

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

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 17 November, 1961.*

## New South Wales



ANNO DECIMO

## ELIZABETHÆ II REGINÆ

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Act No.           , 1961.

An Act to make provisions relating to the dedication of Ku-ring-gai Chase as a public park; to provide for the appointment of trustees of the Chase under the Public Parks Act, 1912, as amended by subsequent Acts; to provide for the addition of Crown lands thereto; to validate certain matters; and for purposes connected therewith.

**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Ku-ring-gai Chase Act, 1961".
- (2) Short title and commencement.

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*Ku-ring-gai Chase.*

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(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The land described in the Schedule to this Act (in this Act referred to as the Chase) is hereby dedicated as a public park under the name of "Ku-ring-gai Chase" and shall be deemed to be a public park within the meaning of the Public Parks Act, 1912, as amended by subsequent Acts.

Dedication of Ku-ring-gai Chase as a public park under the Public Parks Act, 1912.

(2) Any dedications affecting the Chase or any part thereof subsisting immediately before the commencement of this Act are hereby revoked.

(3) Any Crown grants issued in respect of any land within the Chase subsisting immediately before the commencement of this Act are hereby cancelled.

3. Where pursuant to any appointment before the commencement of this Act of persons as trustees of the Chase purporting to have been validly made and which may not have been so validly made, such persons acted as and were considered to be or accepted as trustees of the Chase, such persons shall be deemed to have been validly appointed as such trustees and to have validly held office as such trustees during the period they so acted.

Validation.

4. (1) The persons who immediately before the commencement of this Act held office as or were deemed to have held office as trustees of the Chase or any part thereof (in this Act referred to as the former trustees) shall, as on and from such commencement, cease to hold office as such trustees but shall be eligible for appointment as the first trustees under subsection two of this section.

Appointment of trustees.

(2) Trustees of the Chase shall be appointed by the Governor under the Public Parks Act, 1912, as amended by subsequent Acts.

(3)

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*Ku-ring-gai Chase.*

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(3) The corporate name of the body corporate comprised of the trustees so appointed and their successors (in this Act referred to as the body corporate) shall be deemed to have been prescribed under the Public Parks Act, 5 1912, as amended by subsequent Acts, as the "Trustees of Ku-ring-gai Chase".

5. On and from the commencement of this Act the following provisions shall have effect :—

Rights,  
liabilities  
and  
property.

- 10 (a) All property and all right and interest therein (in this section referred to as the trust property) and all management and control of any thing which immediately before such commencement was vested in or belonged to the former trustees and was held or used by them for or in connection with the Chase shall vest in and belong to the body corporate.
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- (b) All moneys, liquidated and unliquidated claims which, immediately before such commencement, were payable to or recoverable by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof shall be moneys, liquidated or unliquidated claims payable to or recoverable by the body corporate.
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- (c) All suits, actions and proceedings pending immediately before such commencement, at the suit of the former trustees in relation to the Chase or the trust property or any part thereof shall respectively be suits, actions and proceedings pending at the suit of the body corporate.
- 25
- (d) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof and in force immediately before such commencement, shall be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the body corporate.
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(e)

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*Ku-ring-gai Chase.*

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- 5 (e) The body corporate may pursue the same remedies for the recovery of any such moneys and claims and for the prosecution of such suits, actions and proceedings as the former trustees or their predecessors might have done had they continued to be trustees of the Chase after such commencement.
- 10 (f) The body corporate may enforce and realise any security or charge existing immediately before such commencement, in favour of the former trustees in respect of any such moneys and claims as if such security or charge were existing in favour of the body corporate.
- 15 (g) All debts due and moneys payable by, and all claims, liquidated or unliquidated, recoverable against the former trustees or their predecessors solely relating to the Chase or the trust property or any part thereof shall be debts due and moneys payable by and claims recoverable against the body corporate.
- 20 (h) (i) Every person who immediately before such commencement was a servant of the former trustees in their capacity as trustees of the Chase shall upon such commencement become a servant of the body corporate.
- 25 (ii) The period of service with the former trustees or their predecessors of any person who by virtue of this paragraph becomes a servant of the body corporate shall be deemed to be service with the body corporate for the purposes of annual leave, sick leave or long service leave.
- 30 (iii) Where any condition of employment of any such person was before such commencement regulated by an award or industrial agreement, as defined in the Industrial Arbitration Act, 1940, as amended by subsequent Acts, the condition shall continue to be so regulated until
- 35 an award, as so defined, regulating the condition
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*Ku-ring-gai Chase.*

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and binding the body corporate is made by a competent tribunal or the condition is regulated by an industrial agreement, as so defined, to which the body corporate is a party.

5 6. The by-laws numbered one to twenty-six inclusive By-laws.  
published in the Gazette number eleven of the twenty-  
third day of January, one thousand nine hundred and  
forty-two, relating to the Chase and purporting to be made  
under the Public Parks Act, 1912, shall be deemed to be  
10 by-laws made by the trustees of the Chase appointed pursuant  
to subsection two of section four of this Act and to be  
applicable to the Chase. Such by-laws may be amended,  
repealed or replaced by by-laws made by such trustees under  
the Public Parks Act, 1912, as amended by subsequent Acts.

15 7. (1) The Minister may by notification in the Gazette Addition  
of Crown  
lands to  
Ku-ring-  
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declare that any lands which at the time of such notification  
are Crown lands within the meaning of the Crown Lands  
Consolidation Act, 1913, as amended by subsequent Acts,  
and are within or adjoining or adjacent to the external  
20 boundaries of the Chase and are not held under lease, license  
or permissive occupancy, shall be added to the Chase.

(2) Upon such notification being published in the  
Gazette the lands to which such notification relates shall be so  
added, shall form part of the Chase, shall be subject to the  
25 like dedication and trusts as the Chase, the by-laws applicable  
to the Chase shall be applicable to such lands and the trustees  
of the Chase shall be deemed to be appointed trustees of the  
lands so added under the Public Parks Act, 1912, as amended  
by subsequent Acts.

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SCHEDULE.

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*Ku-ring-gai Chase.*

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SCHEDULE.

Sec. 2.

All that piece or parcel of land as to the surface thereof and to a depth of 50 feet below the surface containing 35,200 acres or thereabouts situate in the County of Cumberland, Parishes of Broken Bay, 5 Cowan, Gordon, Narrabeen and South Colah being the area shown on plan catalogued Ms. 17710 Sy.R. at the Department of Lands, Sydney by green edge INCLUSIVE of the bed and to a depth of 50 feet below the bed of that part of Cowan Creek and its tributaries as shown by blue colour on such plan EXCLUSIVE of that part of 10 Pacific Highway and other public roads within the external boundaries of the said 35,200 acres shown on such plan, Trigonometrical Reserves numbered 18970, 18976 and 21574, portions 15 and 71, Parish of Broken Bay and the easement appropriated and resumed for railway purposes in Gazette No. 137 of the 27th November, 1959 (folio 15 3664).

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Sydney: V. C. N. Blight, Government Printer—1961

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**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Ku-ring-gai Chase Act, 1961". (2) Short title and commencement.

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*Ku-ring-gai Chase.*

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(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

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Dedication of Ku-ring-gai Chase as a public park under the Public Parks Act, 1912.

(2) Any dedications affecting the Chase or any part thereof subsisting immediately before the commencement of this Act are hereby revoked.

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3. Where pursuant to any appointment before the commencement of this Act of persons as trustees of the Chase purporting to have been validly made and which may not have been so validly made, such persons acted as and were considered to be or accepted as trustees of the Chase, such persons shall be deemed to have been validly appointed as such trustees and to have validly held office as such trustees during the period they so acted.

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Appointment of trustees.

(2) Trustees of the Chase shall be appointed by the Governor under the Public Parks Act, 1912, as amended by subsequent Acts.

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(3) The corporate name of the body corporate comprised of the trustees so appointed and their successors (in this Act referred to as the body corporate) shall be deemed to have been prescribed under the Public Parks Act, 5 1912, as amended by subsequent Acts, as the "Trustees of Ku-ring-gai Chase".

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- 25 (c) All suits, actions and proceedings pending immediately before such commencement, at the suit of the former trustees in relation to the Chase or the trust property or any part thereof shall respectively be suits, actions and proceedings pending at the suit of the body corporate.
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*Ku-ring-gai Chase.*

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- 25 (ii) The period of service with the former trustees or their predecessors of any person who by virtue of this paragraph becomes a servant of the body corporate shall be deemed to be service with the body corporate for the purposes of annual leave, sick leave or long service leave.
- 30 (iii) Where any condition of employment of any such person was before such commencement regulated by an award or industrial agreement, as defined in the Industrial Arbitration Act, 1940, as amended by subsequent Acts, the condition shall continue to be so regulated until
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*Ku-ring-gai Chase.*

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and binding the body corporate is made by a competent tribunal or the condition is regulated by an industrial agreement, as so defined, to which the body corporate is a party.

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(2) Upon such notification being published in the  
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SCHEDULE.

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*Ku-ring-gai Chase.*

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SCHEDULE.

Sec. 2.

All that piece or parcel of land as to the surface thereof and to a depth of 50 feet below the surface containing 35,200 acres or thereabouts situate in the County of Cumberland, Parishes of Broken Bay, 5 Cowan, Gordon, Narrabeen and South Colah being the area shown on plan catalogued Ms. 17710 Sy.R. at the Department of Lands, Sydney by green edge INCLUSIVE of the bed and to a depth of 50 feet below the bed of that part of Cowan Creek and its tributaries as shown by blue colour on such plan EXCLUSIVE of that part of 10 Pacific Highway and other public roads within the external boundaries of the said 35,200 acres shown on such plan, Trigonometrical Reserves numbered 18970, 18976 and 21574, portions 15 and 71, Parish of Broken Bay and the easement appropriated and resumed for railway purposes in Gazette No. 137 of the 27th November, 1959 (folio 15 3664).

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No. , 1961.

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[MR. COMPTON;—20 *September*, 1961.]

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*Ku-ring-gai Chase.*

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*Ku-ring-gai Chase.*

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5 6. The by-laws numbered one to twenty-six inclusive <sup>By-laws.</sup> published in the Gazette number eleven of the twenty-third day of January, one thousand nine hundred and forty-two, relating to the Chase and purporting to be made under the Public Parks Act, 1912, shall be deemed to be  
10 by-laws made by the trustees of the Chase appointed pursuant to subsection two of section four of this Act and to be applicable to the Chase. Such by-laws may be amended, repealed or replaced by by-laws made by such trustees under the Public Parks Act, 1912, as amended by subsequent Acts.

15 7. (1) The Minister may by notification in the Gazette <sup>Addition of Crown lands to Ku-ring-gai Chase.</sup> declare that any lands which at the time of such notification are Crown lands within the meaning of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, and are within or adjoining or adjacent to the external  
20 boundaries of the Chase and are not held under lease, license or permissive occupancy, shall be added to the Chase.

(2) Upon such notification being published in the Gazette the lands to which such notification relates shall be so added, shall form part of the Chase, shall be subject to the  
25 like dedication and trusts as the Chase, the by-laws applicable to the Chase shall be applicable to such lands and the trustees of the Chase shall be deemed to be appointed trustees of the lands so added under the Public Parks Act, 1912, as amended by subsequent Acts.

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SCHEDULE.

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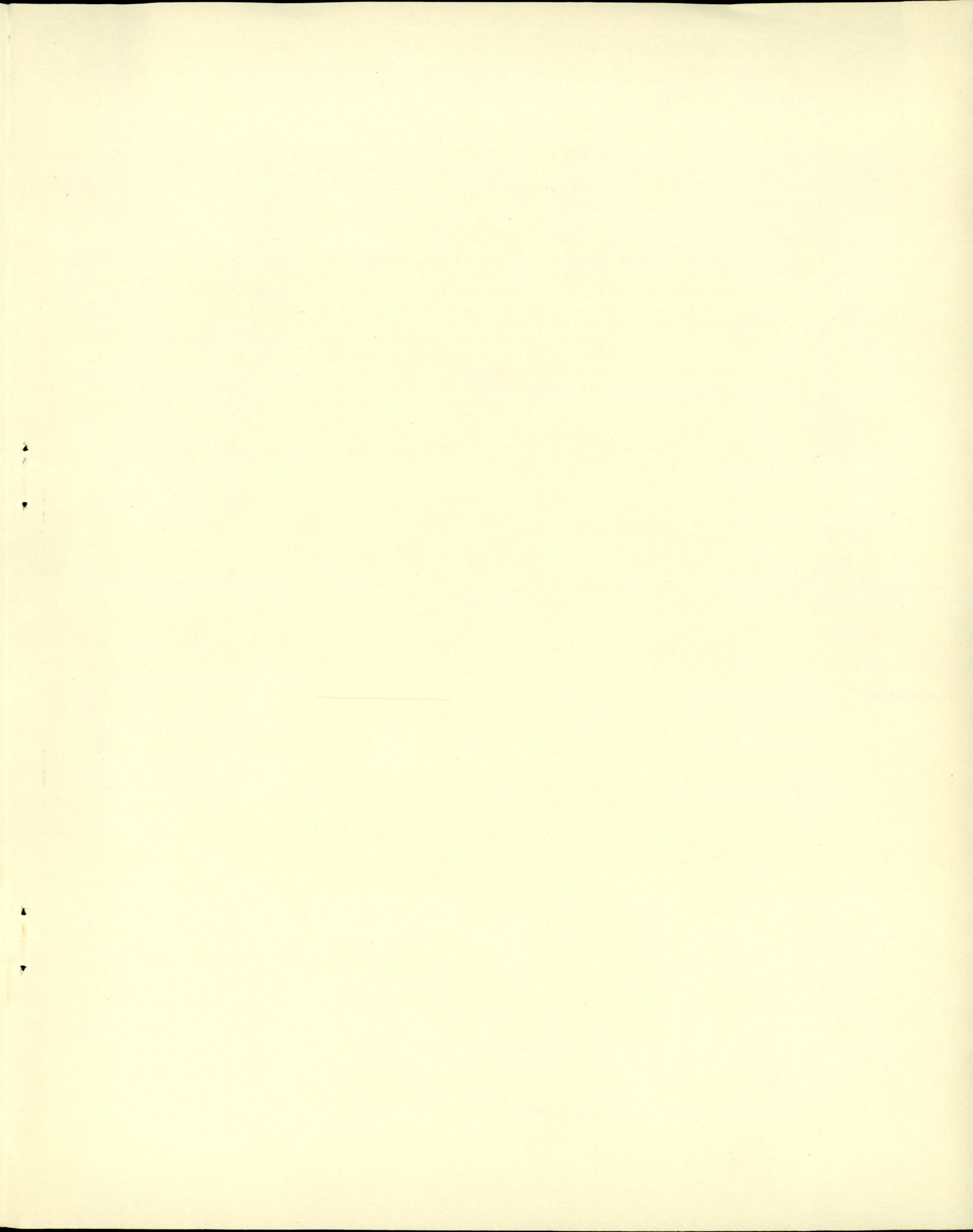
*Ku-ring-gai Chase.*

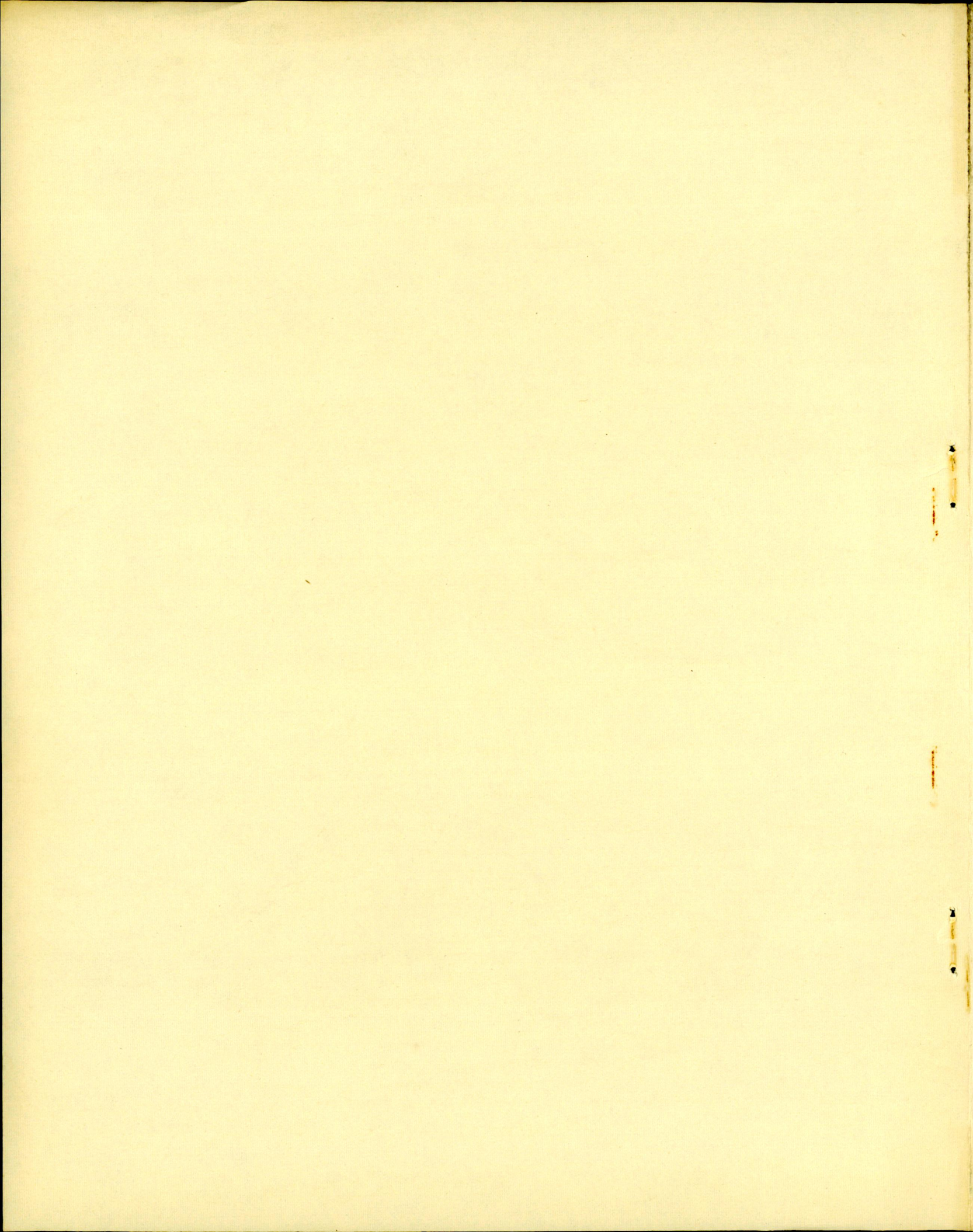
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SCHEDULE.

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## **KU-RING-GAI CHASE BILL, 1961.**

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### **EXPLANATORY NOTE.**

THE objects of this Bill are—

- (1) to dedicate Ku-ring-gai Chase as a public park under the Public Parks Act, 1912, as amended ;
- (2) to provide for the appointment of trustees of the Chase under that Act, as amended ;
- (3) to make provisions with respect to the transfer of the rights, liabilities and property of the present trustees and with respect to their employees ;
- (4) to provide for the addition of Crown land to Ku-ring-gai Chase ;
- (5) to make provisions incidental and ancillary to the foregoing.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT OF THE COMMITTEE ON THE PHYSICS DEPARTMENT

FOR THE YEAR 1955-1956

PREPARED BY THE COMMITTEE ON THE PHYSICS DEPARTMENT

CHICAGO, ILLINOIS, 1956

UNIVERSITY OF CHICAGO PRESS

No. , 1961.

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- 10 (f) The body corporate may enforce and realise any security or charge existing immediately before such commencement, in favour of the former trustees in respect of any such moneys and claims as if such security or charge were existing in favour of the body corporate.
- 15 (g) All debts due and moneys payable by, and all claims, liquidated or unliquidated, recoverable against the former trustees or their predecessors solely relating to the Chase or the trust property or any part thereof shall be debts due and moneys payable by and claims recoverable against the body corporate.
- 20 (h) (i) Every person who immediately before such commencement was a servant of the former trustees in their capacity as trustees of the Chase shall upon such commencement become a servant of the body corporate.
- 25 (ii) The period of service with the former trustees or their predecessors of any person who by virtue of this paragraph becomes a servant of the body corporate shall be deemed to be service with the body corporate for the purposes of annual leave, sick leave or long service leave.
- 30 (iii) Where any condition of employment of any such person was before such commencement regulated by an award or industrial agreement, as defined in the Industrial Arbitration Act, 1940, as amended by subsequent Acts, the condition shall continue to be so regulated until
- 35 an award, as so defined, regulating the condition
- and

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*Ku-ring-gai Chase.*

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and binding the body corporate is made by a competent tribunal or the condition is regulated by an industrial agreement, as so defined, to which the body corporate is a party.

5 6. The by-laws numbered one to twenty-six inclusive By-laws.  
published in the Gazette number eleven of the twenty-  
third day of January, one thousand nine hundred and  
forty-two, relating to the Chase and purporting to be made  
under the Public Parks Act, 1912, shall be deemed to be  
10 by-laws made by the trustees of the Chase appointed pursuant  
to subsection two of section four of this Act and to be  
applicable to the Chase. Such by-laws may be amended,  
repealed or replaced by by-laws made by such trustees under  
the Public Parks Act, 1912, as amended by subsequent Acts.

15 7. (1) The Minister may by notification in the Gazette Addition  
of Crown  
lands to  
Ku-ring-  
gai Chase.  
declare that any lands which at the time of such notification  
are Crown lands within the meaning of the Crown Lands  
Consolidation Act, 1913, as amended by subsequent Acts,  
and are within or adjoining or adjacent to the external  
20 boundaries of the Chase and are not held under lease, license  
or permissive occupancy, shall be added to the Chase.

(2) Upon such notification being published in the  
Gazette the lands to which such notification relates shall be so  
added, shall form part of the Chase, shall be subject to the  
25 like dedication and trusts as the Chase, the by-laws applicable  
to the Chase shall be applicable to such lands and the trustees  
of the Chase shall be deemed to be appointed trustees of the  
lands so added under the Public Parks Act, 1912, as amended  
by subsequent Acts.

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SCHEDULE.

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*Ku-ring-gai Chase.*

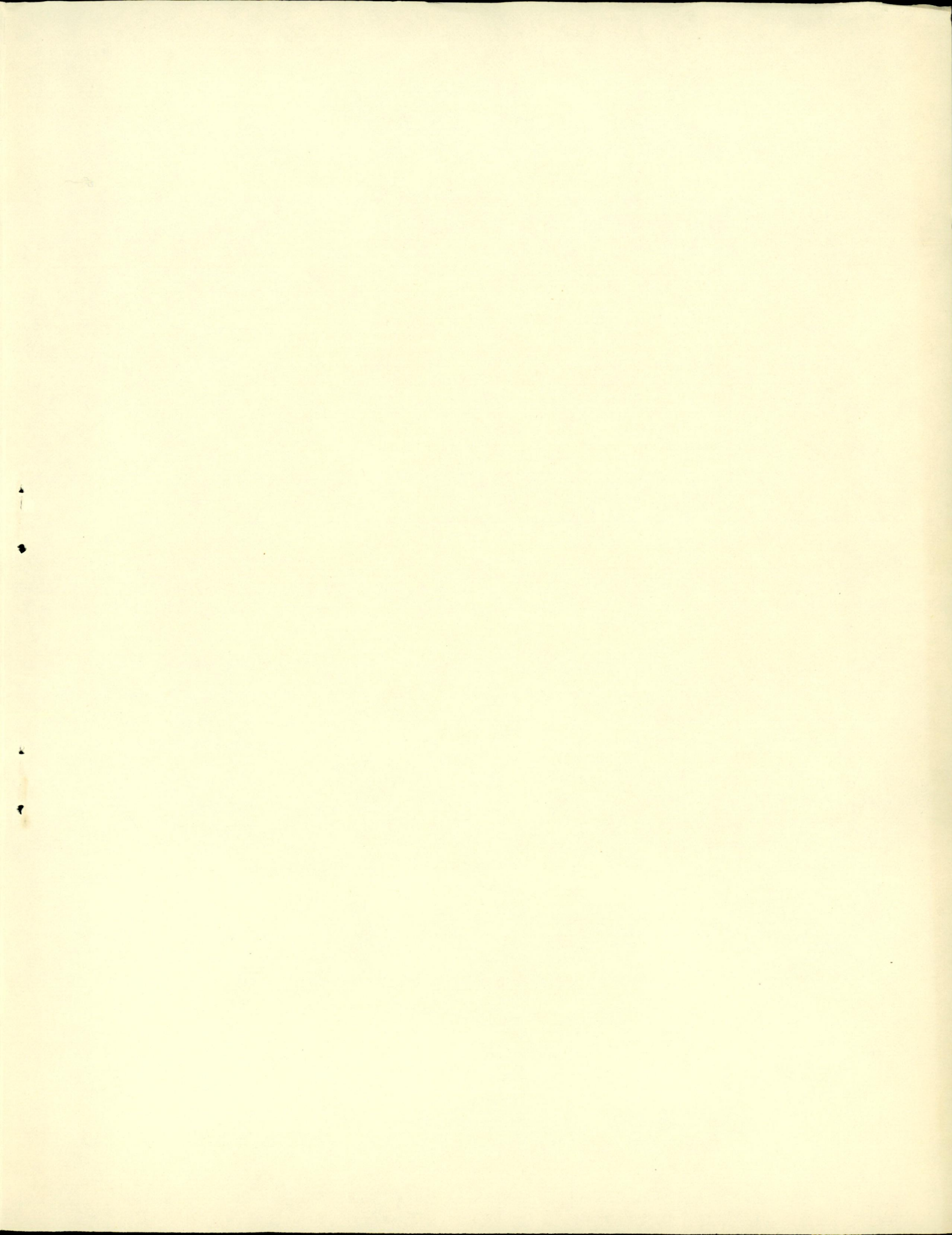
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SCHEDULE.

Sec. 2.

All that piece or parcel of land as to the surface thereof and to a depth of 50 feet below the surface containing 35,200 acres or thereabouts situate in the County of Cumberland, Parishes of Broken Bay, 5 Cowan, Gordon, Narrabeen and South Colah being the area shown on plan catalogued Ms. 17710 Sy.R. at the Department of Lands, Sydney by green edge INCLUSIVE of the bed and to a depth of 50 feet below the bed of that part of Cowan Creek and its tributaries as shown by blue colour on such plan EXCLUSIVE of that part of 10 Pacific Highway and other public roads within the external boundaries of the said 35,200 acres shown on such plan, Trigonometrical Reserves numbered 18970, 18976 and 21574, portions 15 and 71, Parish of Broken Bay and the easement appropriated and resumed for railway purposes in Gazette No. 137 of the 27th November, 1959 (folio 15 3664).







New South Wales



ANNO DECIMO

ELIZABETHÆ II REGINÆ

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Act No. 43, 1961.

An Act to make provisions relating to the dedication of Ku-ring-gai Chase as a public park; to provide for the appointment of trustees of the Chase under the Public Parks Act, 1912, as amended by subsequent Acts; to provide for the addition of Crown lands thereto; to validate certain matters; and for purposes connected therewith. [Assented to, 29th November, 1961.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Ku-ring-gai Chase Act, 1961".
- (2) Short title and commencement.

*Ku-ring-gai Chase.*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Dedication of Ku-ring-gai Chase as a public park under the Public Parks Act, 1912.

2. (1) The land described in the Schedule to this Act (in this Act referred to as the Chase) is hereby dedicated as a public park under the name of "Ku-ring-gai Chase" and shall be deemed to be a public park within the meaning of the Public Parks Act, 1912, as amended by subsequent Acts.

(2) Any dedications affecting the Chase or any part thereof subsisting immediately before the commencement of this Act are hereby revoked.

(3) Any Crown grants issued in respect of any land within the Chase subsisting immediately before the commencement of this Act are hereby cancelled.

Validation.

3. Where pursuant to any appointment before the commencement of this Act of persons as trustees of the Chase purporting to have been validly made and which may not have been so validly made, such persons acted as and were considered to be or accepted as trustees of the Chase, such persons shall be deemed to have been validly appointed as such trustees and to have validly held office as such trustees during the period they so acted.

Appointment of trustees.

4. (1) The persons who immediately before the commencement of this Act held office as or were deemed to have held office as trustees of the Chase or any part thereof (in this Act referred to as the former trustees) shall, as on and from such commencement, cease to hold office as such trustees but shall be eligible for appointment as the first trustees under subsection two of this section.

(2) Trustees of the Chase shall be appointed by the Governor under the Public Parks Act, 1912, as amended by subsequent Acts.

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*Ku-ring-gai Chase.*

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(3) The corporate name of the body corporate comprised of the trustees so appointed and their successors (in this Act referred to as the body corporate) shall be deemed to have been prescribed under the Public Parks Act, 1912, as amended by subsequent Acts, as the "Trustees of Ku-ring-gai Chase".

5. On and from the commencement of this Act the following provisions shall have effect :—

Rights,  
liabilities  
and  
property.

- (a) All property and all right and interest therein (in this section referred to as the trust property) and all management and control of any thing which immediately before such commencement was vested in or belonged to the former trustees and was held or used by them for or in connection with the Chase shall vest in and belong to the body corporate.
- (b) All moneys, liquidated and unliquidated claims which, immediately before such commencement, were payable to or recoverable by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof shall be moneys, liquidated or unliquidated claims payable to or recoverable by the body corporate.
- (c) All suits, actions and proceedings pending immediately before such commencement, at the suit of the former trustees in relation to the Chase or the trust property or any part thereof shall respectively be suits, actions and proceedings pending at the suit of the body corporate.
- (d) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof and in force immediately before such commencement, shall be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the body corporate.

(e)

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*Ku-ring-gai Chase.*

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- (e) The body corporate may pursue the same remedies for the recovery of any such moneys and claims and for the prosecution of such suits, actions and proceedings as the former trustees or their predecessors might have done had they continued to be trustees of the Chase after such commencement.
- (f) The body corporate may enforce and realise any security or charge existing immediately before such commencement, in favour of the former trustees in respect of any such moneys and claims as if such security or charge were existing in favour of the body corporate.
- (g) All debts due and moneys payable by, and all claims, liquidated or unliquidated, recoverable against the former trustees or their predecessors solely relating to the Chase or the trust property or any part thereof shall be debts due and moneys payable by and claims recoverable against the body corporate.
- (h) (i) Every person who immediately before such commencement was a servant of the former trustees in their capacity as trustees of the Chase shall upon such commencement become a servant of the body corporate.
- (ii) The period of service with the former trustees or their predecessors of any person who by virtue of this paragraph becomes a servant of the body corporate shall be deemed to be service with the body corporate for the purposes of annual leave, sick leave or long service leave.
- (iii) Where any condition of employment of any such person was before such commencement regulated by an award or industrial agreement, as defined in the Industrial Arbitration Act, 1940, as amended by subsequent Acts, the condition shall continue to be so regulated until an award, as so defined, regulating the condition

and

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*Ku-ring-gai Chase.*

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and binding the body corporate is made by a competent tribunal or the condition is regulated by an industrial agreement, as so defined, to which the body corporate is a party.

6. The by-laws numbered one to twenty-six inclusive By-laws. published in the Gazette number eleven of the twenty-third day of January, one thousand nine hundred and forty-two, relating to the Chase and purporting to be made under the Public Parks Act, 1912, shall be deemed to be by-laws made by the trustees of the Chase appointed pursuant to subsection two of section four of this Act and to be applicable to the Chase. Such by-laws may be amended, repealed or replaced by by-laws made by such trustees under the Public Parks Act, 1912, as amended by subsequent Acts.

7. (1) The Minister may by notification in the Gazette Addition of Crown lands to Ku-ring-gai Chase. declare that any lands which at the time of such notification are Crown lands within the meaning of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, and are within or adjoining or adjacent to the external boundaries of the Chase and are not held under lease, license or permissive occupancy, shall be added to the Chase.

(2) Upon such notification being published in the Gazette the lands to which such notification relates shall be so added, shall form part of the Chase, shall be subject to the like dedication and trusts as the Chase, the by-laws applicable to the Chase shall be applicable to such lands and the trustees of the Chase shall be deemed to be appointed trustees of the lands so added under the Public Parks Act, 1912, as amended by subsequent Acts.

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*Ku-ring-gai Chase.*

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Sec. 2.

## SCHEDULE.

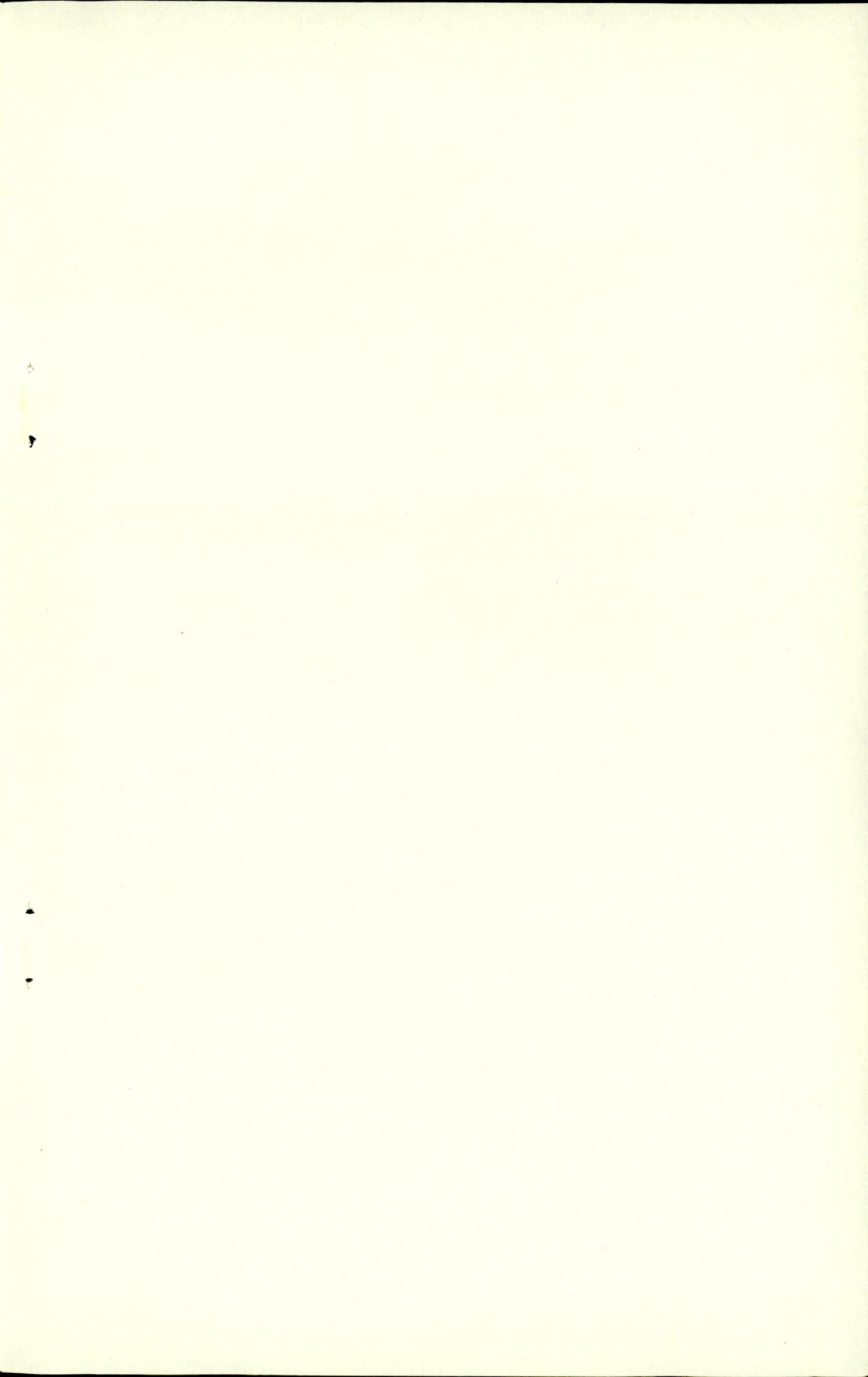
All that piece or parcel of land as to the surface thereof and to a depth of 50 feet below the surface containing 35,200 acres or thereabouts situate in the County of Cumberland, Parishes of Broken Bay, Cowan, Gordon, Narrabeen and South Colah being the area shown on plan catalogued Ms. 17710 Sy.R. at the Department of Lands, Sydney by green edge INCLUSIVE of the bed and to a depth of 50 feet below the bed of that part of Cowan Creek and its tributaries as shown by blue colour on such plan EXCLUSIVE of that part of Pacific Highway and other public roads within the external boundaries of the said 35,200 acres shown on such plan, Trigonometrical Reserves numbered 18970, 18976 and 21574, portions 15 and 71, Parish of Broken Bay and the easement appropriated and resumed for railway purposes in Gazette No. 137 of the 27th November, 1959 (folio 3664).

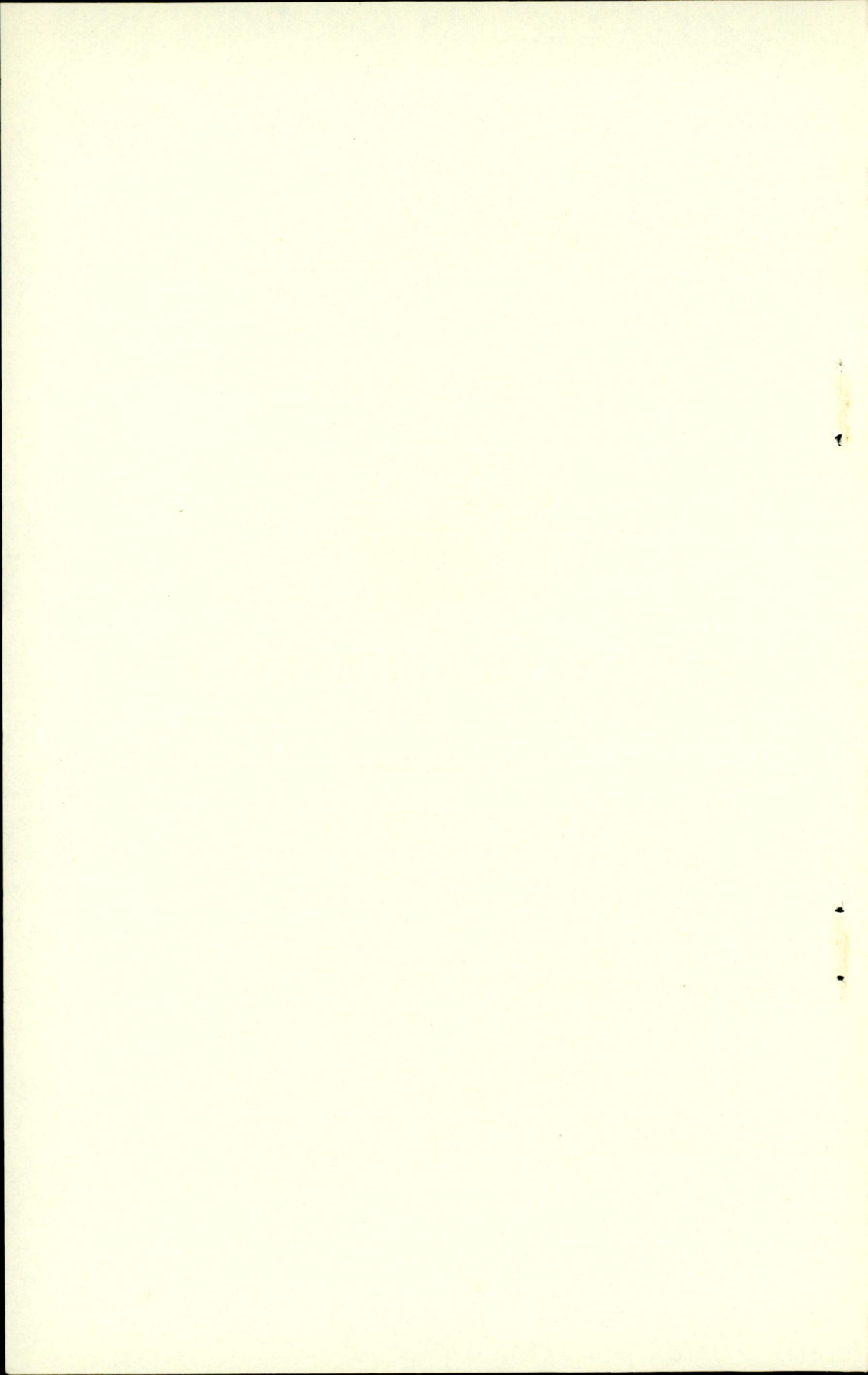
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By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1962







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

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 23 November, 1961.*

## New South Wales



ANNO DECIMO

ELIZABETHÆ II REGINÆ

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**Act No. 43, 1961.**

An Act to make provisions relating to the dedication of Ku-ring-gai Chase as a public park; to provide for the appointment of trustees of the Chase under the Public Parks Act, 1912, as amended by subsequent Acts; to provide for the addition of Crown lands thereto; to validate certain matters; and for purposes connected therewith. [Assented to, 29th November, 1961.]

**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Ku-ring-gai Chase Act, 1961".
- (2) Short title and commencement.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

HOWARD T. FOWLES,  
*Chairman of Committees of the Legislative Assembly.*

*Ku-ring-gai Chase.*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Dedication  
of Ku-ring-  
gai Chase  
as a public  
park under  
the Public  
Parks Act,  
1912.

2. (1) The land described in the Schedule to this Act (in this Act referred to as the Chase) is hereby dedicated as a public park under the name of "Ku-ring-gai Chase" and shall be deemed to be a public park within the meaning of the Public Parks Act, 1912, as amended by subsequent Acts.

(2) Any dedications affecting the Chase or any part thereof subsisting immediately before the commencement of this Act are hereby revoked.

(3) Any Crown grants issued in respect of any land within the Chase subsisting immediately before the commencement of this Act are hereby cancelled.

Validation.

3. Where pursuant to any appointment before the commencement of this Act of persons as trustees of the Chase purporting to have been validly made and which may not have been so validly made, such persons acted as and were considered to be or accepted as trustees of the Chase, such persons shall be deemed to have been validly appointed as such trustees and to have validly held office as such trustees during the period they so acted.

Appoint-  
ment of  
trustees.

4. (1) The persons who immediately before the commencement of this Act held office as or were deemed to have held office as trustees of the Chase or any part thereof (in this Act referred to as the former trustees) shall, as on and from such commencement, cease to hold office as such trustees but shall be eligible for appointment as the first trustees under subsection two of this section.

(2) Trustees of the Chase shall be appointed by the Governor under the Public Parks Act, 1912, as amended by subsequent Acts.

(3)

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*Ku-ring-gai Chase.*

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(3) The corporate name of the body corporate comprised of the trustees so appointed and their successors (in this Act referred to as the body corporate) shall be deemed to have been prescribed under the Public Parks Act, 1912, as amended by subsequent Acts, as the "Trustees of Ku-ring-gai Chase".

5. On and from the commencement of this Act the following provisions shall have effect : —

Rights,  
liabilities  
and  
property.

- (a) All property and all right and interest therein (in this section referred to as the trust property) and all management and control of any thing which immediately before such commencement was vested in or belonged to the former trustees and was held or used by them for or in connection with the Chase shall vest in and belong to the body corporate.
- (b) All moneys, liquidated and unliquidated claims which, immediately before such commencement, were payable to or recoverable by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof shall be moneys, liquidated or unliquidated claims payable to or recoverable by the body corporate.
- (c) All suits, actions and proceedings pending immediately before such commencement, at the suit of the former trustees in relation to the Chase or the trust property or any part thereof shall respectively be suits, actions and proceedings pending at the suit of the body corporate.
- (d) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the former trustees or their predecessors in relation to the Chase or the trust property or any part thereof and in force immediately before such commencement, shall be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the body corporate.

(e)

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*Ku-ring-gai Chase.*

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- (e) The body corporate may pursue the same remedies for the recovery of any such moneys and claims and for the prosecution of such suits, actions and proceedings as the former trustees or their predecessors might have done had they continued to be trustees of the Chase after such commencement.
- (f) The body corporate may enforce and realise any security or charge existing immediately before such commencement, in favour of the former trustees in respect of any such moneys and claims as if such security or charge were existing in favour of the body corporate.
- (g) All debts due and moneys payable by, and all claims, liquidated or unliquidated, recoverable against the former trustees or their predecessors solely relating to the Chase or the trust property or any part thereof shall be debts due and moneys payable by and claims recoverable against the body corporate.
- (h)
  - (i) Every person who immediately before such commencement was a servant of the former trustees in their capacity as trustees of the Chase shall upon such commencement become a servant of the body corporate.
  - (ii) The period of service with the former trustees or their predecessors of any person who by virtue of this paragraph becomes a servant of the body corporate shall be deemed to be service with the body corporate for the purposes of annual leave, sick leave or long service leave.
  - (iii) Where any condition of employment of any such person was before such commencement regulated by an award or industrial agreement, as defined in the Industrial Arbitration Act, 1940, as amended by subsequent Acts, the condition shall continue to be so regulated until an award, as so defined, regulating the condition  
and

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*Ku-ring-gai Chase.*

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and binding the body corporate is made by a competent tribunal or the condition is regulated by an industrial agreement, as so defined, to which the body corporate is a party.

6. The by-laws numbered one to twenty-six inclusive <sup>By-laws.</sup> published in the Gazette number eleven of the twenty-third day of January, one thousand nine hundred and forty-two, relating to the Chase and purporting to be made under the Public Parks Act, 1912, shall be deemed to be by-laws made by the trustees of the Chase appointed pursuant to subsection two of section four of this Act and to be applicable to the Chase. Such by-laws may be amended, repealed or replaced by by-laws made by such trustees under the Public Parks Act, 1912, as amended by subsequent Acts.

7. (1) The Minister may by notification in the Gazette declare that any lands which at the time of such notification are Crown lands within the meaning of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, <sup>Addition of Crown lands to Ku-ring-gai Chase.</sup> and are within or adjoining or adjacent to the external boundaries of the Chase and are not held under lease, license or permissive occupancy, shall be added to the Chase.

(2) Upon such notification being published in the Gazette the lands to which such notification relates shall be so added, shall form part of the Chase, shall be subject to the like dedication and trusts as the Chase, the by-laws applicable to the Chase shall be applicable to such lands and the trustees of the Chase shall be deemed to be appointed trustees of the lands so added under the Public Parks Act, 1912, as amended by subsequent Acts.

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SCHEDULE.

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*Ku-ring-gai Chase.*

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Sec. 2.

## SCHEDULE.

All that piece or parcel of land as to the surface thereof and to a depth of 50 feet below the surface containing 35,200 acres or thereabouts situate in the County of Cumberland, Parishes of Broken Bay, Cowan, Gordon, Narrabeen and South Colah being the area shown on plan catalogued Ms. 17710 Sy.R. at the Department of Lands, Sydney by green edge INCLUSIVE of the bed and to a depth of 50 feet below the bed of that part of Cowan Creek and its tributaries as shown by blue colour on such plan EXCLUSIVE of that part of Pacific Highway and other public roads within the external boundaries of the said 35,200 acres shown on such plan, Trigonometrical Reserves numbered 18970, 18976 and 21574, portions 15 and 71, Parish of Broken Bay and the easement appropriated and resumed for railway purposes in Gazette No. 137 of the 27th November, 1959 (folio 3664).

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

E. W. WOODWARD,  
*Governor.*

*Government House,  
Sydney, 29th November, 1961.*



