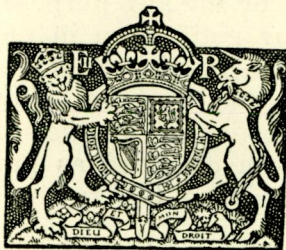


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 6 November, 1952.*

New South Wales.



ANNO PRIMO

ELIZABETHÆ II REGINÆ

Act No. , 1952.

An Act to provide for the extension of certain special leases to leases in perpetuity and for the leasing of lands for business and other purposes under lease in perpetuity tenure; for these purposes to amend the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts; and for purposes connected therewith.

BE it enacted by the Queen'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 "Crown Lands Short title.
(Special Leases) Amendment Act, 1952."

Crown Lands (Special Leases) Amendment.

2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment of Act No. 7, 1913.

(a) by inserting in section seventy-five after the word "hereof" where secondly occurring the following 5 paragraph:—

Sec. 75. (Special leases—for miscellaneous purposes.)

10 "The term of any lease under this section for business purposes or for any purpose declared by the Minister by notification in the Gazette in pursuance of the provisions of section 75A hereof, may be extended as provided in the said section 75A irrespective of whether such term has or has not been extended as provided in section two hundred and twenty-nine hereof."

15 (b) by inserting next after section seventy-five the following new sections:—

New secs. 75A and 75B.

20 75A. (1) The holder of a lease under section seventy-five hereof for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section may apply to have such lease or any part thereof extended to a lease in perpetuity.

Extension of special leases to special leases in perpetuity for miscellaneous purposes.

25 (2) Any such application may be made in respect of any such lease subsisting at the commencement of the Crown Lands (Special Leases) Amendment Act, 1952, as well as any such lease granted after such commencement.

30 (3) The application shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed and shall be referred to the local land board for inquiry and report.

35 (4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto

by

Crown Lands (Special Leases) Amendment.

by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

5 (5) The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part of the land the subject of the application it shall also report 10 as to what special conditions (if any) should attach to the lease in perpetuity and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application, and of the residue of any land comprised in the lease. 15

20 (6) After receipt of such report the Minister may if the local land board so recommends extend the lease as to the whole or part of the land comprised therein to a lease in perpetuity, or he may at his discretion refuse the application. 25

Any areas required for roadways or other public purposes may be excluded or the boundaries may be otherwise modified at the Minister's discretion.

30 No such lease in perpetuity shall be so granted in respect of any land—

- (a) reserved from sale for public recreation or from sale for future public requirements;
- 35 (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary 40 for Mines so approves. (7)

Crown Lands (Special Leases) Amendment.

5 (7) The Minister may annex to any such
lease in perpetuity such conditions reservations
and provisions as he may think fit. Any such
condition reservation or provision annexed to
such lease or the purpose for which the lease
has been extended to a lease in perpetuity may
on application by the lessee in the prescribed
manner and on the recommendation of the local
land board be varied modified or revoked by
10 the Minister.

15 (8) The cost of any necessary survey or
subdivision shall be paid by the applicant within
one month after he has been called upon to do
so; and upon default the application may be
declared to have lapsed, and any moneys paid
therewith shall thereupon become forfeited.

20 (9) The rent of the lease in perpetuity
and of any residue of the lease not extended to
a lease in perpetuity shall be as determined by
the local land board having regard to the
purpose thereof, and shall have effect as from
the date of granting of the extension.

25 (10) The determination of the rent of
the lease in perpetuity shall remain in force for
a period of ten years. Subsequent determina-
tions shall be made as at the date of expiration
of the period of the last preceding determina-
tion and shall remain in force for a period of
ten years from that date.

30 (11) If it should appear to the satisfac-
tion of the Minister that the land comprised in
a lease in perpetuity under this section is not
used and occupied bona fide for the purpose of
such lease such lease together with any moneys
35 paid in respect thereof shall be liable to be
forfeited.

(12) A lease in perpetuity under this
section shall not be transferred except by way
of

Crown Lands (Special Leases) Amendment.

of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

5 The Minister shall have discretion to grant or refuse his consent.

10 75B. (1) Subject to this section the Minister may lease Crown lands (not being in the Western Division) for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section.

Special leases in perpetuity for miscellaneous purposes.

(2) The title to a lease under this section shall be a lease in perpetuity.

15 (3) An application for a lease under this section shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed.

20 (4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto by advertisement in a local newspaper not less than 25 fourteen days before the holding of the said inquiry.

30 (5) Any such application shall be referred to the local land board for inquiry and report. The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part of
35 of

Crown Lands (Special Leases) Amendment.

5 of the land the subject of the application it shall also report as to what special conditions (if any) should attach to the lease and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application.

10 (6) After receipt of such report the Minister may, subject to this section, grant a lease either as to the whole or any part of the land the subject of the application if the local land board so recommends, or he may at his discretion refuse the application.

No such lease shall be granted in respect of any land—

15 (a) reserved from sale for public recreation or from sale for future public requirements;

20 (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary for Mines so approves.

25 (7) The Minister may annex to any such lease such conditions reservations and provisions as he may think fit. Any such condition reservation or provision annexed to such lease or the purpose for which the lease has been granted may on application by the
30 lessee in the prescribed manner and on the recommendation of the local land board be varied modified or revoked by the Minister.

35 (8) The cost of any necessary survey, or in the case of measured land a survey fee in accordance with the prescribed scale, shall be paid by the applicant within one month after he has been called upon to do so; and upon default the lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(9)

Crown Lands (Special Leases) Amendment.

5 (9) The rent of the lease shall be as determined by the local land board having regard to the purpose thereof. The first such determination shall have effect as from the date of granting of the application, and shall remain in force for a period of ten years. Subsequent determinations shall be made at intervals of ten years and each such determination shall be made as at the date of expiration of the period of the last preceding determination and shall remain in force for a period of ten years from that date.

10 (10) If it should appear to the satisfaction of the Minister that the land comprised in a lease granted under this section is not used and occupied bona fide for the purpose for which the lease was granted, such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

15 (11) A lease in perpetuity under this section shall not be transferred except by way of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

20 The Minister shall have discretion to grant or refuse his consent.

25 (12) In respect of the land described in the Seventh Schedule to this Act the Minister may, although the provisions of subsections three, four, five and six of this section have not been complied with, grant a lease under this section.

30 (c) (i) by omitting from subsection two of section two hundred and fifteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";

Sec. 215.
(Assessment of capital or rental value.)

(ii)

Crown Lands (Special Leases) Amendment.

- (ii) by inserting in the same subsection after the words "week-end lease" where secondly and thirdly occurring the words "special lease in perpetuity";
- 5 (d) (i) by omitting from subsection one of section two hundred and sixteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity"; Sec. 216. (Periods allowed for payment.)
- 10 (ii) by omitting from subsection two of the same section the words "or week-end lease" and by inserting in lieu thereof the words "week-end lease or special lease in perpetuity";
- 15 (e) (i) by omitting from section two hundred and seventeen the words "week-end lease" and by inserting in lieu thereof the words "homestead farm suburban holding Crown-lease week-end lease special lease in perpetuity"; Sec. 217. (Rental value for Crown improvements.)
- 20
- (ii) by inserting at the end of the same section the following paragraph:—
- 25 "Where in pursuance of this section the holder of a special lease is paying the rental value of improvements for the use thereof and the lease is converted into a tenure being a conditional purchase, conditional lease, homestead selection, conditional purchase lease, settlement lease, homestead farm, or Crown-lease or is extended to a
- 30 lease in perpetuity he shall become liable to pay the capital value of such improvements as an incoming tenant of the tenure into which the conversion is made or the
- 35 lease in perpetuity to which the lease has been extended."
- (f)

Crown Lands (Special Leases) Amendment.

- (f) (i) by inserting in subsection two of section two hundred and twenty-two after the words "town lands" where firstly occurring the words "special lease in perpetuity"; Sec. 222.
(Tenant-right: when it arises.)
- 5 (ii) by inserting in the same subsection after the words "town lands" where secondly occurring the words "or a special lease in perpetuity";
- 10 (g) by inserting in section 222A after the words "special lease" the words "(not being in perpetuity)"; Sec. 222A.
(Tenant-right to holders of special leases.)
- (h) by inserting next after the Sixth Schedule the following new Schedule:— New
Seventh
Schedule.

SEVENTH SCHEDULE.

Sec. 75B.

- 15 ALL THOSE pieces or parcels of land containing by admeasurement 54 acres 12 perches be the same more or less situated in the County of Northumberland Parish of Newcastle City of Newcastle PART THEREOF being 45 acres 1 rood 11 perches portions 2955, 2956, 2957, 2958, 2959 and 2960. Commencing at the northernmost
- 20 corner of the land comprised in Certificate of Title Volume 5985 folio 170 and bounded thence on the south west by the north eastern boundary of that land bearing 168 degrees 5 minutes 5 chains 15 6/10 links on the north west by the south eastern boundary of that land and a line in all bearing 197 degrees 43 minutes 20 seconds 4 chains
- 25 30 3/10 links and thence by lines dividing this land from the land comprised in Certificate of Title Volume 5930 folio 62 bearing 190 degrees 50 minutes 40 seconds 5 chains 83 55/100 links thence 197 degrees 45 minutes 40 seconds 4 chains 74 8/10 links on the south east and north east by a road of variable width thence 1 chain
- 30 21 21/100 links wide thence again of variable width and thence again 1 chain 21 21/100 links wide bearing 86 degrees 30 minutes 2 chains 17 6/100 links 65 degrees 50 minutes 4 chains 70 links thence 81 degrees 4 chains 54 2/10 links thence by that road being 2 chains 38 62/100 links of the arc of a circle of 4 chains radius the centre of
- 35 which lies north westerly of a chord bearing 63 degrees 54 minutes 30 seconds 2 chains 35 1/10 links thence by that road bearing 46 degrees 49 minutes 10 seconds 16 chains 5 5/10 links thence by that road being 4 chains 89 89/100 links of the arc of a circle of 7 chains 78 78/100 links radius the centre of which lies north
- 40 westerly of a chord bearing 28 degrees 48 minutes 4 chains 82 15/100 links thence by that road being 1 chain 15 73/100 links of the arc of a circle of 2 chains 27 27/100 links radius the centre of which
- 78—B lies

Crown Lands (Special Leases) Amendment.

lies westerly of a chord bearing 356 degrees 11 minutes 16 seconds 1 chain 14 $\frac{5}{10}$ links thence by that road bearing 341 degrees 35 minutes 50 seconds 3 chains 17 $\frac{6}{10}$ links thence by the end of that road bearing 71 degrees 36 minutes 1 chain 21 $\frac{21}{100}$ links and

5 thence by lines bearing 341 degrees 35 minutes 50 seconds 3 chains 66 $\frac{5}{10}$ links thence 296 degrees 35 minutes 50 seconds 4 chains 28 $\frac{5}{10}$ links and on the north west by lines bearing 251 degrees 35 minutes 50 seconds 7 chains 97 links and thence 239 degrees 13 minutes 20 seconds 13 chains 74 $\frac{8}{10}$ links to the point of commencement

10 AND ALSO OTHER PART THEREOF being 8 acres 3 roods 1 perch portion 2961 Commencing at the easternmost corner of an area of 5 acres 22 $\frac{3}{4}$ perches shown on plan catalogued Ms.5469 Md. at the Department of Lands Sydney being also a point bearing 161 degrees 35 minutes 50 seconds 8 chains 77 $\frac{1}{10}$ links

15 from the easternmost corner of the firstly described part of the subject 54 acres 12 perches and bounded thence on the north west by part of a south-eastern boundary of that 5 acres 22 $\frac{3}{4}$ perches bearing 226 degrees 49 minutes 10 seconds 20 chains 94 $\frac{4}{10}$ links on the south east by a road of variable width bearing 86 degrees 30 minutes

20 86 $\frac{2}{10}$ links to Elizabeth Street Town of Carrington and thence by Elizabeth Street bearing 71 degrees 35 minutes 40 seconds 18 chains 18 $\frac{35}{100}$ links and on the north east by a line bearing 341 degrees 35 minutes 50 seconds 9 chains to the point of commencement.

Sydney: A. H. Pettifer, Government Printer—1952.

[1s.]

No. , 1952.

A BILL

To provide for the extension of certain special leases to leases in perpetuity and for the leasing of lands for business and other purposes under lease in perpetuity tenure; for these purposes to amend the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts; and for purposes connected therewith.

[MR. HAWKINS;—29 October, 1952.]

BE it enacted by the Queen'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 the same, as follows:—

1. This Act may be cited as the "Crown Lands (Special Leases) Amendment Act, 1952." Short title.

24645 78—A

2.

Crown Lands (Special Leases) Amendment.

2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment
of Act No.
7, 1913.

(a) by inserting in section seventy-five after the word "hereof" where secondly occurring the following 5 paragraph:—

Sec. 75.
(Special
leases—for
miscel-
laneous
purposes.)

10 "The term of any lease under this section for business purposes or for any purpose declared by the Minister by notification in the Gazette in pursuance of the provisions of section 75A hereof, may be extended as provided in the said section 75A irrespective of whether such term has or has not been extended as provided in section two hundred and twenty-nine hereof."

15 (b) by inserting next after section seventy-five the following new sections:—

New secs.
75A and
75B.

20 75A. (1) The holder of a lease under section seventy-five hereof for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section may apply to have such lease or any part thereof extended to a lease in perpetuity.

Extension
of special
leases to
special
leases in
perpetuity
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cellaneous
purposes.

25 (2) Any such application may be made in respect of any such lease subsisting at the commencement of the Crown Lands (Special Leases) Amendment Act, 1952, as well as any such lease granted after such commencement.

30 (3) The application shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed and shall be referred to the local land board for inquiry and report.

35 (4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto

by

Crown Lands (Special Leases) Amendment.

by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

5 (5) The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits there-
10 of. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part of the land the subject of the application it shall also report as to what special conditions (if any) should
15 attach to the lease in perpetuity and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application, and of the residue of any land comprised in the lease.

20 (6) After receipt of such report the Minister may if the local land board so recommends extend the lease as to the whole or part of the land comprised therein to a lease in perpetuity, or he may at his discretion refuse
25 the application.

Any areas required for roadways or other public purposes may be excluded or the boundaries may be otherwise modified at the Minister's discretion.

30 No such lease in perpetuity shall be so granted in respect of any land—

- (a) reserved from sale for public recreation or from sale for future public requirements;
- 35 (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary
40 for Mines so approves. (7)

Crown Lands (Special Leases) Amendment.

5 (7) The Minister may annex to any such
lease in perpetuity such conditions reservations
and provisions as he may think fit. Any such
condition reservation or provision annexed to
such lease or the purpose for which the lease
has been extended to a lease in perpetuity may
on application by the lessee in the prescribed
manner and on the recommendation of the local
land board be varied modified or revoked by
10 the Minister.

15 (8) The cost of any necessary survey or
subdivision shall be paid by the applicant within
one month after he has been called upon to do
so; and upon default the application may be
declared to have lapsed, and any moneys paid
therewith shall thereupon become forfeited.

20 (9) The rent of the lease in perpetuity
and of any residue of the lease not extended to
a lease in perpetuity shall be as determined by
the local land board having regard to the
purpose thereof, and shall have effect as from
the date of granting of the extension.

25 (10) The determination of the rent of
the lease in perpetuity shall remain in force for
a period of ten years. Subsequent determina-
tions shall be made as at the date of expiration
of the period of the last preceding determina-
tion and shall remain in force for a period of
ten years from that date.

30 (11) If it should appear to the satisfac-
tion of the Minister that the land comprised in
a lease in perpetuity under this section is not
used and occupied bona fide for the purpose of
such lease such lease together with any moneys
35 paid in respect thereof shall be liable to be
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Crown Lands (Special Leases) Amendment.

of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

5 The Minister shall have discretion to grant or refuse his consent.

10 75B. (1) Subject to this section the Minister may lease Crown lands (not being in the Western Division) for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section.

Special leases in perpetuity for miscellaneous purposes.

(2) The title to a lease under this section shall be a lease in perpetuity.

15 (3) An application for a lease under this section shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed.

20 (4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto by advertisement in a local newspaper not less than 25 fourteen days before the holding of the said inquiry.

30 (5) Any such application shall be referred to the local land board for inquiry and report. The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it 35 expedient to recommend the granting of the application either as to the whole or any part

of

Crown Lands (Special Leases) Amendment.

5 of the land the subject of the application it shall also report as to what special conditions (if any) should attach to the lease and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application.

10 (6) After receipt of such report the Minister may, subject to this section, grant a lease either as to the whole or any part of the land the subject of the application if the local land board so recommends, or he may at his discretion refuse the application.

No such lease shall be granted in respect of any land—

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20 (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary for Mines so approves.

25 (7) The Minister may annex to any such lease such conditions reservations and provisions as he may think fit. Any such condition reservation or provision annexed to such lease or the purpose for which the lease has been granted may on application by the
30 lessee in the prescribed manner and on the recommendation of the local land board be varied modified or revoked by the Minister.

35 (8) The cost of any necessary survey, or in the case of measured land a survey fee in accordance with the prescribed scale, shall be paid by the applicant within one month after he has been called upon to do so; and upon default the lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(9)

Crown Lands (Special Leases) Amendment.

5 (9) The rent of the lease shall be as determined by the local land board having regard to the purpose thereof. The first such determination shall have effect as from the date of granting of the application, and shall remain in force for a period of ten years. Subsequent determinations shall be made at intervals of ten years and each such determination shall be made as at the date of expiration of the period of the last preceding determination and shall remain in force for a period of ten years from that date.

10 (10) If it should appear to the satisfaction of the Minister that the land comprised in a lease granted under this section is not used and occupied bona fide for the purpose for which the lease was granted, such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

15 (11) A lease in perpetuity under this section shall not be transferred except by way of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

20 The Minister shall have discretion to grant or refuse his consent.

25 (12) In respect of the land described in the Seventh Schedule to this Act the Minister may, although the provisions of subsections three, four, five and six of this section have not been complied with, grant a lease under this section.

30 (c) (i) by omitting from subsection two of section two hundred and fifteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";

Sec. 215.
(Assessment of capital or rental value.)

(ii)

Crown Lands (Special Leases) Amendment.

- (ii) by inserting in the same subsection after the words "week-end lease" where secondly and thirdly occurring the words "special lease in perpetuity";
- 5 (d) (i) by omitting from subsection one of section two hundred and sixteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity"; Sec. 216. (Periods allowed for payment.)
- 10 (ii) by omitting from subsection two of the same section the words "or week-end lease" and by inserting in lieu thereof the words "week-end lease or special lease in perpetuity";
- 15 (e) (i) by omitting from section two hundred and seventeen the words "week-end lease" and by inserting in lieu thereof the words "homestead farm suburban holding Crown-lease week-end lease special lease in perpetuity"; Sec. 217. (Rental value for Crown improvements.)
- 20
- (ii) by inserting at the end of the same section the following paragraph:—
- 25 "Where in pursuance of this section the holder of a special lease is paying the rental value of improvements for the use thereof and the lease is converted into a tenure being a conditional purchase, conditional lease, homestead selection, conditional purchase lease, settlement lease, homestead farm, or Crown-lease or is extended to a
- 30 lease in perpetuity he shall become liable to pay the capital value of such improvements as an incoming tenant of the tenure into which the conversion is made or the
- 35 lease in perpetuity to which the lease has been extended."
- (f)

Crown Lands (Special Leases) Amendment.

- (f) (i) by inserting in subsection two of section two hundred and twenty-two after the words "town lands" where firstly occurring the words "special lease in perpetuity"; Sec. 222.
(Tenant-right: when it arises.)
- 5 (ii) by inserting in the same subsection after the words "town lands" where secondly occurring the words "or a special lease in perpetuity";
- 10 (g) by inserting in section 222A after the words "special lease" the words "(not being in perpetuity)"; Sec. 222A.
(Tenant-right to holders of special leases.)
- (h) by inserting next after the Sixth Schedule the following new Schedule:— New
Seventh
Schedule.

SEVENTH SCHEDULE.

Sec. 75B.

- 15 ALL THOSE pieces or parcels of land containing by admeasurement 54 acres 12 perches be the same more or less situated in the County of Northumberland Parish of Newcastle City of Newcastle PART THEREOF being 45 acres 1 rood 11 perches portions 2955, 2956, 2957, 2958, 2959 and 2960. Commencing at the northernmost
- 20 corner of the land comprised in Certificate of Title Volume 5985 folio 170 and bounded thence on the south west by the north eastern boundary of that land bearing 168 degrees 5 minutes 5 chains 15 6/10 links on the north west by the south eastern boundary of that land and a line in all bearing 197 degrees 43 minutes 20 seconds 4 chains
- 25 30 3/10 links and thence by lines dividing this land from the land comprised in Certificate of Title Volume 5930 folio 62 bearing 190 degrees 50 minutes 40 seconds 5 chains 83 55/100 links thence 197 degrees 45 minutes 40 seconds 4 chains 74 8/10 links on the south east and north east by a road of variable width thence 1 chain
- 30 21 21/100 links wide thence again of variable width and thence again 1 chain 21 21/100 links wide bearing 86 degrees 30 minutes 2 chains 17 6/100 links 65 degrees 50 minutes 4 chains 70 links thence 81 degrees 4 chains 54 2/10 links thence by that road being 2 chains 38 62/100 links of the arc of a circle of 4 chains radius the centre of
- 35 which lies north westerly of a chord bearing 63 degrees 54 minutes 30 seconds 2 chains 35 1/10 links thence by that road bearing 46 degrees 49 minutes 10 seconds 16 chains 5 5/10 links thence by that road being 4 chains 89 89/100 links of the arc of a circle of 7 chains 78 78/100 links radius the centre of which lies north
- 40 westerly of a chord bearing 28 degrees 48 minutes 4 chains 82 15/100 links thence by that road being 1 chain 15 73/100 links of the arc of a circle of 2 chains 27 27/100 links radius the centre of which lies

Crown Lands (Special Leases) Amendment.

lies westerly of a chord bearing 356 degrees 11 minutes 16 seconds 1 chain 14 $\frac{5}{10}$ links thence by that road bearing 341 degrees 35 minutes 50 seconds 3 chains 17 $\frac{6}{10}$ links thence by the end of that road bearing 71 degrees 36 minutes 1 chain 21 $\frac{21}{100}$ links and

5 thence by lines bearing 341 degrees 35 minutes 50 seconds 3 chains 66 $\frac{5}{10}$ links thence 296 degrees 35 minutes 50 seconds 4 chains 28 $\frac{5}{10}$ links and on the north west by lines bearing 251 degrees 35 minutes 50 seconds 7 chains 97 links and thence 239 degrees 13 minutes 20 seconds 13 chains 74 $\frac{8}{10}$ links to the point of commencement

10 AND ALSO OTHER PART THEREOF being 8 acres 3 roods 1 perch portion 2961 Commencing at the easternmost corner of an area of 5 acres 22 $\frac{3}{4}$ perches shown on plan catalogued Ms.5469 Md. at the Department of Lands Sydney being also a point bearing 161 degrees 35 minutes 50 seconds 8 chains 77 $\frac{1}{10}$ links

15 from the easternmost corner of the firstly described part of the subject 54 acres 12 perches and bounded thence on the north west by part of a south eastern boundary of that 5 acres 22 $\frac{3}{4}$ perches bearing 226 degrees 49 minutes 10 seconds 20 chains 94 $\frac{4}{10}$ links on the south east by a road of variable width bearing 86 degrees 30 minutes

20 86 $\frac{2}{10}$ links to Elizabeth Street Town of Carrington and thence by Elizabeth Street bearing 71 degrees 35 minutes 40 seconds 18 chains 18 $\frac{35}{100}$ links and on the north east by a line bearing 341 degrees 35 minutes 50 seconds 9 chains to the point of commencement.

New South Wales.



ANNO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 44, 1952.

An Act to provide for the extension of certain special leases to leases in perpetuity and for the leasing of lands for business and other purposes under lease in perpetuity tenure; for these purposes to amend the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 25th November, 1952.]

BE it enacted by the Queen'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 the same, as follows:—

1. This Act may be cited as the "Crown Lands Short title. (Special Leases) Amendment Act, 1952."

Crown Lands (Special Leases) Amendment.

Amendment
of Act No.
7, 1913.

2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Sec. 75.

(Special
leases—for
miscel-
laneous
purposes.)

(a) by inserting in section seventy-five after the word “hereof” where secondly occurring the following paragraph:—

“The term of any lease under this section for business purposes or for any purpose declared by the Minister by notification in the Gazette in pursuance of the provisions of section 75A hereof, may be extended as provided in the said section 75A irrespective of whether such term has or has not been extended as provided in section two hundred and twenty-nine hereof.”

New secs.
75A and
75B.

(b) by inserting next after section seventy-five the following new sections:—

Extension
of special
leases to
special
leases in
perpetuity
for mis-
cellaneous
purposes.

75A. (1) The holder of a lease under section seventy-five hereof for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section may apply to have such lease or any part thereof extended to a lease in perpetuity.

(2) Any such application may be made in respect of any such lease subsisting at the commencement of the Crown Lands (Special Leases) Amendment Act, 1952, as well as any such lease granted after such commencement.

(3) The application shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed and shall be referred to the local land board for inquiry and report.

(4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto

by

Crown Lands (Special Leases) Amendment.

by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

(5) The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part of the land the subject of the application it shall also report as to what special conditions (if any) should attach to the lease in perpetuity and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application, and of the residue of any land comprised in the lease.

(6) After receipt of such report the Minister may if the local land board so recommends extend the lease as to the whole or part of the land comprised therein to a lease in perpetuity, or he may at his discretion refuse the application.

Any areas required for roadways or other public purposes may be excluded or the boundaries may be otherwise modified at the Minister's discretion.

No such lease in perpetuity shall be so granted in respect of any land—

- (a) reserved from sale for public recreation or from sale for future public requirements;
- (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary for Mines so approves. (7)

Crown Lands (Special Leases) Amendment.

(7) The Minister may annex to any such lease in perpetuity such conditions reservations and provisions as he may think fit. Any such condition reservation or provision annexed to such lease or the purpose for which the lease has been extended to a lease in perpetuity may on application by the lessee in the prescribed manner and on the recommendation of the local land board be varied modified or revoked by the Minister.

(8) The cost of any necessary survey or subdivision shall be paid by the applicant within one month after he has been called upon to do so; and upon default the application may be declared to have lapsed, and any moneys paid therewith shall thereupon become forfeited.

(9) The rent of the lease in perpetuity and of any residue of the lease not extended to a lease in perpetuity shall be as determined by the local land board having regard to the purpose thereof, and shall have effect as from the date of granting of the extension.

(10) The determination of the rent of the lease in perpetuity shall remain in force for a period of ten years. Subsequent determinations shall be made as at the date of expiration of the period of the last preceding determination and shall remain in force for a period of ten years from that date.

(11) If it should appear to the satisfaction of the Minister that the land comprised in a lease in perpetuity under this section is not used and occupied bona fide for the purpose of such lease such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(12) A lease in perpetuity under this section shall not be transferred except by way of
of

Crown Lands (Special Leases) Amendment.

of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

The Minister shall have discretion to grant or refuse his consent.

75B. (1) Subject to this section the Minister may lease Crown lands (not being in the Western Division) for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section.

Special leases in perpetuity for miscellaneous purposes.

(2) The title to a lease under this section shall be a lease in perpetuity.

(3) An application for a lease under this section shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed.

(4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

(5) Any such application shall be referred to the local land board for inquiry and report. The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part

Crown Lands (Special Leases) Amendment.

of the land the subject of the application it shall also report as to what special conditions (if any) should attach to the lease and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application.

(6) After receipt of such report the Minister may, subject to this section, grant a lease either as to the whole or any part of the land the subject of the application if the local land board so recommends, or he may at his discretion refuse the application.

No such lease shall be granted in respect of any land—

- (a) reserved from sale for public recreation or from sale for future public requirements;
- (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary for Mines so approves.

(7) The Minister may annex to any such lease such conditions reservations and provisions as he may think fit. Any such condition reservation or provision annexed to such lease or the purpose for which the lease has been granted may on application by the lessee in the prescribed manner and on the recommendation of the local land board be varied modified or revoked by the Minister.

(8) The cost of any necessary survey, or in the case of measured land a survey fee in accordance with the prescribed scale, shall be paid by the applicant within one month after he has been called upon to do so; and upon default the lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(9)

Crown Lands (Special Leases) Amendment.

(9) The rent of the lease shall be as determined by the local land board having regard to the purpose thereof. The first such determination shall have effect as from the date of granting of the application, and shall remain in force for a period of ten years. Subsequent determinations shall be made at intervals of ten years and each such determination shall be made as at the date of expiration of the period of the last preceding determination and shall remain in force for a period of ten years from that date.

(10) If it should appear to the satisfaction of the Minister that the land comprised in a lease granted under this section is not used and occupied bona fide for the purpose for which the lease was granted, such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(11) A lease in perpetuity under this section shall not be transferred except by way of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

The Minister shall have discretion to grant or refuse his consent.

(12) In respect of the land described in the Seventh Schedule to this Act the Minister may, although the provisions of subsections three, four, five and six of this section have not been complied with, grant a lease under this section.

- (c) (i) by omitting from subsection two of section two hundred and fifteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";

Sec. 215.
(Assessment of capital or rental value.)

(ii)

Crown Lands (Special Leases) Amendment.

- (ii) by inserting in the same subsection after the words "week-end lease" where secondly and thirdly occurring the words "special lease in perpetuity";
- Sec. 216.
(Periods allowed for payment.)
- (d) (i) by omitting from subsection one of section two hundred and sixteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";
- (ii) by omitting from subsection two of the same section the words "or week-end lease" and by inserting in lieu thereof the words "week-end lease or special lease in perpetuity";
- Sec. 217.
(Rental value for Crown improvements.)
- (e) (i) by omitting from section two hundred and seventeen the words "week-end lease" and by inserting in lieu thereof the words "homestead farm suburban holding Crown-lease week-end lease special lease in perpetuity";
- (ii) by inserting at the end of the same section the following paragraph:—
- "Where in pursuance of this section the holder of a special lease is paying the rental value of improvements for the use thereof and the lease is converted into a tenure being a conditional purchase, conditional lease, homestead selection, conditional purchase lease, settlement lease, homestead farm, or Crown-lease or is extended to a lease in perpetuity he shall become liable to pay the capital value of such improvements as an incoming tenant of the tenure into which the conversion is made or the lease in perpetuity to which the lease has been extended."
- (f)

Crown Lands (Special Leases) Amendment.

- (f) (i) by inserting in subsection two of section two hundred and twenty-two after the words "town lands" where firstly occurring the words "special lease in perpetuity"; Sec. 222.
(Tenant-right: when it arises.)
- (ii) by inserting in the same subsection after the words "town lands" where secondly occurring the words "or a special lease in perpetuity";
- (g) by inserting in section 222A after the words "special lease" the words "(not being in perpetuity)"; Sec. 222A.
(Tenant-right to holders of special leases.)
- (h) by inserting next after the Sixth Schedule the following new Schedule:— New
Seventh
Schedule.

SEVENTH SCHEDULE.

Sec. 75B.

ALL THOSE pieces or parcels of land containing by admeasurement 54 acres 12 perches be the same more or less situated in the County of Northumberland Parish of Newcastle City of Newcastle PART THEREOF being 45 acres 1 rood 11 perches portions 2955, 2956, 2957, 2958, 2959 and 2960. Commencing at the northernmost corner of the land comprised in Certificate of Title Volume 5985 folio 170 and bounded thence on the south west by the north eastern boundary of that land bearing 168 degrees 5 minutes 5 chains 15 6/10 links on the north west by the south eastern boundary of that land and a line in all bearing 197 degrees 43 minutes 20 seconds 4 chains 30 3/10 links and thence by lines dividing this land from the land comprised in Certificate of Title Volume 5930 folio 62 bearing 190 degrees 50 minutes 40 seconds 5 chains 83 55/100 links thence 197 degrees 45 minutes 40 seconds 4 chains 74 8/10 links on the south east and north east by a road of variable width thence 1 chain 21 21/100 links wide thence again of variable width and thence again 1 chain 21 21/100 links wide bearing 86 degrees 30 minutes 2 chains 17 6/100 links 65 degrees 50 minutes 4 chains 70 links thence 81 degrees 4 chains 54 2/10 links thence by that road being 2 chains 38 62/100 links of the arc of a circle of 4 chains radius the centre of which lies north westerly of a chord bearing 63 degrees 54 minutes 30 seconds 2 chains 35 1/10 links thence by that road bearing 46 degrees 49 minutes 10 seconds 16 chains 5 5/10 links thence by that road being 4 chains 89 89/100 links of the arc of a circle of 7 chains 78 78/100 links radius the centre of which lies north westerly of a chord bearing 28 degrees 48 minutes 4 chains 82 15/100 links thence by that road being 1 chain 15 73/100 links of the arc of a circle of 2 chains 27 27/100 links radius the centre of which

lies

Crown Lands (Special Leases) Amendment.

lies westerly of a chord bearing 356 degrees 11 minutes 16 seconds 1 chain 14 $\frac{5}{10}$ links thence by that road bearing 341 degrees 35 minutes 50 seconds 3 chains 17 $\frac{6}{10}$ links thence by the end of that road bearing 71 degrees 36 minutes 1 chain 21 $\frac{21}{100}$ links and thence by lines bearing 341 degrees 35 minutes 50 seconds 3 chains 66 $\frac{5}{10}$ links thence 296 degrees 35 minutes 50 seconds 4 chains 28 $\frac{5}{10}$ links and on the north west by lines bearing 251 degrees 35 minutes 50 seconds 7 chains 97 links and thence 239 degrees 13 minutes 20 seconds 13 chains 74 $\frac{8}{10}$ links to the point of commencement AND ALSO OTHER PART THEREOF being 8 acres 3 roods 1 perch portion 2961 Commencing at the easternmost corner of an area of 5 acres 22 $\frac{3}{4}$ perches shown on plan catalogued Ms.5469 Md. at the Department of Lands Sydney being also a point bearing 161 degrees 35 minutes 50 seconds 8 chains 77 $\frac{1}{10}$ links from the easternmost corner of the firstly described part of the subject 54 acres 12 perches and bounded thence on the north west by part of a south-eastern boundary of that 5 acres 22 $\frac{3}{4}$ perches bearing 226 degrees 49 minutes 10 seconds 20 chains 94 $\frac{4}{10}$ links on the south east by a road of variable width bearing 86 degrees 30 minutes 86 $\frac{2}{10}$ links to Elizabeth Street Town of Carrington and thence by Elizabeth Street bearing 71 degrees 35 minutes 40 seconds 18 chains 18 $\frac{35}{100}$ links and on the north east by a line bearing 341 degrees 35 minutes 50 seconds 9 chains to the point of commencement.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1952.

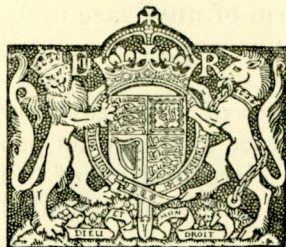
[8d.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 12 November, 1952.*

New South Wales.



ANNO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 44, 1952.

An Act to provide for the extension of certain special leases to leases in perpetuity and for the leasing of lands for business and other purposes under lease in perpetuity tenure; for these purposes to amend the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 25th November, 1952.]

BE it enacted by the Queen'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 the same, as follows:—

1. This Act may be cited as the "Crown Lands Short title. (Special Leases) Amendment Act, 1952."

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. J. TULLY,

Acting Chairman of Committees of the Legislative Assembly.

Crown Lands (Special Leases) Amendment.

Amendment
of Act No.
7, 1913.

Sec. 75.
(Special
leases—for
miscel-
laneous
purposes.)

New secs.
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75B.

Extension
of special
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purposes.

2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

(a) by inserting in section seventy-five after the word "hereof" where secondly occurring the following paragraph:—

"The term of any lease under this section for business purposes or for any purpose declared by the Minister by notification in the Gazette in pursuance of the provisions of section 75A hereof, may be extended as provided in the said section 75A irrespective of whether such term has or has not been extended as provided in section two hundred and twenty-nine hereof."

(b) by inserting next after section seventy-five the following new sections:—

75A. (1) The holder of a lease under section seventy-five hereof for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section may apply to have such lease or any part thereof extended to a lease in perpetuity.

(2) Any such application may be made in respect of any such lease subsisting at the commencement of the Crown Lands (Special Leases) Amendment Act, 1952, as well as any such lease granted after such commencement.

(3) The application shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed and shall be referred to the local land board for inquiry and report.

(4) If the land the subject of any such application is wholly or in part within a traveling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto

by

Crown Lands (Special Leases) Amendment.

by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

(5) The local land board shall report to the Minister as to whether there is any objection in the public interest or otherwise to the granting of the application either as to the whole or any part of the land the subject of the application and generally as to the merits thereof. If the local land board deems it expedient to recommend the granting of the application either as to the whole or any part of the land the subject of the application it shall also report as to what special conditions (if any) should attach to the lease in perpetuity and shall proceed to determine the rent of the land in respect of which it deems it expedient to recommend the granting of the application, and of the residue of any land comprised in the lease.

(6) After receipt of such report the Minister may if the local land board so recommends extend the lease as to the whole or part of the land comprised therein to a lease in perpetuity, or he may at his discretion refuse the application.

Any areas required for roadways or other public purposes may be excluded or the boundaries may be otherwise modified at the Minister's discretion.

No such lease in perpetuity shall be so granted in respect of any land—

- (a) reserved from sale for public recreation or from sale for future public requirements;
- (b) within a reserve for mining or for mining purposes or within an area exempted from alienation under the Mining Act, 1906, as amended by subsequent Acts, unless the Secretary for Mines so approves. (7)

Crown Lands (Special Leases) Amendment.

(7) The Minister may annex to any such lease in perpetuity such conditions reservations and provisions as he may think fit. Any such condition reservation or provision annexed to such lease or the purpose for which the lease has been extended to a lease in perpetuity may on application by the lessee in the prescribed manner and on the recommendation of the local land board be varied modified or revoked by the Minister.

(8) The cost of any necessary survey or subdivision shall be paid by the applicant within one month after he has been called upon to do so; and upon default the application may be declared to have lapsed, and any moneys paid therewith shall thereupon become forfeited.

(9) The rent of the lease in perpetuity and of any residue of the lease not extended to a lease in perpetuity shall be as determined by the local land board having regard to the purpose thereof, and shall have effect as from the date of granting of the extension.

(10) The determination of the rent of the lease in perpetuity shall remain in force for a period of ten years. Subsequent determinations shall be made as at the date of expiration of the period of the last preceding determination and shall remain in force for a period of ten years from that date.

(11) If it should appear to the satisfaction of the Minister that the land comprised in a lease in perpetuity under this section is not used and occupied bona fide for the purpose of such lease such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

(12) A lease in perpetuity under this section shall not be transferred except by way
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Crown Lands (Special Leases) Amendment.

of mortgage or discharge of mortgage unless the consent of the Minister has been previously obtained.

The Minister shall have discretion to grant or refuse his consent.

75B. (1) Subject to this section the Minister may lease Crown lands (not being in the Western Division) for business purposes or for any purpose declared by the Minister by notification in the Gazette to be a purpose within this section.

Special
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(2) The title to a lease under this section shall be a lease in perpetuity.

(3) An application for a lease under this section shall be made in the manner and in or to the effect of the form and shall be accompanied by the fee prescribed.

(4) If the land the subject of any such application is wholly or in part within a travelling stock reserve camping reserve or water reserve, particulars of the application and of the time and place appointed for the inquiry by the local land board shall be notified in the Gazette, and attention shall be invited thereto by advertisement in a local newspaper not less than fourteen days before the holding of the said inquiry.

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Crown Lands (Special Leases) Amendment.

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(9)

Crown Lands (Special Leases) Amendment.

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(10) If it should appear to the satisfaction of the Minister that the land comprised in a lease granted under this section is not used and occupied bona fide for the purpose for which the lease was granted, such lease together with any moneys paid in respect thereof shall be liable to be forfeited.

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The Minister shall have discretion to grant or refuse his consent.

(12) In respect of the land described in the Seventh Schedule to this Act the Minister may, although the provisions of subsections three, four, five and six of this section have not been complied with, grant a lease under this section.

- (c) (i) by omitting from subsection two of section two hundred and fifteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";

Sec. 215.
(Assessment of capital or rental value.)

(ii)

Crown Lands (Special Leases) Amendment.

- (ii) by inserting in the same subsection after the words "week-end lease" where secondly and thirdly occurring the words "special lease in perpetuity";
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- (d) (i) by omitting from subsection one of section two hundred and sixteen the words "or Crown-lease" and by inserting in lieu thereof the words "Crown-lease or special lease in perpetuity";
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(Rental value for Crown improvements.)
- (e) (i) by omitting from section two hundred and seventeen the words "week-end lease" and by inserting in lieu thereof the words "homestead farm suburban holding Crown-lease week-end lease special lease in perpetuity";
- (ii) by inserting at the end of the same section the following paragraph:—
- "Where in pursuance of this section the holder of a special lease is paying the rental value of improvements for the use thereof and the lease is converted into a tenure being a conditional purchase, conditional lease, homestead selection, conditional purchase lease, settlement lease, homestead farm, or Crown-lease or is extended to a lease in perpetuity he shall become liable to pay the capital value of such improvements as an incoming tenant of the tenure into which the conversion is made or the lease in perpetuity to which the lease has been extended."
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Crown Lands (Special Leases) Amendment.

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Seventh
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SEVENTH SCHEDULE.

Sec. 75B.

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Crown Lands (Special Leases) Amendment.

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In the name and on behalf of Her Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 25th November, 1952.*