

II.

LOCAL, PERSONAL, AND PRIVATE ACTS

OF THE

PARLIAMENT OF QUEENSLAND.

4° ELIZ. II.

RAILWAYS AND TRAMWAYS.

4 ELIZ. II.
No. 28.
THE
RAILWAYS
(GLADSTONE
TIDAL LANDS)
ACT OF 1955.

An Act to Provide for Granting in Fee Simple to the Commissioner for Railways certain Tidal Lands and other Lands within and near to the Limits of the Harbour of Gladstone.

[ASSENTED TO 7TH NOVEMBER, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "*The Railways (Gladstone Tidal Lands) Act of 1955.*"

Grant in fee simple.

2. Notwithstanding anything in *"*The Harbour Boards Acts, 1892 to 1952*" (including †"*The Harbour Boards Act, 1892, Amendment Act, 1900,*" and Part IV. of ‡"*The Harbour Boards Acts Amendment Act of 1941*") or in any other Act or law, the Governor in Council may, in the name of Her Majesty, grant in fee simple to the Commissioner for Railways—

(a) The land lying below high water mark within the limits of the Harbour of Gladstone; and

* 56 V. No. 26 and amending Acts.

† 64 V. No. 31.

‡ 6 G. 6 No. 9.

4 ELIZ. II. No. 28, 1955. *Railways (Gladstone Tidal Lands) Act.*

(b) Any other land, whether lying above or below high water mark, and whether within or without the limits of the said harbour,

included in the designed boundaries set out in the Schedule to this Act.

3. Upon being satisfied that the land comprised in a plan of survey is substantially the land included in the designed boundaries set out in the Schedule to this Act the Governor in Council may, notwithstanding that the boundaries set out in that plan of the land comprised therein differ in respects from the boundaries set out in the Schedule to this Act, approve of that plan as the plan of survey of the land the grant in fee simple whereof is authorised by this Act. Plan of survey.

The land comprised in the plan of survey so approved shall be deemed to be the land the grant whereof in fee simple is authorised by this Act, and accordingly the Governor in Council may, under and by virtue of this Act, in the name of Her Majesty grant in fee simple to the Commissioner for Railways that land.

In and for the purposes of any action, suit or proceeding whatsoever wherein any question as to the identity of the land or any of the land authorised by this Act to be granted in fee simple is in issue, the plan of survey approved as aforesaid shall be conclusive proof of that identity, and evidence proving or tending to prove differences in any respect between the boundaries set out in that plan and the boundaries set out in the Schedule to this Act shall not be led or admitted.

4. The Commissioner for Railways may— Use of land.

(a) Notwithstanding anything contained in **“The Harbour Boards Acts, 1892 to 1952,”* (including †*“The Harbour Boards Act, 1892, Amendment Act, 1900,”* and Part IV. of ‡*“The Harbour Boards Acts Amendment Act of 1941”*) reclaim the land or any of the land granted to him in fee simple under this Act; and

* 56 V. No. 26 and amending Acts.

† 64 V. No. 31.

‡ 6 G. 6 No. 9.

Railways (Gladstone Tidal Lands) Act. 4 ELIZ. II. No. 28, 1955.

(b) Use that land or any of that land for any of the purposes of **"The Railways Acts, 1914 to 1955,"* or for any purpose incidental thereto.

The provisions, relating to the holding and dealing by the said Commissioner with land, of **"The Railways Acts, 1914 to 1955,"* shall apply with respect to the land granted in fee simple to the said Commissioner under this Act.

SCHEDULE.

Commencing at the east corner of Portion 85 Parish of Gladstone and bounded thence by the north-eastern boundary of that portion, by a line north-westerly to the east corner of Portion 109, by the north-eastern and north-western boundaries of that portion and Portion 33 to the boundary of the railway property, by that boundary north-westerly, north-easterly, north westerly, south-westerly, north-westerly and again south-westerly to the south-eastern boundary of Section 102 Town of Gladstone, by the south-eastern and north-eastern boundaries of that section to its north corner, by a line north-westerly to the east corner of Portion 24 by the north-eastern boundary of that Portion, by a line bearing about 50 degrees 45 minutes about 9 chains 90 links, by a line bearing about 96 degrees about 13 chains 50 links, by a line bearing about 137 degrees about 72 chains 20 links, and by a line bearing about 248 degrees about 9 chains 40 links to the point of commencement.

* 5 G. 5 No. 24 and amending Acts.
