Summary of miscellaneous provisions

Park management and wildlife licensing under the National Parks and Wildlife Act 1974

A number of amendments to the National Parks and Wildlife Act 1974 (NPW Act) have been made which are aimed at improving park management and wildlife licensing. The most substantial of these are outlined below.

Cost recovery for health and building services in national parks

The amendments clarify which costs incurred by the Department of Environment, Climate Change and Water (DECCW) can be recovered from lease and licence holders, when providing health and building services in national parks. These services are similar to those typically provided by local government, such as the testing of potable water supplies and the inspection and licensing of places of public entertainment and food premises. The fees charged by DECCW will be comparable to those charged by local government. The fees will not affect park entry fees.

Leasing or licensing within catchment areas and special areas

To reduce red tape, the need for concurrences by relevant water management authorities (Sydney Catchment Authority and Hunter Water Corporation) for certain leases and licences in the broader water catchment area has been removed. Concurrence is still required within inner catchments, known as ‘special areas’.

Roads

Amendments have been made to improve the management and administrative arrangements relating to roads in national parks. The amendments provide for:

- the adjustment of road boundaries (on paper) so as to align them with actual roads as surveyed on the ground; such an adjustment may only take place if the Director General of DECCW certifies that the adjustment will not result in any significant reduction in the size or value of lands reserved under the NPW Act
- the Minister for Climate Change and the Environment, when excluding a road from a park when reserving the park, to determine an appropriate road corridor width; this enables the formed path of the road and all of its associated infrastructure to be contained within the road corridor, and the concurrence of the Minister administering the Forestry Act 1916 is required for roads used for forestry access
- access roads to be maintained and improved, even where this involves ancillary works on reserved land that adjoins the road.

Simplified and improved licensing and management of protected flora and fauna

There is a range of minor miscellaneous amendments to simplify and improve the licensing and management of protected flora and fauna. These include:
• streamlining licensing requirements for kangaroo chillers to make these consistent with the licensing of fauna dealers’ premises
• extending the duration of directions related to protected fauna (for example, to stop an activity causing distress to fauna, or to stop feeding fauna) from 24 hours to 28 days, with the option for the direction to be replaced by a longer-term order
• allowing in-situ seizure of protected fauna, for example where DECCW is not equipped to remove and hold the fauna; conditions will be imposed on the carer of protected fauna and it will be an offence to breach these conditions
• tagging of protected native plants picked or grown for commercial use which will be required to stay with the plant through all stages of the supply chain; it will be an offence to offer these plants or plant parts for sale without tags.

Public register provisions

A new public register of information has been introduced which contains information of threatened species and Aboriginal cultural heritage regulation. The register will be publicly available and will contain the following information about Aboriginal Heritage Impact Permits (AHIPs):
• details of each application made to the Director General
• details of each decision of the Director General made in respect of any such application
• details of each AHIP issued by the Director General
• details of variations of an AHIP
• details of each decision to suspend, revoke or approve the surrender of any such AHIP.

The public register will also contain information about:
• Aboriginal places declared by the Minister under s.84
• details of each remediation direction under Division 3 of Part 6A
• details of convictions in prosecutions under the NPW Act or the Threatened Species Conservation Act 1979 (TSC Act)
• the result of civil proceedings before the Land and Environment Court under the NPW Act or the TSC Act.

Further information

Further information on threatened species can be found at www.environment.nsw.gov.au/threatenedspecies/. Further information about the management of national parks can be found at www.environment.nsw.gov.au/protectedareas/, or contact DECCW's Environment Line on 131555 or by email at info@environment.nsw.gov.au.

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