

**HUNTER VALLEY CONSERVATION TRUST
(AMENDMENT) ACT.**

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 38, 1967.

An Act to reconstitute the Hunter Valley Conservation Trust constituted under the Hunter Valley Conservation Trust Act, 1950, as amended by subsequent Acts; to enlarge the boundaries of the Hunter Valley Conservation Trust District; to limit the conservation rate to be levied on certain lands; for these and other purposes to amend that Act, as so amended; and for purposes connected therewith. [Assented to, 25th September, 1967.]

BE

No. 38, 1967

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
and
citation.

1. (1) This Act may be cited as the "Hunter Valley Conservation Trust (Amendment) Act, 1967".

(2) The Hunter Valley Conservation Trust Act, 1950–1966, is in this Act referred to as the Principal Act.

(3) The Hunter Valley Conservation Trust Act, 1950, as amended by subsequent Acts and by this Act, may be cited as the Hunter Valley Conservation Trust Act, 1950–1967.

Reconsti-
tution of
Hunter
Valley
Conser-
vation
Trust.

2. (1) Upon a day to be appointed by the Governor and notified by proclamation published in the Gazette (which day is in this section referred to as the "appointed day"), the Hunter Valley Conservation Trust shall be reconstituted and shall consist of eighteen members in accordance with section four of the Principal Act, as amended by this section.

(2) Subject to the Principal Act, as amended by this Act—

(a) as from the appointed day persons who immediately before the appointed day held office as members of the Hunter Valley Conservation Trust shall be deemed to hold and to continue to hold office as such members until the expiration of the terms of office for which they were respectively appointed; and

(b) the additional members of the Trust first appointed pursuant to subparagraphs (vii) and (viiia) of paragraph (a) of subsection three of section four of the Principal Act, as amended by this section, shall hold office until the expiration of the terms of office of the members referred to in paragraph (a) of this

subsection

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subsection who were appointed pursuant to sub- No. 38, 1967 paragraph (vii) of paragraph (a) of subsection three of section four of the Principal Act.

(3) Nothing contained in this section shall prejudice or affect in any way the continuity of the body corporate constituted under section four of the Principal Act, and it shall continue notwithstanding the provisions of this section.

(4) (a) For the purposes only of the election and appointment of the additional members of the Hunter Valley Conservation Trust as reconstituted under this section, and of any matters necessary for or incidental to such election, appointment or reconstitution, the provisions of subsection five of this section shall commence upon the day upon which the assent of Her Majesty to this Act is signified.

(b) The persons so appointed shall assume office as members of the Hunter Valley Conservation Trust upon the appointed day, and on that day the provisions of subsection five of this section shall come into force for all purposes.

(5) The Principal Act is amended—

Amendment
of Act No.
34, 1950.
Sec. 4.

(Constitu-
tion of the
Trust.)

- (a) (i) by omitting from paragraph (a) of subsection three of section four the word "fourteen" and by inserting in lieu thereof the word "eighteen";
- (ii) by omitting from subparagraph (vii) of the same paragraph the word "two" and by inserting in lieu thereof the word "four";
- (iii) by inserting in the same subparagraph after the word "Maitland" the words "and the City of Newcastle";
- (iv) by inserting next after subparagraph (viii) of the same paragraph the following new subparagraph :—
 - (viii) two shall be elected by the aldermen of the City of Newcastle;

(v)

No. 38, 1967**Sec. 5.**
(Trust to be
a body
corporate.)**Sec. 61.**
(Regula-
tions.)Further
amendment
of Act No.
34, 1950.
Sec. 49.
(Conserva-
tion rate.)

- (v) by inserting in paragraph (b) of the same subsection after the symbols "(viii)" wherever occurring the symbols and letter "(viiia)";
- (vi) by inserting in paragraph (c) of subsection four of the same section after the symbols "(viii)" the symbols and letter ", (viiia)";
- (vii) by inserting in paragraph (d) of subsection five of the same section after the symbols "(viii)" the symbols and letter ", (viiia)";
- (viii) by inserting in paragraph (a) of subsection eleven of the same section after the symbols "(vii)" the word, symbols and letter "or (viiia)";
- (ix) by omitting from paragraph (c) of the same subsection the word and symbols "or (viii)" and by inserting in lieu thereof the symbols, word and letter ", (viii) or (viiia)";
- (b) by omitting from paragraph (c) of subsection six of section five the word "Seven" and by inserting in lieu thereof the word "Nine";
- (c) (i) by inserting in paragraph (e) of subsection two of section sixty-one after the word "Maitland" where firstly occurring the words "and the City of Newcastle";
- (ii) by inserting in the same paragraph after the word "Maitland" where secondly occurring the words "or of the City of Newcastle".

3. The Principal Act is further amended—

- (a) by inserting at the end of subsection one of section forty-nine the following new paragraph :—
 - (e) Notwithstanding any other provision of this subsection, the conservation rate levied each year after the commencement of the Hunter Valley Conservation Trust (Amendment) Act, 1967, on lands within

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within the boundaries set forth in Part 2 of the No. 38, 1967 Schedule to this Act shall be twenty-five per centum of the conservation rate levied in the same year on lands within the boundaries set forth in Part 1 of the Schedule to this Act.

(b) by omitting the Schedule and by inserting in lieu ^{Substituted} Schedule. thereof the following Schedule :—

SCHEDULE.

Sec. 4 (2).

Hunter Valley Conservation Trust District.

PART 1.

Commencing at the foreshore of the South Pacific Ocean at the south-eastern corner of portion 8 parish of Stockton county of Gloucester and bounded thence by the southern boundary of that portion and its prolongation westerly to its intersection with a line along the middle of the North Channel of the Hunter River by a line along the middle of the said North Channel downwards to its intersection with the south-easterly prolongation of a line along the middle of the South Channel of the said Hunter River by a line along the middle of the South Channel Platts Channel and the said South Channel of the Hunter River upwards to a point north of the northernmost corner of portion 96 parish of Newcastle county of Northumberland by a line south to its intersection with a line along the middle of Ironbark Creek by a line along the middle of that creek upwards to a point east of a point on the eastern boundary of portion 6 parish of Hexham 52 chains north of the south-eastern corner of that portion a line westerly to that point part of the eastern boundary of said portion 6 to its south-eastern corner a line to the north-western corner of portion 20 parish of Teralba and part of the western boundary of that portion to the southern side of the road passing from said portion 20 to portion 21 thence by that side of that road (shown on plans R. 8139.1603R and R. 6807.1603 in the Department of Lands) generally westerly to its intersection in portion 29 said parish of Teralba with the public road to Seahampton (shown on plans R. 4254.1603R and R. 9097.1603) thence by the southern side of that road and the western side of Third Street in the private town of Seahampton (shown on Deposited Plan 3603 in the office of the Registrar-General) to the public road (in portion 53 said parish of Teralba) from Maitland to Hexham (shown on plan R. 20442.1603R) thence by the southern side of that road (shown on plan R. 20592.1603R) and the prolongation of that side of that road generally westerly to the crest of the Sugarloaf Range near "Great

Sugarloaf"

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No. 38, 1967 Sugarloaf" Trigonometrical Station thence by the crest of that range being the boundary between the Shires of Lake Macquarie Wyong and Gosford on the south and the City of Greater Cessnock on the north generally south-westerly to a point on that range known as Mount Quoid thence by the crest of the same range forming the divide between the waters of the Hunter and Hawkesbury Rivers westerly north-westerly westerly and northerly to the crest of the range forming the boundary between the counties of Northumberland and Hunter near Howes Mountain thence by the crest of that range through the county of Hunter generally westerly to the crest of the Great Dividing Range (near Mount Coricudgy) thence by the crest of that range through the counties of Phillip and Bligh generally north-westerly and north-easterly to a point being the intersection of the boundary between the counties of Pottinger and Buckland with the northern boundary of the county of Bligh thence by the crest of that part of the Great Dividing Range known as the Liverpool Range (being part of the boundary between the counties of Buckland and Parry on the north and the counties of Bligh and Brisbane on the south) to the Mount Royal Range thence by the crest of that range being part of the boundary between the county of Hawes on the north and the counties of Brisbane and Durham on the south generally southerly to the crest of the range forming the divide between the waters of the Manning and Hunter Rivers near the "Barrington" Trigonometrical Station thence by the crest of that range being part of the boundary between the shire of Dungog on the south and the shires of Gloucester and Stroud on the north and north-east to a point east of the south-eastern corner of portion 48 parish of Trevor said county of Gloucester thence generally southerly by the crest of said range (by "Dungog" Trigonometrical Station) to its intersection with the boundary between the land districts of Dungog and Gloucester thence still generally southerly by the crest of said range forming part of the boundary between the aforesaid land districts of Dungog and Gloucester to the northern boundary of portion 63 parish of Horton said county of Gloucester thence still southerly by the crest of that range forming the divide between the waters of the Hunter and Karuah Rivers to the north-eastern corner of portion 46 parish of Wilmot said county of Gloucester thence by the eastern boundary of that portion the eastern and southern boundaries of portion 44 the southern boundaries of portions 45 and 58 the westerly prolongation of the northern boundary of said portion 58 the northern and western boundaries of portion 70 to the south-western corner of that portion thence by a line to the westernmost corner of portion 66 thence by the southern boundary of that portion to a point north of the north-eastern corner of Wallaroo State Forest No. 781 dedicated 25th August, 1922 by a line south thence by the western and southern boundaries of that State Forest and the eastern boundary of portion 62 to the south-eastern corner of that portion thence by the boundary between the parishes of Thornton and Tarean and the boundary between the parishes of Thornton and Sutton said

county

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county of Gloucester to the northern boundary of portion 47 parish No. 38, 1967 of Sutton thence by the northern boundaries of portions 47 and 48 the eastern boundaries of portions 48 and 31 a line across a road the eastern boundary of portion 93 and the southerly prolongation of that boundary to the southern side of the public road from Raymond Terrace to Port Stephens thence by that side of that road generally south-easterly to the eastern boundary of portion 55 said parish of Sutton thence by part of that boundary and the southern boundary of that portion and part of the south-eastern boundary of portion 147 parish of Stowell said county of Gloucester to the south-eastern corner of that portion thence by a line to the north-western corner of portion 34 thence by the western boundary of that portion and the southerly prolongation of that boundary to the southern side of Main Road No. 517 thence by that side of that main road easterly to the northern side of Main Road No. 108 thence generally south-westerly by that side of that main road to its intersection with the eastern boundary of portion 9 said parish of Stockton and thence by part of that boundary of that portion the eastern boundary of portion 19 part of the northern boundary and the south-eastern boundary of portion 8 said parish of Stockton aforesaid to the point of commencement.

PART 2.

Commencing on the foreshore of the South Pacific Ocean at the south-eastern corner of portion 8 parish of Stockton county of Gloucester and bounded thence generally south-westerly by that foreshore the generally north-western side of the northern breakwater of Port Hunter to the eastern extremity of that breakwater by a line to the eastern extremity of the southern breakwater of aforesaid Port Hunter the south-eastern side of that breakwater and the foreshore of the South Pacific Ocean aforesaid to its intersection with the south-easterly prolongation of the south-western side of Ordnance Street City of Newcastle thence north-westerly by that prolongation part of that side and south-westerly by the south-eastern side of Reserve Road thence southerly by part of the eastern side of Terrace Street to the north-easterly prolongation of the south-eastern side of Cliff Street thence generally south-westerly by that prolongation that side a line to the easternmost extremity of the south-eastern side of Memorial Drive that side of that drive and the westerly prolongation of that side of said Memorial Drive to its intersection with a line along the middle of Kilgour Avenue by that line of that avenue southerly to the top of the cliff facing the said South Pacific Ocean by the top of that cliff south-westerly to the southern side of Ocean Street by that side of that street westerly by a line along the south-eastern boundary of lot 57 section 1A of the Merewether Estate south-westerly to the middle of said Ocean Street

by

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No. 38, 1967 by lines along the middle of that street and Berner Street southerly and westerly to the northerly prolongation of the western boundary of lot 19 section J by that prolongation that boundary and a line along the north-western boundary of lot 27 section J southerly and south-westerly to the middle of Coane Street by a line along the middle of that street westerly to the eastern side of Watkins Street by a line along that side of that street southerly to its intersection with a line along the north-western side of John Parade by a line westerly to the north-eastern corner of lot A shown on Miscellaneous Plan of Subdivision (O.S.) registered number 8933 by the eastern boundary of that lot and lot B of that subdivision and lots 10A to 15A section 8 inclusive southerly by a line along the southern boundary of said lot 15A westerly to the western side of Frederick Street by that side of that street southerly to the north-eastern side of Ridge Street by a line the south-eastern and south-western boundaries of lot 172 section 8 south-westerly and north-westerly by the south-eastern boundary of lot 28 section 8A south-westerly by a line and the south-eastern boundary of lot 35 south-westerly by part of the south-western boundary of that lot and a line along the north-western boundary of part lot 56 section 8A being part of the land in conveyance Registered Book 2704 No. 737 north-westerly and south-westerly to the middle of Curry Street thence by a line along the middle of that street to its intersection with the north-easterly prolongation of the north-western side of Lloyd Street that prolongation part of that side of that street and the south-westerly prolongation of that side of that street to its intersection with a line along the middle of Scenic Highway thence generally westerly by that line of that highway to its intersection with a line along the middle of Lake Macquarie Road thence south-westerly by that line of that road and a line along the middle of the Pacific Highway to its intersection with a line along the middle of Ida Street thence generally north-westerly by that line of that street and a line along the middle of Lambton Road to its intersection with a line along the middle of Charlestown Road by that line of that road and a line along the middle of State Highway No. 23 to its intersection with a line along the middle of Main Road No. 223 by that line of that main road westerly to its intersection with a line along the middle of Reservoir Road by that line of that road north-westerly to its intersection with a line along the middle of Lake Road by that line of that road north-easterly to its intersection with the south-easterly prolongation of the south-western boundary of lot 4A shown on Miscellaneous Plan of Subdivision (R.P.) registered number 46975 by that prolongation that boundary the southern boundary north-westerly to the westernmost corner of said lot 4A and a line to the south-eastern corner of portion 20 parish of Teralba county of Northumberland thence westerly and northerly by the southern and western boundary of that portion by a line to the south-eastern corner of portion 6 parish of Hexham part of the eastern boundary of that portion to a point 52 chains north of that corner by a line east to the middle of Ironbark Creek by a line along

the

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the middle of that creek downwards to its intersection with a line **No. 38, 1967** north to a point north of the northernmost corner of portion 96 parish of Newcastle by a line along the middle of the South Channel Platts Channel and the said South Channel of the Hunter River to its intersection with the south-westerly prolongation of a line along the middle of the North Channel of the said Hunter River that prolongation and that line upwards to its intersection with the westerly prolongation of the southern boundary of portion 8 parish of Stockton county of Gloucester and by that prolongation and that boundary to the point of commencement.
