

(4) The Minister may, by an appropriate instrument, vest any lands purchased or taken under the power referred to in subsection (3) of this section in the Director of Housing for the purposes of section ten of the Principal Act and the Recorder of Titles or the Registrar of Deeds, as the case may require, shall register that instrument without fee.

Restriction on alienation of land in certain cases.

4 Section twenty-six of the Principal Act is amended—

- (a) by omitting from subsection (1) the symbols and numeral "(2)" and substituting therefor the symbols and numeral "(3)";
- (b) by omitting from subsection (3) the symbols and numeral "(2)" and substituting therefor the symbols and numeral "(3)"; and
- (c) by omitting from subsection (4) the words "subsections (6) and (7)" and substituting therefor the words "subsections (16) and (12)".

CROWN LANDS (MISCELLANEOUS PROVISIONS).

No. 41 of 1970.

AN ACT to make provision for certain matters relating to certain Crown lands and certain other lands. [1 December 1970.]

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 1970*.

(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 purchasers of Crown lands.

2—(1) The Commissioner may, with the consent of the Governor, reinstate—

- (a) *Catherine Josephine O'Keefe*, of Launceston in this State, as the purchaser of the land specified in Part I of the first schedule; and

- (b) *Robert John Stacey*, of Nubeena in this State, as the purchaser of the land specified in Part II of that schedule,

under the contracts respectively entered into by those persons under the Principal Act for the purchase of those lands.

(2) When a person is reinstated under this section as purchaser under a contract for the purchase of any land he becomes liable to pay to the Commissioner—

- (a) the instalments under the contract that had fallen due and had not been paid at the date on which the land was forfeited to the Crown and the instalments that would have fallen due thereunder before he was so reinstated if the land had not been forfeited;
- (b) interest at the rate of five per cent per annum on each of those instalments calculated from the date on which it fell due, or would have fallen due, to be paid, as the case may be; and
- (c) a sum equivalent to the cost of the giving of such notice as is referred to in subsection (2) of section seventy-two of the Principal Act in relation to the forfeiture of the land,

in place of the instalments that he would otherwise have been liable to pay under the contract before the date on which he was so reinstated, and the Principal Act has effect as if the sums which that person becomes liable to pay under this subsection were an instalment due under the contract.

3—(1) All public rights of passage over the land described in Part I of the second schedule are extinguished.

Closure of highway and sale of site and other Crown lands at Heybridge to Australian Titan Products Pty. Ltd.

(2) The Commissioner may sell to Australian Titan Products Proprietary Limited, a company incorporated in the State of Victoria, the lands described in Part I and Part II of the second schedule for a sum determined by the Surveyor-General.

4 The Commissioner may sell to the Australian Red Cross Society the land described in the third schedule for a sum determined by the Surveyor-General.

Sale of Crown land at New Norfolk to Australian Red Cross Society.

5—(1) The land described in the fourth schedule reverts to and reverts in Her Majesty absolutely, freed and discharged from all estates and interests therein subsisting in any person.

Revesting, and grant to the Methodist Church, of land at Deloraine.

(2) The *Methodist Church Property Act 1929* has effect in relation to the land referred to in subsection (1) as if that land were specified in the schedule to that Act.

6 The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the Trustees of the Property of the Presbyterian Church of Tasmania, for an estate in fee simple, the land described in the fifth schedule.

Grant of Crown land at Swansea to Presbyterian Church.

Grant of Crown lands at Richmond to Church of England.

7 The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the Trustees of the Property of the Church of England in Tasmania, for an estate in fee simple, the lands described in the sixth schedule.

Closure of highway at Ulverstone and sale of site to International Cannery Pty. Ltd.

8—(1) All public rights of passage over the land described in the seventh schedule are extinguished.

(2) The Commissioner may sell to International Cannery Proprietary Limited the land referred to in subsection (1) of this section for the sum of four thousand dollars.

Sale of Crown lands at Burnie to Burnie Marine Board.

9 The Commissioner may sell to the Marine Board of Burnie the lands described in the eighth schedule for a sum determined by the Surveyor-General.

Exchange of lands at Devonport with Henry and Willing

10—(1) On the surrender to Her Majesty of all the estate of Henry and Willing Proprietary Limited (in this section referred to as "the company") in the land described in Part I of the ninth schedule, the Governor may, in the name and on behalf of Her Majesty, convey and alienate to the company the Crown land described in Part II of that schedule for an estate in fee simple subject to a right-of-way referred to in that Part made appurtenant to other Crown land adjoining the Crown land so described.

(2) Any survey fees or grant fees payable in respect of the grant of any land under subsection (1) of this section, and any fees, duty, or other sums payable under the *Real Property Act* 1862 or the *Stamp Duties Act* 1931 in respect of that grant or in respect of the surrender referred to in that subsection shall be defrayed by the Warden, Councillors, and Electors of the municipality of Devonport.

Sale of Crown land at Triabunna to D. D. Dowd.

11 The Commissioner may sell to *Douglas David Dowd*, of Orford in this State, the land described in the tenth schedule for the sum of six thousand and fifty dollars.

Surrender of land by University of Tasmania.

12—(1) Notwithstanding anything in any other Act the University of Tasmania may surrender to Her Majesty the land described in the eleventh schedule.

(2) On the surrender of any land under this section the land shall be deemed to have ceased to be part of the land described in Part I of the second schedule to the *Tasmanian University Act* 1951, and shall be deemed to be Crown land that, by a proclamation under section seven of the Principal Act, has been excepted from sale and lease and reserved to Her Majesty for public roads and streets.

Sale of land at Dorchester to G. D. and M. O. Millar.

13 The Commissioner may sell to *Graeme Douglas Millar* and *Madge Ormiston Millar*, of Hillwood in this State, the land described in the twelfth schedule for a sum determined by the Surveyor-General.

Vesting of land in Royal Tasmanian Society for the Blind and Deaf.

14—(1) The land described in the thirteenth schedule shall vest in and be held by the Royal Tasmanian Society for the Blind and Deaf (in this section referred to as "the Society") for the like estate and subject to the like powers, duties, obligations, and liabilities as the existing land of the Society was, immediately before the

commencement of this Act, so vested and so held; and, subject to the foregoing provisions of this section, that Society ceases to hold any estate or interest in land pursuant to section four of the *Tasmanian Blind and Deaf Institute Act 1933*.

(2) For the purposes of this section the existing land of the Society means so much of the land referred to in section four of the *Tasmanian Blind and Deaf Institute Act 1933* as, immediately before the commencement of this Act, was vested in and held by the Society.

15 The Commissioner may sell to *Evelyn Irene Walker*, of Beaconsfield in this State, the land described in the fourteenth schedule for the sum of seven hundred dollars. Sale of land at Beaconsfield to Mrs. E. I. Walker.

16 The Commissioner may sell to *Clifford Lloyd Parker*, of Bicheno in this State, the land described in the fifteenth schedule for a sum determined by the Surveyor-General. Sale of land at Bicheno to C. L. Parker.

17 The Commissioner may sell to *Anthony Cripps Peacock*, *Elizabeth Anne Peacock*, and *Janet Emelie Peacock*, of Hobart in this State, the lands described in the sixteenth schedule for a sum determined by the Surveyor-General. Sale of land at Howrah to A. C., E. A., and J. E. Peacock.

18 The Commissioner may sell to *Gordon Hoare*, of Cornwall in this State, the land described in the seventeenth schedule for a sum determined by the Surveyor-General. Sale of land at Cornwall to G. Hoare.

19—(1) Subsection (2) of section seventy of the Principal Act applies to the conveyance and alienation of land pursuant to the foregoing provisions of this Act as it applies to the alienation of land pursuant to that section, but nothing in this subsection shall be construed as affecting the operation of that section in relation to the sale of land pursuant to any of those provisions. Supplementary provisions.

(2) Except as otherwise provided in this Act, the prescribed survey and grant fees shall be paid before any land is conveyed or alienated pursuant to any of the foregoing provisions of this Act.

(3) Except as otherwise provided in this Act, any fees payable under the *Real Property Act 1862* in respect of the conveyance or alienation under this Act of land to any person shall be defrayed by that person.

(4) Subject to the foregoing provisions of this Act, any land that vests in Her Majesty, or over which any public rights of passage are extinguished, pursuant to any of those provisions shall be deemed to be Crown land within the meaning of the Principal Act.

(5) References in any of the schedules to this Act to a plan or diagram by a number shall be construed as references to the plan or diagram so numbered and filed in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FIRST SCHEDULE.

(Section 2.)

PART I.

TOWN OF BEACONSFIELD.

All that area of Crown land containing $38 \frac{9}{10}$ perches as the same is shown on Survey Diagram Volume 258, Folio 24.

PART II.

TOWN OF NUBEENA.

All that area of Crown land containing 9 acres 2 roods 25 perches as the same is shown on Survey Diagram Volume 226, Folio 6.

THE SECOND SCHEDULE.

(Section 3.)

PART I.

TOWN OF HEYBRIDGE.

All that area of Crown land containing 1 acre 1 rood $25 \frac{4}{10}$ perches as the same is shown on Plan of Survey No. 3049.

PART II.

TOWN OF HEYBRIDGE.

All that area of Crown land containing 1 acre $25 \frac{1}{10}$ perches as the same is shown on Plan of Survey No. 3049.

THE THIRD SCHEDULE.

(Section 4.)

TOWN OF NEW NORFOLK.

All that area of Crown land containing 1 acre $20 \frac{2}{10}$ perches as the same is shown on Plan of Survey No. 3269.

THE FOURTH SCHEDULE.

(Section 5.)

TOWN OF DELORAINE.

All that area of land, being Lot 9, Section N, containing 1 acre $35 \frac{5}{10}$ perches as the same is shown on Plan of Survey No. 2643.

THE FIFTH SCHEDULE.

(Section 6.)

TOWN OF SWANSEA.

All that area of land containing 10 acres 1 rood 20 perches as the same is shown on Plan of Survey No. 3161.

THE SIXTH SCHEDULE.

(Section 7.)

TOWN OF RICHMOND.

All those two areas of land containing 3 acres 30 1/10 perches and 2 acres 3 roods 39 3/10 perches respectively as the same are shown on Plan of Survey No. 3175.

THE SEVENTH SCHEDULE.

(Section 8.)

TOWN OF ULVERSTONE.

3 roods 22 perches or thereabouts.

Commencing at the south-west angle of 2 acres 3 roods 7 7/10 perches purchased by International Cannery Pty. Ltd. on Trevor Street and bounded on the south by 1 chain westerly along that street on the west by 8 chains 16 4/10 links northerly along 5 acres 2 roods 36 perches also purchased by International Cannery Pty. Ltd. on the south-west by 1 chain 6 4/10 links north-westerly along 1 acre and 35 4/10 perches also purchased by International Cannery Pty. Ltd. to Jetty Street on the north by 1 chain 80 links or thereabouts easterly along the Nietta-Ulverstone Railway Reserve and along the last-mentioned street and thence on the east by 8 chains 70 links or thereabouts southerly again along that street along 1 acre 2 roods 37 8/10 perches also purchased by International Cannery Pty. Ltd. and along 2 acres 3 roods 7 7/10 perches aforesaid to the point of commencement as the same is shown on Survey Diagram Volume 161 Devon Folio 29.

THE EIGHTH SCHEDULE.

(Section 9.)

TOWN OF BURNIE.

All those two areas of land containing 1 rood 3 3/10 perches and 4 7/10 perches respectively as the same are shown on Plans of Survey No. 2723 and No. 3101.

THE NINTH SCHEDULE.

(Section 10.)

PART I.

TOWN OF DEVONPORT.

All that area of land containing 1 acre 1 rood 2 7/10 perches fronting on Tangye Street as the same is described in Certificate of Title Volume 2577 Folio 41 registered in the name of Henry and Willing Proprietary Limited.

PART II.

TOWN OF DEVONPORT.

All that area of Crown land containing 1 acre 1 rood 27 5/10 perches, subject to a right-of-way 12 feet wide, as the same is shown on Plan of Survey No. 3099.

THE TENTH SCHEDULE.

(Section 11.)

TOWN OF TRIABUNNA.

All that area of Crown land containing 1 acre 27 6/10 perches as the same is shown on Survey Diagram Towns Volume P5 Folio 3.

THE ELEVENTH SCHEDULE.

(Section 12.)

CITY OF HOBART.

All that area of land containing 1 acre 22 3/10 perches as the same is shown on Plan of Survey No. 3027.

THE TWELFTH SCHEDULE.

(Section 13.)

TOWN OF DORCHESTER.

All that area of land containing 11 acres 2 roods 1 perch as the same is shown on Plan of Survey No. 3157.

THE THIRTEENTH SCHEDULE.

(Section 14.)

CITY OF HOBART.

All that land containing 2 acres 3 roods 37 perches as the same is shown on Plan of Survey No. 1724.

THE FOURTEENTH SCHEDULE.

(Section 15.)

TOWN OF BEACONSFIELD.

All that area of Crown land containing 18 8/10 perches as the same is shown on Plan of Survey No. 2676.

THE FIFTEENTH SCHEDULE.

(Section 16.)

TOWN OF BICHENO.

All that area of Crown land containing 2 roods 14 6/10 perches as the same is shown on Plan of Survey No. 3268.

THE SIXTEENTH SCHEDULE.

(Section 17.)

TOWN OF HOWRAH.

All those two areas of Crown land containing 10 5/10 perches and 8/10 perch respectively as the same are shown on Plan of Survey No. 3235.

THE SEVENTEENTH SCHEDULE.

(Section 18.)

TOWN OF CORNWALL.

All that area of land containing 1 rood 33 3/10 perches as the same is shown on Plan of Survey No. 3085.