



New South Wales

National Park Estate (Reservations) Bill 2005

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The object of this Bill is to transfer certain lands to the national park estate.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 July 2005.

Clause 3 defines expressions used in the proposed Act.

Part 2 Land transfers

Clause 4 revokes the dedication as State forest of lands that are:

- (a) to be reserved under the *National Parks and Wildlife Act 1974*, or

* Amended in committee—see table at end of volume.

(b) to be vested in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*, or

(c) to be made subject to the *Crown Lands Act 1989*.

Clause 5 reserves certain lands in revoked State forests as national park or state conservation area. The lands concerned are set out in Schedule 1.

Clause 6 reserves certain Crown land as part of Tallaganda State Conservation Area. The land concerned is set out in Schedule 2.

Clause 7 vests certain lands in revoked State forests in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*. The lands concerned are set out in Schedule 3.

Clause 8 vests certain lands in revoked State forests in the Crown as Crown land and makes the lands subject to the *Crown Lands Act 1989*. The lands concerned are set out in Schedule 4.

Clause 9 declares certain lands in State forests as special management zones under the *Forestry Act 1916*. The lands concerned are set out in Schedule 5.

Clause 10 enables the Director-General of the Department of Environment and Conservation to adjust the descriptions of land in Schedule 1, 2, 3, 4 or 5 in order to alter the boundaries of the land for the purposes of the more effective management of national park estate land and State forest land and to adjust boundaries to public roads (so long as the adjustment will not result in any significant reduction in the size or value of any such land). Adjustments are also authorised in connection with easements and to provide a more detailed description of land.

Clause 11 gives effect to Schedule 6, which contains ancillary and special provisions with respect to the land transfers under this Part.

Part 3 Miscellaneous

Clause 12 provides that the proposed Act binds the Crown.

Clause 13 enables the making of regulations for the purposes of the proposed Act, including regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

Clause 14 makes a minor law revision amendment to the *National Park Estate (Reservations) Act 2002*.

Clause 15 amends the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of a reservation or vesting of, or declaration over, land or waters by the operation of the proposed Act.

Schedule 1 State forests reserved as national park or state conservation area

This Schedule sets out lands whose dedication as State forest is revoked and that are reserved on 1 July 2005 as national park or state conservation area.

**Schedule 2 Crown land reserved as part of
Tallaganda State Conservation Area**

This Schedule sets out the Crown land that is reserved as part of Tallaganda State Conservation Area.

Schedule 3 State forests vested in NPW Minister

This Schedule sets out the lands (being lands whose dedication as State forest is revoked) that are vested in the Minister for the Environment for the purposes of Part 11 of the *National Parks and Wildlife Act 1974*.

**Schedule 4 State forests made subject to the Crown
Lands Act 1989**

This Schedule sets out the lands (being lands whose dedication as State forest is revoked) that are vested in the Crown as Crown land and subject to the *Crown Lands Act 1989*.

**Schedule 5 Areas in State forests declared as
special management zones under
Forestry Act 1916**

This Schedule sets out the lands within State forests that are declared as special management zones under the *Forestry Act 1916*.

**Schedule 6 Land transfers—ancillary and special
provisions**

This Schedule makes ancillary and special provisions with respect to land transferred under the proposed Act.