

Single woman with child may take proceedings against father.

3 Section seventeen of the Principal Act is amended by omitting from subsection (1) the words "no provision" and substituting therefor the words "no adequate provision, having regard to the means and condition in life of the parties,".

Court may order payment of preliminary expenses.

4 Section eighteen of the Principal Act is amended by omitting from paragraph I of subsection (1) the word "twenty" and substituting therefor the words "one hundred".

Powers of court.

5 Section twenty-one of the Principal Act is amended by omitting from paragraph III the word "twenty" and substituting therefor the words "one hundred".

BROOKER AVENUE.

No. 27 of 1956.

AN ACT to provide for changes in the lines of highways and boundaries of land consequent upon the making of Brooker Avenue.

[16 May 1956.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title.

1 This Act may be cited as the *Brooker Avenue Act* 1956.

Definition of Brooker Avenue.

2 The highway referred to in Part II of the schedule to the *Public Works Execution Act* 1948 as the Northern Outlet Road, now in part made and opened to the public, in part under construction, and in part not yet begun, between Cleary's Gates in the city of Hobart and Elwick Road in the municipality of Glenorchy shall be known for all purposes as "Brooker Avenue".

Closure of certain highways.

3—(1) The Minister may stop up the highways mentioned in the first column of the first schedule at the places respectively referred to in the second column of that schedule so that only passengers on foot may pass between a highway so stopped up and Brooker Avenue.

(2) Where the Minister stops up a highway under this section he may construct a turning place for vehicles at or near the end of the cul de sac so created.

4—(1) The Minister may divert the highways mentioned in the first column of the second schedule as respectively set forth in the second column of that schedule. Diversion
of certain
highways.

(2) The Crown has the right to exclusive possession of any portion of the old line of a highway diverted under this section which is not within the line of the highway as diverted, and power to create public and private rights of passage thereover and to dispose of any part thereof to the extent that the underlying soil is vested in, and disposable by, it.

5—(1) The Minister may purchase or take in accordance with the provisions of the *Lands Resumption Act 1910* so much of Kendall Street in the municipality of Glenorchy as lies— Kendall
Street.

- (a) between Bowen Road and Brooker Avenue; and
- (b) east of Brooker Avenue for a distance not exceeding two chains.

(2) For the purposes of subsection (1) of this section, compensation shall be assessed on the basis that the land acquired will always be subject to a highway.

(3) Subject to subsection (4) of this section, the Governor may, in the name and on behalf of Her Majesty, dispose of any land acquired under this section as he may think proper.

(4) If land is sold under subsection (3) of this section to the owner of adjoining land, it shall be a condition of sale that the purchaser surrender his adjoining land and receive a new grant of that land together with the land sold as one parcel as nearly as possible on the same conditions as the land surrendered was held of the Crown.

(5) To provide better boundaries for any land sold under subsection (3) of this section out of Kendall Street east of Brooker Avenue adjoining land may be similarly purchased or taken and disposed of as part of the first-mentioned land.

6—(1) The Minister may make Culloden Avenue in the municipality of Glenorchy and so much of Albert Road in that municipality as lies between Culloden Avenue and Risdon Road one continuous road and, subject to leaving a footway, wholly stop up Albert Road between the continuous road so made and Brooker Avenue at both ends. Albert Road.

(2) The portion of Albert Road between the continuous road made under this section and Brooker Avenue may be disposed of, free and discharged of any public right of passage, in the same manner as land acquired under section five, provided that a footway is left between the continuous road and Brooker Avenue.

Elmsleigh
Road.

7—(1) For the purposes of this section—

“Elmsleigh Road” means so much of Elmsleigh Road in the municipality of Glenorchy as lies between Lampton Avenue and the continuation across Elmsleigh Road of the southern boundary of the piece of road at a right angle to the general line of Elmsleigh Road easterly to Brooker Avenue by the Goodwood State School;

“Elmsleigh Road Triangle” means the land roughly triangular in shape bounded—

- (a) on the north-east by Brooker Avenue;
- (b) on the south by the southern boundary of the road running westerly from Brooker Avenue to the Goodwood State School at a right angle to the general line of Elmsleigh Road and the westerly continuation of that boundary; and
- (c) on the west by the Goodwood State School.

(2) On the Elmsleigh Road Triangle the Minister may make—

- (a) access from Elmsleigh Road to the Goodwood State School for vehicles and foot passengers;
- (b) a turning circle for vehicles using Elmsleigh Road; and
- (c) a way for foot passengers between Elmsleigh Road and Brooker Avenue.

(3) The Governor may, by proclamation, for the purposes of this Act define the Elmsleigh Road Triangle and the boundaries of the turning circle and footway referred to in subsection (2) of this section and thereupon—

- (a) the turning circle and footway shall be deemed to be vested in Her Majesty subject to the right of the public to pass and repass thereover; and
- (b) the rest of the Elmsleigh Road Triangle—
 - (i) between the footway and the Goodwood State School shall be deemed to be vested in Her Majesty for the purposes of a State School; and
 - (ii) if any, between the footway and the southern boundary of the road running westerly from Brooker Avenue to the Goodwood State School at a right angle to the general line of Elmsleigh Road, shall be deemed to be vested in Her Majesty subject to the *Crown Lands Act 1935* with power, notwithstanding anything contained in that Act, to dispose of it in the same manner as land acquired under section five,

freed and discharged from all other estates, interests, and statutory obligations whatsoever.

8 If anything unlawful has been done before the commencement of this Act it shall be deemed to have been done lawfully if it might have been done lawfully under this Act.

Validation
of past acts.

THE FIRST SCHEDULE.

(Section 2.)

HIGHWAYS TO BE STOPPED UP.

First Column. Name of Highway.	Second Column. Where to be stopped up.
Bell Street, in the city of Hobart.	On either side of Brooker Avenue.
Queen's Walk, in the city of Hobart.	On the western side of Brooker Avenue.
Hopkins Street, in the municipality of Glenorchy.	On the western side of Brooker Avenue.
Gloucester Crescent (once part of Hopkins Street), in the municipality of Glenorchy.	On the eastern side of Brooker Avenue.
Butler Avenue, in the municipality of Glenorchy.	On the western side of Brooker Avenue.
Central Avenue, in the municipality of Glenorchy.	On the southern side of the railway line from Derwent Park Junction to the Electrolytic Zinc Works.
Howard Road, formerly Timsbury Avenue, in the municipality of Glenorchy.	On the eastern side of Brooker Avenue.
The southern branch of Elwick Road in the municipality of Glenorchy into what was formerly Timsbury Road.	On the western side of Brooker Avenue.

THE SECOND SCHEDULE.

(Section 3.)

HIGHWAYS TO BE DIVERTED.

<p align="center">First Column. Name of Highway.</p>	<p align="center">Second Column. How to be diverted.</p>
<p>Queen's Walk, in the city of Hobart.</p>	<p>On the eastern side of Brooker Avenue north-westerly alongside Brooker Avenue into Risdon Road, in the municipality of Glenorchy.</p>
<p>Albert Road, in the municipality of Glenorchy.</p>	<p>On the western side of Brooker Avenue southerly into Risdon Road, in the said municipality.</p>
<p>Bowen Road, in the municipality of Glenorchy.</p>	<p>(a) On the western side of Brooker Avenue into— (i) Brooker Avenue south of its present intersection with Brooker Avenue; and (ii) into Bayswater Road.</p>
<p>Bayswater Road, in the municipality of Glenorchy.</p>	<p>(b) On the eastern side of Brooker Avenue into Brooker Avenue north of its former intersection with Brooker Avenue.</p>
<p>Fletcher Avenue, in the municipality of Glenorchy.</p>	<p>On the western side of Brooker Avenue into Bowen Road.</p>
<p>Central Avenue, in the municipality of Glenorchy.</p>	<p>On the western side of Brooker Avenue into Derwent Park Road.</p> <p>On the eastern side of Brooker Avenue south-easterly alongside Brooker Avenue as far as the railway line from Derwent Park Junction to the Electrolytic Zinc Works and thence more easterly to Derwent Park Road.</p>