

New South Wales.



ANNO QUARTO DECIMO

GEORGII V REGIS.

Act No. 31, 1923.

An Act to amend the Seat of Government Surrender Act, 1909, and for that purpose to ratify and confirm an agreement between the Commonwealth of Australia and the State of New South Wales; and for other purposes. [Assented to, 18th December, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Seat of Government Surrender (Amendment) Act, 1923," and shall be construed with the Seat of Government Surrender Act, 1909. Short title.

2.

Seat of Government Surrender (Amendment).

Act to bind
Crown.

2. This Act shall bind the Crown.

Commence-
ment of Act.

3. This Act shall come into force on a date to be fixed by proclamation of the Governor.

Ratification
of agreement.

4. The agreement made between the Commonwealth of Australia and the State of New South Wales and set out in the Schedule to this Act is hereby ratified and confirmed.

Amendment
of Seat of
Government
Surrender
Act, 1909.

5. The Seat of Government Surrender Act, 1909, is amended as follows:—

(a) The descriptions in clause five of the First Schedule to that Act are deleted, and the descriptions in the Schedule to the agreement ratified by this Act are substituted therefor.

(b) The Third Schedule to the said Act is repealed, and the Schedule to the agreement ratified by this Act is substituted therefor.

SCHEDULE.

AGREEMENT made the second day of September, one thousand nine hundred and twenty, between the Commonwealth of Australia (hereinafter called the "Commonwealth") of the one part and the State of New South Wales (hereinafter called the "State") of the other part:

WHEREAS by an agreement dated the eighteenth day of October, one thousand nine hundred and nine, made between the parties hereto it was agreed (inter alia) that certain lands described in clause 5 thereof should be granted by the State to the Commonwealth so far as the same were not already vested in the Commonwealth without payment therefor, and it was agreed that the said agreement now in recital should not in any way be binding unless and until it was approved by the Parliaments of the Commonwealth and of the State. And whereas the Act of the Commonwealth No. 23 of 1909 intituled the Seat of Government Acceptance Act, 1909, and the Act of the State No. 14 of 1909 intituled the Seat of Government Surrender Act, 1909, respectively ratified and confirmed the said agreement. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State and its Dependencies in the Commonwealth of Australia, and published in the Government Gazette of the State of the fifteenth day of December, one thousand nine hundred and nine, it was proclaimed
that

Seat of Government Surrender (Amendment).

that the said seat of Government Surrender Act, 1909, should come into force on and from Wednesday the fifteenth day of December, one thousand nine hundred and nine. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Administrator of the Government of the Commonwealth of Australia and published in the Commonwealth of Australia Gazette of the twentieth day of January one thousand nine hundred and ten, Saturday, the twenty-second day of January, one thousand nine hundred and ten, was fixed as the day upon which the Seat of Government Acceptance Act, 1909, should commence. And whereas certain errors and misdescriptions have been found in the descriptions of the lands described in clause 5 aforesaid : Now it is hereby agreed as follows :—

1. Clause 5 of the said agreement of the eighteenth day of October, one thousand nine hundred and nine, shall be deleted, and the following clause substituted therefor :—

The State shall grant to the Commonwealth (so far as the same are not already vested in the Commonwealth) without payment therefor areas of land at Sussex Haven and at and near Jervis Bay described in the Schedule hereto.

2. The legislation to be passed by the State shall repeal the Third Schedule of the Act of the State No. 14 of 1909 above mentioned, and the Schedule hereto shall be substituted therefor.

3. Nothing in this agreement shall be taken to derogate from the surrender of territory effected by the agreement between the parties hereto dated the twenty-third day of September, one thousand nine hundred and thirteen, as ratified and confirmed by the Seat of Government Surrender Act, 1915, No. 9, of the State and the Jervis Bay Territory Acceptance Act, 1915, No. 19, of the Commonwealth.

4. This agreement shall not in any way be binding unless and until it is approved by the Parliaments of the Commonwealth and of the State and legislation is passed by such Parliaments respectively ratifying and confirming it.

THE SCHEDULE.

EASTERN Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area about 2 square miles : Commencing on the high-water mark of Jervis Bay at the south-western corner of portion 30 of 40 acres, and bounded thence on the east by a line bearing south 80 chains, on the south by a line bearing west 197 chains, on the west by a line bearing north to the aforesaid high-water mark, and on all other sides by that high-water mark bearing generally easterly, to the point of commencement.

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, containing an area of 132 acres. The Crown lands within Bowen Island, situated in the South Pacific Ocean at the mouth of Jervis Bay northerly of Governor Head. Shown on plan catalogued Ms. 1276 Sy. in the Department of Lands, Sydney.

Eastern

Seat of Government Surrender (Amendment).

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area 412 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of Jervis Bay, at the north-eastern corner of portion 21 of 40 acres; and bounded thence on the west by the eastern boundary of that portion bearing south 0 degrees 31 minutes west 10 chains 45 links; on the north by part of the southern boundary of that portion bearing north 89 degrees 21 minutes west 13 chains 74 links, again on the west by a road 1 chain wide dividing it from portion 20 of 40 acres bearing south 0 degrees 36 minutes west 21 chains 26 links, again on the north by that road dividing it from portion 20 bearing north 89 degrees 15 minutes west 5 chains 60 links, again on the west by that road dividing it from portion 30 of 40 acres bearing south 0 degrees 42 minutes west 20 chains 6 links; thence by a line south 13 chains 92 links, on the south-west by a line bearing south 69 degrees 12 minutes east 18 chains 25 links, again on the west by a line, a road 1 chain wide dividing it from portion 31 of 2 acres, and another line, in all bearing south 0 degrees 25 minutes west 9 chains 97 links, again on the south-west by a line and a road 1 chain wide dividing it from portion 33 of 10 acres, in all bearing south 20 degrees east 29 chains 13 links, on the south by a line bearing east 21 chains 28 links to the high-water mark of the South Pacific Ocean; and thence by that high-water mark and the high-water mark of Jervis Bay aforesaid bearing generally northerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1392 Sy. in the Department of Lands, Sydney.

Eastern Division, Land District of Milton, county of St. Vincent, parish of Farnham, area 103 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of the South Pacific Ocean, at a point south 21 chains 38 links from a point west 10 chains from Farnham Trigonometrical Station, and bounded thence on the west by a line north 30 chains 55 links, on the north by a line east 28 chains 7 links to the high-water mark of Sussex Haven; thence by the high-water mark of Sussex Haven and the South Pacific Ocean generally southerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1399 Sy. in the Department of Lands, Sydney.

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Beecroft, area 1,650 acres. The Crown lands within the following boundaries: Commencing at a point at a wharf on the high-water mark of Jervis Bay, being the intersection of that high-water mark with the production north-westerly of a south-western side of the surveyed road, shown on plan catalogued Ms. 1395 Sy. in the Department of Lands, Sydney, to Point Perpendicular Lighthouse; thence by that production and that south-western side of that surveyed road bearing 152 degrees 53 minutes 316 links; thence by western, south-western, and southern sides of that road, being lines bearing 173 degrees 43 minutes 418.2 links, 190 degrees 55 minutes 360.9 links, 183 degrees 49 minutes 2,005.7 links, 124 degrees 30 minutes 754.6 links, 113 degrees 5 minutes 1,201 links, 118 degrees 30 minutes 979.7 links, and 86 degrees 15 minutes 373.5 links, thence by lines bearing 179 degrees 4 minutes 5,360.5 links, 128 degrees 39 minutes 9,114.7 links, and

Seat of Government Surrender (Amendment).

100 degrees 6-minutes 5,150.6 links to a post which bears 280 degrees 6 minutes, and is distant 359.8 links from a post marked \uparrow over A over 98, and shown on plan Ms. 1395 Sy. aforesaid, and thence by lines bearing 49 degrees 39 minutes 10,029.6 links, 20 degrees 17 minutes 8,789.3 links, 326 degrees 30 minutes 6,502.5 links, and 89 degrees 30 minutes 2,810 links, to a point on the high-water mark of the South Pacific Ocean bearing 279 degrees 30 minutes from the northern extremity of the Drum and Drumsticks Islands; thence generally southerly, easterly, southerly, and south-westerly by part of that high-water mark to its intersection at Point Perpendicular with the eastern boundary of portion 5 of 10 acres, parish of Beecroft; thence northerly, westerly, and southerly by the eastern, northern, and western boundaries respectively of that portion to a point on the high-water mark of Jervis Bay, and thence generally northerly, north-westerly, southerly, westerly, and northerly by part of that high-water mark to the commencing point. Shown on plan catalogued Ms. 5228 Sy. in the Department of Lands, Sydney.

The bearings quoted in this last description are according to the true meridian.

By Authority :

ALFRED JAMES KENT, Government Printer, Sydney, 1923.

[3d.]

State of Queensland

100 degrees 5 minutes 51 seconds to a hole which bears 250 degrees
 6 minutes and 30 seconds from a hole marked A over
 over 55 and shown on plan Ms. 1392 Sg. 3, and thence by
 line bearing 19 degrees 32 minutes 17 seconds north 20 degrees 13
 minutes 52 seconds east 228 links to a point on the highway, and
 22 degrees 30 minutes 28 seconds north 21 degrees 30 minutes from the
 of the South Pacific Ocean bearing 275 degrees 30 minutes from the
 northern extremity of the beam and perpendicular to the
 generally easterly, southerly, and south-westerly by part of
 the high-water mark at the intersection of Point Perpendicular Light
 the eastern boundary of section 5 of 10 acres, south of section 11
 these northern, westerly, and southerly to a point on the
 western boundary respectively of that portion of a town or
 high-water mark of Jarvis Bay, and thence generally northerly,
 north-westerly, southerly, westerly, and northerly by part of that
 high-water mark to the commencing point. Shown on plan catalogued
 Ms. 1392 Sg. 3 in the Department of Lands, Sydney.

The bearings and distances in this last description are according to the
 meridian of any one of the lines and a true north-south line
 and are corrected to the true meridian in 21 chains 01 to 25 inches more
 than as shown in the bearings and distances in the plan, and
 22 chains 13 to 25 inches and a by chain bearing and distance
 and thence to the high-water mark of the South Pacific Ocean, and
 thence by that high-water mark and the high-water mark of Jarvis
 Bay thence bearing generally northerly and westerly to the point
 of commencement, shown on plan catalogued Ms. 1392 Sg. 3 in the
 Department of Lands, Sydney.

Eastern Division, Land District of Milton, county of St. Vincent,
 parish of Parham, area 102 acres. The Crown lands within the
 following boundaries: Commencing at a point at a wharf on the
 South Pacific Ocean, bearing 103 degrees 10 minutes 30 seconds
 west 10 chains from Parham Triangulation Station, and thence
 thence on the west by a line south 30 chains 53 links on the north
 by a line east 28 chains 7 links to the high-water mark of Sussex
 Haven; thence by the high-water mark of Sussex Haven and the
 South Pacific Ocean generally northerly and westerly to the point of
 commencement. Shown on plan catalogued Ms. 1395 Sg. 3 in the
 Department of Lands, Sydney.

Eastern Division, Land District of Newry, county of St. Vincent,
 parish of Besscroft, area 1,650 acres. The Crown lands within the
 following boundaries: Commencing at a point at a wharf on the high-
 water mark of Jarvis Bay, being the intersection of that high-water
 mark with the production north-westerly of a south-westerly side of the
 surveyed road, shown on plan catalogued Ms. 1395 Sg. 3 in the Department
 of Lands, Sydney, to Point Perpendicular Light-house; thence by that
 production and that south-westerly side of that surveyed road bearing
 132 degrees 58 minutes 31 seconds links; thence by western, south-westerly,
 and southern sides of that road, being lines bearing 77 degrees 43
 minutes 18 seconds links, 100 degrees 55 minutes 36 seconds links, 189 degrees
 44 minutes 10057 links, 124 degrees 30 minutes 1546 links, 113
 degrees 5 minutes 1,501 links, 118 degrees 53 seconds 1797 links, and
 25 degrees 15 minutes 379 links, by lines bearing 179 degrees
 4 minutes 5,380-5 links, 125 degrees 39 minutes 9,111-7 links, and
 100.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 13th December, 1923.*

New South Wales.



ANNO QUARTO DECIMO

GEORGII V REGIS.

Act No. 31, 1923.

An Act to amend the Seat of Government Surrender Act, 1909, and for that purpose to ratify and confirm an agreement between the Commonwealth of Australia and the State of New South Wales; and for other purposes. [Assented to, 18th December, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Seat of Government Surrender (Amendment) Act, 1923," and shall be construed with the Seat of Government Surrender Act, 1909. Short title.

2.

Seat of Government Surrender (Amendment).

- Act to bind Crown. **2.** This Act shall bind the Crown.
- Commencement of Act. **3.** This Act shall come into force on a date to be fixed by proclamation of the Governor.
- Ratification of agreement. **4.** The agreement made between the Commonwealth of Australia and the State of New South Wales and set out in the Schedule to this Act is hereby ratified and confirmed.
- Amendment of Seat of Government Surrender Act, 1909. **5.** The Seat of Government Surrender Act, 1909, is amended as follows :—
- (a) The descriptions in clause five of the First Schedule to that Act are deleted, and the descriptions in the Schedule to the agreement ratified by this Act are substituted therefor.
 - (b) The Third Schedule to the said Act is repealed, and the Schedule to the agreement ratified by this Act is substituted therefor.

SCHEDULE.

AGREEMENT made the second day of September, one thousand nine hundred and twenty, between the Commonwealth of Australia (hereinafter called the "Commonwealth") of the one part and the State of New South Wales (hereinafter called the "State") of the other part :

WHEREAS by an agreement dated the eighteenth day of October, one thousand nine hundred and nine, made between the parties hereto it was agreed (inter alia) that certain lands described in clause 5 thereof should be granted by the State to the Commonwealth so far as the same were not already vested in the Commonwealth without payment therefor, and it was agreed that the said agreement now in recital should not in any way be binding unless and until it was approved by the Parliaments of the Commonwealth and of the State. And whereas the Act of the Commonwealth No. 23 of 1909 intituled the Seat of Government Acceptance Act, 1909, and the Act of the State No. 14 of 1909 intituled the Seat of Government Surrender Act, 1909, respectively ratified and confirmed the said agreement. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State and its Dependencies in the Commonwealth of Australia, and published in the Government Gazette of the State of the fifteenth day of December, one thousand nine hundred and nine, it was proclaimed that

Seat of Government Surrender (Amendment).

that the said seat of Government Surrender Act, 1909, should come into force on and from Wednesday the fifteenth day of December, one thousand nine hundred and nine. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Administrator of the Government of the Commonwealth of Australia and published in the Commonwealth of Australia Gazette of the twentieth day of January one thousand nine hundred and ten, Saturday, the twenty-second day of January, one thousand nine hundred and ten, was fixed as the day upon which the Seat of Government Acceptance Act, 1909, should commence. And whereas certain errors and misdescriptions have been found in the descriptions of the lands described in clause 5 aforesaid: Now it is hereby agreed as follows:—

1. Clause 5 of the said agreement of the eighteenth day of October, one thousand nine hundred and nine, shall be deleted, and the following clause substituted therefor:—

The State shall grant to the Commonwealth (so far as the same are not already vested in the Commonwealth) without payment therefor areas of land at Sussex Haven and at and near Jervis Bay described in the Schedule hereto.

2. The legislation to be passed by the State shall repeal the Third Schedule of the Act of the State No. 14 of 1909 above mentioned, and the Schedule hereto shall be substituted therefor.

3. Nothing in this agreement shall be taken to derogate from the surrender of territory effected by the agreement between the parties hereto dated the twenty-third day of September, one thousand nine hundred and thirteen, as ratified and confirmed by the Seat of Government Surrender Act, 1915, No. 9, of the State and the Jervis Bay Territory Acceptance Act, 1915, No. 19, of the Commonwealth.

4. This agreement shall not in any way be binding unless and until it is approved by the Parliaments of the Commonwealth and of the State and legislation is passed by such Parliaments respectively ratifying and confirming it.

THE SCHEDULE.

EASTERN Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area about 2 square miles: Commencing on the high-water mark of Jervis Bay at the south-western corner of portion 30 of 40 acres, and bounded thence on the east by a line bearing south 80 chains, on the south by a line bearing west 197 chains, on the west by a line bearing north to the aforesaid high-water mark, and on all other sides by that high-water mark bearing generally easterly, to the point of commencement.

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, containing an area of 132 acres. The Crown lands within Bowen Island, situated in the South Pacific Ocean at the mouth of Jervis Bay northerly of Governor Head. Shown on plan catalogued Ms. 1276 Sy. in the Department of Lands, Sydney.

Eastern

Seat of Government Surrender (Amendment).

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area 412 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of Jervis Bay, at the north-eastern corner of portion 21 of 40 acres; and bounded thence on the west by the eastern boundary of that portion bearing south 0 degrees 31 minutes west 10 chains 45 links; on the north by part of the southern boundary of that portion bearing north 89 degrees 21 minutes west 13 chains 74 links, again on the west by a road 1 chain wide dividing it from portion 20 of 40 acres bearing south 0 degrees 36 minutes west 21 chains 26 links, again on the north by that road dividing it from portion 20 bearing north 89 degrees 15 minutes west 5 chains 60 links, again on the west by that road dividing it from portion 30 of 40 acres bearing south 0 degrees 42 minutes west 20 chains 6 links; thence by a line south 13 chains 92 links, on the south-west by a line bearing south 69 degrees 12 minutes east 18 chains 25 links, again on the west by a line, a road 1 chain wide dividing it from portion 31 of 2 acres, and another line, in all bearing south 0 degrees 25 minutes west 9 chains 97 links, again on the south-west by a line and a road 1 chain wide dividing it from portion 33 of 10 acres, in all bearing south 20 degrees east 29 chains 13 links, on the south by a line bearing east 21 chains 28 links to the high-water mark of the South Pacific Ocean; and thence by that high-water mark and the high-water mark of Jervis Bay aforesaid bearing generally northerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1392 Sy. in the Department of Lands, Sydney.

Eastern Division, Land District of Milton, county of St. Vincent, parish of Farnham, area 103 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of the South Pacific Ocean, at a point south 21 chains 38 links from a point west 10 chains from Farnham Trigonometrical Station, and bounded thence on the west by a line north 30 chains 55 links, on the north by a line east 28 chains 7 links to the high-water mark of Sussex Haven; thence by the high-water mark of Sussex Haven and the South Pacific Ocean generally southerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1399 Sy. in the Department of Lands, Sydney.

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100 degrees 6 minutes 5,150.6 links to a post which bears 280 degrees 6 minutes, and is distant 359.8 links from a post marked \uparrow over A over 98, and shown on plan Ms. 1395 Sy. aforesaid, and thence by lines bearing 49 degrees 39 minutes 10,029.6 links, 20 degrees 17 minutes 8,789.3 links, 326 degrees 30 minutes 6,502.5 links, and 99 degrees 30 minutes 2,810 links, to a point on the high-water mark of the South Pacific Ocean bearing 279 degrees 30 minutes from the northern extremity of the Drum and Drumsticks Islands; thence generally southerly, easterly, southerly, and south-westerly by part of that high-water mark to its intersection at Point Perpendicular with the eastern boundary of portion 5 of 10 acres, parish of Beecroft; thence northerly, westerly, and southerly by the eastern, northern, and western boundaries respectively of that portion to a point on the high-water mark of Jervis Bay, and thence generally northerly, north-westerly, southerly, westerly, and northerly by part of that high-water mark to the commencing point. Shown on plan catalogued Ms. 5228 Sy. in the Department of Lands, Sydney.

The bearings quoted in this last description are according to the true meridian.

In the name and on behalf of His Majesty I assent to this Act.

W. P. CULLEN,
Lieutenant-Governor.

*Government House,
Sydney, 18th December, 1923.*

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Seat of Government Surrender (Amendment) Bill, 1923.

EXPLANATORY NOTE.

CERTAIN errors and misdescriptions were found in the description of the land granted to the Commonwealth under the "Seat of Government Surrender Act, 1909."

The object of this Bill is to correct these errors and misdescriptions, and an agreement has already been made between the State and the Commonwealth in regard to the matter.

The agreement is not binding unless and until it has been approved by the Parliaments of the Commonwealth and the State, and legislation is passed by both Parliaments respectively ratifying and confirming it.

When the State Parliament passes the "Surrender Bill" the Commonwealth Government will pass the "Acceptance Bill," which is now before the Federal Parliament. The Prime Minister has urged the State to introduce the State Bill.

The Crown Solicitor on 4th May, 1918, suggested that the draft of the proposed Bill be sent to the Commonwealth authorities for approval, and arrangements made as to the reciprocal legislation required to be passed. This was done by the Premier's Department, and all is now in readiness to pass the legislation.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 13th September, 1923.*

New South Wales.



ANNO QUARTO DECIMO

GEORGII V REGIS.

Act No. , 1923.

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BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Seat of Government Surrender (Amendment) Act, 1923," and shall be construed with the Seat of Government Surrender Act, 1909. Short title.

Seat of Government Surrender (Amendment).

2. This Act shall bind the Crown. Act to bind Crown.
3. This Act shall come into force on a date to be fixed by proclamation of the Governor. Commencement of Act.
4. The agreement made between the Commonwealth of Australia and the State of New South Wales and set out in the Schedule to this Act is hereby ratified and confirmed. Ratification of agreement.
5. The Seat of Government Surrender Act, 1909, is amended as follows :— Amendment of Seat of Government Surrender Act, 1909.
- 10 (a) The descriptions in clause five of the First Schedule to that Act are deleted, and the descriptions in the Schedule to the agreement ratified by this Act are substituted therefor.
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20 AGREEMENT made the second day of September, one thousand nine hundred and twenty, between the Commonwealth of Australia (hereinafter called the "Commonwealth") of the one part and the State of New South Wales (hereinafter called the "State") of the other part :

25 WHEREAS by an agreement dated the eighteenth day of October, one thousand nine hundred and nine, made between the parties hereto it was agreed (inter alia) that certain lands described in clause 5 thereof should be granted by the State to the Commonwealth so far as the same were not already vested in the Commonwealth without payment therefor, and it was agreed that the said agreement now in recital should not in any way be binding unless and until it was approved by

30 the Parliaments of the Commonwealth and of the State. And whereas the Act of the Commonwealth No. 23 of 1909 intituled the Seat of Government Acceptance Act, 1909, and the Act of the State No. 14 of 1909 intituled the Seat of Government Surrender Act, 1909, respectively ratified and confirmed the said agreement. And whereas by

35 proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State and its Dependencies in the Commonwealth of Australia, and published in the Government Gazette of the State of the fifteenth day

40 of December, one thousand nine hundred and nine, it was proclaimed that

Seat of Government Surrender (Amendment).

that the said seat of Government Surrender Act, 1909, should come into force on and from Wednesday the fifteenth day of December, one thousand nine hundred and nine. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier
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 10 of January, one thousand nine hundred and ten, was fixed as the day upon which the Seat of Government Acceptance Act, 1909, should commence. And whereas certain errors and misdescriptions have been found in the descriptions of the lands described in clause 5 aforesaid :
 Now it is hereby agreed as follows :—

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The State shall grant to the Commonwealth (so far as the same are not already vested in the Commonwealth) without payment
 20 therefor areas of land at Sussex Haven and at and near Jervis Bay described in the Schedule hereto.

2. The legislation to be passed by the State shall repeal the Third Schedule of the Act of the State No. 14 of 1909 above mentioned, and the Schedule hereto shall be substituted therefor.

25 3. Nothing in this agreement shall be taken to derogate from the surrender of territory effected by the agreement between the parties hereto dated the twenty-third day of September, one thousand nine hundred and thirteen, as ratified and confirmed by the Seat of Government Surrender Act, 1915, No. 9, of the State and the Jervis
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35

THE SCHEDULE.

EASTERN Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area about 2 square miles : Commencing on the high-water mark of Jervis Bay at the south-western corner of portion
 30 of 40 acres, and bounded thence on the east by a line bearing south
 40 80 chains, on the south by a line bearing west 197 chains, on the west by a line bearing north to the aforesaid high-water mark, and on all other sides by that high-water mark bearing generally easterly, to the point of commencement.

Eastern Division, Land District of Nowra, county of St. Vincent,
 45 parish of Bherwerre, containing an area of 132 acres. The Crown lands within Bowen Island, situated in the South Pacific Ocean at the mouth of Jervis Bay northerly of Governor Head. Shown on plan catalogued Ms. 1276 Sy. in the Department of Lands, Sydney.

Eastern

Seat of Government Surrender (Amendment).

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area 412 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of Jervis Bay, at the north-eastern corner of portion 21 of 40 acres; and bounded
 5 thence on the west by the eastern boundary of that portion bearing south 0 degrees 31 minutes west 10 chains 45 links; on the north by part of the southern boundary of that portion bearing north 89 degrees 21 minutes west 13 chains 74 links, again on the west by a road 1 chain wide dividing it from portion 20 of 40 acres bearing south
 10 0 degrees 36 minutes west 21 chains 26 links, again on the north by that road dividing it from portion 20 bearing north 89 degrees 15 minutes west 5 chains 60 links, again on the west by that road dividing it from portion 30 of 40 acres bearing south 0 degrees 42 minutes west 20 chains 6 links; thence by a line south 13 chains
 15 92 links, on the south-west by a line bearing south 69 degrees 12 minutes east 18 chains 25 links, again on the west by a line, a road 1 chain wide dividing it from portion 31 of 2 acres, and another line, in all bearing south 0 degrees 25 minutes west 9 chains 97 links, again on the south-west by a line and a road 1 chain wide dividing it
 20 from portion 33 of 10 acres, in all bearing south 20 degrees east 29 chains 13 links, on the south by a line bearing east 21 chains 28 links to the high-water mark of the South Pacific Ocean; and thence by that high-water mark and the high-water mark of Jervis Bay aforesaid bearing generally northerly and westerly, to the point
 25 of commencement. Shown on plan catalogued Ms. 1392 Sy. in the Department of Lands, Sydney.

Eastern Division, Land District of Milton, county of St. Vincent, parish of Farnham, area 103 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of the
 30 South Pacific Ocean, at a point south 21 chains 38 links from a point west 10 chains from Farnham Trigonometrical Station, and bounded thence on the west by a line north 30 chains 55 links, on the north by a line east 28 chains 7 links to the high-water mark of Sussex Haven; thence by the high-water mark of Sussex Haven and the
 35 South Pacific Ocean generally southerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1399 Sy. in the Department of Lands, Sydney.

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Beecroft, area 1,650 acres. The Crown lands within the
 40 following boundaries: Commencing at a point at a wharf on the high-water mark of Jervis Bay, being the intersection of that high-water mark with the production north-westerly of a south-western side of the surveyed road, shown on plan catalogued Ms. 1395 Sy. in the Department of Lands, Sydney, to Point Perpendicular Lighthouse; thence by that
 45 production and that south-western side of that surveyed road bearing 152 degrees 53 minutes 316 links; thence by western, south-western, and southern sides of that road, being lines bearing 173 degrees 43 minutes 418.2 links, 190 degrees 55 minutes 360.9 links, 183 degrees 49 minutes 2,005.7 links, 124 degrees 30 minutes 754.6 links, 113
 50 degrees 5 minutes 1,201 links, 118 degrees 30 minutes 979.7 links, and 86 degrees 15 minutes 373.5 links, thence by lines bearing 179 degrees 4 minutes 5,360.5 links, 128 degrees 39 minutes 9,114.7 links, and

Seat of Government Surrender (Amendment).

100 degrees 6 minutes 5,150.6 links to a post which bears 280 degrees
6 minutes, and is distant 359.8 links from a post marked \uparrow over A
over 98, and shown on plan Ms. 1395 Sy. aforesaid, and thence by
lines bearing 49 degrees 39 minutes 10,029.6 links, 20 degrees 17
5 minutes 8,789.3 links, 326 degrees 30 minutes 6,502.5 links, and
99 degrees 30 minutes 2,810 links, to a point on the high-water mark
of the South Pacific Ocean bearing 279 degrees 30 minutes from the
northern extremity of the Drum and Drumsticks Islands; thence
generally southerly, easterly, southerly, and south-westerly by part of
10 that high-water mark to its intersection at Point Perpendicular with
the eastern boundary of portion 5 of 10 acres, parish of Beecroft;
thence northerly, westerly, and southerly by the eastern, northern, and
western boundaries respectively of that portion to a point on the
high-water mark of Jervis Bay, and thence generally northerly,
15 north-westerly, southerly, westerly, and northerly by part of that
high-water mark to the commencing point. Shown on plan catalogued
Ms. 5228 Sy. in the Department of Lands, Sydney.

The bearings quoted in this last description are according to the true
meridian.

1923.

Legislative Council.

Seat of Government Surrender (Amendment) Bill, 1923.

EXPLANATORY NOTE.

CERTAIN errors and misdescriptions were found in the description of the land granted to the Commonwealth under the "Seat of Government Surrender Act, 1909."

The object of this Bill is to correct these errors and misdescriptions, and an agreement has already been made between the State and the Commonwealth in regard to the matter.

The agreement is not binding unless and until it has been approved by the Parliaments of the Commonwealth and the State, and legislation is passed by both Parliaments respectively ratifying and confirming it.

When the State Parliament passes the "Surrender Bill" the Commonwealth Government will pass the "Acceptance Bill," which is now before the Federal Parliament. The Prime Minister has urged the State to introduce the State Bill.

The Crown Solicitor on 4th May, 1918, suggested that the draft of the proposed Bill be sent to the Commonwealth authorities for approval, and arrangements made as to the reciprocal legislation required to be passed. This was done by the Premier's Department, and all is now in readiness to pass the legislation.

1881

1881

1881

Legislative Council.

No. , 1923.

A BILL

To amend the Seat of Government Surrender Act, 1909, and for that purpose to ratify and confirm an agreement between the Commonwealth of Australia and the State of New South Wales; and for other purposes.

[SIR JOSEPH CARRUTHERS :—6 *September*, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Seat of Government Surrender (Amendment) Act, 1923," and shall be construed with the Seat of Government Surrender Act, 1909. Short title.

Act to bind
Crown.

2. This Act shall bind the Crown.

Commence-
ment of Act.

3. This Act shall come into force on a date to be fixed by proclamation of the Governor.

Ratification
of agreement.

4. The agreement made between the Commonwealth of Australia and the State of New South Wales and set out in the Schedule to this Act is hereby ratified and confirmed.

Amendment
of Seat of
Government
Surrender
Act, 1909.

5. The Seat of Government Surrender Act, 1909, is amended as follows :—

- (a) The descriptions in clause five of the First Schedule to that Act are deleted, and the descriptions in the Schedule to the agreement ratified by this Act are substituted therefor.
- (b) The Third Schedule to the said Act is repealed, and the Schedule to the agreement ratified by this Act is substituted therefor.

SCHEDULE.

AGREEMENT made the second day of September, one thousand nine hundred and twenty, between the Commonwealth of Australia (hereinafter called the "Commonwealth") of the one part and the State of New South Wales (hereinafter called the "State") of the other part :

WHEREAS by an agreement dated the eighteenth day of October, one thousand nine hundred and nine, made between the parties hereto it was agreed (inter alia) that certain lands described in clause 5 thereof should be granted by the State to the Commonwealth so far as the same were not already vested in the Commonwealth without payment therefor, and it was agreed that the said agreement now in recital should not in any way be binding unless and until it was approved by the Parliaments of the Commonwealth and of the State. And whereas the Act of the Commonwealth No. 23 of 1909 intituled the Seat of Government Acceptance Act, 1909, and the Act of the State No. 14 of 1909 intituled the Seat of Government Surrender Act, 1909, respectively ratified and confirmed the said agreement. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State and its Dependencies in the Commonwealth of Australia, and published in the Government Gazette of the State of the fifteenth day of December, one thousand nine hundred and nine, it was proclaimed that

that the said seat of Government Surrender Act, 1909, should come into force on and from Wednesday the fifteenth day of December, one thousand nine hundred and nine. And whereas by proclamation under the hand of His Excellency the Right Honorable Frederic John Napier
5 Baron Chelmsford, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Administrator of the Government of the Commonwealth of Australia and published in the Commonwealth of Australia Gazette of the twentieth day of January one thousand nine hundred and ten, Saturday, the twenty-second day
10 of January, one thousand nine hundred and ten, was fixed as the day upon which the Seat of Government Acceptance Act, 1909, should commence. And whereas certain errors and misdescriptions have been found in the descriptions of the lands described in clause 5 aforesaid :
Now it is hereby agreed as follows :—

15 1. Clause 5 of the said agreement of the eighteenth day of October, one thousand nine hundred and nine, shall be deleted, and the following clause substituted therefor :—

The State shall grant to the Commonwealth (so far as the same are not already vested in the Commonwealth) without payment
20 therefor areas of land at Sussex Haven and at and near Jervis Bay described in the Schedule hereto.

2. The legislation to be passed by the State shall repeal the Third Schedule of the Act of the State No. 14 of 1909 above mentioned, and the Schedule hereto shall be substituted therefor.

25 3. Nothing in this agreement shall be taken to derogate from the surrender of territory effected by the agreement between the parties hereto dated the twenty-third day of September, one thousand nine hundred and thirteen, as ratified and confirmed by the Seat of Government Surrender Act, 1915, No. 9, of the State and the Jervis
30 Bay Territory Acceptance Act, 1915, No. 19, of the Commonwealth.

4. This agreement shall not in any way be binding unless and until it is approved by the Parliaments of the Commonwealth and of the State and legislation is passed by such Parliaments respectively ratifying and confirming it.

35

THE SCHEDULE.

EASTERN Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area about 2 square miles : Commencing on the high-water mark of Jervis Bay at the south-western corner of portion
30 of 40 acres, and bounded thence on the east by a line bearing south 80 chains, on the south by a line bearing west 197 chains, on the west by a line bearing north to the aforesaid high-water mark, and on all other sides by that high-water mark bearing generally easterly, to the point of commencement.

Eastern Division, Land District of Nowra, county of St. Vincent,
45 parish of Bherwerre, containing an area of 132 acres. The Crown lands within Bowen Island, situated in the South Pacific Ocean at the mouth of Jervis Bay northerly of Governor Head. Shown on plan catalogued Ms. 1276 Sy. in the Department of Lands, Sydney.

Eastern

Seat of Government Surrender (Amendment).

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Bherwerre, area 412 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of Jervis Bay, at the north-eastern corner of portion 21 of 40 acres; and bounded thence on the west by the eastern boundary of that portion bearing south 0 degrees 31 minutes west 10 chains 45 links; on the north by part of the southern boundary of that portion bearing north 89 degrees 21 minutes west 13 chains 74 links, again on the west by a road 1 chain wide dividing it from portion 20 of 40 acres bearing south 0 degrees 36 minutes west 21 chains 26 links, again on the north by that road dividing it from portion 20 bearing north 89 degrees 15 minutes west 5 chains 60 links, again on the west by that road dividing it from portion 30 of 40 acres bearing south 0 degrees 42 minutes west 20 chains 6 links; thence by a line south 13 chains 92 links, on the south-west by a line bearing south 69 degrees 12 minutes east 18 chains 25 links, again on the west by a line, a road 1 chain wide dividing it from portion 31 of 2 acres, and another line, in all bearing south 0 degrees 25 minutes west 9 chains 97 links, again on the south-west by a line and a road 1 chain wide dividing it from portion 33 of 10 acres, in all bearing south 20 degrees east 20 chains 13 links, on the south by a line bearing east 21 chains 28 links to the high-water mark of the South Pacific Ocean; and thence by that high-water mark and the high-water mark of Jervis Bay aforesaid bearing generally northerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1392 Sy. in the Department of Lands, Sydney. 5

Eastern Division, Land District of Milton, county of St. Vincent, parish of Farnham, area 103 acres. The Crown lands within the following boundaries: Commencing on the high-water mark of the South Pacific Ocean, at a point south 21 chains 38 links from a point 30 west 10 chains from Farnham Trigonometrical Station, and bounded thence on the west by a line north 30 chains 55 links, on the north by a line east 28 chains 7 links to the high-water mark of Sussex Haven; thence by the high-water mark of Sussex Haven and the South Pacific Ocean generally southerly and westerly, to the point of commencement. Shown on plan catalogued Ms. 1399 Sy. in the Department of Lands, Sydney. 35

Eastern Division, Land District of Nowra, county of St. Vincent, parish of Beecroft, area 1,650 acres. The Crown lands within the following boundaries: Commencing at a point at a wharf on the high-water mark of Jervis Bay, being the intersection of that high-water mark with the production north-westerly of a south-western side of the surveyed road, shown on plan catalogued Ms. 1395 Sy. in the Department of Lands, Sydney, to Point Perpendicular Lighthouse; thence by that production and that south-western side of that surveyed road bearing 45 152 degrees 53 minutes 316 links; thence by western, south-western, and southern sides of that road, being lines bearing 173 degrees 43 minutes 418.2 links, 190 degrees 55 minutes 360.9 links, 183 degrees 49 minutes 2,005.7 links, 124 degrees 30 minutes 754.6 links, 113 degrees 5 minutes 1,201 links, 118 degrees 30 minutes 979.7 links, and 50 86 degrees 15 minutes 373.5 links, thence by lines bearing 179 degrees 4 minutes 5,360.5 links, 128 degrees 39 minutes 9,114.7 links, and

100 degrees 6 minutes 5,150·6 links to a post which bears 280 degrees 6 minutes, and is distant 359·8 links from a post marked \uparrow over A over 98, and shown on plan Ms. 1395 Sy. aforesaid, and thence by lines bearing 49 degrees 39 minutes 10,029·6 links, 20 degrees 17
5 minutes 8,789·3 links, 326 degrees 30 minutes 6,502·5 links, and 99 degrees 30 minutes 2,810 links, to a point on the high-water mark of the South Pacific Ocean bearing 279 degrees 30 minutes from the northern extremity of the Drum and Drumsticks Islands; thence generally southerly, easterly, southerly, and south-westerly by part of
10 that high-water mark to its intersection at Point Perpendicular with the eastern boundary of portion 5 of 10 acres, parish of Beecroft; thence northerly, westerly, and southerly by the eastern, northern, and western boundaries respectively of that portion to a point on the high-water mark of Jervis Bay, and thence generally northerly,
15 north-westerly, southerly, westerly, and northerly by part of that high-water mark to the commencing point. Shown on plan catalogued Ms. 5228 Sy. in the Department of Lands, Sydney.

The bearings quoted in this last description are according to the true meridian.

Sydney: Alfred James Kent, Government Printer—1925.

[7d.]

