

**CROWN LANDS (MISCELLANEOUS
PROVISIONS).**

No. 37 of 1961.

AN ACT to provide for the reinstatement of certain persons as purchasers of Crown lands, to authorize the sale or grant of certain Crown lands, to provide for the extinguishment of rights of passage over certain lands and for the disposal of certain of those lands, to provide for the reversion to the Crown of certain lands and the reservation of those lands for highway purposes, and to provide for incidental and consequential matters. [4 December 1961.]

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
and incor-
poration.

1—(1) This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act 1961*.

(2) This Act is incorporated, and shall be read as one, with the *Crown Lands Act 1935* (in this Act referred to as the Principal Act).

Reinstatement of
certain
persons as
purchasers of
Crown lands.

2—(1) The Commissioner may, with the consent of the Governor, reinstate the persons named in the first schedule as purchasers of the several areas of land set opposite to their names respectively in that schedule under the provisions of the Acts regulating the sale or disposition of Crown lands under which the purchases of those areas of land were made respectively.

(2) A person who is reinstated as the purchaser of any Crown land under subsection (1) of this section shall be liable to pay all instalments due in respect of the land at the date of forfeiture, and all instalments thereafter due in respect thereof, together with the amount of fines and charges for the cost of advertising, as provided by section seventy-two of the Principal Act, and interest at the rate of five pounds per centum per annum from the dates when those instalments became due respectively.

3 The Commissioner may sell by private contract to the Trustees of the Property of the Church of England in Tasmania (in this section referred to as "the purchasers") the piece of Crown land that is described in the second schedule for the sum of six hundred pounds, and, upon payment by the purchasers to the Commissioner of that sum, together with survey and grant fees, amounting in all to fifteen pounds ten shillings, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate that piece of land to the purchasers in fee simple.

Sale of
Crown land
to Church of
England.

4 The Commissioner may sell by private contract to *Walter Button* of Naracoopa in King Island (in this section referred to as "the purchaser") the piece of Crown land that is described in the third schedule for the sum of fifty pounds, and, upon payment by the purchaser to the Commissioner of that sum, together with a grant fee of three pounds, the Governor may, in the name and on behalf of Her Majesty, convey and alienate that piece of land to the purchaser in fee simple.

Sale of
Crown land to
W. Button.

5 The Commissioner may in such manner, and on such terms and conditions as he considers proper, sell all or any part of the lands that are described in the fourth schedule.

Sale of
former
railway
property at
Strahan and
Zeehan.

6—(1) Upon payment to the Commissioner of a survey fee of twenty-two pounds ten shillings and a grant fee of six pounds, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate to the Director of Housing the pieces of land that are described in the fifth schedule.

Grant of
land to
Director
of Housing.

(2) The land vested in the Director of Housing under this section shall be deemed to have been vested in him for the purposes of the *Homes Act* 1935, and he is authorized to defray the fees referred to in subsection (1) of this section as expenses incurred by him under that Act.

7—(1) All public rights of passage over the lands that are described in the sixth, seventh, eighth, and ninth schedules are extinguished, and those lands revert to, and revest in, Her Majesty absolutely, freed and discharged from all estates and interests therein subsisting in any person.

Closure of
highways and
disposal of
land.

(2) The Commissioner may sell by private contract to *Maxwell James Greig* of Launceston in this State (in this subsection referred to as "the purchaser") the piece of land that is described in the sixth schedule for the sum of five pounds and, upon payment by the purchaser to the Commissioner of that sum, together with a grant fee of three pounds, the Governor may, in the name and on behalf of Her Majesty, convey and alienate that piece of land to the purchaser in fee simple.

(3) The Commissioner may sell by private contract to Jonvel Proprietary Limited (in this subsection referred to as "the purchaser") the piece of land that is described in the seventh schedule for the sum of one hundred pounds and, upon payment by the purchaser to the Commissioner of that sum, together with a grant fee of three pounds, the Governor may, in the name and on behalf of Her Majesty, convey and alienate that piece of land to the purchaser in fee simple.

Reversion of
part of
Queen's
Domain
for road
purposes.

8—(1) By force of this section, and without further assurance, the pieces of land that are described in the tenth schedule revert to Her Majesty freed and discharged from all estates and interests therein subsisting in any person, and, subject to this section, shall be deemed to be vested in Her Majesty absolutely as Crown land within the meaning of the Principal Act.

(2) On the commencement of this Act a proclamation shall be deemed to have been made under section seven of the Principal Act excepting the lands reverting to Her Majesty under this section from sale and lease and reserving those lands to Her Majesty for public roads or streets.

(3) The *Hobart Corporation Act* 1947 has effect as if the lands reverting to Her Majesty under this section were excepted from the lands described in Part XII of the sixth schedule to that Act, and subsection (3) of section three hundred and eighteen of that Act ceases to apply to so much of those lands as are contained within the site of the former quarry referred to in that subsection.

THE FIRST SCHEDULE.

(Section 2.)

Name.	Area.	Situation.	Book reference.
E. Gallagher	27a. 2r. 6p.	Ph. Bagot	195/2
C. J. Seers	Lot 8, Sec. T	Tn. Currie	202/TL2
S. D. Gall	21a. 1r. 12p.	Ph. Lyell	178/1

THE SECOND SCHEDULE.

(Section 3.)

TOWN OF HEYBRIDGE.

SECTION A3.

1R. 28P.

Commencing at a point on the Bass Highway distant 50 feet north-easterly from the eastern corner of 3 acres 1 rood 29 perches Sand Pit and bounded on the south-west by 149 feet 11½ inches north-westerly along Crown land to Haig Street on the north-west by 145 feet 1¼ inches north-easterly along that street on the north-east by 114 feet 8½ inches south-easterly again along Crown land to the Bass Highway aforesaid and thence on the south-east by 140 feet south-westerly along that highway to the point of commencement as the same is shown on Survey Diagram Volume 309 Folio 25 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE THIRD SCHEDULE.

(Section 4.)

KING ISLAND.

PARISH OF PEGARAH.

17 8/10P.

Commencing at the east angle of 26½ perches acquired by the Commonwealth for postal purposes on the Crown Reservation on the Fraser River and bounded on the south-west by 4 chains 39 6/10 links south-easterly in two bearings along Lot 20049 purchased by T. C. Stephenson to the Crown Reservation aforesaid and thence on the north-east by 4 chains 26 2/10 links north-easterly along that reservation to the point of commencement as the same is shown on Survey Diagram Volume 294 Folio 2 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FOURTH SCHEDULE.

(Section 5.)

PART I.

TOWN OF STRAHAN.

SECTION B1.

The following lots fronting on Harvey Street, as the same are shown on Survey Diagram Volume 310 Folio 5 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart, namely:—

- Lot 1, 0 acres 0 roods 30 6/10 perches
- Lot 10, 0 acres 0 roods 31 8/10 perches
- Lot 11, 0 acres 0 roods 31 8/10 perches
- Lot 12, 0 acres 0 roods 30 1/10 perches
- Lot 14, 0 acres 0 roods 32 perches
- Lot 15, 0 acres 0 roods 32 3/10 perches.

PART II.

TOWN OF ZEEHAN.

SECTION D10.

The following lots, as the same are shown on Survey Diagram Volume 310 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart, namely:—

(a) Fronting on Main Street—

- Lot 1, 0 acres 0 roods 37 3/10 perches
- Lot 2, 0 acres 1 rood 7 5/10 perches
- Lot 3, 0 acres 0 roods 37 6/10 perches
- Lot 6, 0 acres 1 rood 36 5/10 perches;

(b) Fronting on Packer Street—

- Lot 4, 0 acres 1 rood 27 7/10 perches
- Lot 5, 0 acres 1 rood 32 6/10 perches.

THE FIFTH SCHEDULE.

(Section 6.)

PART I.

TOWN OF GLENORCHY.

33P.

Commencing at the north angle of 5 1/10 perches Crown land on the original high-water mark on Prince of Wales Bay and bounded on the south-west by 53 feet 10½ inches south-easterly along that land on the south-east by 179 feet 6½ inches north-easterly along Lot 33493 Crown

land to the original high-water mark aforesaid and thence by that high-water mark to the point of commencement as the same is shown on Plan 782 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

PART II.

TOWN OF GLENORCHY.

1R. 27P.

Commencing at the north-east angle of Lot 33493 Crown land on the original high-water mark on Prince of Wales Bay and bounded on the north-west by 41 feet 7 $\frac{1}{2}$ inches south-westerly along that lot on the south-west by 82 feet 0 $\frac{1}{2}$ inches south-easterly again along that lot to the reclaimed high-water mark then by that high-water mark to its junction with the original high-water mark aforesaid and thence by that high-water mark to the point of commencement as the same is shown on Plan 782 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE SIXTH SCHEDULE.

(Section 7 (1) and (2).)

TOWN OF UPWAY.

15 3/10P.

Commencing at the south-east angle of 4 7/10 perches being acquired for Parkland Reserve on a public road 50 links wide and bounded on the north-west by 1 chain 99 8/10 links north-easterly along part of 3 roods 8 perches purchased by W. H. Gough on the north-east by 50 links south-easterly along the East Tamar Highway on the south-east by 1 chain 83 7/10 links south-westerly along part of 1 acre 0 roods 5 perches purchased by S. Bacon and along part of 3 roods 8 perches aforesaid and thence by the south-west by 53 2/10 links north-westerly along a public road aforesaid to the point of commencement as the same is shown on Survey Diagram Volume C.1 Folio 101 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE SEVENTH SCHEDULE.

(Section 7 (1) and (3).)

TOWN OF DEVONPORT.

SECTION D.

4/10P.

Commencing at a point on Stewart Street distant 10 feet 1 $\frac{1}{2}$ inches south-easterly along that street from its intersection with Rooke Street and bounded on the north-east by 49 feet 10 $\frac{1}{2}$ inches south-easterly along Stewart Street aforesaid on the south-east by 1 foot 4 $\frac{1}{2}$ inches south-westerly again along that street on the south-west by 38 feet 3 $\frac{1}{2}$ inches north-westerly along part of 1 acre granted to C. G. Casey again on the south-east by 2 feet 4 $\frac{1}{2}$ inches south-westerly again along that land again on the south-west by 18 feet 11 $\frac{1}{2}$ inches north-westerly again along that land and thence on the north-west by 8 feet 5 $\frac{1}{2}$ inches north-easterly in two bearings again along that land to the point of commencement.

THE EIGHTH SCHEDULE.

(Section 5 (1).)

PART I.

COUNTY OF PEMBROKE.

PARISH OF MOGEELY.

3A. 0R. 12 8/10P.

Commencing at the east angle of 1 acre 0 roods 28 3/10 perches acquired for road material stockpile and bounded on the south-west and south-east by 61 chains 54 1/10 links north-westerly and south-westerly in several bearings along that land and along Lot 270 purchased by T. Nicholson on the north-west by 51 8/10 links north-easterly along Crown land and along a reserved road one chain wide on the north-east and north-west by 61 chains 69 5/10 links south-easterly and north-easterly in several bearings along Lot 270 aforesaid and thence again on the south-east by 87 links south-westerly along a public road 50 links wide to the point of commencement as the same is shown on Survey Diagram Volume 132 Roads Folio 20 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

PART II.

COUNTY OF PEMBROKE.

PARISH OF MOGEELY.

1A. 1R. 35P.

Commencing at a point distant 2 chains 75 3/10 links north-easterly from the north-east angle of Lot 13481 purchased by W. Clifford and bounded on the south-west and south-east by 14 chains 189 9/10 links north-westerly and south-westerly in several bearings along Crown land and along Lot 13481 aforesaid again on the south-west by 1 chain 30 links or thereabouts north-westerly in two bearings along a reserved road one chain wide on the north-west and north-east by 15 chains 39 2/10 links north-easterly and south-easterly in several bearings along Lot 24661 purchased by A. W. Brown and thence again on the south-east by 1 chain 14 6/10 links south-westerly along Lot 270 aforesaid and along a public road 50 links wide to the point of commencement as the same is shown on Survey Diagram Volume 39 Folio 2 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE NINTH SCHEDULE.

(Section 7 (1).)

COUNTY OF MONMOUTH.

PARISH OF MELVILLE.

2A. 1R. 16 7/10P.

Commencing at the north angle of 352 acres 2 roods 22 perches acquired for site for abattoirs and bounded on the south-west by 31 chains 84 4/10 links south-easterly in several bearings along that land on the south-east by 48 7/10 links north-easterly along part of 517 acres granted to Thomas Ludbey on the north-east by 31 chains 84 9/10 links north-westerly in several bearings again along that land along 2 acres 0 roods 54 4/10 perches reservoir site and again along part of 517 acres aforesaid and thence on the north-west and south-west by 50 4/10 links south-westerly and south-easterly in two bearings along 320 acres granted to G. B. L. Hesse to the point of commencement as the same is shown on Survey Diagram Volume 302 Folio 8 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE TENTH SCHEDULE.

(Section 8.)

PART I.

CITY OF HOBART.

22A. 1R. 39 6/10P.

Commencing at a point on Park Street distant 72 feet 4 inches south-easterly from State Permanent Mark No. 75 and bounded on the south-west by 153 feet 6½ inches north-westerly along Park Street aforesaid on the north-west by 5 feet 1 inch north-easterly along 35½ perches purchased by The Co-operative Estate and Motor Transport Limited again on the south-west again on the north-west and on the west by 2358 feet 0½ inches north-westerly north-easterly and northerly in several bearings again along that land along portion of 4 acres 3 roods 2 perches purchased by T. D. Chapman crossing a public road along portion of the Queen's Domain along portion of 0 acres 3 roods 14 perches purchased by The Co-operative Estate and Motor Transport Limited along 0 1/10 perches, 1 9/10 perches, and 2 2/10 perches surrendered to the Crown for public road along 0 3/10 perches being acquired for public road and again along portion of 0 acres 3 roods 14 perches aforesaid on the north-east and north by 3549 feet 8½ inches south-easterly and easterly in several bearings along 3 acres 2 roods 30 perches purchased by T. D. Chapman along part of 3 acres 0 roods 0 perches purchased by S. Moses along 0 acres 1 rood 33½ perches and 0 acres 3 roods 19½ perches acquired for public road along part of 2 acres 3 roods 10 perches purchased by S. Moses along 2 acres 2 roods 30 perches purchased by S. Moses and again along portion of the Queen's Domain on the south-east by 72 feet 1½ inches south-westerly again along portion of that Domain again on the south-west on the south and again on the south-east by 4938 feet 4½ inches north-westerly westerly and south-westerly in several bearings again along portion of that Domain again on the south-east by 38 feet 7½ inches south-westerly along 12 perches being reserved for public road again on the north-east by 361 feet 10 inches south-easterly in several bearings again along that land and along the Hobart City Council Plant Depot and thence again on the south-east by 81 feet 11½ inches south-westerly again along portion of the Queen's Domain aforesaid to the point of commencement as the same is shown on Survey Plan 768 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

PART II.

CITY OF HOBART.

12P.

Commencing at a point on a north-east boundary of 22 acres 1 rood 39 6/10 perches being reserved for public road distant 211 feet 11½ inches north-westerly in three bearings from the south-east angle of that land and bounded on the south-west by 149 feet 10½ inches north-westerly along that land on the north-west by 38 feet 7½ inches north-easterly again along that land and thence on the north-east by 156 feet 3 inches south-easterly along the Hobart City Council Plant Depot to the point of commencement as the same is shown on Survey Plan 768 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.