

CROWN LANDS (MISCELLANEOUS PROVISIONS) ACT 1985

No. 32 of 1985

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**CROWN LANDS (MISCELLANEOUS PROVISIONS)
ACT 1985**

No. 32 of 1985

AN ACT to provide for the extinguishment of rights of passage over sections of certain highways in the city of Hobart, the revocation of the vesting of part of the Queen's Domain, the revesting of certain land in the Crown and other related matters.

[Royal Assent 1 May 1985]

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:—

1—This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act 1985*. Short title.

2—(1) This section and section 1 shall commence on the day on which this Act receives the royal assent. Commence-
ment.

(2) Except as provided in subsection (1) the several provisions of this Act shall commence on such day or days as may be fixed by proclamation.

Interpretation.

3—In this Act, unless the contrary intention appears—

“Crown land” has the meaning assigned to that expression in the *Crown Lands Act 1976*;

“Director-General” means the Director-General of Lands appointed pursuant to section 7 of the *Crown Lands Act 1976*;

“Recorder of Titles” means the Recorder of Titles appointed pursuant to section 4 of the *Land Titles Act 1980*.

Extinguishment
of public
rights of
passage over,
and vesting
of, section of
Dunn Street,
city of
Hobart.

4—(1) On the day on which this section commences—

(a) subject to subsection (3), all public rights of passage over the area of Crown land described in Part I of Schedule 1 are extinguished; and

(b) subject to sections 16 (2), 16 (3), and 54 of the *Crown Lands Act 1976*, that area of land is vested in fee simple in the Lord Mayor, Aldermen, and Citizens of the City of Hobart.

(2) The provisions of section 126 of the *Land Titles Act 1980* apply, with the necessary modifications, to the vesting of the area of land referred to in subsection (1) as if the vesting were in an acquiring authority within the meaning of that Act.

(3) A registered proprietor specified in Part II of Schedule 1 is entitled to a right of carriageway over the area of land described in Part III of that Schedule.

(4) On application by a registered proprietor specified in Part II of Schedule 1, the Recorder of Titles may, pursuant to the *Land Titles Act 1980*, record on the relevant Folio of the Register the right of carriageway referred to in subsection (3).

Extinguishment
of public
rights of
passage over,
and vesting
of, section of
Market Place,
city of
Hobart.

5—(1) On the day on which this section commences—

(a) subject to subsection (3), all public rights of passage over the area of Crown land described in Part I of Schedule 2 are extinguished; and

(b) subject to sections 16 (2), 16 (3), and 54 of the *Crown Lands Act 1976*, that area of land is vested in fee simple in the Lord Mayor, Aldermen, and Citizens of the City of Hobart.

(2) The provisions of section 126 of the *Land Titles Act* 1980 apply, with the necessary modifications, to the vesting of the area of land referred to in subsection (1) as if the vesting were in an acquiring authority within the meaning of that Act.

(3) A registered proprietor or owner specified in Part II of Schedule 2 is entitled to a right of carriageway over the area of land described in Part IV of that Schedule.

(4) A registered proprietor or owner specified in Part III of Schedule 2 is entitled to a right of carriageway over the land described in Part V of that Schedule.

(5) On application by a registered proprietor specified in Part II or Part III of Schedule 2, or an owner of land specified in those Parts who subsequently becomes a registered proprietor of that land, the Recorder of Titles may, pursuant to the *Land Titles Act* 1980, record on the relevant Folio of the Register the right of carriageway referred to in subsection (3) or (4).

6—All public rights of passage over any or all of the following areas are extinguished:—

- (a) the area of land described in Part I of Schedule 3;
- (b) the area of land described in Part II of Schedule 3.

Extinguishment of public rights of passage over sections of Hunter Street, city of Hobart.

7—On the day on which this section commences—

- (a) all public rights of passage over the area of Crown land described in Schedule 4 are extinguished; and
- (b) that area of land is vested in the Lord Mayor, Aldermen, and Citizens of the City of Hobart to comprise part of the area of land known as the Queen's Domain.

Extinguishment of public rights of passage over, and vesting of, section of Davies Avenue, city of Hobart.

8—(1) There is revoked from the area of land known as the Queen's Domain the following areas of land:—

- (a) the area of land described in Part I of Schedule 5;
- (b) the area of land described in Part II of Schedule 5;
- (c) the area of land described in Part III of Schedule 5.

Revocation and revesting of certain areas of land in Queen's Domain.

(2) On the revocation of the area of land referred to in subsection (1) (a), (b), or (c), that area of land reverts to, and revests in, the Crown, freed and discharged from all estates and interests subsisting in any person.

Revesting and
reversion of
certain lands
to Crown.

9—The following areas of land revert to, and revert in, the Crown, freed and discharged from all estates and interests subsisting in any person:—

- (a) the area of land described in Part I of Schedule 6;
- (b) the area of land described in Part II of Schedule 6;
- (c) the area of land described in Part III of Schedule 6.

Issue of
Folio of
Register.

10—On application by the Director-General, the Recorder of Titles shall, pursuant to the *Land Titles Act* 1980, issue a Folio of the Register in respect of—

- (a) any area of land reverted in the Crown pursuant to section 8 or 9; and
- (b) the area of land described in Parts I and II of Schedule 3.

Termination
of certain
lease.

11—The lease referred to in Part I of Schedule 7 is terminated and the area of land described in Part II of that Schedule remains vested in the registered proprietor of that land freed from that lease.

Application for
compensation
in certain
cases.

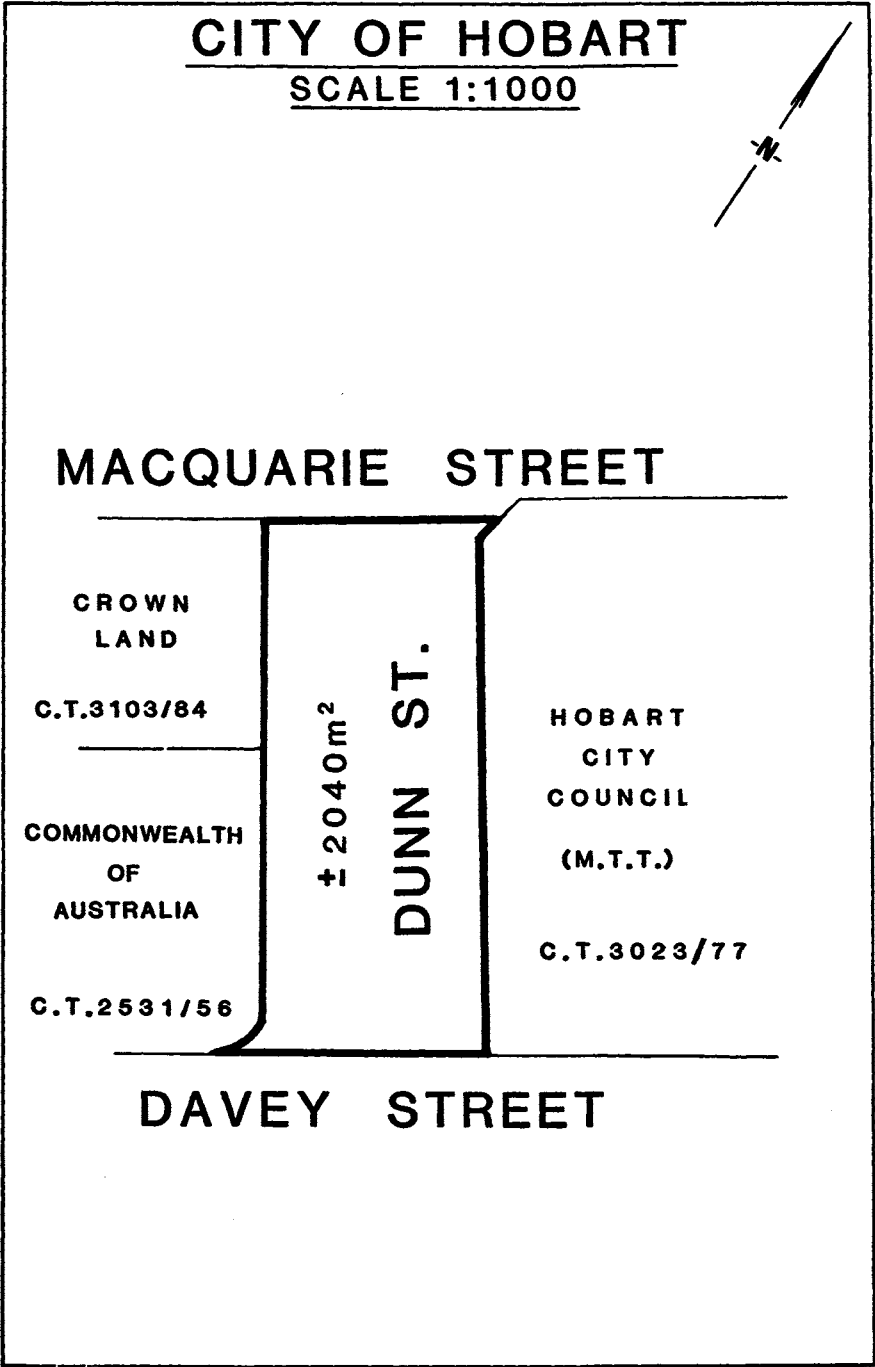
12—In respect of any land specified in Part II of Schedule 1 or Part II or Part III of Schedule 2—

- (a) a registered proprietor or owner of that land; or
- (b) a person with an equitable interest in that land,

who is injuriously affected by the extinguishment of a public right of passage over any of the land referred to in section 4 or 5, may make an application for compensation under the *Lands Resumption Act* 1957 as if that right of passage were an interest acquired compulsorily under that Act.

SCHEDULE 1
SECTION OF DUNN STREET
PART I

Section 4



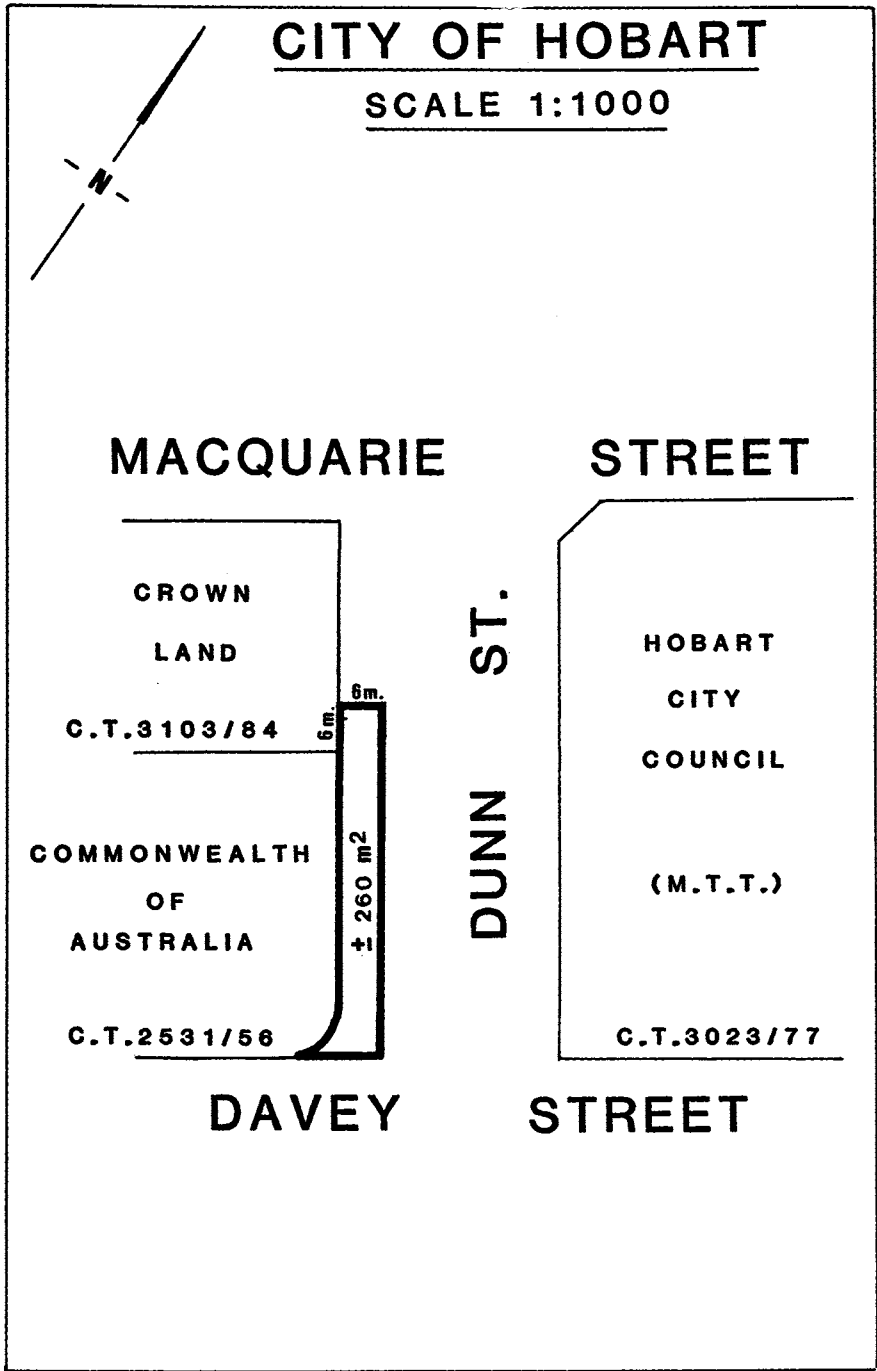
PART II

REGISTERED PROPRIETORS ENTITLED TO RIGHT OF CARRIAGEWAY

<i>Registered Proprietors</i>	<i>Folio of the Register</i>	
	Vol.	Folio
The Crown	3103	84
The Commonwealth of Australia	2531	56

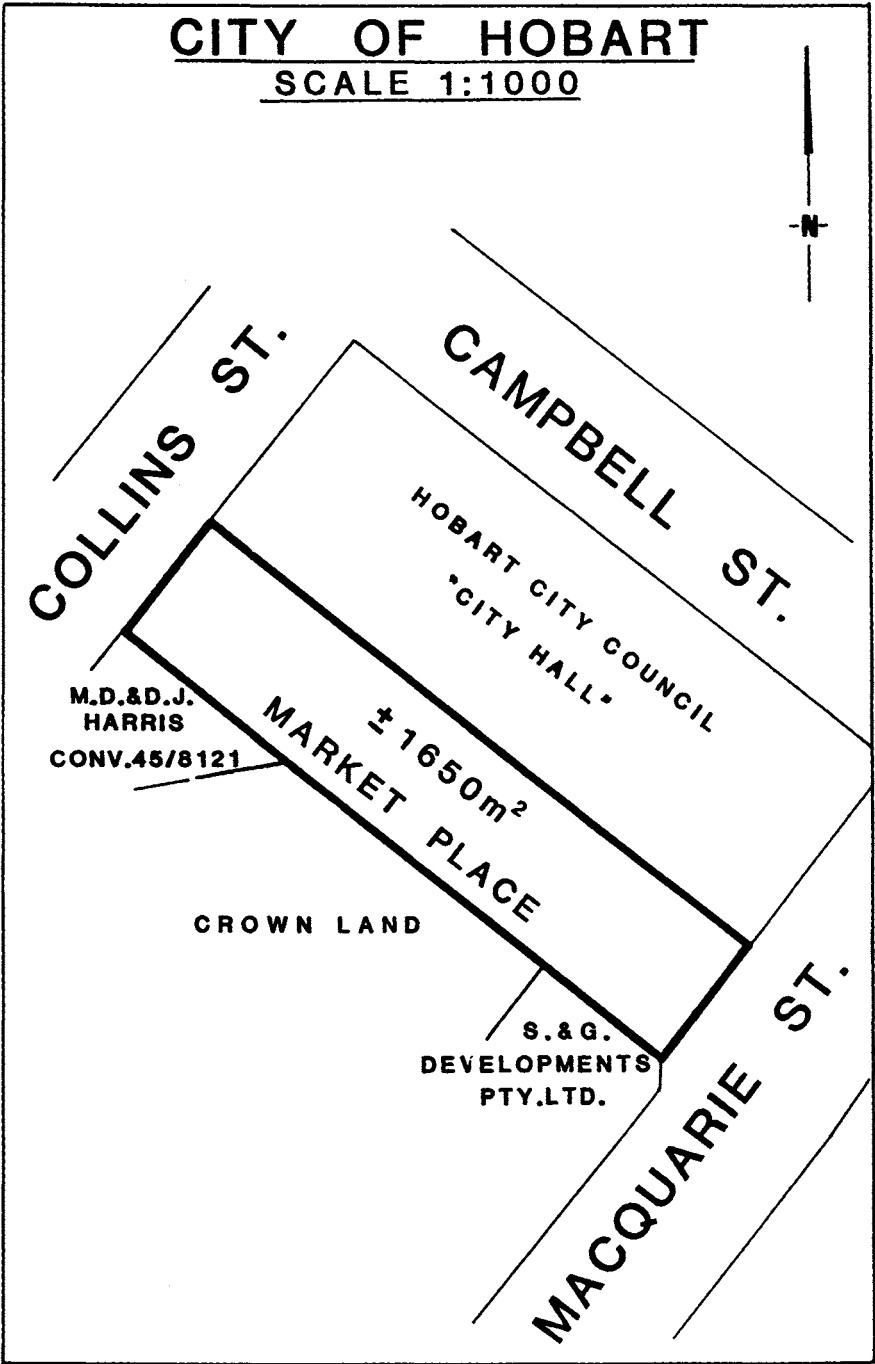
PART III

RIGHT OF CARRIAGEWAY



SCHEDULE 2
PART I
SECTION OF MARKET PLACE

Section 5



PART II

REGISTERED PROPRIETORS AND OWNERS ENTITLED TO RIGHT OF
CARRIAGEWAY

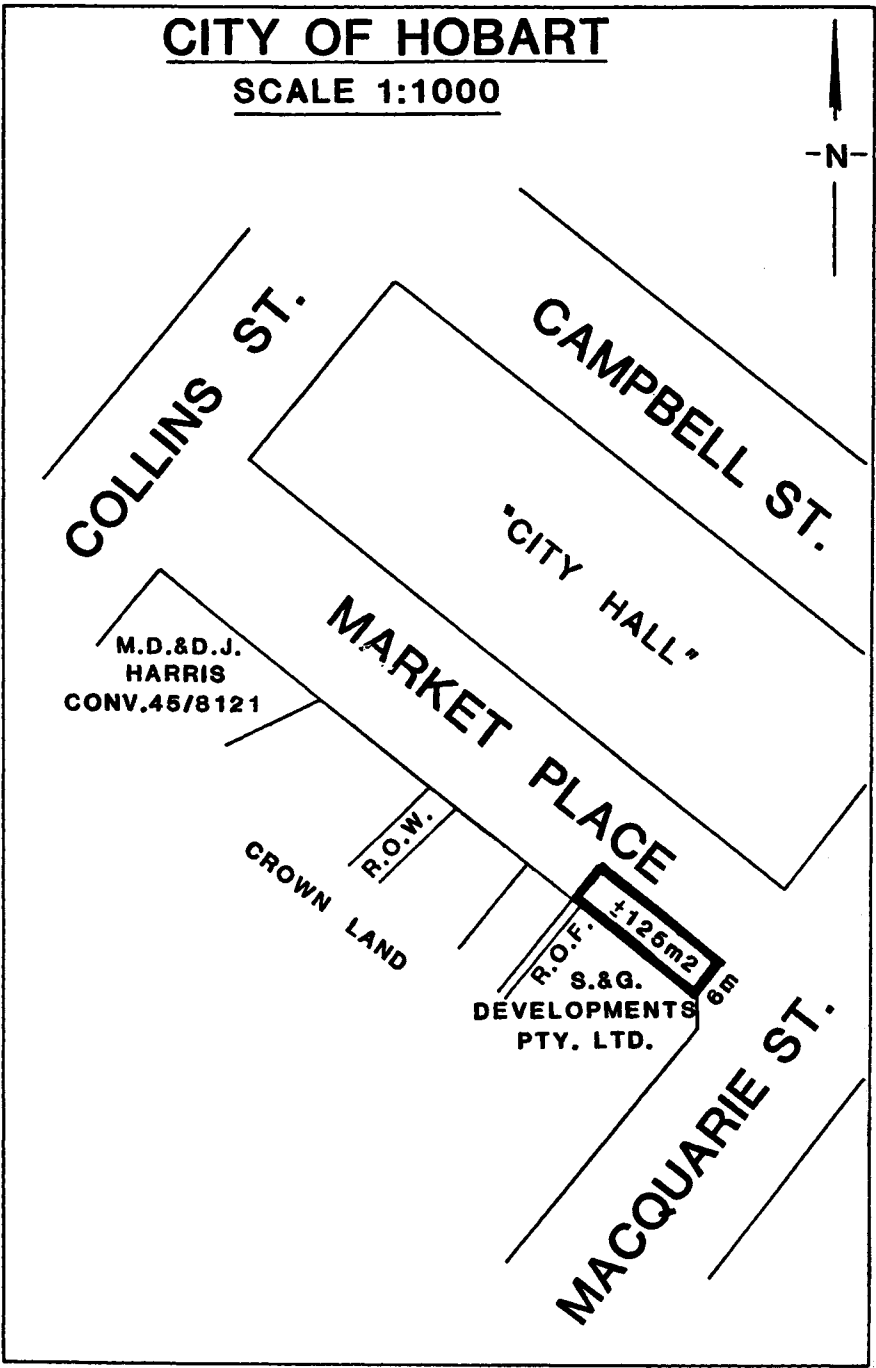
<i>Registered Proprietors</i>	<i>Folio of the Register</i>	
	Vol.	Folio
L. Jackson	3232	93
The Crown	2389	33
The Crown	2884	50
<i>Owners</i>		<i>Conveyance No.</i>
S. & G. Developments Pty Ltd	54/1460	
S. & G. Developments Pty Ltd	55/3553	

PART III

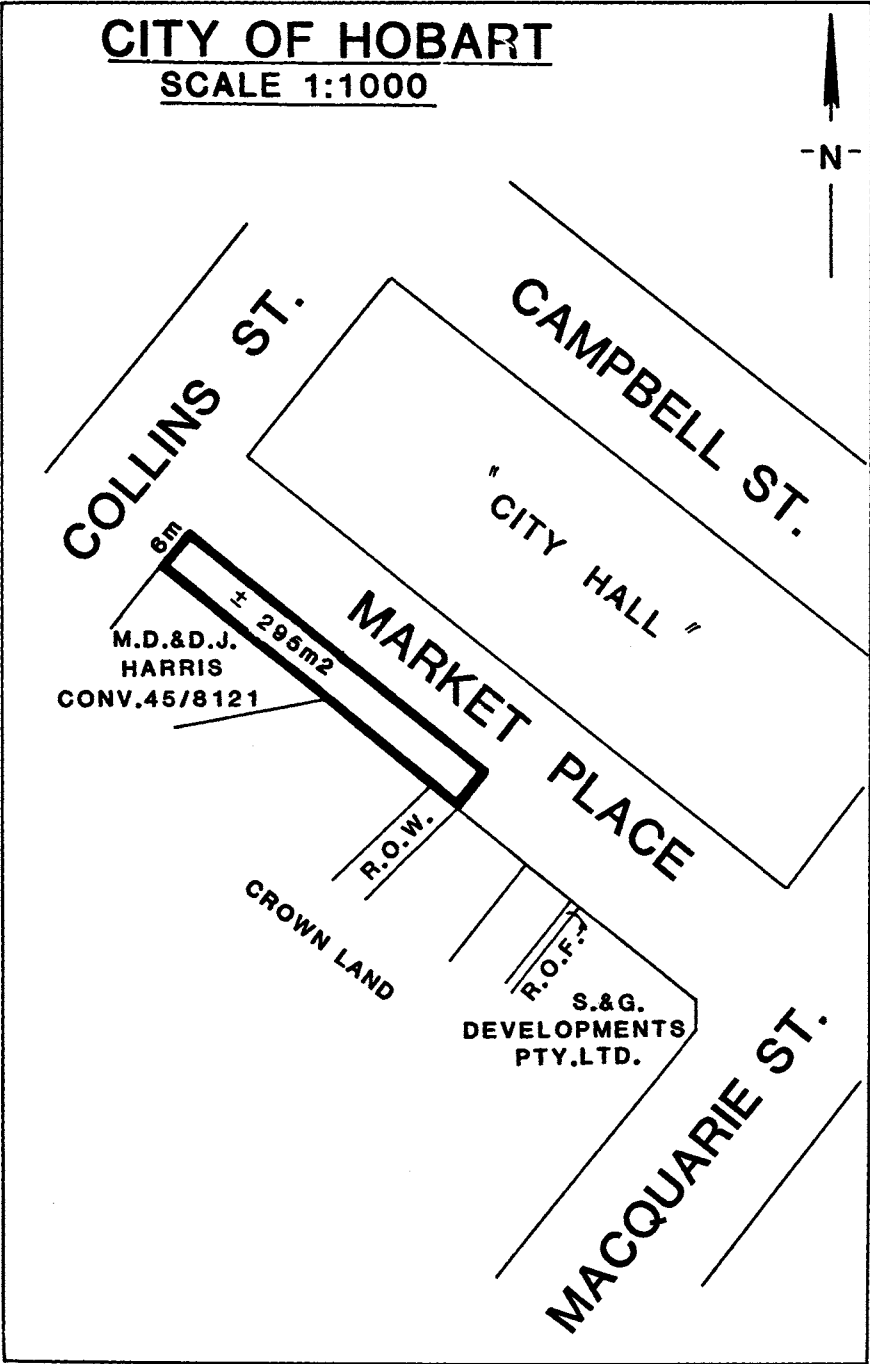
REGISTERED PROPRIETORS AND OWNERS ENTITLED TO RIGHT OF
CARRIAGEWAY

<i>Registered Proprietors</i>	<i>Folio of the Register</i>	
	Vol.	Folio
The Crown	2519	67
The Crown	2389	32
The Crown	2389	33
The Crown	2884	50
<i>Owner</i>		<i>Conveyance No.</i>
M. D. & D. J. Harris	45/8121	

PART IV
RIGHT OF CARRIAGEWAY

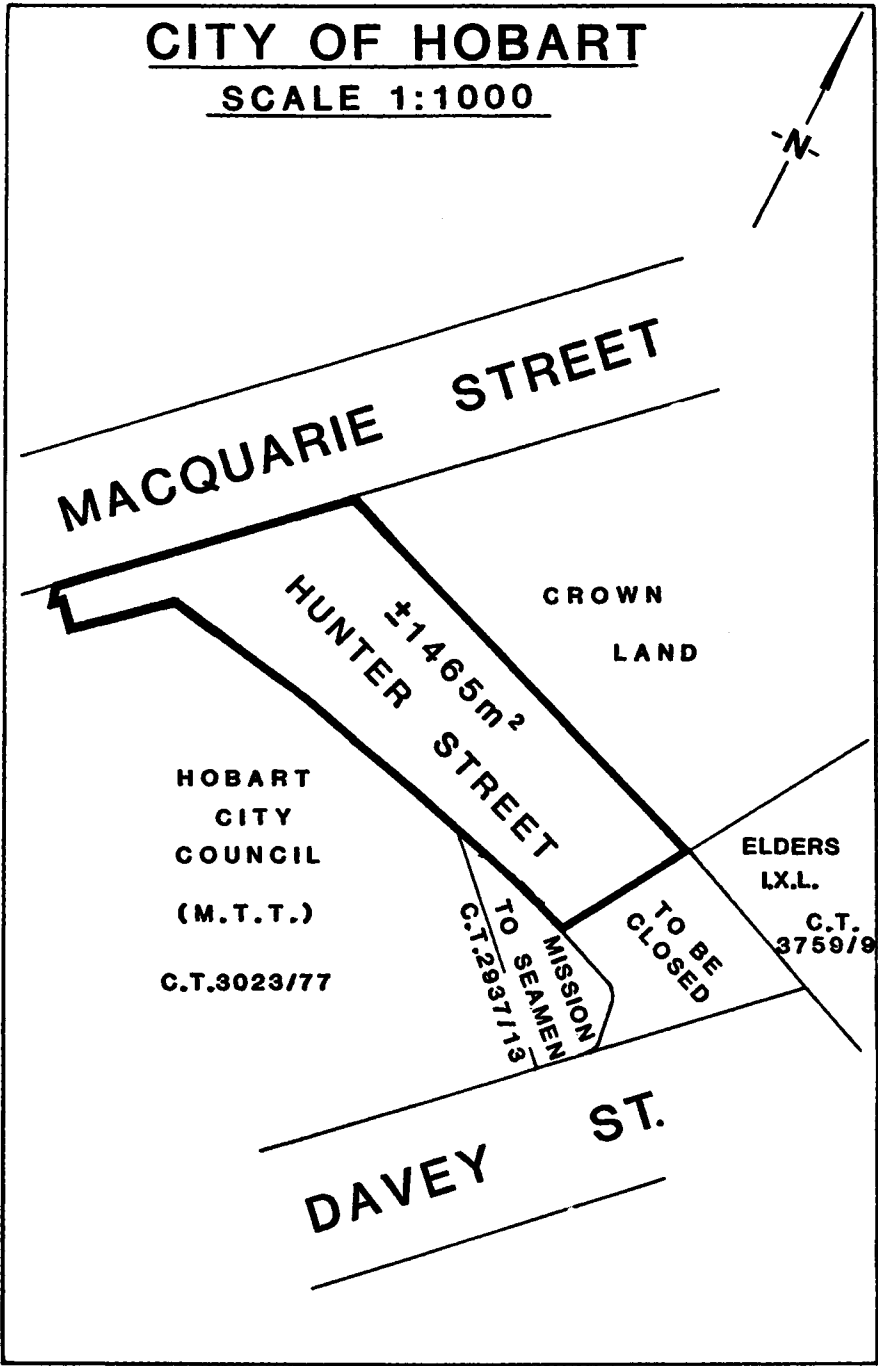


PART V
RIGHT OF CARRIAGEWAY

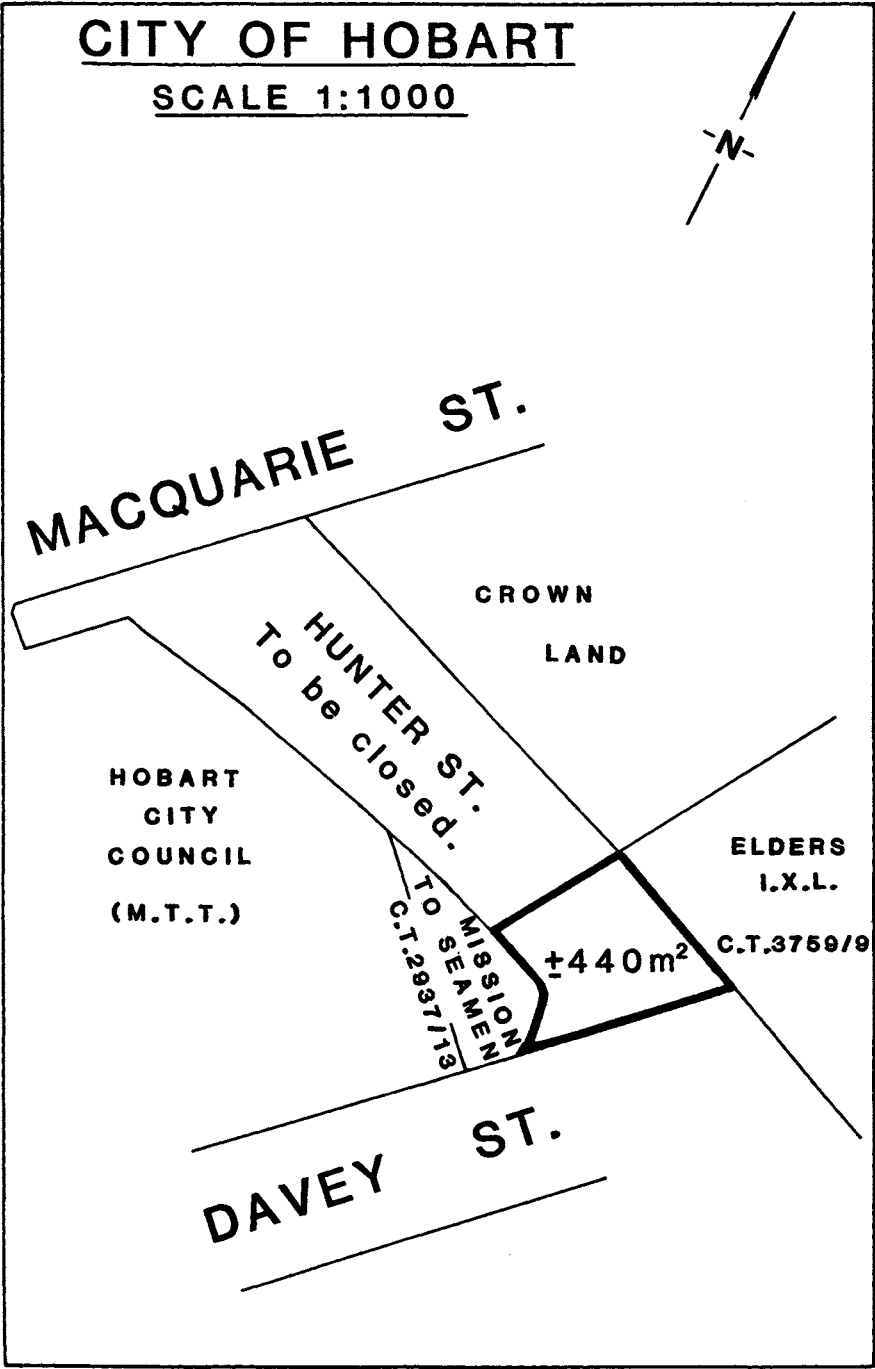


SCHEDULE 3
SECTIONS OF HUNTER STREET
PART I

Section 6

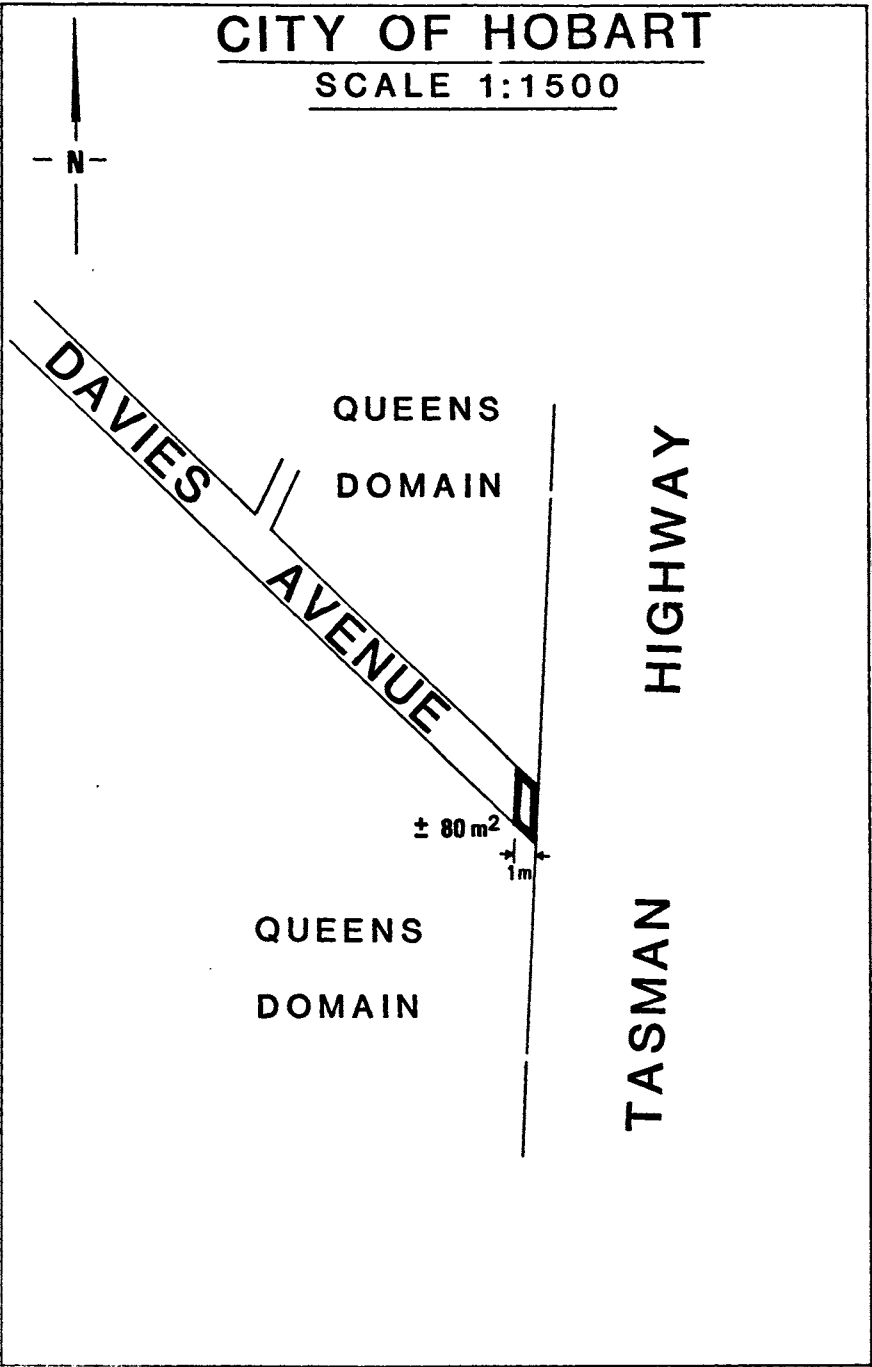


PART II



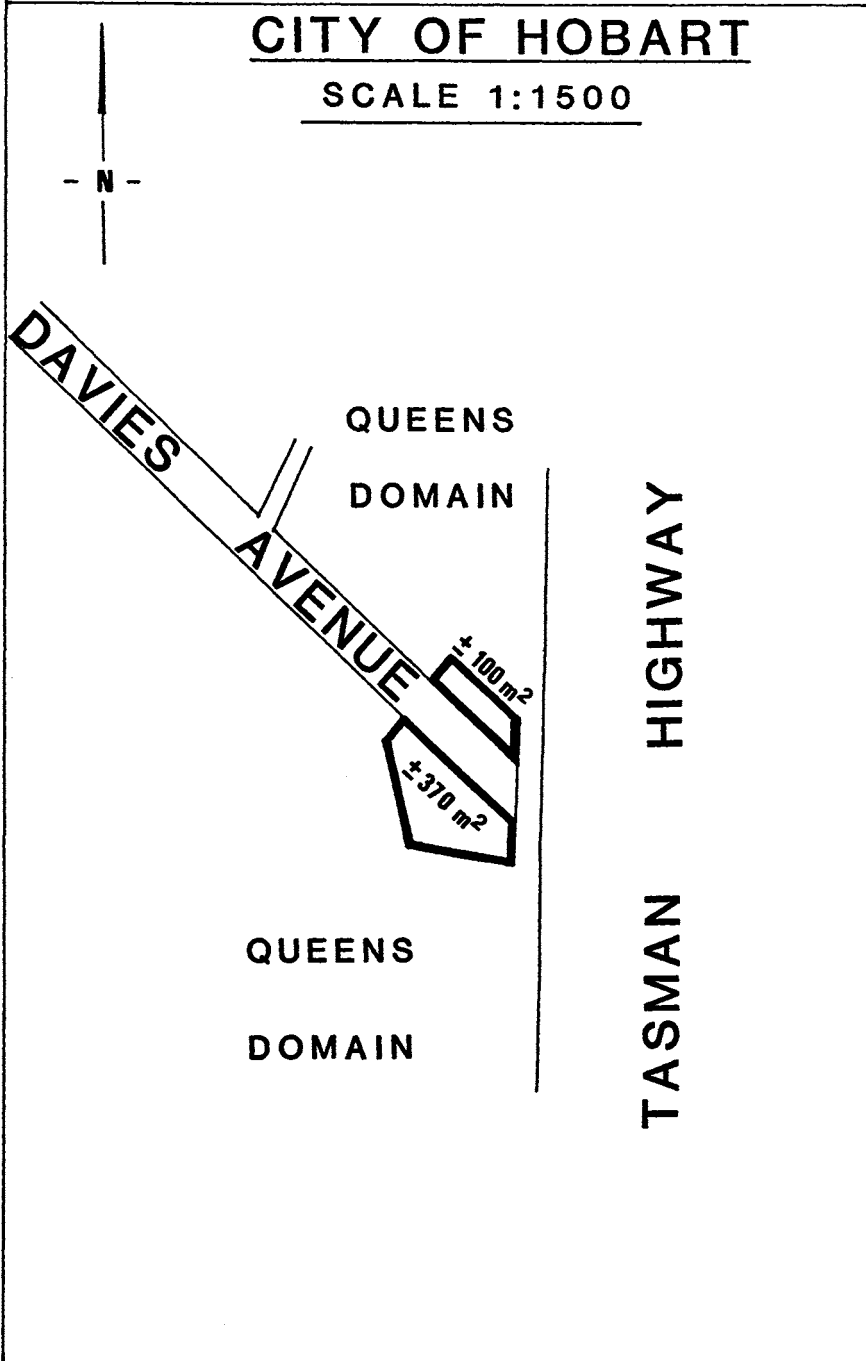
SCHEDULE 4
SECTION OF DAVIES AVENUE

Section 7

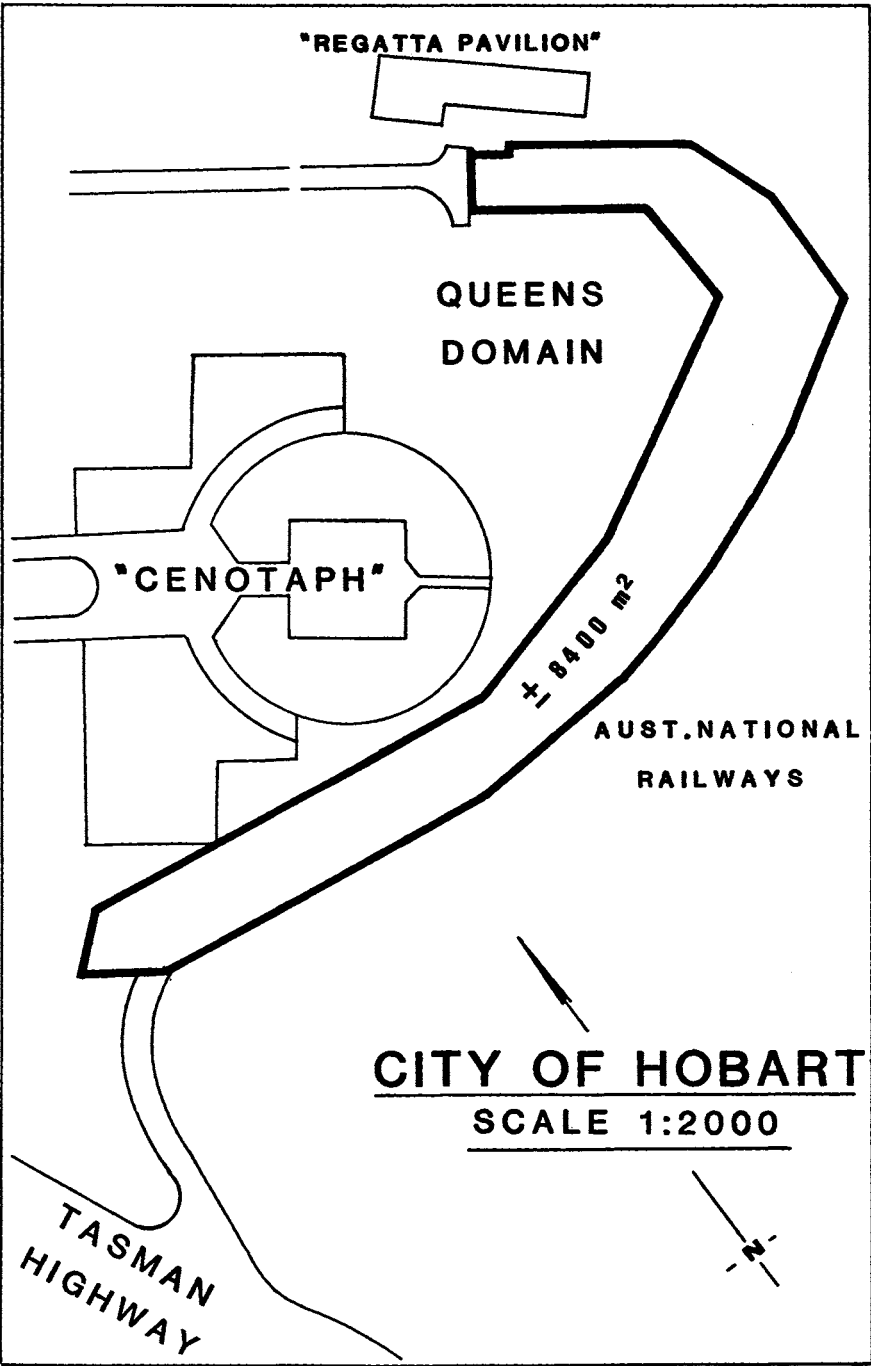


SCHEDULE 5
REVOCATION OF LAND FROM QUEEN'S DOMAIN
PART I

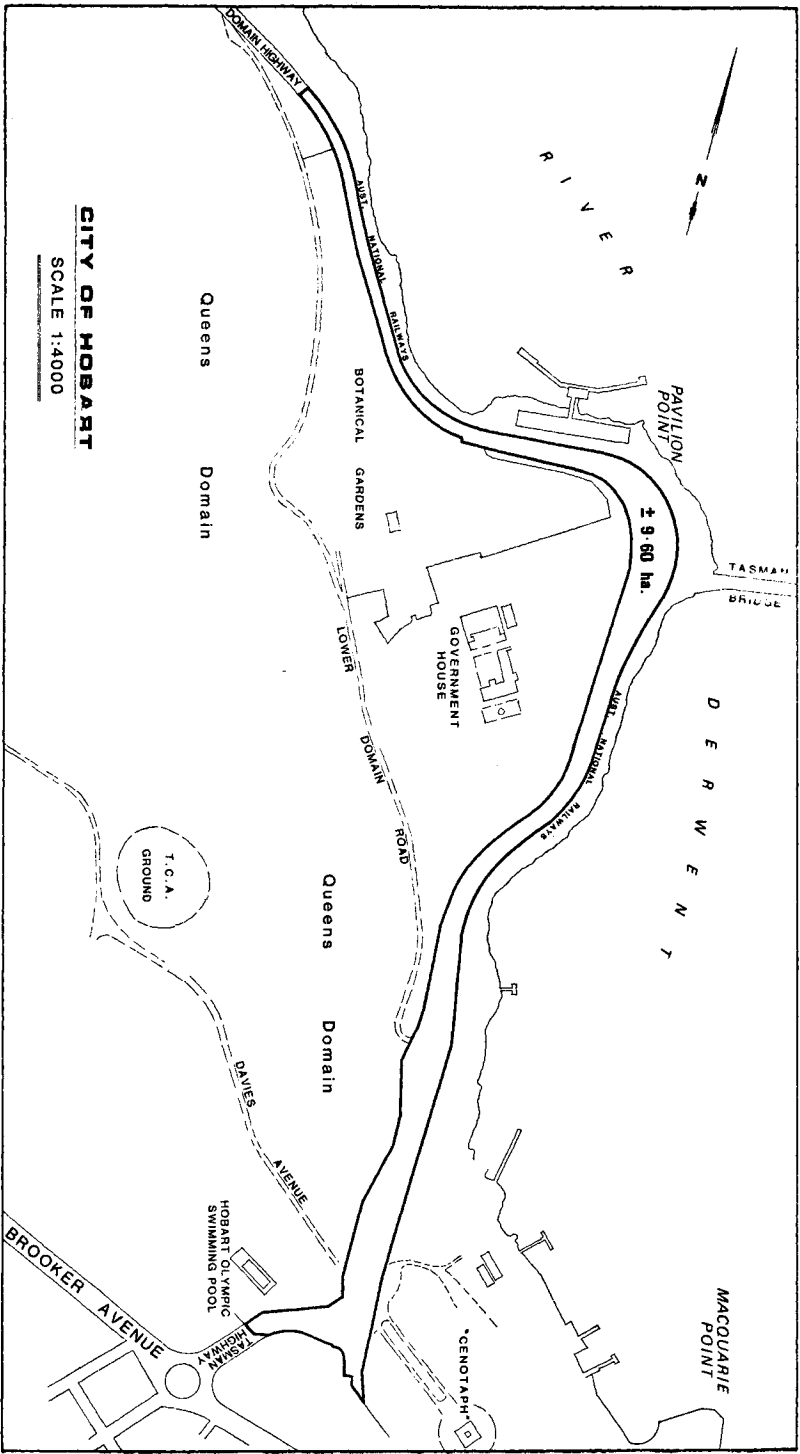
Section 8



PART II

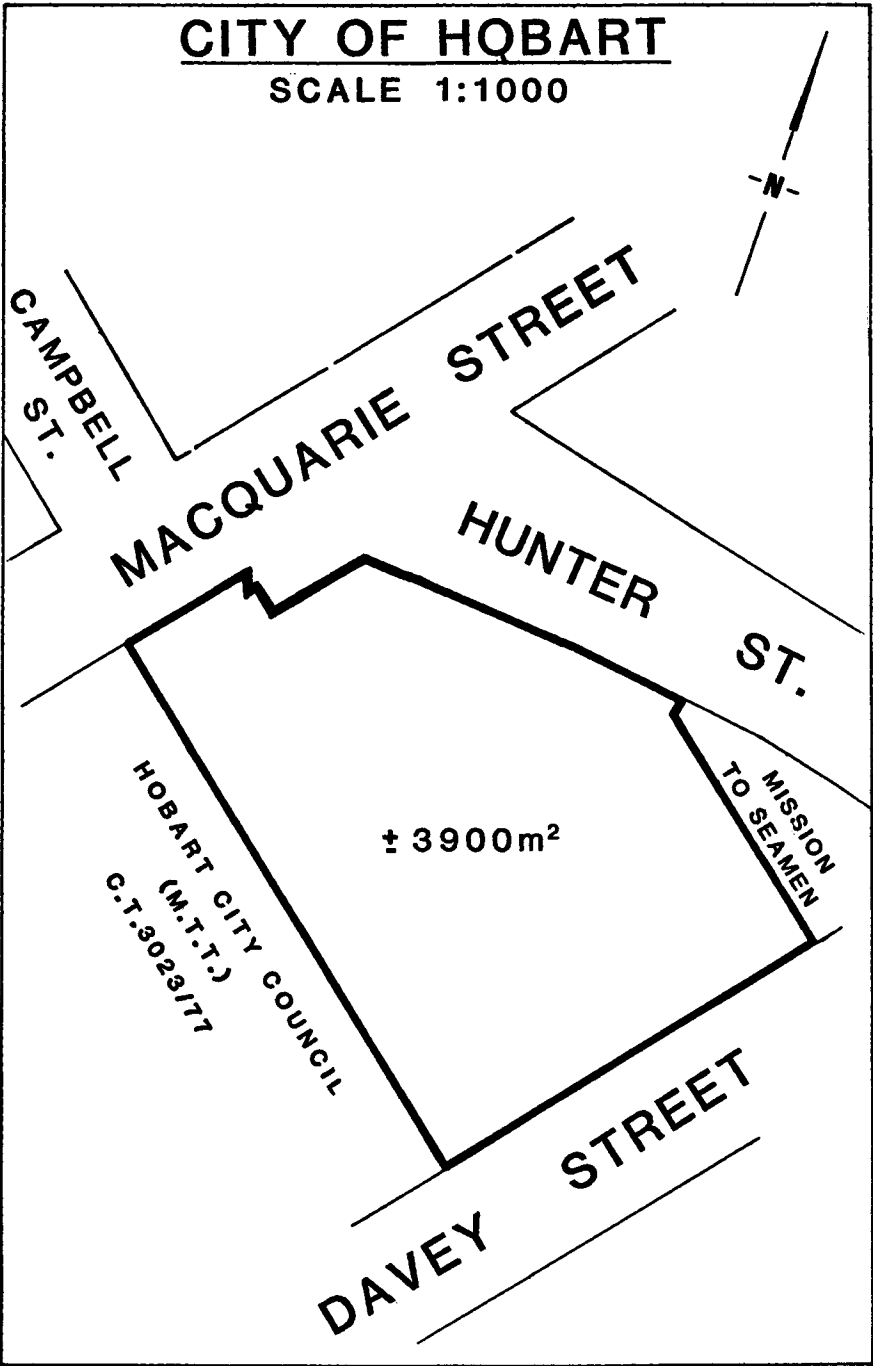


PART III

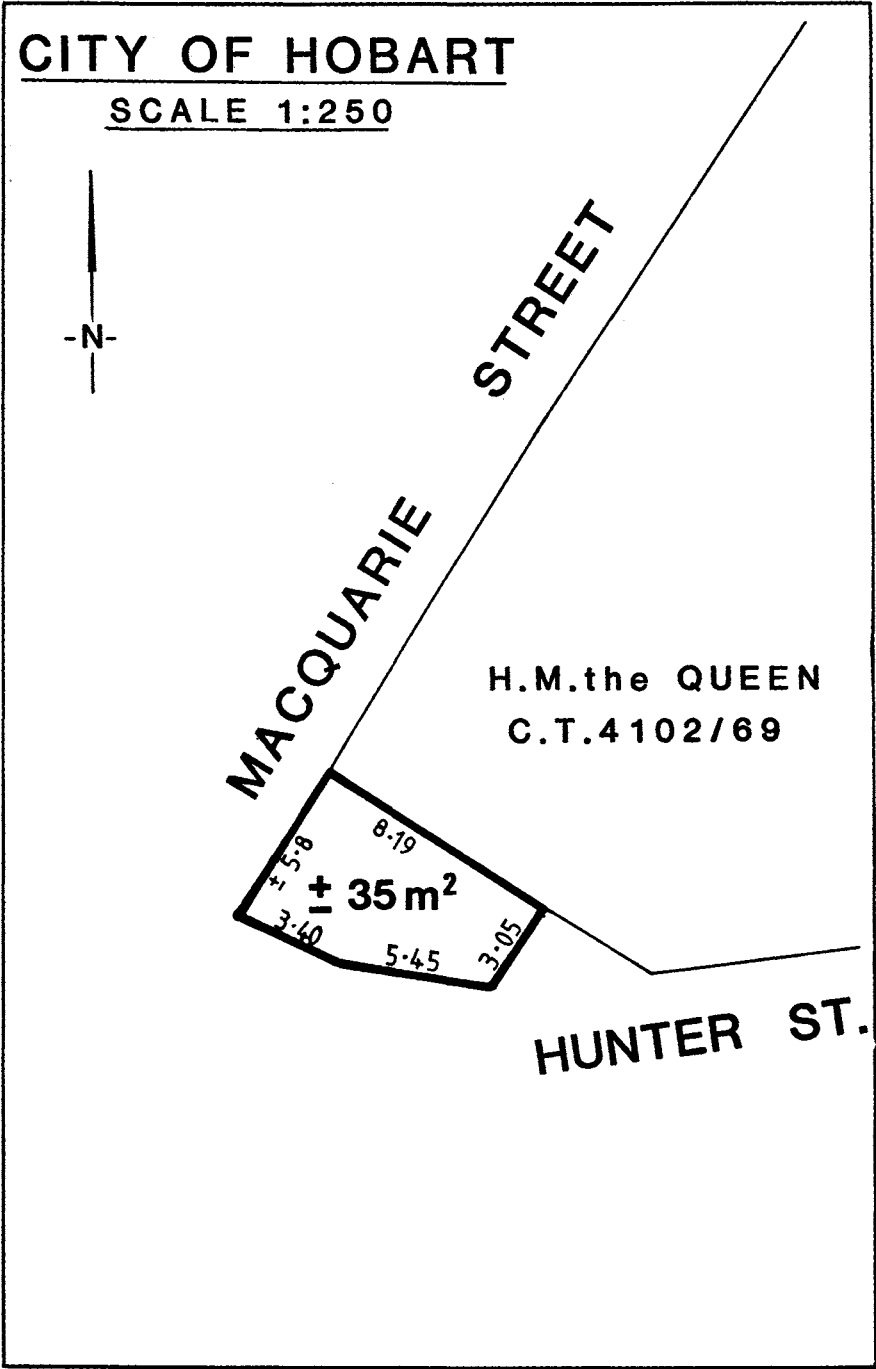


SCHEDULE 6
REVESTING AND REVERSION OF FOLLOWING LANDS
PART I

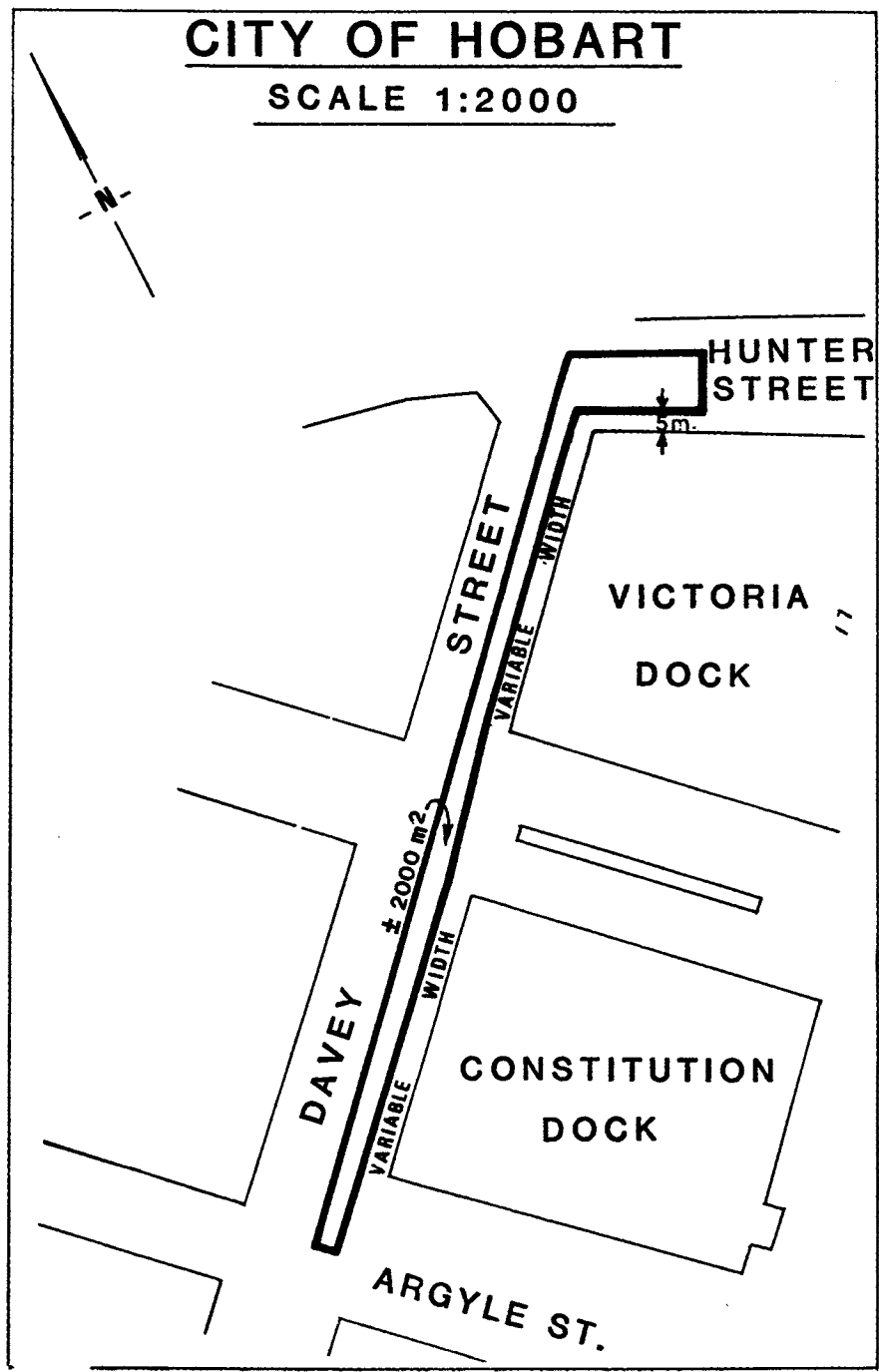
Section 9



PART II



PART III



SCHEDULE 7

Section 11

PART I

LEASE TERMINATED

<i>Lease No.</i>	<i>Lessor</i>	<i>Lessee</i>
A 117136	Hobart City Council	Metropolitan Transport Trust

