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**CROWN LANDS (MISCELLANEOUS PROVISIONS)  
ACT (No. 2) 1975**

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**ANALYSIS**

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| <ol style="list-style-type: none"><li>1. Short title and incorporation.</li><li>2. Sale of land at Devonport to Trustees of Christian Brothers.</li><li>3. Closure of portion of roadway near Chudleigh and sale of site to <i>K. S. &amp; P. N. Woods</i>.</li><li>4. Closure of portion of King St. at Zeehan and sale of site to Renison Limited.</li><li>5. Sale of land near Wynyard to <i>M. B. Fenton</i>.</li><li>6. Closure of portion of Rekuna Road at Brighton and sale of site to Transport Commission.</li></ol> | <ol style="list-style-type: none"><li>7. Reinstatement of purchaser of Crown land.</li><li>8. Sale of land near Beaconsfield to <i>P. T. Males</i>.</li><li>9. Sale of land at Macquarie Point at Hobart to Hobart Corporation.</li><li>10. Exchange of land at St. Leonards with <i>N. R. &amp; C. D. Carins</i>.</li><li>11. Exchange of land near Kingston with <i>K. D. &amp; J. M. Reeve</i>.</li><li>12. Grant of land at Yolla to Myrtle Park Retirement Homes Inc.</li><li>13. Supplementary provisions.</li></ol> |
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**CROWN LANDS (MISCELLANEOUS PROVISIONS) (No. 2)**

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**No. 60 of 1975**

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**AN ACT to make provision for certain matters relating to certain  
Crown lands and other land.**

**[11 December 1975]**



**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—**(1) This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act (No. 2) 1975*. Short title and incorporation.

(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).

Sale of land at Devonport to Trustees of Christian Brothers.

**2** The Commissioner may sell the land described in Schedule I to the Trustees of the Christian Brothers.

Closure of portion of roadway near Chudleigh and sale of site to K. S. & P. N. Woods.

**3** All public rights of passage over the land described in Schedule II are extinguished and the Commissioner may sell that land to *Keith Sydney Woods* and *Patricia Norma Woods* both of Caveside in this State.

Closure of portion of King Street at Zeehan and sale of site to Renison Limited.

**4** All public rights of passage over the land described in Schedule III are extinguished and the Commissioner may sell that land to *Renison Limited*.

Sale of land near Wynyard to M. B. Fenton.

**5** The Commissioner may sell the land described in Schedule IV to *Margaret Beryl Fenton* of Wynyard in this State.

Closure of portion of Rekuna Road at Brighton and sale of site to Transport Commission.

**6**—(1) All public rights of passage over the land described in Schedule V are extinguished and that land by virtue of this section vests in Her Majesty absolutely, freed and discharged from all estates and interests therein subsisting in any person.

(2) The Commissioner may sell the land referred to in subsection (1) to the Transport Commission.

Reinstatement of purchaser of Crown land.

**7**—(1) The Commissioner may, with the consent of the Governor, reinstate *Bernard Maxwell Taylor* of St. Kilda in Victoria as the purchaser of the land described in Schedule VI under the contract entered into by him under the Principal Act for the purchase of that land.

(2) The reinstated purchaser referred to in subsection (1) shall be 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 10 per cent per annum on each of those instalments calculated from the date on which it became due to be paid; and

(c) a sum of \$10 in respect of the administrative costs of the reinstatement,

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.

**8** The Commissioner may sell the land described in Schedule VII to *Phillip Thomas Males* of Ilfraville in this State.

Sale of land near Beaconsfield to P. T. Males.

**9** The Commissioner may sell the land described in Schedule VIII to the Lord Mayor, Aldermen, and Citizens of the City of Hobart.

Sale of land at Macquarie Point at Hobart to Hobart Corporation.

**10**—(1) All public rights of passage over the land described in Part I of Schedule IX are extinguished and that land vests in Her Majesty absolutely, freed and discharged from all estates and interests therein subsisting in any person.

Exchange of land at St. Leonards with N. R. & C. D. Carins.

(2) On the surrender to Her Majesty of all estates and interests subsisting in any person in the land described in Part II of Schedule IX the Governor may, in the name and on behalf of Her Majesty, convey and alienate the land referred to in subsection (1) to *Nigel Richard Carins* and *Christine Dene Carins* both of Launceston in this State, for an estate in fee simple.

**11** On surrender to Her Majesty of all estates and interests subsisting in any person in the land described in Part I of Schedule X the Governor may, in the name and on behalf of Her Majesty, convey and alienate to *Kenneth David Reeve* and *June Margaret Reeve* both of Margate in this State the land described in Part II of that Schedule for an estate in fee simple.

Exchange of land near Kingston with K. D. & J. M. Reeve.

**12**—(1) The Governor may, in the name and on behalf of Her Majesty, convey and alienate the land described in Schedule XI to Myrtle Park Retirement Homes Inc., for an estate in fee simple.

Grant of land at Yolla to Myrtle Park Retirement Homes Inc.

(2) The conveyance and alienation of any land pursuant to this section shall reserve to Her Majesty the right to resume that land if it is not used for the purposes of the provision of accommodation for aged persons or for purposes reasonably ancillary thereto.

**13**—(1) Where power is given to the Commissioner under this Act to sell any land, that land shall be sold at such price and on such terms as are determined by the Director of Lands.

Supplementary provisions.

(2) Where in the conveyance and alienation of land under any provision of this Act the right is reserved to Her Majesty to resume that land, section 69 of the *Lands Resumption Act 1957* applies to that right as it applies to a right referred to in subsection (1) of that section.

(3) In its application for the purposes of subsection (2), section 69 of the *Lands Resumption Act 1957* has effect as if—

(a) the reference therein to the Minister were a reference to the Commissioner; and

(b) the words “ and having thereon or annexed thereto a plan of the land to be resumed ” were omitted from subsection (1) thereof,

and no compensation is payable under the Act in respect of the exercise of a right to resume land created pursuant to any provision of this Act.

(4) Section 70 (2) of the Principal Act applies to the conveyance and alienation pursuant to any of the provisions of this Act of any land not under the *Real Property Act 1862* 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.

(5) The prescribed survey and grant fees shall be paid before any land is conveyed or alienated under this Act.

(6) 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.

(7) 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.

(8) 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 Director of Lands at Hobart.

## SCHEDULE I

(Section 2)

### TOWN OF DEVONPORT

All that area of Crown land containing 2 732 square metres commencing at the south-west angle of Section TT purchased by T Maxfield at the intersection of George Street and Sorell Street and bounded on the north by 135·79 metres easterly along that land on the east by 20·12 metres southerly along George Street aforesaid on the south by 135·79 metres westerly along Section Ss purchased by E. B. Reynolds to Sorell Street aforesaid and thence on the west by 20·12 metres northerly along that street to the point of commencement as the same is shown on Volume A.4 Folio 34.

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## SCHEDULE II

(Section 3)

### LAND DISTRICT OF WESTMORLAND PARISH OF WOODBRIDGE

All that area of Crown land containing 1·496 hectares commencing at the north angle of 151 acres 3 roods 24 perches purchased by W. J. Flowers on a reserved road 20·12 metres wide and bounded on the south-east by 271·58 metres south-westerly along that land to a branch of the Lobster Rivulet on the south by 488·52 metres westerly again along that land crossing that branch of Lobster Rivulet on the north-west by 24·08 metres north-easterly along another reserved road 20·12 metres wide on the north by 463·37 metres easterly along 86 acres 20 perches purchased by A. B. and W. J. Flower to that branch of the Lobster Rivulet aforesaid again on the north-west by 259·51 metres north-easterly along 102 acres purchased by J. T. Twining, recrossing that branch of the Lobster Rivulet, to the reserved road first-mentioned and thence on the north-east by 20·12 metres south-easterly along that reserved road to the point of commencement as the same is shown on Volume 32 Folio 27.

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## SCHEDULE III

(Section 4)

### TOWN OF ZEEHAN

All that area of Crown land containing 1 670 square metres being part of King Street as shown on Plan Z2.

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## SCHEDULE IV

(Section 5)

### TOWN OF JACOBS BOAT HARBOUR

All that area of Crown land containing 51 square metres as shown on Plan 4688.

## SCHEDULE V

(Section 6)

## TOWN OF BRIGHTON

All those areas of land containing 104 square metres and 311 square metres as the same are shown on Plan 4523.

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## SCHEDULE VI

(Section 7)

## TOWN OF STIEGLITZ

All that area of Crown land containing 1 227 square metres shown as lot 1 section Y on Plan 3354.

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## SCHEDULE VII

(Section 8)

## TOWN OF BEACONSFIELD

All that area of Crown land containing 1 745 square metres shown as lot 4 section S1 on Plan B2.

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## SCHEDULE VIII

(Section 9)

## CITY OF HOBART

All those areas of Crown land containing 892 square metres as shown on Plan 4614 and 252·9 square metres shown surrounded by red lines on Survey Diagram Volume 342 Folio 35.

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## SCHEDULE IX

(Section 10)

Part I

## TOWN OF ST. LEONARDS

All that area of Crown land containing 79·1 square metres shown as lot 2 on Plan 7156 filed and registered in the office of the Recorder of Titles.



Part II

TOWN OF ST. LEONARDS

All that area of land containing 71.4 square metres shown as lot 1 on Plan 7156 filed and registered in the office of the Recorder of Titles.

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SCHEDULE X

(Section 11)

Part I

LAND DISTRICT OF BUCKINGHAM  
PARISH OF KINGBOROUGH

All that area of land containing 3 329 square metres as shown outlined in blue on Plan 4710.

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Part II

LAND DISTRICT OF BUCKINGHAM  
PARISH OF KINGBOROUGH

All that area of Crown land containing 3 642 square metres or thereabouts as shown outlined in red on Plan 4710.

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SCHEDULE XI

(Section 12)

LAND DISTRICT OF WELLINGTON  
PARISH OF LEWIS

All that area of Crown land containing 1 821 square metres shown as lot 3 on Roads Volume 188 Folio 6.