

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 21 November, 1972.*

## New South Wales



ANNO VICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No.       , 1972.**

An Act to enable certain lands to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants to be held, subject to a power of sale in respect of part thereof, as a public reserve; and for purposes connected therewith.

BE

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*Manly and Warringah District Park.*

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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  
5 follows :—

1. This Act may be cited as the "Manly and Warringah Short title.  
District Park Act, 1972".

2. In this Act, except to the extent that the context or Interpretation.  
subject-matter otherwise indicates or requires—

10 "councils" means Council of the Municipality of Manly  
and Council of the Shire of Warringah ;

"the scheduled lands" means the land described in the  
First and Second Schedules.

3. (1) The Governor may grant the scheduled lands Certain  
15 and any land surrendered to Her Majesty for the purposes of lands  
this Act to the councils in fee simple as joint tenants freed may be  
and discharged from all reservations, trusts and interests granted.  
(other than interests referred to in subsection (2)) to which  
they were subject immediately before the grant but subject  
20 to—

(a) a condition to the effect that, subject to this Act,  
the land will not be used otherwise than as a public  
reserve under and subject to the provisions of the  
Local Government Act, 1919, and the ordinances  
25 in force thereunder ;

(b) such other conditions and such exceptions and  
reservations as the Governor thinks fit.

(2)

*Manly and Warringah District Park.*

(2) Notwithstanding subsection (1), to the extent to which land granted pursuant to that subsection was, immediately before being so granted, subject to any lease or license or to any easement or right of way, the land continues after  
5 being so granted to be subject to the lease, license, easement or right of way as if this Act had not been enacted.

(3) The Council of the Shire of Warringah may surrender to Her Majesty for the purposes of this Act the land described in the Third Schedule.

10 4. (1) Where the land described in the Second Schedule is granted pursuant to section 3 (1), the councils may, notwithstanding any provision of the Local Government Act, 1919, or of any ordinance made thereunder, sell all or any of the land described in the Second Schedule freed and  
15 discharged from any condition referred to in section 3 (1) (a) if—

Certain land may be sold in certain circumstances.

- (a) the Minister consents; and
- (b) the councils apply the proceeds of the sale in a manner directed by the Treasurer.

20 (2) Where the councils purport to sell land pursuant to subsection (1), neither the purchaser nor the Registrar-General or other person registering or certifying title is concerned to enquire as to the application of the purchase moneys, and the receipt of the councils shall be a sufficient  
25 discharge therefor.

5. (1) Subject to subsection (2), nothing in this Act operates to prejudice or affect any agreement entered into between the councils in respect of any land surrendered under section 3 (3) and the scheduled lands pursuant to section 521  
30 of the Local Government Act, 1919, or the operation of a joint committee constituted pursuant to that section.

Saving of certain agreements.

(2)

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*Manly and Warringah District Park.*

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(2) Subsection (1) ceases to apply to or in respect of land assured pursuant to a sale under section 4 (1).

SCHEDULES.

FIRST SCHEDULE.

Sec. 2.

- 5 ALL THOSE pieces or parcels of land containing 56.67 hectares more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portions 2740, 2741, 2742, 2743, 2744 and 2747 shown in plan C. 10315-2030 and portion 2748 shown in plan C. 10326-2030, lodged in the Department of Lands, Sydney, being  
10 inclusive of easements appropriated for Transmission Line on 9th January, 1931, and appropriated for Sewerage on 1st December, 1961, within portion 2743 but being exclusive of site of Sewerage Ejection Station appropriated on 7th October, 1960, within portion 2742.

SECOND SCHEDULE.

Sec. 2.

- 15 ALL THAT piece or parcel of land containing 8398 square metres more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portion 2739 shown in plan C. 10315-2030 lodged in the Department of Lands, Sydney, inclusive of easement for Submain appropriated on 21st November, 1958.

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THIRD SCHEDULE.

Sec. 3 (3).

ALL THAT piece or parcel of land in the Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising part of portion 37 and being the land in certificate of title volume 5029 folio 33.

No. , 1972.

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## A BILL

To enable certain lands to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants to be held, subject to a power of sale in respect of part thereof, as a public reserve; and for purposes connected therewith.

[MR LEWIS—9 November, 1972.]

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*Manly and Warringah District Park.*

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1. This Act may be cited as the "Manly and Warringah Short title. District Park Act, 1972".

2. In this Act, except to the extent that the context or Interpretation. subject-matter otherwise indicates or requires—

10 "councils" means Council of the Municipality of Manly and Council of the Shire of Warringah;

"the scheduled lands" means the land described in the First and Second Schedules.

3. (1) The Governor may grant the scheduled lands Certain lands may be granted. and any land surrendered to Her Majesty for the purposes of this Act to the councils in fee simple as joint tenants freed and discharged from all reservations, trusts and interests (other than interests referred to in subsection (2)) to which they were subject immediately before the grant but subject

20 to—

(a) a condition to the effect that, subject to this Act, the land will not be used otherwise than as a public reserve under and subject to the provisions of the Local Government Act, 1919, and the ordinances in force thereunder;

25

(b) such other conditions and such exceptions and reservations as the Governor thinks fit.

(2)

*Manly and Warringah District Park.*

(2) Notwithstanding subsection (1), to the extent to which land granted pursuant to that subsection was, immediately before being so granted, subject to any lease or license or to any easement or right of way, the land continues after  
5 being so granted to be subject to the lease, license, easement or right of way as if this Act had not been enacted.

(3) The Council of the Shire of Warringah may surrender to Her Majesty for the purposes of this Act the land described in the Third Schedule.

10 4. (1) Where the land described in the Second Schedule is granted pursuant to section 3 (1), the councils may, notwithstanding any provision of the Local Government Act, 1919, or of any ordinance made thereunder, sell all or any of the land described in the Second Schedule freed and  
15 discharged from any condition referred to in section 3 (1) (a) if—

Certain land may be sold in certain circumstances.

(a) the Minister consents; and

(b) the councils apply the proceeds of the sale in a manner directed by the Treasurer.

20 (2) Where the councils purport to sell land pursuant to subsection (1), neither the purchaser nor the Registrar-General or other person registering or certifying title is concerned to enquire as to the application of the purchase moneys, and the receipt of the councils shall be a sufficient  
25 discharge therefor.

5. (1) Subject to subsection (2), nothing in this Act operates to prejudice or affect any agreement entered into between the councils in respect of any land surrendered under section 3 (3) and the scheduled lands pursuant to section 521  
30 of the Local Government Act, 1919, or the operation of a joint committee constituted pursuant to that section.

Saving of certain agreements.

(2)

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*Manly and Warringah District Park.*

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(2) Subsection (1) ceases to apply to or in respect of land assured pursuant to a sale under section 4 (1).

SCHEDULES.

FIRST SCHEDULE.

Sec. 2.

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10 inclusive of easements appropriated for Transmission Line on 9th January, 1931, and appropriated for Sewerage on 1st December, 1961, within portion 2743 but being exclusive of site of Sewerage Ejection Station appropriated on 7th October, 1960, within portion 2742.

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THIRD SCHEDULE.

Sec. 3 (3).

ALL THAT piece or parcel of land in the Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising part of portion 37 and being the land in certificate of title volume 5029 folio 33.

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BY AUTHORITY

V. C. N. BLIHGT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

[5c]



## **MANLY AND WARRINGAH DISTRICT PARK BILL, 1972**

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### **EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to enable certain lands within Manly and Warringah District Park to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants;
- (b) subject to paragraph (c) to provide that lands so granted be held as a public reserve under and subject to the Local Government Act, 1919;
- (c) to empower those councils, subject to certain conditions, to sell a part of those lands that is severed from the main area of that Park;
- (d) to make provisions consequential upon or ancillary to the foregoing.

MANLY AND WARRINGHAM DISTRICT PARK BILL, 1973

EXPLANATORY NOTE

The objects of this Bill are—

- (a) to enable certain land within Manly and Warringham District Park to be acquired in fee simple by the Council of the Municipality of Manly and the Council of the Shire of Warringham as joint tenants;
- (b) to provide that land so acquired be held as a public reserve under and subject to the Local Government Act, 1912;
- (c) to provide that land, subject to certain conditions, to all a part of that land that is erected there the main area of that Park;
- (d) to make provision consequential upon or ancillary to the foregoing.

No. , 1972.

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# A BILL

To enable certain lands to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants to be held, subject to a power of sale in respect of part thereof, as a public reserve; and for purposes connected therewith.

[MR LEWIS—9 November, 1972.]

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BE

*Manly and Warringah District Park.*

**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  
5 follows :—

1. This Act may be cited as the "Manly and Warringah Short title.  
District Park Act, 1972".

2. In this Act, except to the extent that the context or Interpretation.  
subject-matter otherwise indicates or requires—

10 "councils" means Council of the Municipality of Manly  
and Council of the Shire of Warringah;

"the scheduled lands" means the land described in the  
First and Second Schedules.

3. (1) The Governor may grant the scheduled lands  
15 and any land surrendered to Her Majesty for the purposes of  
this Act to the councils in fee simple as joint tenants freed  
and discharged from all reservations, trusts and interests  
(other than interests referred to in subsection (2)) to which  
they were subject immediately before the grant but subject  
20 to—

(a) a condition to the effect that, subject to this Act,  
the land will not be used otherwise than as a public  
reserve under and subject to the provisions of the  
Local Government Act, 1919, and the ordinances  
25 in force thereunder;

(b) such other conditions and such exceptions and  
reservations as the Governor thinks fit.

(2)

*Manly and Warringah District Park.*

(2) Notwithstanding subsection (1), to the extent to which land granted pursuant to that subsection was, immediately before being so granted, subject to any lease or license or to any easement or right of way, the land continues after being so granted to be subject to the lease, license, easement or right of way as if this Act had not been enacted.

(3) The Council of the Shire of Warringah may surrender to Her Majesty for the purposes of this Act the land described in the Third Schedule.

4. (1) Where the land described in the Second Schedule is granted pursuant to section 3 (1), the councils may, notwithstanding any provision of the Local Government Act, 1919, or of any ordinance made thereunder, sell all or any of the land described in the Second Schedule freed and discharged from any condition referred to in section 3 (1) (a) if—

Certain land may be sold in certain circumstances.

- (a) the Minister consents; and
- (b) the councils apply the proceeds of the sale in a manner directed by the Treasurer.

(2) Where the councils purport to sell land pursuant to subsection (1), neither the purchaser nor the Registrar-General or other person registering or certifying title is concerned to enquire as to the application of the purchase moneys, and the receipt of the councils shall be a sufficient discharge therefor.

5. (1) Subject to subsection (2), nothing in this Act operates to prejudice or affect any agreement entered into between the councils in respect of any land surrendered under section 3 (3) and the scheduled lands pursuant to section 521 of the Local Government Act, 1919, or the operation of a joint committee constituted pursuant to that section.

Saving of certain agreements.

(2)

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*Manly and Warringah District Park.*

---

(2) Subsection (1) ceases to apply to or in respect of land assured pursuant to a sale under section 4 (1).

**SCHEDULES.**

**FIRST SCHEDULE.**

Sec. 2.

- 5 ALL THOSE pieces or parcels of land containing 56.67 hectares more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portions 2740, 2741, 2742, 2743, 2744 and 2747 shown in plan C. 10315-2030 and portion 2748 shown in plan C. 10326-2030, lodged in the Department of Lands, Sydney, being
- 10 inclusive of easements appropriated for Transmission Line on 9th January, 1931, and appropriated for Sewerage on 1st December, 1961, within portion 2743 but being exclusive of site of Sewerage Ejection Station appropriated on 7th October, 1960, within portion 2742.

**SECOND SCHEDULE.**

Sec. 2.

- 15 ALL THAT piece or parcel of land containing 8398 square metres more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portion 2739 shown in plan C. 10315-2030 lodged in the Department of Lands, Sydney, inclusive of easement for Submain appropriated on 21st November, 1958.

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**THIRD SCHEDULE.**

Sec. 3 (3).

ALL THAT piece or parcel of land in the Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising part of portion 37 and being the land in certificate of title volume 5029 folio 33

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BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

# New South Wales



ANNO VICESIMO PRIMO

## ELIZABETHÆ II REGINÆ

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### Act No. 76, 1972.

An Act to enable certain lands to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants to be held, subject to a power of sale in respect of part thereof, as a public reserve; and for purposes connected therewith. [Assented to, 4th December, 1972.]

BE

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*Manly and Warringah District Park.*

---

**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:—

Short title.      **1.** This Act may be cited as the "Manly and Warringah District Park Act, 1972".

Interpre-      **2.** In this Act, except to the extent that the context or  
tation.      subject-matter otherwise indicates or requires—

"councils" means Council of the Municipality of Manly  
and Council of the Shire of Warringah;

"the scheduled lands" means the land described in the  
First and Second Schedules.

Certain      **3.** (1) The Governor may grant the scheduled lands  
lands      and any land surrendered to Her Majesty for the purposes of  
may be      this Act to the councils in fee simple as joint tenants freed  
granted.      and discharged from all reservations, trusts and interests  
                 (other than interests referred to in subsection (2)) to which  
                 they were subject immediately before the grant but subject  
                 to—

(a) a condition to the effect that, subject to this Act,  
the land will not be used otherwise than as a public  
reserve under and subject to the provisions of the  
Local Government Act, 1919, and the ordinances  
in force thereunder;

(b) such other conditions and such exceptions and  
reservations as the Governor thinks fit.



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*Manly and Warringah District Park.*

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(2) Notwithstanding subsection (1), to the extent to which land granted pursuant to that subsection was, immediately before being so granted, subject to any lease or license or to any easement or right of way, the land continues after being so granted to be subject to the lease, license, easement or right of way as if this Act had not been enacted.

(3) The Council of the Shire of Warringah may surrender to Her Majesty for the purposes of this Act the land described in the Third Schedule.

4. (1) Where the land described in the Second Schedule is granted pursuant to section 3 (1), the councils may, notwithstanding any provision of the Local Government Act, 1919, or of any ordinance made thereunder, sell all or any of the land described in the Second Schedule freed and discharged from any condition referred to in section 3 (1) (a) if—

Certain land may be sold in certain circumstances.

- (a) the Minister consents; and
- (b) the councils apply the proceeds of the sale in a manner directed by the Treasurer.

(2) Where the councils purport to sell land pursuant to subsection (1), neither the purchaser nor the Registrar-General or other person registering or certifying title is concerned to enquire as to the application of the purchase moneys, and the receipt of the councils shall be a sufficient discharge therefor.

5. (1) Subject to subsection (2), nothing in this Act operates to prejudice or affect any agreement entered into between the councils in respect of any land surrendered under section 3 (3) and the scheduled lands pursuant to section 521 of the Local Government Act, 1919, or the operation of a joint committee constituted pursuant to that section.

Saving of certain agreements.

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*Manly and Warringah District Park.*

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(2) Subsection (1) ceases to apply to or in respect of land assured pursuant to a sale under section 4 (1).

**SCHEDULES.**

Sec. 2.

**FIRST SCHEDULE.**

ALL THOSE pieces or parcels of land containing 56.67 hectares more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portions 2740, 2741, 2742, 2743, 2744 and 2747 shown in plan C. 10315-2030 and portion 2748 shown in plan C. 10326-2030, lodged in the Department of Lands, Sydney, being inclusive of easements appropriated for Transmission Line on 9th January, 1931, and appropriated for Sewerage on 1st December, 1961, within portion 2743 but being exclusive of site of Sewerage Ejection Station appropriated on 7th October, 1960, within portion 2742.

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**SECOND SCHEDULE.**

ALL THAT piece or parcel of land containing 8398 square metres more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portion 2739 shown in plan C. 10315-2030 lodged in the Department of Lands, Sydney, inclusive of easement for Submain appropriated on 21st November, 1958.

Sec. 3 (3).

**THIRD SCHEDULE.**

ALL THAT piece or parcel of land in the Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising part of portion 37 and being the land in certificate of title volume 5029 folio 33.

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**BY AUTHORITY**

V. C. N. BRIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 23 November, 1972.*

## New South Wales



ANNO VICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 76, 1972.**

An Act to enable certain lands to be granted in fee simple to the Council of the Municipality of Manly and the Council of the Shire of Warringah as joint tenants to be held, subject to a power of sale in respect of part thereof, as a public reserve; and for purposes connected therewith. [Assented to, 4th December, 1972.]

BE

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

L. A. PUNCH,  
*Chairman of Committees of the Legislative Assembly.*

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*Manly and Warringah District Park.*

---

**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:—

Short title.      **1.** This Act may be cited as the "Manly and Warringah District Park Act, 1972".

Interpre-  
tation.            **2.** In this Act, except to the extent that the context or subject-matter otherwise indicates or requires—

"councils" means Council of the Municipality of Manly and Council of the Shire of Warringah;

"the scheduled lands" means the land described in the First and Second Schedules.

Certain  
lands  
may be  
granted.            **3.** (1) The Governor may grant the scheduled lands and any land surrendered to Her Majesty for the purposes of this Act to the councils in fee simple as joint tenants freed and discharged from all reservations, trusts and interests (other than interests referred to in subsection (2)) to which they were subject immediately before the grant but subject to—

(a) a condition to the effect that, subject to this Act, the land will not be used otherwise than as a public reserve under and subject to the provisions of the Local Government Act, 1919, and the ordinances in force thereunder;

(b) such other conditions and such exceptions and reservations as the Governor thinks fit.

(2)

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*Manly and Warringah District Park.*

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(2) Notwithstanding subsection (1), to the extent to which land granted pursuant to that subsection was, immediately before being so granted, subject to any lease or license or to any easement or right of way, the land continues after being so granted to be subject to the lease, license, easement or right of way as if this Act had not been enacted.

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Certain land may be sold in certain circumstances.

(a) the Minister consents; and

(b) the councils apply the proceeds of the sale in a manner directed by the Treasurer.

(2) Where the councils purport to sell land pursuant to subsection (1), neither the purchaser nor the Registrar-General or other person registering or certifying title is concerned to enquire as to the application of the purchase moneys, and the receipt of the councils shall be a sufficient discharge therefor.

5. (1) Subject to subsection (2), nothing in this Act operates to prejudice or affect any agreement entered into between the councils in respect of any land surrendered under section 3 (3) and the scheduled lands pursuant to section 521 of the Local Government Act, 1919, or the operation of a joint committee constituted pursuant to that section.

Saving of certain agreements.

(2)

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*Manly and Warringah District Park.*

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(2) Subsection (1) ceases to apply to or in respect of land assured pursuant to a sale under section 4 (1).

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Sec. 2.

## SECOND SCHEDULE.

ALL THAT piece or parcel of land containing 8398 square metres more or less, Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising portion 2739 shown in plan C. 10315-2030 lodged in the Department of Lands, Sydney, inclusive of easement for Submain appropriated on 21st November, 1958.

Sec. 3 (3).

## THIRD SCHEDULE.

ALL THAT piece or parcel of land in the Shire of Warringah, Parish of Manly Cove, County of Cumberland, comprising part of portion 37 and being the land in certificate of title volume 5029 folio 33.

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

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 4th December, 1972.*