

National Parks (Amendment) Bill

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EXPLANATORY MEMORANDUM

PART 1—PRELIMINARY

- Clause 1 sets out the purposes of the Act.
- Clause 2 provides for the commencement of the Act. In particular, section 9(3) of the Act is deemed to have come into operation on the day on which section 10(2) of the **National Parks (Alpine National Park) Act 1989** came into operation in order to ensure that the corrected description of the Alpine National Park applies from the proclamation of the park.

PART 2—AMENDMENT OF THE NATIONAL PARKS ACT 1975

- Clause 3 specifies that the **National Parks Act 1975** is the Principal Act in Part 2.
- Clause 4 amends the definition of "designated water supply catchment area" in section 3(1) of the Principal Act by including four additional areas.
- Clause 5 amends section 11 of the Principal Act to empower the National Parks Advisory Council to advise the Minister on any proposed excision from a park referred to it by the Minister and to require the Minister to table that advice in Parliament.
- Clause 6 inserts a new section 27B into the Principal Act. This states that the amendments made to the Principal Act by the **National Parks (Amendment) Act 2000** are not intended to affect native title rights and interests.

- Clause 7 amends the definition of "specified areas" in section 37(8) of the Principal Act to add a further area of the Alpine National Park (the Wongungarra area) where deer hunting by stalking may be permitted.
- Clause 8 inserts into the Principal Act a new Part IX containing four sections as follows—
- Section 53 provides that a specified area of land (in the Wongungarra area) ceases to be reserved forest when it is included in the Alpine National Park.
- Section 54 provides for the Registrar of Titles to make any amendments in the Register under the **Transfer of Land Act 1958** that are necessary because of the operation of the **National Parks (Amendment) Act 2000**.
- Section 55 continues two grazing licences in relation to land that is being excised from Falls Creek Alpine Resort and incorporated into the Alpine National Park.
- Section 56 continues two leases in relation to land or strata of land that is being excised from Falls Creek Alpine Resort and incorporated into the Alpine National Park.
- Clause 9 amends Schedule Two to the Principal Act as follows—
- Sub-clause (1) amends Part 20 to add an area of 13 hectares to Organ Pipes National Park.
- Sub-clause (2) amends Part 37 to add two areas totalling 13 135 hectares to the Alpine National Park.
- Sub-clause (3) corrects an error in the original description of the Alpine National Park in Part 37.
- Sub-clause (4) amends Part 39 to add four areas totalling 3 hectares to the Yarra Ranges National Park.
- Clause 10 amends Part 13 of Schedule Two B to the Principal Act to include an additional area of 94 hectares in Kamarooka State Park.
- Clause 11 amends Part 6 of Schedule Three to the Principal Act to add an area of 16 hectares to the Gippsland Lakes Coastal Park.

PART 3—AMENDMENT OF OTHER ACTS

- Clause 12 amends the **Alpine Resorts Act 1983** by substituting a new section 22 which construes a reference to a plan entitled "Falls Creek Alpine Resort".
- Clause 13 repeals sections 63, 64, 65 and 73 of the **Alpine Resorts (Management) Act 1997**, which provided for the excision of land from the Alpine National Park and for matters relating to grazing licences over that land.

