

## VICTORIA.



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ELIZABETHÆ SECUNDÆ REGINÆ.

No. 6642.

An Act to reserve certain Lands of the Crown as Sites for National Parks and to declare the Lands so reserved to be National Parks under the *National Parks Act 1958* and to amend the said Act.

[7th June, 1960.]

WHEREAS the lands described in the First Second Third and Fourth Schedules to this Act are lands of the Crown :

Preamble.

And whereas portion of the lands described in the said First Schedule was by Order in Council of the twenty-sixth day of September One thousand nine hundred and fifty permanently reserved as a site for a national park and it is expedient that the whole of the said land should be so reserved and declared to be a national park under the *National Parks Act 1958* :

Government  
Gazette 4th  
October, 1950

No. 6326.

And whereas it is expedient to reserve the lands described in the said Second Schedule, the land described in the said Third Schedule and the land described in the said Fourth Schedule respectively as sites for national parks and to declare the said lands respectively to be national parks under the said Act :

And whereas it is expedient to make other provision as hereinafter enacted :

Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council

and

and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. (1) This Act may be cited as the *National Parks (Amendment) Act 1960*.

Principal Act.  
No. 6326.

(2) The *National Parks Act 1958* is in this Act referred to as the Principal Act.

Lands  
described in  
First Schedule  
to be national  
park.

2. (1) So much of the lands described in the First Schedule to this Act as is not already reserved as a site for a national park shall be deemed by virtue of this Act to be permanently reserved under the *Land Act 1958* as a site for a national park.

(2) The whole of the lands described in the said First Schedule are hereby declared to be a national park within the meaning of the Principal Act and shall be part of the Lakes National Park.

Lands  
described in  
Second Schedule  
to be a national  
park.

3. The lands described in the Second Schedule to this Act shall be deemed by virtue of this Act to be permanently reserved under the *Land Act 1958* as a site for a national park and are hereby declared to be a national park within the meaning of the Principal Act under the name of the Mount Richmond National Park.

Land described  
in Third  
Schedule to be  
national park.

4. The land described in the Third Schedule to this Act shall be deemed by virtue of this Act to be permanently reserved under the *Land Act 1958* as a site for a national park and is hereby declared to be a national park within the meaning of the Principal Act under the name of the Mount Eccles National Park.

Land described  
in Fourth  
Schedule to be  
national park.

5. (1) The land described in the Fourth Schedule to this Act shall be deemed by virtue of this Act to be permanently reserved under the *Land Act 1958* as a site for a national park but subject to a right in The Victorian Railways Commissioners to maintain and use a pumping station and a pipeline or conduit upon through under or over the said land for the purpose of bringing water from Lake Hattah to Hattah railway station and subject to such right the said land is hereby declared to be a national park within the meaning of the Principal Act under the name of the Hattah Lakes National Park.

(2) For the better definition of the boundaries of the said park the Surveyor-General shall prepare a plan of survey thereof and in such plan of survey may make such minor variations and adjustments in the said boundaries as are necessary or expedient for the simple and accurate description of the park.

(3) The said plan of survey shall be entered in the Central Plan Register in the Central Plan Office of the Department of

Crown Lands and Survey and thereupon the area defined thereby shall be the Hattah Lakes National Park in substitution for the area described in the said Fourth Schedule.

6. In the Second Schedule to the Principal Act—

(a) for the expression—

‘ 6. The area known as “ The Lakes National Park ” . . . . . 3,730 ’  
 there shall be substituted the expression—  
 ‘ 6. The Lakes National Park . . . 5,238 ’ ;

and

(b) at the end thereof there shall be added the following expression :—

‘ 15. Mount Richmond National Park 1,534  
 16. Mount Eccles National Park . . . 80  
 17. Hattah Lakes National Park . . 44,000.’

7. At the end of section six of the Principal Act there shall be inserted the following sub-section :—

“(13) Where a member of Parliament or a person who is receiving or is entitled to receive a pension under Division four of Part II. of *The Constitution Act Amendment Act 1958* is or is appointed a member of the Authority, or as a member of the Authority receives any travelling allowance under this Act, such member or person shall not for the purposes of Division two or Division four (as the case may be) of the said Part II. be deemed to have accepted or hold an office or place of profit under the Crown.”

8. In section nine of the Principal Act after sub-section (3) there shall be inserted the following sub-sections :—

“(4) The Authority may with the consent of the Minister grant to any person or body of persons a permit to occupy any portion of a national park for a period not exceeding thirty-three years subject to such covenants terms and conditions and to the payment of such rent fees or charges as the Authority determines.

(5) The Authority may with the consent of the Minister grant to any person or body of persons a lease of an area of land within a national park for a period not exceeding seventy-five years for the purpose of erecting a building thereon the cost of which must not be less than One hundred thousand pounds subject to such covenants terms and conditions and to the payment of such rent fees or charges as the Authority determines.”

9. After section ten of the Principal Act there shall be inserted the following sections :—

‘ 10A. (1) The Authority shall have power to impound any cattle trespassing in any national park and shall be deemed to be the occupier thereof within the meaning of the *Pounds*

Amendment of No. 6326 Second Schedule.

Amendment of No. 6326 s. 9.

Power to Authority to grant permits to occupy land in national park.

New sections 10A and 10B inserted in No. 6326.

Impounding of cattle trespassing in national parks.

Act 1958 and where pursuant to this Act the Authority has delegated the power conferred by this section to a committee of management of any park such committee shall be deemed to be the occupier of the land comprised in that park within the meaning of the said Act.

(2) In this section "Cattle" has the same meaning as in section three of the *Pounds Act 1958*.

(3) Nothing in this section shall affect the powers of any committee of management under the *Land Act 1958* in respect of any land comprised in a national park to impound cattle trespassing on such land.

(4) Notwithstanding anything in the *Pounds Act 1958* any person authorized in writing by the Authority may exercise the powers conferred by this section on behalf of the Authority whether or not he is appointed to be a poundkeeper under this Act.

Power to establish pounds in national parks.

10B. (1) The Governor in Council may appoint a pound within any national park and may appoint an officer of the Authority or any other person to be poundkeeper thereof and the pound fees and trespass rates collected by him shall be paid into the National Parks Fund established under this Act.

Trespass rates.

(2) (a) A pound so appointed shall be deemed to be a pound not within a municipality and the trespass rates to be received by the poundkeeper shall be fixed at One shilling for each ram ewe sheep lamb goat or pig and Two shillings and sixpence for each head of other cattle.

(b) The trespass rates hereby fixed shall be due and payable by the owner of the cattle or his agent to the poundkeeper or in the case of cattle being driven to a pound to any person authorized in writing by the Authority or by a committee of management who is driving them to a pound appointed as aforesaid or to a pound within a municipality and shall be paid by such owner or agent before the release of such cattle.

Application of *Pounds Act*.

(3) So far as consistent with this section the provisions of the *Pounds Act 1958* shall apply to such pound and the poundkeeper thereof and all persons whose cattle are impounded and to such cattle.'

Amendment of No. 6326 s. 12. Committees of management.

10. At the end of section twelve of the Principal Act there shall be inserted the following sub-sections :—

"(7) The members of a committee of management under this Act who are not officers or employes of the Public Service shall be entitled to receive such travelling allowances as are fixed by the Governor in Council.

(8) Where

(8) Where a member of Parliament or a person who is receiving or is entitled to receive a pension under Division four of Part II. of *The Constitution Act Amendment Act 1958* is or is appointed a member of a committee of management under this Act, or as a member of a committee of management receives any travelling allowance under this Act, such member or person shall not for the purposes of Division two or Division four (as the case may be) of the said Part II. be deemed to have accepted or hold an office or place of profit under the Crown."

11. After section sixteen of the Principal Act there shall be inserted the following sections :—

New sections 17, 18, 19, and 20 inserted in No. 6326.

" 17. The Authority may order either generally or in any particular case that proceedings be taken for the recovery of any penalties incurred under or for the punishment of any persons offending against this Act or any regulations made under the powers conferred by this Act.

Power to direct prosecutions.

18. In all proceedings before justices or in any court of petty sessions any officer of the Authority appointed by the chairman in writing under his hand for that purpose may represent the Authority in all respects as though such officer was the party concerned.

Power of officer to represent Authority in petty sessions.

19. In any prosecution or legal proceeding under the provisions of this Act instituted by or under the direction of the Authority no proof shall be required (unless evidence is given to the contrary) of—

Proof of certain matters not required.

- (a) the persons constituting the Authority ;
- (b) any order of the Authority to prosecute ;
- (c) the particular or general appointment of the secretary or any other officer of the Authority to take proceedings against any person ;
- (d) the powers of the said secretary or other officer to prosecute ;
- (e) the appointment of the chairman or of the secretary or other officer of the Authority ; or
- (f) the presence of a quorum at any meeting at which any order is made or any act is done by the Authority.

Evidence of documents issued by Authority.

20. All documents whatever purporting to be issued or written by or under the direction of the Authority and purporting to be signed by the secretary of the Authority shall be received as evidence in all courts and before all persons acting judicially within Victoria and shall without proof be deemed to have been issued or written by or under the direction of the Authority until the contrary is shown."

SCHEDULES.

## SCHEDULES.

Preamble.  
Section 2.

## FIRST SCHEDULE.

*Land which is or by virtue of this Act is deemed to be permanently reserved under the Land Act 1958 as a site for a national park and which is by this Act declared to be a national park under the National Parks Act 1958.*

Fifteen hundred and eight acres, more or less, Parish of Boole Poole, County of Tanjil, in the three separate portions described hereunder :—

1. One thousand and twenty acres, more or less : Commencing on the shore of Lake Victoria at a point in line with the north-eastern boundary of the site permanently reserved as a National Park by Order-in-Council of the 26th August, 1929 ; bounded thence by the shore of the said lake bearing north-easterly and south-easterly to a point opposite the most eastern angle of the site permanently reserved as a National Park Extension by Order-in-Council of the 26th September, 1950 ; by a line bearing south-westerly to that angle ; by a road bearing south-westerly to a point in line with the south-western boundary of allotment 4, section B ; by a line and that boundary bearing south-easterly to the southern angle of that allotment ; by the eastern boundary of the same allotment bearing northerly to the northern angle thereof ; by a line in continuation of the north-western boundary of the same allotment bearing north-easterly to the shore of Lake Victoria ; by that shore and the shore of Lake Reeve bearing southerly and south-westerly to a point in line with the north-eastern boundary of the first-mentioned National Park Reserve ; and thence by a line, that boundary and a line, bearing north-westerly to the commencing point.

2. Four hundred and forty-nine acres, more or less : Commencing on the shore of Lake Victoria at a point in line with the north-eastern boundary of allotment 1A, Parish of Seacombe ; bounded thence by the shore of Lake Victoria bearing northerly and easterly to a point in line with the south-western boundary of the site permanently reserved as a national park by Order-in-Council of the 26th August, 1929 ; by a line, that boundary and a line in continuation thereof, bearing south-easterly to the shore of Lake Reeve, by that shore bearing south-westerly to a point in line with the north-eastern boundary of the aforesaid allotment 1A ; and thence by a line, that boundary and a line, bearing north-westerly, to the commencing point.

3. Thirty-nine acres, more or less : Commencing at the south-western angle of allotment 2, section A ; bounded thence by that allotment bearing S. 71° 8' E. ten chains seventy-two links and N. 18° 52' E. eighteen chains twenty-seven links ; by lines bearing N. 71° 13' E. seven chains twenty-eight links and N. 60° 28' E. four chains sixty-nine links ; by the site permanently reserved as a national park by Order-in-Council of the 26th August, 1929, bearing S. 18° 58' W. thirty-four chains seventy-nine links and N. 71° 2' W. twenty-seven chains forty-three links ; and thence by lines bearing N. 68° 23' E. seven chains sixty-nine links and N. 48° 22' E. four chains five links to the commencing point.

Preamble.  
Section 3.

## SECOND SCHEDULE.

*Land which by virtue of this Act is deemed to be permanently reserved under the Land Act 1958 as a site for a national park and which is by this Act declared to be a national park under the National Parks Act 1958.*

Fifteen hundred and thirty-four acres, more or less, Parish of Mouzie, County of Normanby, in the two separate portions described hereunder :—

1. Thirteen hundred and twelve acres, more or less : Commencing on the southern boundary of the road forming the southern boundary of allotment 27, section 7, at a point bearing north-westerly four chains from the junction of the prolongation of the eastern boundary of the said allotment and the said road boundary ; bounded thence by roads bearing south-easterly and southerly to a point in line with the southern boundary of allotment 27, section 9 ; by a line in continuation of that boundary bearing westerly to the eastern boundary of allotment 15A, section 13, Parish of Tarragal ; by that boundary and a line bearing northerly

SECOND

SECOND SCHEDULE—*continued.*

to the northern boundary of the road forming the northern boundary of that allotment ; by that road bearing westerly, south-westerly and westerly to a point approximately south (magnetic meridian) of the commencing point ; and thence by a line bearing northerly to the commencing point.

2. Two hundred and twenty-two acres, more or less : Commencing at the most western angle of allotment 15, section 9 ; bounded thence by that allotment bearing S. 29° 2' E. one chain ninety and five-tenths links and S. 81° 36' E. fourteen chains seventy-seven and nine-tenths links ; by a line bearing S. 8° 18' W. forty chains fourteen links ; by a drain bearing N. 81° 44' W. 12 chains 30 links ; by a line bearing S. 8° 16' W. thirty-nine chains ten links ; and thence by roads bearing N. 81° 53' W. thirteen chains fifty-four and three-tenths links, N. 25° 19' W. twenty-one chains thirty-seven and six-tenths links, N. 20° 32' E. thirteen chains seventy-three links, N. 6° 22' E. forty chains sixty-six links, N. 74° 20' E. twenty-two chains nine links to the commencing point.

## THIRD SCHEDULE.

Preamble.  
Section 4.

*Land which by virtue of this Act is deemed to be permanently reserved under the Land Act 1958 as a site for a national park and which is by this Act declared to be a national park under the National Parks Act 1958.*

Eighty acres, more or less, Parish of Macarthur, County of Normanby : Commencing at the north-eastern angle of allotment 21, section 12B ; bounded thence by lines bearing N. 41° 53' W. seven hundred and seventeen links, N. 20° 24' E. six hundred and thirty-four links, N. 24° 44' W. two hundred and twenty-three links, N. 30° 6' E. three hundred and thirty-one links and S. 82° 2' E. seven hundred and one links ; by a line bearing south-easterly to the south-western angle of allotment 20 ; by that allotment bearing S. 73° 6' E. three hundred and thirty links, S. 51° 6' E. three hundred and twenty links and S. 36° 15' E. seven hundred and sixty-two links ; by a line bearing south-easterly to the western angle of allotment 1 ; by allotments 1 and 4 bearing S. 31° 56' E. two thousand and forty-four links ; by allotment 4 bearing S. 7° 52' W. nine hundred and three links ; by a line bearing S. 35° 40' W. to the eastern boundary of allotment 22 ; by that allotment bearing N. 54° 20' W. to the south-eastern angle of allotment 21 ; and thence by that allotment bearing N. 31° 2' W. sixteen hundred and fifty-four links, N. 21° 25' W. fourteen hundred and nine links and N. 4° 34' E. five hundred and twenty-four links to the commencing point.

## FOURTH SCHEDULE.

Preamble.  
Section 5.

*Land which by virtue of this Act is deemed to be permanently reserved under the Land Act 1958 as a site for a national park and which is by this Act declared to be a national park under the National Parks Act 1958.*

Forty-four thousand acres, more or less, Parishes of Brockie, Konardin and Mournpoul, County of Karkaroc, being the land delineated in a plan prepared by the Surveyor-General lodged in the Central Plan Office of the Department of Crown Lands and Survey and numbered M/587G.