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**CROWN LANDS (MISCELLANEOUS PROVISIONS)  
ACT (No. 3) 1974**

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## ANALYSIS

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| <ol style="list-style-type: none"><li>1. Short title and incorporation.</li><li>2. Grant of land at Whitemark to Matthew Flinders Home Units Association Incorporated.</li><li>3. Grant of land at Queenstown to West Coast Home for the Aged Association Incorporated.</li><li>4. Grant of land at Westbury to The Ainslie House Association.</li><li>5. Closure of portion of Fosters Road, Scottsdale.</li><li>6. Sale of land at Hobart to Hobart Corporation.</li><li>7. Sale of land at Queenstown to The Mount Lyell Mining and Railway Company Limited.</li><li>8. Sale of land at Rosebery to Electrolytic Zinc Company of Australasia Limited.</li><li>9. Sale of land at Ringarooma to <i>D. G. Wardlaw</i>.</li><li>10. Closure of portion of disused road at Snug and sale to <i>W. Balke</i> and <i>F. W. Pakolat</i>.</li></ol> | <ol style="list-style-type: none"><li>11. Grant of land at Enfield near Richmond to Roman Catholic Church.</li><li>12. Grant of land at Campbell Town to Roman Catholic Church.</li><li>13. Closure of disused roads at Buckland and sale to Church of England.</li><li>14. Grant of land at Perth to <i>R. A. Mackinnon</i>.</li><li>15. Sale of land at Beaconsfield to <i>M. F. Collins</i>.</li><li>16. Sale of land at Koonya to University of Tasmania.</li><li>17. Sale of land near Trowutta to <i>N. J.</i> and <i>J. L. Anderson</i>.</li><li>18. Lease of land at Heybridge to Scout Association of Australia, Tasmanian Branch.</li><li>19. Grant of licence at King Island to Seaweed Industries Pty. Limited.</li><li>20. Closure of portion of Bells Parade, Somerset and sale to Transport Commission.</li><li>21. Sale of land at Hellyer and Stieglitz by public auction.</li><li>22. Supplementary provisions.</li></ol> |
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**CROWN LANDS (MISCELLANEOUS PROVISIONS)  
(No. 3)**

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No. 101 of 1974  
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**AN ACT to make provision for certain matters relating to certain  
Crown lands and other land.**

**[19 December 1974]**

**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. 3) 1974*. 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).

**2—(1)** The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the Matthew Flinders Home Units Association Incorporated, for an estate in fee simple, the land described in Schedule I. Grant of land a: Whitemark to Matthew Flinders Home Units Association Incorporated.

(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 being used for the purposes of the provision of accommodation for aged persons or for purposes reasonably ancillary thereto.

Grant of land at Queenstown to West Coast Home for the Aged Association Incorporated.

**3**—(1) The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the West Coast Home for the Aged Association Incorporated, for an estate in fee simple, the land described in Schedule II.

(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 being used for the purposes of the provision of accommodation for aged persons or for purposes reasonably ancillary thereto.

Grant of land at Westbury to The Ainslie House Association.

**4**—(1) The Governor may, in the name and on behalf of Her Majesty, convey and alienate to The Ainslie House Association, for an estate in fee simple, the land described in Schedule III.

(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 being used for the purposes of the provision of accommodation for aged persons or for purposes reasonably ancillary thereto.

Closure of portion of Fosters Road, Scottsdale.

**5** All public rights of passage over the land described in Schedule IV 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.

Sale of land at Hobart to Hobart Corporation.

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

Sale of land at Queenstown to The Mount Lyell Mining and Railway Company Limited.

**7** The Commissioner may sell the land described in Schedule VI to The Mount Lyell Mining and Railway Company Limited.

Sale of land at Rosebery to Electrolytic Zinc Company of Australasia Limited.

**8** The Commissioner may sell the land described in Schedule VII to the Electrolytic Zinc Company of Australasia Limited.

Sale of land at Ringarooma to D. G. Wardlaw.

**9** The Commissioner may sell the land described in Schedule VIII to *David Graeme Wardlaw* of Ringarooma in this State.

- 10** All public rights of passage over the land described in Schedule IX are extinguished and the Commissioner may sell that land to *Winfried Balke* and *Fritz Wilhelm Pakolat* both of Margate in this State. Closure of portion of disused road at Snug and sale to *W. Balke* and *F. W. Pakolat*.
- 11** The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the Trustees of the Property of the Roman Catholic Church in Tasmania, for an estate in fee simple, the land described in Schedule X. Grant of land at Enfield near Richmond to Roman Catholic Church.
- 12** The Governor may, in the name and on behalf of Her Majesty, convey and alienate to the Trustees of the Property of the Roman Catholic Church in Tasmania, for an estate in fee simple, the land described in Schedule XI. Grant of land at Campbell Town to Roman Catholic Church.
- 13** All public rights of passage over the land described in Schedule XII are extinguished and the Commissioner may sell that land to the Trustees of the Property of the Church of England in Tasmania. Closure of disused roads at Buckland and sale to Church of England.
- 14** The Governor may, in the name and on behalf of Her Majesty, convey and alienate to *Ronald Alpin Mackinnon* of Longford in this State, for an estate in fee simple, the land described in Schedule XIII. Grant of land at Perth to *R. A. Mackinnon*.
- 15** The Commissioner may sell the land described in Schedule XIV to *Maxwell Frederick Collins* of Beaconsfield in this State. Sale of land at Beaconsfield to *M. F. Collins*.
- 16** The Commissioner may sell the land described in Schedule XV to the University of Tasmania. Sale of land at Koonya to University of Tasmania.
- 17** The Commissioner may sell the land described in Schedule XVI to *Neville John Anderson* and *Janet Leonie Anderson* both of Trowutta in this State. Sale of land near Trowutta to *N. J.* and *J. L. Anderson*.
- 18** The Commissioner may lease to the Scout Association of Australia, Tasmanian Branch, for a term of 50 years the land described in Schedule XVII. Lease of land at Heybridge to Scout Association of Australia, Tasmanian Branch.

Grant of  
King Island  
to Seaweed  
Industries Pty  
Limited.

**19**—(1) The Commissioner may grant to Seaweed Industries Pty. Limited for a term of 8 years a licence for obtaining and removing kelp from the land described in Schedule XVIII.

(2) The licence granted under subsection (1) shall contain such terms, conditions, and covenants as may be determined by the Director of Lands and shall make provision for the revocation of the licence on the contravention of, or failure to comply with, any of the terms, conditions, and covenants.

(3) Section 100 of the Principal Act applies in respect of a licence granted under subsection (1) as if it were a kelp licence referred to in that section.

Closure of  
portion of  
Bells Parade,  
Somerset and  
sale to  
Transport  
Commission.

**20** All public rights of passage over the land described in Schedule XIX are extinguished and the Commissioner may sell that land to the Transport Commission.

Sale of land at  
Hellyer and  
Stieglitz by  
public auction.

**21** The Commissioner may sell the land described in Part I and Part II of Schedule XX by public auction on such terms and conditions as are determined by the Director of Lands.

Supplementary  
provisions.

**22**—(1) Subject to subsection (2), 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.

(2) The price of the Crown land referred to in section 7, section 8, section 15, and section 17 that is determined by the Director of Lands under subsection (1) may be less the value of the tenant's improvements to that land as assessed by the Director of Lands.

(3) 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.

(4) In its application for the purposes of subsection (3), 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.

(5) Any lease granted by the Commissioner under this Act shall be at such rental and shall contain such covenants and conditions and confer such rights as may be determined by the Director of Lands.

(6) 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.

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

(8) 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.

(9) Subject to the foregoing provisions of this Act, any land over which 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.

(10) 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.

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#### SCHEDULE I

(Section 2)

##### TOWN OF WHITEMARK

All that area of Crown land containing 1 512 square metres as the same is shown on Certificate of Title Volume 3 381 Folio 69.

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#### SCHEDULE II

(Section 3)

##### TOWN OF QUEENSTOWN

All that area of Crown land containing 468 square metres as the same is shown on Certificate of Title Volume 3 395 Folio 50.

## SCHEDULE III

(Section 4)

## TOWN OF WESTBURY

All those areas of Crown land containing 2.79 hectares and 1 045 square metres as the same are shown on Plan 4 571 and Plan 4 394 respectively.

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## SCHEDULE IV

(Section 5)

## TOWN OF SCOTTSDALE

All that area of land containing 790 square metres as shown as Lot 1 on Plan 4 461.

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## SCHEDULE V

(Section 6)

## CITY OF HOBART

All that area of Crown land containing 4 185 square metres as the same is shown bounded in brown on Plan N/18.

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## SCHEDULE VI

(Section 7)

## TOWN OF QUEENSTOWN

All those areas of Crown land containing 3 154 square metres and 3 657 square metres as the same are shown on Plan 3 965.

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## SCHEDULE VII

(Section 8)

## TOWN OF ROSEBERY

All those areas of Crown land containing 17.4 hectares or thereabouts as the same are shown outlined in red on Plan 4 579 excepting thereout 680 square metres as shown on Plan 4 480 and 738 square metres and 556 square metres as shown on Plan 4 279.

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## SCHEDULE VIII

(Section 9)

## LAND DISTRICT OF DORSET

## PARISH OF KAY

All that area of Crown land contained within the Briseis water race comprising 970 square metres as the same is shown on Plan 4 491.



## SCHEDULE IX

(Section 10)

## LAND DISTRICT OF BUCKINGHAM

## PARISH OF KINGBOROUGH

All that area of Crown land containing 966 square metres commencing at a point on the north boundary of Lot 17 304 purchased by J. Minehan distant 20·82 metres easterly from the north-west corner of that lot and bounded on the north by 27·96 metres easterly along Lot 27 182 purchased by M. L. J. Hudson and along Lot 36 454 purchased by W. Balke on the south-east by 67·71 metres south-westerly along part of Lot 17 304 aforesaid on the west by 28·36 metres northerly again along Lot 27 182 aforesaid along a reserved road and again along the last-mentioned lot and thence on the north-west by 28·28 metres north-easterly again along part of Lot 17 304 aforesaid to the point of commencement as the same is shown on Survey Diagram Volume 36 Folio 33 Buckingham.

## SCHEDULE X

(Section 11)

## TOWN OF ENFIELD

All that area of Crown land containing 4·014 hectares as the same is shown on Plan 1 333.

## SCHEDULE XI

(Section 12)

## TOWN OF CAMPBELL TOWN

All that area of Crown land containing 9 864 square metres or thereabouts as shown as reserved for Roman Catholic Church within section D on Plan C2.

## SCHEDULE XII

(Section 13)

## TOWN OF BUCKLAND

All that area of Crown land containing 1·692 hectares or thereabouts commencing at the south-east angle of 9 acres 3 roods 35 perches granted to T. Howell on the intersection of Prossers Street and Duke Street and bounded on the west by 201·17 metres northerly along that land on the south by 201·17 metres westerly again along that land to the south-east angle of the intersection of Franklin Street and Clarence Street again on the west by 20·12 metres northerly along Clarence Street to the south-west angle of 9 acres 2 roods 1 perch granted to W. Tarleton, W. Lovett and W. Cockburn Sharland on the north by 179·24 metres easterly along that land on the north-west by 107·22 metres north-easterly again along that land on the north-east by 15·09 metres south-easterly again along that land again on the west by 63·37 metres or thereabouts northerly again along

that land to a point opposite the north-west angle of 3 roods 6 perches Reserve again on the north by 20·12 metres easterly along Duke Street aforesaid on the east by 86·09 metres southerly along 3 roods 6 perches aforesaid, along 2 roods 34 perches Reserve, along 2 roods 23 perches Reserve and along 2 roods 25 perches Reserve again on the south by 20·12 metres westerly along 1 rood 16 perches granted to F. Cox then by the west boundary and by the south-west boundary of that land southerly and south-easterly along that land to the south-west angle of 2 acres 3 roods 35 perches granted to F. H. Cox again on the north by 51·30 metres or thereabouts easterly along that land to a point opposite the north-east angle of 2 acres 1 rood 30 perches granted to F. H. Cox again on the east by 20·12 metres southerly along the Esplanade on Brushy Plains River to the north-east angle of 2 acres 1 rood 30 perches aforesaid again on the south by 103·20 metres westerly along that land again on the east by 126·33 metres southerly again along that land on the north-west by 104·61 metres north-easterly again along that land again on the north-east by a south-easterly line along the Esplanade aforesaid to the northern angle of 50 acres 3 roods 19 perches granted to T. Cruttenden again on the south-east by 116·68 metres south-westerly along that land again on the east by 52·33 metres or thereabouts southerly again along that land to a point opposite the south-east angle of 9 acres 3 roods 35 perches aforesaid and thence again on the south by 20·12 metres westerly again along Duke Street to the point of commencement as the same is shown on Plan B/64.

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### SCHEDULE XIII

(Section 14)

#### TOWN OF PERTH

All that area of Crown land containing 4·024 hectares as the same is shown on Plan 3 668.

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### SCHEDULE XIV

(Section 15)

#### TOWN OF BEACONSFIELD

All that area of Crown land containing 1 821 square metres as the same is shown on Survey Diagram Volume E8 Folio 12.

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### SCHEDULE XV

(Section 16)

#### LAND DISTRICT OF PEMBROKE

#### PARISH OF KOONYA

All those areas of Crown land shown as 4 185 square metres and 1·984 hectares as the same are shown as Lot 3 and Lot 4 respectively on Plan 4 468.

SCHEDULE XVI

(Section 17)

LAND DISTRICT OF WELLINGTON  
PARISHES OF MERRYANNA AND TROWUTTA

All those areas of Crown land containing 152·1 hectares and 197·6 hectares as the same are shown on Plan L.D. 254.

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SCHEDULE XVII

(Section 18)

TOWN OF HEYBRIDGE

All that area of Crown land containing 41·79 hectares as the same is shown on Survey Diagram Volume 250 Folio 8.

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SCHEDULE XVIII

(Section 19)

KING ISLAND

All Crown reservations and foreshore areas surrounding King Island with the exception of the port areas of Currie and Naracoopa.

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SCHEDULE XIX

(Section 20)

TOWN OF SOMERSET

All those areas of Crown land containing 85·39 square metres and 71·4 square metres as the same are shown on Plan 4 016 and Plan 4 193 respectively.

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SCHEDULE XX

(Section 21)

Part I

TOWN OF STIEGLITZ

All those areas of Crown land being Lots 19 to 45 inclusive section AA, Lot 7, Lot 15, and Lot 16 section AB, Lot 1 section Y, Lots 1 to 5 inclusive section CC, Lot 9 section X, Lots 1 to 6 inclusive section FF, Lots 1 to 12 inclusive section EE, and Lots 1 to 7 inclusive section DD as the same are shown on Plans 3 862, 3 354, and LD 327.

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Part II

TOWN OF HELLYER

All those areas of Crown land being Lots 1 to 22 inclusive, Lot 25, Lot 26, and Lots 28 to 44 inclusive as the same are shown on Plan 4 524.