

## RESERVES (NEERABUP NATIONAL PARK) BILL 2000

## EXPLANATORY MEMORANDUM

Libraries & Information  
Department of Justice

The purpose of this Bill is to excise an area of 122.5494 hectares from Neerabup National Park, being Class "A" Reserve No. 27575, situated in the City of Wanneroo.

Neerabup National Park presently contains an area of about 1059.8484 hectares and is under the control and management of the National Parks and Nature Conservation Authority.

A need has been recognised to amend the boundaries of the Reserve to accommodate a combined transportation corridor, to include extensions of the Mitchell Freeway and the Northern Suburbs Railway and associated support facilities such as rail car stowage and servicing depot, in support of the growth of the northern suburbs.

About 122.5494 hectares will be required for the transportation corridor and needs to be excised from the Reserve.

To compensate for the lands earmarked for excision, it is proposed that approximately 525 hectares of privately held land be acquired and that approximately 47 hectares of existing "reserved" lands be incorporated into the Reserve. Funds from the railway project are available to enable the Western Australian Planning Commission to undertake acquisition of targeted private lands.

The National Parks and Nature Conservation Authority has indicated its support to the proposed amendments to the Reserve.

All of the environmental conditions affecting the railway project in Metropolitan Region Scheme 992/33, yet to be finalised, will be met to the satisfaction of the Environmental Protection Authority prior to commencement of construction.

The effect of section 45(3) of the *Land Administration Act 1997* is that, aside from certain exceptions, land reserved for a national park may only be amended by an Act of Parliament. The subject land does not come within the exceptions, which leads to the necessity for this Bill.

Outlined below, is an examination of the contents of the Bill on a clause-by-clause basis.

Clause 1: This clause sets out the short title and the citation.

Clause 2: This clause sets out the commencement provision. The Act is to come into operation on receipt of Royal Assent.

Clause 3: This clause effects the excision of land from the Reserve.

Subclause (1) identifies the Reserve, being Reserve No. 27575 and identifies the land being excised by an area and by a description referring to Statutory Services Plans.

Subclause (2) advises that the Statutory Services Plans are held in the Graphic Bank with the Department of Land Administration.

Subclause (3) obliges the Registrar of Titles to take whatever measures are necessary to register the amendment to the Reserve.

Subclause (4) defines the key terms used in subclause (3).