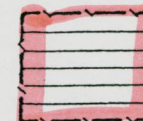
(2) A revocation effected by section 6 in relation to any land does not affect anything done or omitted to be done before the relevant date.





LEGEND

Proposed Nattai National Park



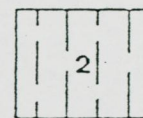
Wilderness Area within park proposal



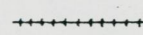
Blue Mountains National Park



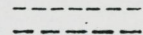
Thirlmere Lakes National Park



Railways

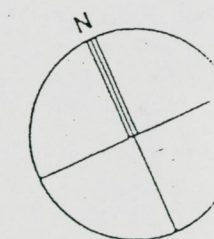
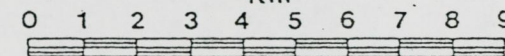


Roads, vehicle tracks



SCALE

Km

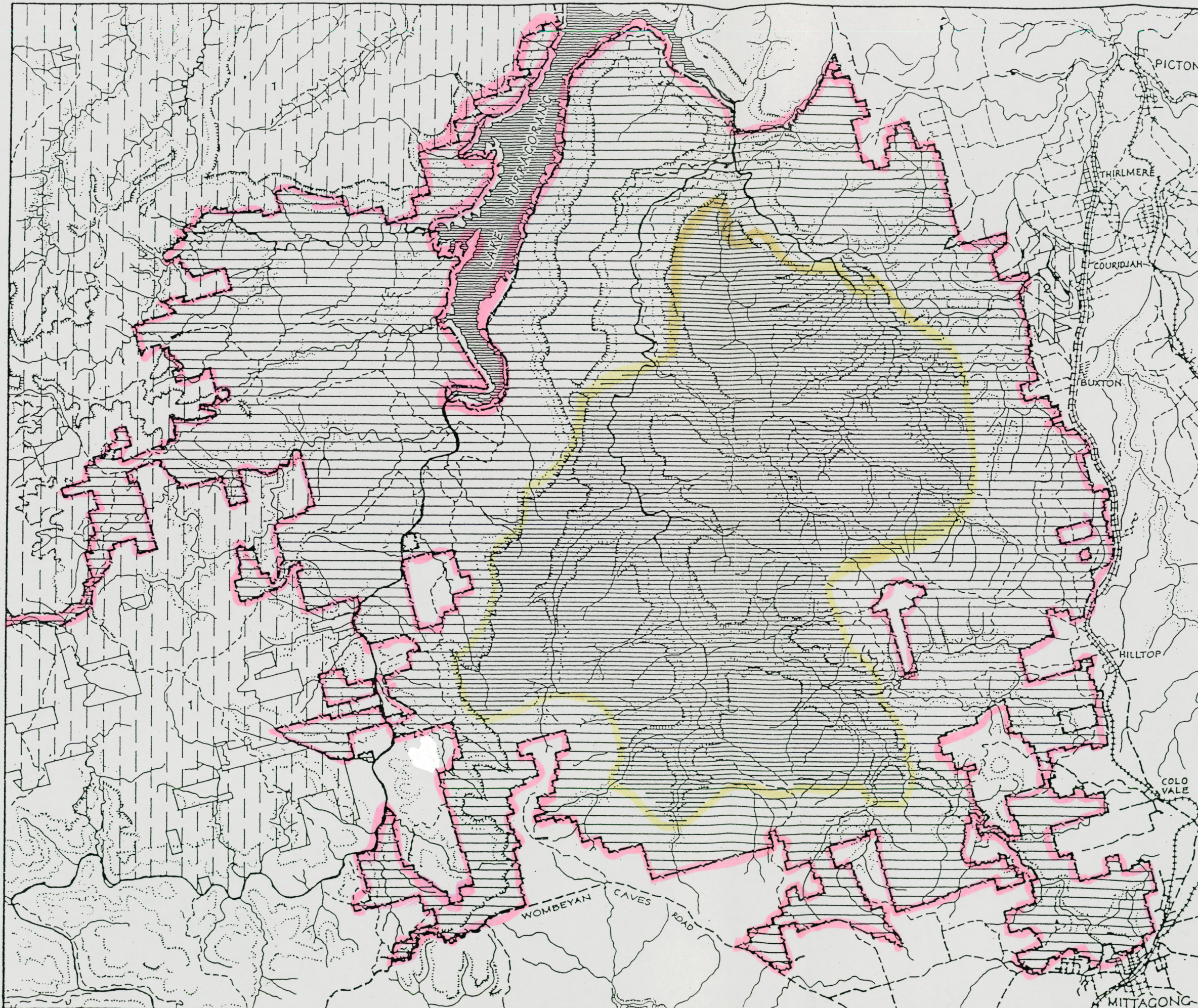


MAP 2

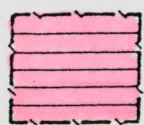

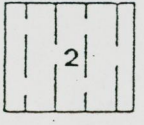
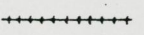
PARK PROPOSAL

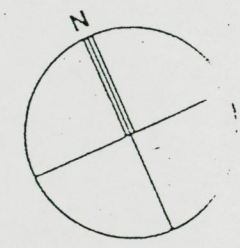
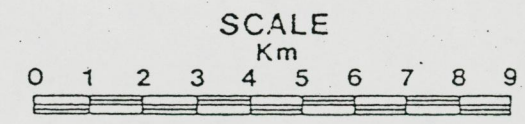
THE NATTAI NATIONAL PARK PROPOSAL

THE COLONG FOUNDATION FOR WILDERNESS LTD DF 987



LEGEND

- Proposed Nattai National Park 
- Wilderness Area within park proposal 
- Blue Mountains National Park 
- Thirlmere Lakes National Park 
- Railways 
- Roads, vehicle tracks 



MAP 2
PARK PROPOSAL

THE NATTAI
NATIONAL PARK
PROPOSAL

THE COLONG FOUNDATION FOR
WILDERNESS LTD DF 987

