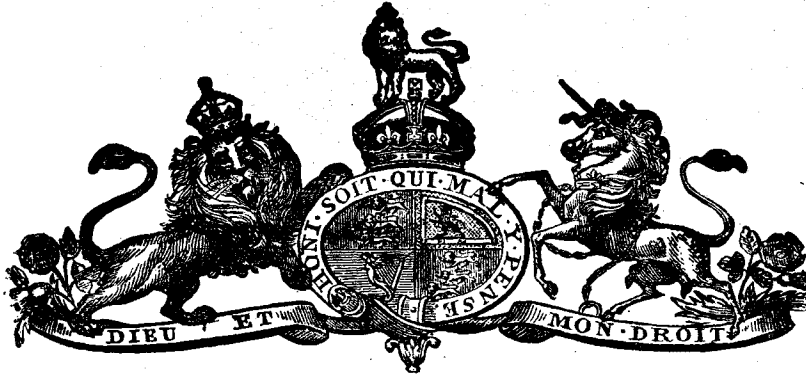


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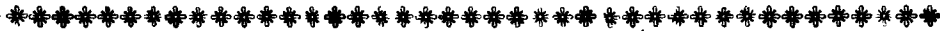
1909.

ANNO NONO

EDWARDI VII. REGIS,
No. 6.

ANALYSIS.

- 1. Power to Commissioner of Crown Lands to grant leases to the V.D.L. Company according to the terms of agreement.



AN ACT to empower the Commissioner of
Crown Lands to grant certain Leases to the
Van Diemen's Land Company.

A.D.
1909.

[18 October, 1909.]

WHEREAS on the Eighth day of *October*, One thousand nine hundred and six, the agreement set forth in the schedule to this Act was made for the settlement of a certain action brought by the *Van Diemen's Land Company* against the Marine Board of *Table Cape*, and for the settlement of other foreshore rights on lands granted to the said plaintiff company :

PREAMBLE.

And whereas it is necessary to empower the Commissioner of Crown Lands to grant leases to the *Van Diemen's Land Company* pursuant to the said agreement :

Be it therefore 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 :—

1 Notwithstanding anything to the contrary contained in "The Crown Lands Act, 1903," it shall be lawful for the Commissioner of Crown Lands to grant leases to the *Van Diemen's Land Company* in accordance with the terms of the agreement set forth in the schedule to this Act.

Power to Commissioner of Crown Lands to grant leases to the V.D.L. Company according to the terms of agreement.

4d.]

Van Diemen's Land Company Leases.

A.D. 1909.

SCHEDULE.

AGREEMENT.

In the Supreme Court of Tasmania.

THE VAN DIEMEN'S LAND COMPANY

v.

THE MARINE BOARD OF TABLE CAPE.

Heads of Agreement made for the settlement of the above Action, and of other Foreshore Rights on Lands granted to the Plaintiff Company.

1. The plaintiff company to abandon its claim to the various foreshores fronting upon the blocks of land granted to it by the Crown in 1848.

2. The Crown to agree to lease to the company at a nominal rental for a term of 14 years, with a right of renewal for a further term of 14 years, the foreshores on Robbin's, Walker's, and Trefoil Islands, and also of the foreshore on the Peninsula at Circular Head to the northward of the line forming the southern boundary of the Highfield-lane and extended eastward and westward to the sea. Reserving unto the Crown navigation and other public rights, and also the right to take, without compensation, during the currency of the said leases or the renewal thereof any part of the said foreshores required for harbour purposes or works connected with navigation.

3. Leases for 14 years of strips of land to be issued by the Crown to the company to enable the company to erect and maintain fences across the foreshore at the places hereinafter mentioned in this paragraph. Such strips of land to be half a chain in width on each side of the said fences. The said fences not to cause any interference with public rights of access to any part of the foreshore, and the said leases to contain such conditions as to gates in the said fences as may be specified therein:—

- (a) At the places on the foreshore fronting upon the Woolnorth block where any existing fences are now erected upon the foreshore, and at such other places where fences may hereafter from time to time be erected by the company with the approval of the Surveyor-General for the time being.
- (b) At the place on the foreshore near the mouth of Deep Creek, in Duck Bay, where a fence is now erected.
- (c) At a place on the foreshore near the mouth of Muddy Creek, in West Bay Inlet, where a fence is now erected.
- (d) At one other place on the foreshore in West Bay Inlet to be determined by the company with the approval of the Surveyor-General for the time being.
- (e) At a place on the foreshore in East Bay Inlet extending from a point in Monnatterick to the channel in such inlet, where a fence is now erected.

All the foregoing places to be marked approximately on a plan by the company, and in the event of dispute to be determined by the Surveyor-General for the time being.

4. The Government to take all necessary steps to prevent material being taken or removed by any town board, road trust, main road board, Government contractor, or other corporation or person, from any place on the foreshore fronting on the Emu Bay block.

5. The company's land between the intersection of Marine-terrace, Burnie, with the Emu Bay Railway, and the piece of land known in this action as Block D, shall be deemed to be bounded seawards by the line X Y shown on the tracing hereunto annexed running parallel to and at a distance of 50 feet seawards from the centre of the main line of rails now used by the Emu Bay Railway Company, Limited, and thence by the line Y Z, the projection of the point Y on the centre line of rails being 200 feet from the point Z, and the point Z being on the southern boundary of Block D and distant 33 feet from the centre of the main line of rails as aforesaid.



Van Diemen's Land Company Leases.

6. The Crown may resume, without compensation, any land required for wharf or other harbour purposes which may be situate within the triangle Y Z W on the said plan coloured brown. A.D. 1909.

7. The foregoing leases when executed by the Governor in Council shall be deemed by both parties a sufficient compliance with this agreement.

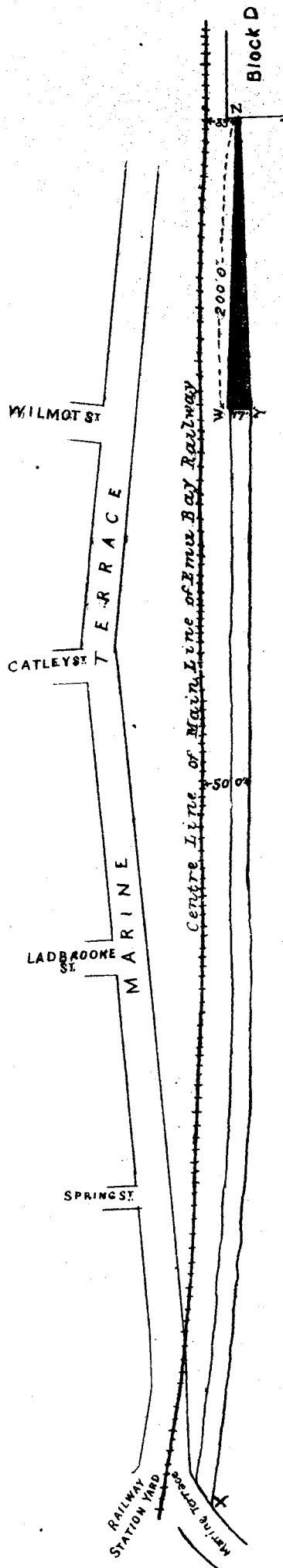
8. In the event of any difference arising between the parties hereto as to the interpretation of any of the foregoing provisions, or as to the mode in which the same shall be carried out, the same shall be referred to the determination of His Honour the Chief Justice, or of one of the other judges of the Supreme Court of Tasmania, whose decision shall be final.

9. Each party to pay their own costs of the former trial in Tasmania and application to the Supreme Court of Tasmania and of this present new trial.

G. W. WATERHOUSE,
Counsel for the Plaintiff Company.

EDW. D. DOBBIE, Solicitor-General,
Counsel for the Defendant Marine Board.

8th October, 1906.



E M U
B A Y



Not Drawn to Scale.

THE LAND VALUATION ACT, 1909.

ANALYSIS.

PART I.—PRELIMINARY.

1. Short title.
Division.
2. Interpretation.
“Capital value.”
“Improvements.”
“Owner.”
“Prescribed.”
“Return.”
“This Act.”
“Unimproved value.”
“Value of improvements.”

PART II.—ADMINISTRATION OF ACT.

3. Districts.
4. Chief Valuer.
5. Commissioner of Taxes to be Chief Valuer.
6. Governor may appoint officers.
Terms of appointment.
7. Where District Valuers to exercise functions.
8. Appointments to be gazetted.
9. Declaration of fidelity and secrecy.
10. Court of review.

PART III.—LAND VALUATION ROLLS.

11. Preparation of district roll and contents thereof.
12. Chief Valuer to cause district rolls to be prepared.
13. Valuations to be in lieu of those prescribed by “The Land Tax Act, 1905.”
14. Revision of rolls.
15. Provisions as to revision of rolls.
16. Alterations during currency of rolls.
Supplemental roll.
17. Owner may have new valuation.
18. Notice of valuation roll to be published.
Owner may object.
19. Notice of alterations, omissions, or new valuations to be given.
20. Copies of entries to be supplied.

PART IV.—OBJECTIONS, REVIEW, AND APPEAL.

21. Valuations good if not objected to.
22. Form of objections.
23. Chief Valuer may allow objections.

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24. Sittings of court of review.
Officers of court.
25. Objections to assessment heard by a court of review.
26. List of objections to be made.
27. Decision of court to be final, except as provided.
28. Court may examine on oath, and call for persons and papers.
29. Practice and procedure.
30. Costs of objection.
31. How costs recoverable from objector.
32. How costs recoverable from Chief Valuer.
33. Adjournment of court or hearing of objection.
34. Appeal from decision of court of review on points of law.
35. Notice of appeal.
Filing and service.
Security for costs.
Appeal to be by special case.
Case to be set down.
36. Depositions, &c., may be used upon hearing appeal.
37. When appeal deemed to be abandoned.
38. Order of Supreme Court final.
39. Costs of appeal.
40. Result of appeal to be communicated.
41. One judge to hear appeal.
42. Powers of court may be exercised by a judge in chambers.
43. Judges to make rules.
44. Valuation may be acted on while appeal pending, subject to adjustment.

PART V.—POWERS OF OFFICERS.

45. Return of value and other particulars may be called for.
46. Persons to furnish returns and declare to truth thereof.
47. Provisions and directions in furtherance of valuation.
Returns may be forwarded by post.
Further returns may be required.
48. Penalty for making false returns, &c.
49. In preparation of roll use may be made of assessments in force.
50. Power to inspect, &c.
51. Penalty for not permitting inspection.

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| <p>52. Assistance of collectors of rates, &c., may be required.</p> <p>53. Powers of valuers, and duties of owners and occupiers.</p> <p>54. Occupier refusing to give the name of owner liable to a penalty.</p> <p>55. Valuer, if dissatisfied, may make enquiry and summon witnesses.</p> <p>56. Party summoned to attend.</p> <p>57. Valuer may examine upon oath.</p> | <p>59. Notices may be in writing or in print.</p> <p>60. Service of notices.</p> <p>61. Notice to produce documents in court.</p> <p>62. How notices to be published in district.</p> <p>63. Evidence.</p> <p>64. Chief Valuer may appear in person or by solicitor or other officer.</p> <p>65. Time extended for doing acts.</p> <p>66. Irregularity not to affect valuation. Time prescribed may be extended.</p> |
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PART VI.—REGULATIONS.

58. Governor may make regulations.
- Duties.
 - Returns.
 - Rolls.
 - Supplying rolls, &c.
 - Practice and procedure.
 - Fees and recovery.
 - Where regulations contemplated.
 - Where insufficient provision.

PART VII.—SUPPLEMENTAL.

67. Penalty for obstructing officers, &c.
68. Affidavits may be sworn before a commissioner or justice.
69. Expenses of administration. Appropriation of fees.
70. Recovery of penalties.
71. Action against officers, &c.