

# NATIONAL PARKS AND WILDLIFE (ADJUSTMENT OF AREAS) BILL, 1978

## EXPLANATORY NOTE

### (This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are to transfer Nielsen Park and Greycliffe House from Vaucluse House Historic Site to Sydney Harbour National Park and to excise land from certain national parks, historic sites and nature reserves.

The Bill contains the following provisions:—

Clause 1. Short title.

Clause 2 provides that the National Parks and Wildlife Act, 1974, is referred to in the proposed Act as the "Principal Act".

Clause 3. Interpretation.

Clause 4 revokes the reservations of the sites of Nielsen Park and Greycliffe House as parts of Vaucluse House Historic Site and reserves those sites as part of Sydney Harbour National Park. Subclause (3) enables the application of certain transitional provisions in the Principal Act relating to the vesting of the care, control and management of the lands and the application of by-laws, rules and regulations.

Clause 5—

- (a) excises a total area of 7 737 square metres from Blue Mountains National Park (at Mt. Wilson);
- (b) excises an area of 1 441 square metres from Brisbane Water National Park (at Kariong);
- (c) excises an area of 619.7 square metres from Ku-ring-gai Chase National Park (at Pittwater);
- (d) excises an area of about 19 hectares from Morton National Park (at Mt. Scanzi);
- (e) excises an area of 3.925 hectares from the Royal National Park (at Loftus); and
- (f) excises a total area of 714.3 square metres from the Hartley Historic Site.

The areas referred to in paragraphs (a), (b), (e) and (f) are Crown lands required for road or other related purposes. The area referred to in paragraph (c) is privately owned land which was inadvertently included in the description of the Park. The proposed Act deems the reservation of that area never to have been effected. The area referred to in paragraph (d) was Crown land added to the Park in connection with a now abandoned proposal to add surrounding freehold lands.



Clause 6, by revoking the relevant reservations or dedications below certain depths, imposes depth restrictions in respect of certain areas added to Blue Mountains National Park, Hill End Historic Site, Muogamarra Nature Reserve and Sherwood Nature Reserve. The depth restriction in each case is that generally applying to the remainder of the national park, historic site or nature reserve, as the case may be, and was omitted at the time of addition.

Schedules 1-9 describe lands referred to in clauses 4, 5 and 6, respectively.



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Act No. 1978

**NATIONAL PARKS AND WILDLIFE  
(ADJUSTMENT OF AREAS) BILL, 1978**

No. , 1978.

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**A BILL FOR**

An Act to transfer certain land from Vaucluse House Historic Site to Sydney Harbour National Park, and to excise land from certain national parks, historic sites and nature reserves.

[MR CRABTREE—7 March, 1978.]

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*National Parks and Wildlife (Adjustment of Areas).*

**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 :—

5   **1.** This Act may be cited as the “National Parks and Wildlife (Adjustment of Areas) Act, 1978”. Short title.

**2.** The National Parks and Wildlife Act, 1974, is referred to in this Act as the Principal Act. Principal Act.

**3.** In this Act—

Interpretation.

10   “dedication” means a dedication under the Fauna Protection Act, 1948 (being a dedication of land deemed to be dedicated as a nature reserve under the Principal Act);

15   “reservation” means a reservation by or under the National Parks and Wildlife Act, 1967 (being a reservation of land deemed to be reserved as a national park or historic site under the Principal Act).

20   **4.** (1) The reservation of land as Vacluse House Historic Site and the reservation of land as part of Vacluse House Historic Site are, to the extent that those reservations apply to the land described in Schedule 1, revoked.

Inclusion of Nielsen Park and Greycliffe House in Sydney Harbour National Park.



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*National Parks and Wildlife (Adjustment of Areas).*

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- (2) The land described in Schedule 1—
- (a) is reserved as part of Sydney Harbour National Park; and
  - (b) shall, for the purposes of the Principal Act (other than section 35 of that Act), be deemed to have been so reserved by proclamation made under section 33 (3) of the Principal Act.

(3) A reference in the Principal Act (other than in section 35 of that Act) to the publication of a proclamation under section 33 (3) of the Principal Act shall, in relation to the reservation referred to in subsection (2), be deemed to be a reference to the enactment of this Act.

5. (1) The reservation of land as Blue Mountains National Park is, to the extent that that reservation applies to the land described in Schedule 2, revoked.

Excision of certain areas from national parks and historic site.

(2) The reservation of land as Brisbane Water National Park is, to the extent that that reservation applies to the land described in Schedule 3, revoked.

(3) The reservation of land as Ku-ring-gai Chase National Park shall, to the extent that that reservation applies to the land described in Schedule 4, be deemed never to have been effected.

(4) The reservation of land as Morton National Park is, to the extent that that reservation applies to the land described in Schedule 5, revoked.

(5) The reservation of land as Royal National Park is, to the extent that that reservation applies to the land described in Schedule 6, revoked.

(6) The reservation of land as Hartley Historic Site is, to the extent that that reservation applies to the land described in Schedule 7, revoked.



*National Parks and Wildlife (Adjustment of Areas).*

6. (1) Each reservation of land described in Column 1 of Schedule 8 is, to the extent that that reservation applies to land below the depth below the surface specified in Column 2 of Schedule 8 opposite the description of that land in Column 1 of Schedule 8, revoked. Imposition of depth restrictions in respect of certain added areas.

(2) Each dedication of land described in Column 1 of Schedule 9 is, to the extent that that dedication applies to land below the depth below the surface specified in Column 2 of Schedule 9 opposite the description of that land in Column 1 of Schedule 9, revoked.

SCHEDULE 1.

Sec. 4.

All that piece or parcel of land containing 19.25 hectares situate in the County of Cumberland, Parish of Alexandria and being the area shown by red edge on plan catalogued Ms. 3621 Sy. R., in the Department of Lands exclusive of an area of 9 308 square metres dedicated for public hospital 8th April, 1914; and

All that piece or parcel of land containing 3 857 square metres situate in the County of Cumberland, Parish of Alexandria and being the area shaded red on plan catalogued Ms. 4516 Sy., in the Department of Lands; and

All that piece or parcel of land containing 9 308 square metres situate in the County of Cumberland, Parish of Alexandria and being portion 33.



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*National Parks and Wildlife (Adjustment of Areas).*

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SCHEDULE 2.

Sec. 5 (1).

All those pieces or parcels of land containing 7 737 square metres situate in the County of Cook, Parish of Irvine and being lots 3, 4 and 5 in Deposited Plan 247396.

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SCHEDULE 3.

Sec. 5 (2).

All that piece or parcel of land containing 1 441 square metres situate in the County of Northumberland, Parish of Patonga and being the area shown by red edge on plan catalogued Ms. 8896 Md. in the Department of Lands.

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SCHEDULE 4.

Sec. 5 (3).

All that piece or parcel of land containing 619.7 square metres situate in the County of Cumberland, Parish of Broken Bay and being lot 17 in Deposited Plan 10002.

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SCHEDULE 5.

Sec. 5 (4).

All that piece or parcel of land containing about 19 hectares situate in the County of Camden, Parish of Bugong and being the area bounded by portions 63, 145, 173, 144, 146, 46, 114, 198, 201, 200, 199 and 129.

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SCHEDULE 6.

Sec. 5 (5).

All that piece or parcel of land containing 3.925 hectares situate in the County of Cumberland, Parish of Sutherland and being lot 4 in Deposited Plan 585191.

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*National Parks and Wildlife (Adjustment of Areas).*

## SCHEDULE 7.

Sec. 5 (6).

All those pieces or parcels of land containing 714.3 square metres situate in the County of Cook, Parish of Hartley and being lots 16, 25 and 36 in Deposited Plan 247477.

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## SCHEDULE 8.

Sec. 6 (1).

Column 1.	Column 2.
Description of land.	Depth below the surface.
10 Such parts of the lands described hereunder as were, at the time of reservation, prescribed lands within the meaning of section 20 (1) of the National Parks and Wildlife Act, 1967:—	
<i>Parts of Blue Mountains National Park.</i>	
15 All that piece or parcel of land containing 6 671.2 square metres situate in the County of Cook, Parish of Linden and being part of lot 7, section 12, Deposited Plan 1024 and also being the whole of the land contained in Certificate of Title, volume 8378, folio 224. (Reservation published in Gazette No. 45 of 6th April, 1973.)	150 metres.
20 All that piece or parcel of land containing 5.4734 hectares situate in the County of Cook, Parish of Linden and being lots 2, 3 and 4, section 12, Deposited Plan 1024. (Reservation published in Gazette No. 99 of 3rd August, 1973.)	150 metres.
<i>Parts of Hill End Historic Site.</i>	
30 All that piece or parcel of land containing 3.913 hectares situate in the County of Wellington, Parish of Cummings and being portions G.L. 6, MT2 and MT5 as shown on plans catalogued T4006, T4072 and G. 13195 in the Department of Mines. (Reservation published in Gazette No. 59 of 2nd June, 1972.)	20 metres.
35 All that piece or parcel of land containing 1 537.5 square metres situate in the County of Wellington, Parish of Tambaroora and being allotments 4 and 5, section 12, Village of Hill End and also being the whole of the land contained in Crown Grant, volume 1292, folio 228. (Reservation published in Gazette No. 112 of 27th October, 1972.)	20 metres.
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*National Parks and Wildlife (Adjustment of Areas).*

## SCHEDULE 9.

Sec. 6 (2).

	Column 1.	Column 2.
5	Description of land.	Depth below the surface.
10	<p><i>Part of Muogamarra Nature Reserve.</i></p> <p>All that piece or parcel of land containing about 53 hectares situate in the County of Cumberland, Parish of Cowan and being the area shown by red edge on plan catalogued Ms. 22389 Sy. R. in the Department of Lands. (Dedication published in Gazette No. 28 of 2nd March, 1973.)</p>	150 metres.
15	<p><i>Part of Sherwood Nature Reserve.</i></p> <p>All that piece or parcel of land containing about 1 085 hectares situate in the County of Fitzroy, Parish of Sherwood and being portion 95, the area bounded by portions 95, 66 and 92, the public road of variable width extending from the generally southern boundary of portion 92, generally southwesterly to the northeastern boundary of portion 32, portions 32, 33, 27, 1, 28, 29 and 34 and the area bounded by portions 95, 55, 42, 48, 50 and 114, the southwesterly extension of the most northwesterly boundary of portion 114, portions 92 and 113.</p>	20 metres.
20	<p>(Dedication published in Gazette No. 46 of 5th May, 1972.)</p>	
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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978  
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