

No. , 1923.

A BILL

To provide for the rescission of a resumption of certain lands at Bankstown resumed under the Public Works Act, 1912, for the purposes of the Housing Act, 1912; to authorise the resumption of certain lands by the Railway Commissioners; and for purposes connected therewith.

[MR. J. C. L. FITZPATRICK ;—12 *September*, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Bankstown Short title. Resumption Rescission Act, 1923."

2. (1) The Governor by notification in the Gazette may rescind a certain notification of resumption, dated
10 the tenth day of March, one thousand nine hundred and
Rescission of
resumption.

twenty, whereby it was notified and declared that so much of the land in the notification described, and being the land described in the Schedule to this Act, as was Crown land, had been appropriated, and so much thereof as was private property had been resumed under 5 the Public Works Act, 1912, for the purposes of the Housing Act, 1912, and was vested in the Minister for Housing as Constructing Authority on behalf of His Majesty for the said purposes.

(2) On the publication of such notification the 10 land described in the Schedule shall revert in the persons who were entitled to the same at the time of such resumption, or taking for their estates, interests, or rights at the time of such resumption, or taking but subject to any interests in or equities binding on such lands 15 created by the Constructing Authority since the resumption or taking; and the land shall be subject to all trusts, obligations, estates, interests, charges, rates, rights of way, or other easements from which it was freed and discharged by such resumption or taking as if the land 20 had not been resumed or taken, and shall also be subject to any interests in or equities binding on the compensation moneys created since the resumption or taking.

(3) Any such person or any person claiming through him shall be entitled to be compensated by the 25 Constructing Authority for any actual loss or damage which he has suffered as a direct consequence of the resumption or taking and its rescission other than compensation in respect of the value of the land. Such compensation may be recovered by action instituted in 30 the Supreme Court against the Constructing Authority to be heard and determined by the Land and Valuation Court without a jury.

The provisions of the Land and Valuation Court Act, 1920, shall mutatis mutandis apply to any such claim 35 for compensation and to any action to recover the same.

Authority for
Railway Com-
missioners to
resume part.

3. The Railway Commissioners may resume for the purpose of providing roads of access such part of the said lands as they may deem requisite for the said purpose. 40

SCHEDULE.

- ALL that piece or parcel of land situate in the Municipality of Bankstown, parish of Liberty Plains, county of Cumberland, State of New South Wales, be the hereinafter stated several dimensions a little more or less, containing by admeasurement about 50 acres, and being lots 8, 9, 10, 11, 12, and 13 of section 7, and lots 10, 11, 12, 13, and 14 of section 8 of the Quid Pro Quo Estate, excluding land resumed for railway purposes on the Regent's Park to Cabramatta Railway: Commencing at the intersection of the east side of Miller-street with the southern boundary of land resumed for the Regent's Park to Cabramatta Railway; thence on the north by that boundary easterly to its intersection with the western side of Campbell Hill road; thence on the east by that last-mentioned side of Campbell Hill road southerly to its intersection with the northern side of Sir Thomas Mitchell's road; thence on the south-east by that last-mentioned side of Sir Thomas Mitchell's road south-westerly to its intersection with the east side of Miller-street aforesaid; and thence on the west by that last-mentioned side of Miller-street northerly, to the point of commencement.
- 20 Also, all that piece or parcel of land situate in the Municipality of Bankstown, parish of Liberty Plains, county of Cumberland, State of New South Wales, be the hereinafter mentioned several dimensions a little more or less, containing by admeasurement 18 acres and 37 perches, and being the whole of the land comprised in Primary Application No. 9,175: Commencing at the north-eastern corner of lot 1 of section 7, as shown on deposited plan No. 551; thence on the east by the western side of Auburn Park road bearing 10 minutes for 4 chains to the south-east corner of lot 3 of section 6, as shown on deposited plan No. 551 aforesaid; thence on the north by the southern boundaries of lots 3 to 18 inclusive of section 6 aforesaid, and partly by the southern boundary of lot 19 of section 6 aforesaid, being a line bearing 270 degrees for 37 chains 43 links; thence on the west by a line bearing 180 degrees 39 minutes 48 seconds for 10 chains to the northern side of Proctor-parade; thence partly on the south by that side of Proctor-parade bearing 90 degrees for 5 chains 45 links to the south-western corner of lot 15 of section 7, as shown on deposited plan No. 551, aforesaid; thence partly on the east by the western boundary of lot 15 last-mentioned bearing 10 minutes for 6 chains to the north-western corner of that last-mentioned lot 15; and thence partly on the south by the northern boundaries of lots 1 to 15 inclusive of section 7 aforesaid bearing 90 degrees for 32 chains 6 links, to the point of commencement.

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