

CROWN LANDS (MISCELLANEOUS PROVISIONS).

No. 72 of 1963.

AN ACT to provide for the reinstatement of a purchaser of certain Crown lands, to authorize the sale or grant of certain other Crown lands, to make provision with respect to the disposal of land subject to the *Mount Lyell and Strahan Railway Act*, to provide for the extinguishment of rights of passage over certain lands and for the disposal of those lands, to authorize the stopping up of a certain street, and to provide for incidental and consequential matters.

[3 December 1963.]

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 incorporation.

1—(1) This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act 1963*.

(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 a certain person as a purchaser of Crown land.

2—(1) The Commissioner may, with the consent of the Governor, reinstate the person named in the first schedule as the purchaser of the land specified in that schedule under the provisions of the Acts regulating the sale or disposition of Crown lands under which the purchase of that land was made.

(2) The person reinstated as the purchaser of 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 Church of Christ at Kellevie in this State (in this section referred to as "the trustees") the piece of Crown land that is described in the second schedule for the sum of two hundred pounds, and, upon payment by the trustees 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 trustees in fee simple.

Sale of
Crown land
to Church
of Christ.

4 The Commissioner may, on such terms and conditions as the Surveyor-General may determine, sell by private contract to the persons specified in the first column of Part I of the third schedule the pieces of Crown lands comprised in the lots respectively set against their names in the second column of that Part of that schedule, being lots that are more particularly described in Part II of that schedule, and, for the purpose of giving effect to a contract entered into under this section for the sale of land to any of such persons, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate that piece of land to that person in fee simple.

Sale of
portions of
esplanade
at East
Wynyard.

5—(1) Where the Commissioner is satisfied that any of the lands that were used by the Mount Lyell Mining and Railway Company Limited (in this section referred to as "the company") on the thirtieth day of June 1963 for the purpose of the exercise of the powers conferred on it by the *Mount Lyell and Strahan Railway Act* (in this section referred to as "the Railway Act") are required by the company otherwise than for the purpose of the operation of a railway, he may, upon such terms and conditions as the Surveyor-General may determine, sell those lands by private contract to the company, and, for the purpose of giving effect to a contract entered into under this section, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate that land to the company in fee simple.

Disposal of
lands subject
to *Mount
Lyell and
Strahan
Railway Act*.

(2) Without prejudice to the provisions of subsection (1) of this section, nothing in the Railway Act prevents the exercise, in relation to any lands that have been or are used by the company for the purpose of the exercise of the powers conferred by that Act, of any of the powers conferred by the Principal Act and upon the sale or lease of any such lands under the Principal Act the rights of the company under the Railway Act to use those lands shall cease.

6 The Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate the piece of Crown land that is described in the fourth schedule to the Warden, Councillors, and Electors of the municipality of Portland in fee simple.

Grant of
land to
municipality
of Portland.

Grant of land to Burnie Marine Board.

7 Upon payment to the Commissioner of a grant fee of three pounds, the Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate the piece of Crown land that is described in the fifth schedule to the Marine Board of Burnie in fee simple.

Closure of highways and disposal of lands.

8—(1) All public rights of passage over the lands that are described in the sixth, seventh, and eighth 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.

(2) The Commissioner may sell by private contract to the Marine Board of Launceston (in this subsection referred to as "the board") the pieces of land that are described in the sixth schedule for the sum of sixty-one pounds nine shillings and, upon payment by the board 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, by deed of grant, convey and alienate those pieces of land to the board in fee simple.

(3) The Governor may, in the name and on behalf of Her Majesty, by deed of grant, convey and alienate—

- (a) the lands that are described in the seventh schedule to the Tasmanian Electro Metallurgical Company Proprietary Limited in fee simple; and
- (b) the lands that are described in the eighth schedule to Comalco Aluminium (Bell Bay) Limited in fee simple.

Stopping up of Flora Street, Ulverstone.

9 The Commissioner may, at or near the junction of Flora Street with the Bass Highway in the town of Ulverstone, stop up so much of Flora Street as he may consider necessary to prevent or restrict the passage of vehicles, passengers on foot, or animals from that street on to the Bass Highway.

THE FIRST SCHEDULE.

(Section 2.)

Name.	Area.	Situation.	Book ref.	Municipality.
J. J. Iles	30a. 0r. 9p.	Lenna	175/31 (2)	Flinders

THE SECOND SCHEDULE.

(Section 3.)

TOWN OF COPPING.

Lots 9, 10, and 11, Section O.
2R. 5P.

Commencing at a point distant 206 feet 10½ inches north-westerly from the north-west corner of 1 acre patrolman's cottage site on the Arthur Highway and bounded on the north-east by 179 feet 4 inches north-westerly along that highway on the west by 127 feet 7 inches southerly along Lot 8 Crown land on the south-west by 193 feet 4½ inches along Lot 14 purchased by M. Bloomfield and Lot 15 purchased by

M. F. Dransfield thence on the east and again on the north-east by 137 feet 10¼ inches northerly and north-westerly in several bearings along Holmes Street to the point of commencement as the same is shown on Survey Diagram Plan 446 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE THIRD SCHEDULE.

(Section 4.)

PART I.

Name.	Lot No.	Area.
Brian Roper Archer	34062	3/10P.
Linda Ruby Bender	34063	1 9/10P.
John Drew Tabor	34064	1 7/10P.
George Herbert Parkin	34065	7 7/10P.
Raymond Maxwell Alderson and Edna Alderson	34066	9/10P.
Clifford Phillips McNeair	34067	2P.
Eric Ernest Bassett and Muriel Bassett	34068	3 7/10P.
Olive Annie Lucy Wigg	34069	3 7/10P.

PART II.

TOWN OF WYNYARD.

Lot 34062—3/10P.

Commencing at the north-east angle of land owned by Brian Roper Archer certificate of title reference volume 957 folio 88 being part of 500 acres originally purchased by John King and bounded on the south-west by 70 feet 7½ inches north-westerly along part of 500 acres aforesaid on the north-east by 70 feet 5 inches south-easterly along the Esplanade on Bass Strait and thence on the south-east by 2 feet 7½ inches south-westerly along Lot 34063 to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34063—1 9/10P.

Commencing at the south angle of Lot 34062 previously described and bounded on the north-west by 2 feet 7½ inches north-easterly along that lot on the north-east by 110 feet 8¼ inches south-easterly along the Esplanade on Bass Strait on the south-east by 6 feet 9¼ inches south-westerly along Lot 34064 and thence on the south-west by 110 feet 5½ inches north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34064—1 7/10P.

Commencing at the south angle of Lot 34063 previously described and bounded on the north-west by 6 feet 9¼ inches north-easterly along that lot on the north-east by 60 feet 2 inches south-easterly along the Esplanade on Bass Strait on the south-east by 9 feet 0½ inches south-westerly along Lot 34065 and thence on the south-west by 60 feet north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34065—7 7/10P.

Commencing at the south angle of Lot 34064 previously described and bounded on the north-west by 9 feet 0½ inches north-easterly along that lot on the north-east by 167 feet 7 inches south-easterly along the Esplanade on Bass Strait on the east by 16 feet 6 inches southerly along that esplanade and thence on the south-west by 173 feet 7¼ inches

north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34066—9/10P.

Commencing at the north-west angle of land owned by Raymond Maxwell Alderson and Edna Alderson certificate of title reference Volume 371 Folio 163 being part of 500 acres originally purchased by John King and bounded on the west by 3 feet 4 inches northerly along the Esplanade on Bass Strait on the north-east by 49 feet 6 $\frac{1}{2}$ inches south-easterly along the esplanade aforesaid on the east by 7 feet 2 $\frac{1}{2}$ inches southerly along Lot 34067 and thence on the south-west by 51 feet 1 inch north-westerly along part of 500 acres aforesaid to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34067—2P.

Commencing at the south angle of Lot 34066 previously described and bounded on the west by 7 feet 2 $\frac{1}{2}$ inches northerly along that lot on the north-east by 61 feet 4 $\frac{1}{2}$ inches south-easterly along the Esplanade on Bass Strait on the east by 11 feet 11 $\frac{1}{2}$ inches southerly along Lot 34068 and thence on the south-west by 63 feet 2 $\frac{1}{2}$ inches north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34068—3 7/10P.

Commencing at the south angle of Lot 34067 previously described and bounded on the west by 11 feet 11 $\frac{1}{2}$ inches northerly along that lot on the north-east by 73 feet 5 $\frac{1}{2}$ inches south-easterly along the Esplanade on Bass Strait on the east by 17 feet 8 $\frac{1}{2}$ inches southerly along Lot 34069 and thence on the south-west by 75 feet 8 $\frac{1}{2}$ inches north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

Lot 34069—3 7/10P.

Commencing at the south angle of Lot 34068 previously described and bounded on the west by 17 feet 8 $\frac{1}{2}$ inches northerly along that lot on the north-east by 54 feet 5 $\frac{1}{2}$ inches south-easterly along the Esplanade on Bass Strait on the east by 21 feet 11 inches southerly again along that esplanade and thence on the south-west by 56 feet 1 $\frac{1}{2}$ inches north-westerly along part of 500 acres purchased by John King to the point of commencement as the same is shown on Survey Diagram Volume 329 Folio 4 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FOURTH SCHEDULE.

(Section 6.)

COUNTY OF CORNWALL.

PARISH OF MORIARTY.

64A. 2R. 24P.

Commencing at a point distant 5 chains 12 7/10 links north-easterly from the north-west angle of 298 acres 1 rood 12 perches purchased by J. G. Trelloggen and bounded on the south-east by 59 chains 9 7/10 links north-easterly along part of 298 acres and 4 perches purchased by J. W. and H. R. Trelloggen on the north-east by 12 chains 12 3/10 links north-westerly again along part of that land on the north-west by 47 chains 56 9/10 links south-westerly again along part of 298 acres and 4 perches aforesaid and thence again on the north-west by 16 chains 73 9/10 links south-westerly along Lots 298 and 299 purchased by R. Willis to the point of commencement as the same is shown on Survey Diagram Volume 323, Folio 8 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FIFTH SCHEDULE.

(Section 7.)

TOWN OF BURNIE.

3r.

Commencing at the northern angle of Lot 33262 purchased by the Marine Board of Burnie and bounded on the north-west by 339 feet 2 $\frac{1}{2}$ inches north-easterly in several bearings along Bass Strait on the south-west by 27 feet 3 inches north-westerly along that strait on the south-east by 14 feet south-westerly again along that strait again on the south-west by 8 feet 9 inches north-westerly along that strait on the north-west and north-east by 222 feet 7 $\frac{3}{4}$ inches north-easterly and south-easterly in two bearings along Bass Strait aforesaid to the previous high-water mark thence by that high-water mark to the point of commencement as the same is shown on Survey Plan 909 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE SIXTH SCHEDULE.

(Section 8.)

COUNTY OF DORSET.
PARISH OF CRANBOURNE.

1A. 1R. 11 6/10P.

Commencing at a point distant 32 chains 83 5/10 links north-easterly from a north-east corner of Lot 32042 purchased by the Marine Board of Launceston and bounded on the north-west by 16 chains 81 6/10 links north-easterly in several bearings along 1 rood 10 2/10 perches public road 10,223 acres acquired by the Commonwealth for the purposes of the Australian Aluminium Production Commission and 1 acre and 33 8/10 perches public road thence on the south-east by 17 chains 13 1/10 links south-westerly in two bearings along 10,223 acres aforesaid to the point of commencement as the same is shown on Survey Diagram Public Works Roads Volume 97 Folio 24 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

PARISH OF CRANBOURNE.

1A. 3R.

Commencing at the north-east angle of Lot 32042 purchased by the Marine Board of Launceston and bounded on the east by 24 chains 11 9/10 links northerly along part of 10,223 acres acquired by the Commonwealth for the purposes of the Australian Aluminium Production Commission on the north-west by 1 chain 20 1/10 links south-westerly along 3 roods and 33 5/10 perches public road on the west by 22 chains 56 2/10 links southerly again along part of 10,223 acres aforesaid thence on the south-west by 95 9/10 links south-easterly along Lot 32042 aforesaid to the point of commencement as the same is shown on Survey Diagram Public Works Roads Volume 97 Folio 24 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE SEVENTH SCHEDULE.

(Section 8.)

COUNTY OF DORSET.
PARISH OF CRANBOURNE.2A. 2R. 5 $\frac{1}{2}$ P.

Commencing at the south-west angle of 1 acre 2 roods 7 6/10 perches purchased by the Marine Board of Launceston and bounded on the south by 33 chains 79 2/10 links westerly along part of 10,223 acres acquired by the Commonwealth for the purposes of the Australian

Aluminium Production Commission on the north-west by 96 links north-easterly along a road 75 links wide on the north by 33 chains $79 \frac{2}{10}$ links easterly along 10,223 acres aforesaid and thence on the south-east by 96 links south-westerly along 1 acre 2 roods $76 \frac{10}{10}$ perches aforesaid to the point of commencement.

3R. 33 5/10P.

Commencing at a point distant 22 chains $55 \frac{9}{10}$ links northerly from a north-west angle of 1 acre 2 roods $76 \frac{10}{10}$ perches purchased by the Marine Board of Launceston and bounded on the west by 6 chains $24 \frac{3}{10}$ links northerly along part of 10,223 acres acquired by the Commonwealth for the purposes of the Australian Aluminium Production Commission on the north-west by 5 chains $48 \frac{4}{10}$ links north-easterly again along that land on the north-east by 1 chain $8 \frac{4}{10}$ links south-easterly along a road 1 chain wide on the south-east by 5 chains $61 \frac{2}{10}$ links south-westerly along 10,223 acres aforesaid on the east by 4 chains $55 \frac{4}{10}$ links southerly again along that land and thence again on the south-east by 1 chain $20 \frac{1}{10}$ links south-westerly along a road 75 links wide to the point of commencement as the same is shown on Survey Diagram Volume 97 Roads Folio 24 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE EIGHTH SCHEDULE.

(Section 8.)

COUNTY OF DORSET.

PARISH OF CRANBOURNE.

1R. 10 2/10P.

Commencing at a point on a reserved road one chain wide distant 31 chains $72 \frac{3}{10}$ links north-easterly from the north-east angle of 1 acre 2 roods $76 \frac{10}{10}$ perches purchased by the Marine Board of Launceston and bounded on the south-east by 1 chain $73 \frac{6}{10}$ links north-easterly along part of 10,223 acres acquired by the Commonwealth for the purposes of the Australian Aluminium Production Commission again on the south-east by 2 chains $58 \frac{8}{10}$ links north-easterly along the reserved road aforesaid on the north-west by 4 chains $54 \frac{1}{10}$ links south-westerly again along 10,223 acres aforesaid and thence on the south-west by 1 chain $8 \frac{4}{10}$ links south-easterly along the reserved road aforesaid to the point of commencement.

1A. 0R. 33 8/10P.

Commencing at a point on a reserved road one chain wide distant 56 chains $64 \frac{6}{10}$ links north-easterly from the north-east angle of 1 acre 2 roods $76 \frac{10}{10}$ perches purchased by the Marine Board of Launceston and bounded on the east by 1 chain northerly along the reserved road aforesaid on the north by 1 chain 40 links westerly along part of 10,223 acres acquired by the Commonwealth for the purposes of the Australian Aluminium Production Commission on the north-west by 13 chains $69 \frac{1}{10}$ links south-westerly again along part of that land on the south-east by 4 chains $90 \frac{7}{10}$ links north-easterly along the reserved road aforesaid on the south-east by 8 chains $32 \frac{7}{10}$ links north-easterly again along part of 10,223 acres aforesaid and thence on the south by $80 \frac{4}{10}$ links easterly again along part of that land to the point of commencement as the same is shown on Survey Diagram Volume 97 Roads Folio 24 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.