

CROWN LANDS (AMENDMENT) BILL, 1957

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*Schedule of the Amendment referred to in Legislative Council's  
Message of 11 April, 1957.*

Page 13, lines 1 to 6. *Add the following new clause to stand as clause 6:—*

**6. The Western Lands Act of 1901, as amended by subsequent Acts, is amended by omitting from section thirty-one the following word and paragraph:**

**“and**

**(d) not in excess of the cost of making the improvements”.**

Amendment  
of Act No.  
70, 1901.

Sec. 31.  
(Determina-  
tion of  
value of  
improve-  
ments.)





*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.*

ALLAN PICKERING,

*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 2 April, 1957.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with  
an Amendment.*

J. R. STEVENSON,

*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, 11 April, 1957.*

## New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

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Act No. , 1957.

An Act to provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith.

81771 209—

BE

NOTE.—The words to be inserted are printed in black letter.



*Crown Lands (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative 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.  
(Amendment) Act, 1957".

2. (1) The Crown Lands (Amendment) Act, 1932, as Amendment  
of Act  
No. 69, 1932.  
10 amended by subsequent Acts, is amended by omitting Sec. 5.  
from section five the words and figures "or the Prickly-  
pear Acts, 1924-1930" and by inserting in lieu thereof the (Funding of  
arrears.)  
words and figures "the Prickly-pear Act, 1924, or the  
War Service Land Settlement Act, 1941";

(2) The War Service Land Settlement Act, 1941, as Amendment  
of Act  
No. 43, 1941.  
15 amended by subsequent Acts, is amended by inserting at Sec. 8c.  
the end of subsection four of section 8c the following  
new paragraph:—

The Minister shall have power and shall be deemed  
always to have had power either generally or in any  
20 particular case or class of cases to vary as he may (Advances  
and other  
assistance to  
settlers  
under this  
Act.)  
think fit the manner, instalments and times of pay-  
ment appointed by him under this subsection.

(3) The Closer Settlement Amendment (Conver- Amendment  
of Act  
No. 38, 1943.  
25 sion) Act, 1943, as amended by subsequent Acts, is  
amended by inserting at the end of section thirteen the  
following new subsection:—

(2) Section five of the Crown Lands (Amendment) Sec. 13.  
Act, 1932, as amended by subsequent Acts, shall (Application  
of certain  
provisions of  
other Acts.)  
30 mutatis mutandis apply to the whole or part of any  
amount due to the Crown in respect of a settlement  
purchase lease, group purchase lease, or closer  
settlement lease under this Act.

3.



*Crown Lands (Amendment).*

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

- 5 (a) by inserting in section fifty-two after the words “local land board” the words and parentheses “Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum”.
- 10 (b) (i) by omitting from paragraph one of section seventy the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 15 (ii) by inserting next after paragraph two of the same section the following new paragraph:—
- (2A) The annual license fee shall not in any case be less than two pounds.
- 20 (c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words “upset rent” the words and parentheses “(not being less than two pounds per annum)”;
- 25 (ii) by inserting in subsection two of the same section after the word “rent” where firstly occurring the words and parentheses “(not being less than two pounds per annum)”;
- 30 (d) (i) by omitting from paragraph two of section seventy-two the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 35 (ii) by inserting at the end of paragraph five of the same section the words “Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.”;
- (e)

Sec. 52.

(Term and  
rent of  
conditional  
lease.)

Sec. 70.

(Occupation  
license.)

Sec. 71.

(Annual  
lease by  
auction or  
tender.)

Sec. 72.

(Annual  
leases  
generally:  
terms  
and  
conditions.)



*Crown Lands (Amendment).*

- (e) by inserting at the end of section seventy-three the following new paragraph:—  
 Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.  
 5
- (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";  
 10
- (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";  
 15
- (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";  
 20
- (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";  
 25
- (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.";  
 30
- (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";  
 35
- (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";  
 (k)

Sec. 73.

(Lease under im-  
provement  
conditions  
out of  
annual  
lease.)

Sec. 74.

(Special  
leases  
for wharfs  
and jetties.)

Sec. 75.

(Special  
leases,  
miscel-  
laneous  
purposes.)

Sec. 75A.

(Extension  
of special  
leases to  
special leases  
in per-  
petuity for  
miscel-  
laneous  
purposes.)

Sec. 75B.

(Special  
leases in  
perpetuity  
for  
miscellane-  
ous  
purposes.)

Sec. 76.

(Special  
leases:  
tramway and  
irrigation  
purposes.)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Scrub lease.)
- 5 (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- 10 (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- 15 (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- 20 (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- 25 (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- 30 (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



*Crown Lands (Amendment).*

- (r) by omitting from paragraph three of section Sec. 88.  
 eighty-eight the words, figures and letter (Original  
 "subject to the provisions of section 167A homestead  
 hereof" and by inserting in lieu thereof the selection  
 areas.)  
 5 words, figures, and letters "subject to the  
 provisions of paragraph (e) of subsection one  
 of section ninety-one and section 167A hereof";
- (s) by inserting at the end of paragraph (e) of Sec. 91.  
 subsection one of section ninety-one the words (Conditions  
 10 "Provided that the annual rent shall not in any precedent to  
 case be less than two pounds."; homestead  
 grant.)
- (t) by omitting from paragraph (a) of subsection Sec. 93.  
 two of section ninety-three the word, figures (Homestead  
 and letter "section 167A" and by inserting in grant.)  
 15 lieu thereof the words, figures and letters  
 "paragraph (e) of section ninety-one and  
 section 167A of this Act";
- (u) by inserting at the end of paragraph three of Sec. 95.  
 section ninety-five the words "Provided that (Homestead  
 20 such rent shall not in any case be less than selection  
 two pounds."; without  
 residence  
 before  
 grant.)
- (v) by inserting at the end of subsection one of Sec. 97.  
 section ninety-seven the words "Provided that (Additional  
 25 the rent shall not be less than two pounds per homestead  
 annum."; selection.)
- (w) by inserting in section one hundred and one after Sec. 101.  
 the words "local land board" where thirdly (Original  
 occurring the words "Provided further that the settlement  
 annual rent shall not be less than two pounds."; lease.)
- (x) by inserting at the end of subsection one of sec- Sec. 103.  
 tion one hundred and three the words "Provided (Additional  
 30 that the rent shall not be less than two pounds settlement  
 per annum."; lease.)
- (y) by inserting at the end of section one hundred Sec. 107.  
 35 and seven the words "Provided that the rent (Term and  
 shall not be less than two pounds per annum."; rent of  
 conditional  
 purchase  
 lease.)  
 (z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of Sec. 109. subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- 5 (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- 10 (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- 15 (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- 20 (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- 25 (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- 30 (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



*Crown Lands (Amendment).*

- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- 5 (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that"; Sec. 185. (Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- 10 (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 190. (Conversion of special lease or church and school lands lease.)
- 15 (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193. (Conversion of certain leases into homestead selections or grants.)
- 20 (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193A. (Conversion of prickly-pear leases.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds."; Sec. 202. (Enclosure of roads and water-courses.)
- 25 (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- 30 (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- 35 (iv) by omitting from subsection nine of the same section the words "determined by the local land board";
- (am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258. (Provisions governing sub-divided portions.)
- 5
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904. Sec. 46. (Enclosure of roads.)
- 10
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943. Sec. 9. (Closer settlement leases.)
- 15
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- 20
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15. (Existing holdings.)
- 25
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17. (Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18. (Leasing of commons and reserves.)
- 30
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20. (Leases.)
- 35
- (v)



*Crown Lands (Amendment).*

- (v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds."; Sec. 21A. (Extension of term to lease in perpetuity.)
- 5 (b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";
- 10 (vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum." Sec. 21B. (Subdivision of leases.)
- (b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as  
15 the Prickly-pear Act, 1924-1957.
- (5) Where in respect of any—
- (a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown  
20 Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or
- 25 (b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or
- (c) lease or permission to enclose a road or water-  
30 course under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or
- (d)



*Crown Lands (Amendment).*

(d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds  
 5 per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement  
 10 and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by  
 15 omitting section 25A and by inserting in lieu thereof the following section:—

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 1957, was or is—

(a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or

(b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired under the Closer Settlement Acts or as Crown land within the meaning of this Act.



*Crown Lands (Amendment).*

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 7, 1913.

5 (a) by inserting in the definition of "Minerals" in section five after the word "substance" the words and parentheses "(whether of the same kind as the foregoing substances or not)";

Sec. 5. (Interpretation of terms.)

(b) by omitting from section seventy-five the words "in areas not exceeding in any case one thousand nine hundred and twenty acres";

Sec. 75. (Special leases, miscellaneous purposes.)

10 (c) (i) by omitting from subsection three of section 75B the word "fee" and by inserting in lieu thereof the word "deposit";

Sec. 75B. (Special leases in perpetuity for miscellaneous purposes.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

15 Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be  
20 refunded if the application has been refused or withdrawn.

(d) by omitting from section two hundred and thirteen the following word and paragraph:—  
"and

Sec. 213. (Definitions of "improvements" and "capital value".)

25 (d) not in excess of the cost of making the improvements";

30 (2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

6. The Western Lands Act of 1901, as amended by subsequent Acts, is amended by omitting from section thirty-one the following word and paragraph:—

Amendment  
of Act No.  
70, 1901.  
Sec. 31.  
(Determina-  
tion of  
value of  
improve-  
ments.)

“and

- 5 (d) not in excess of the cost of making the improvements”.

6. 7. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

- 10 (i) by inserting in subsection one of section twenty-five after the word “licenses” where firstly occurring the words and parentheses “(other than leases or licenses within a timber reserve)”;

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

- 15 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

20

(b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

- 25 (2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter  
30 or thing was taken or done, is hereby validated.

7. 8. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

- 35 (4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined shall remain in force for a period of ten

Sec. 25.  
(Redeter-  
mination of  
rent upon  
certain  
transfers.)



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*Crown Lands (Amendment).*

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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: Provided that if at any time the lease is transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

(2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

8. 9. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division."

Amendment  
of Act No. 9,  
1924.  
Sec. 8.  
(Consent.)

In this section—

"District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

"Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the Wentworth



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*Crown Lands (Amendment).*

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Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

5      “Local government area” means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

10      “Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.







*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 2 April, 1957.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with  
an Amendment.*

*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, April, 1957.*

## New South Wales



ANNO SEXTO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1957.

An Act to provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith.



*Crown Lands (Amendment).*

**B**E 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. (Amendment) Act, 1957".

**2.** (1) The Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, is amended by omitting from section five the words and figures "or the Prickly-pear Acts, 1924-1930" and by inserting in lieu thereof the words and figures "the Prickly-pear Act, 1924, or the War Service Land Settlement Act, 1941";

Amendment  
of Act  
No. 69, 1932.  
Sec. 5.  
(Funding of  
arrears.)

(2) The War Service Land Settlement Act, 1941, as amended by subsequent Acts, is amended by inserting at the end of subsection four of section 8c the following new paragraph:—

Amendment  
of Act  
No. 43, 1941.  
Sec. 8c.  
(Advances  
and other  
assistance to  
settlers  
under this  
Act.)

The Minister shall have power and shall be deemed always to have had power either generally or in any particular case or class of cases to vary as he may think fit the manner, instalments and times of payment appointed by him under this subsection.

(3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of section thirteen the following new subsection:—

Amendment  
of Act  
No. 38, 1943.

(2) Section five of the Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, shall mutatis mutandis apply to the whole or part of any amount due to the Crown in respect of a settlement purchase lease, group purchase lease, or closer settlement lease under this Act.

Sec. 13.  
(Application  
of certain  
provisions of  
other Acts.)



*Crown Lands (Amendment).*

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

5 (a) by inserting in section fifty-two after the words "local land board" the words and parentheses "Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum".

Sec. 52.  
(Term and  
rent of  
conditional  
lease.)

10 (b) (i) by omitting from paragraph one of section seventy the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";

Sec. 70.  
(Occupation  
license.)

(ii) by inserting next after paragraph two of the same section the following new paragraph:—

15 (2A) The annual license fee shall not in any case be less than two pounds.

20 (c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)";

Sec. 71.  
(Annual  
lease by  
auction or  
tender.)

25 (ii) by inserting in subsection two of the same section after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)";

30 (d) (i) by omitting from paragraph two of section seventy-two the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";

Sec. 72.  
(Annual  
leases  
generally:  
terms  
and  
conditions.)

35 (ii) by inserting at the end of paragraph five of the same section the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.";

(e)



*Crown Lands (Amendment).*

- (e) by inserting at the end of section seventy-three the following new paragraph:—  
 Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.  
 (Lease under improvement conditions out of annual lease.)
- (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";  
 (Sec. 74. Special leases for wharfs and jetties.)
- (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";  
 (Sec. 75. Special leases, miscellaneous purposes.)
- (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";
- (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";  
 (Sec. 75A. Extension of special leases to special leases in perpetuity for miscellaneous purposes.)
- (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.";
- (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";  
 (Sec. 75B. Special leases in perpetuity for miscellaneous purposes.)
- (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";  
 (Sec. 76. Special leases: tramway and irrigation purposes.)
- (k)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Scrub lease.)
- 5 (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- 10 (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- 15 (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- 20 (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- 25 (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- 30 (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



*Crown Lands (Amendment).*

- (r) by omitting from paragraph three of section Sec. 88.  
 eighty-eight the words, figures and letter (Original  
 "subject to the provisions of section 167A homestead  
 hereof" and by inserting in lieu thereof the selection  
 areas.)
- 5 (s) by inserting at the end of paragraph (e) of subsection one of section ninety-one and section 167A hereof";
- 10 (s) by inserting at the end of paragraph (e) of subsection one of section ninety-one the words (Conditions  
 "Provided that the annual rent shall not in any precedent to  
 case be less than two pounds."; homestead  
 grant.)
- 15 (t) by omitting from paragraph (a) of subsection two of section ninety-three the word, figures (Homestead  
 and letter "section 167A" and by inserting in grant.)  
 lieu thereof the words, figures and letters  
 "paragraph (e) of section ninety-one and  
 section 167A of this Act";
- 20 (u) by inserting at the end of paragraph three of section ninety-five the words "Provided that (Homestead  
 such rent shall not in any case be less than selection  
 two pounds."; without  
 residence  
 before  
 grant.)
- 25 (v) by inserting at the end of subsection one of section ninety-seven the words "Provided that (Additional  
 the rent shall not be less than two pounds per homestead  
 annum."; selection.)
- (w) by inserting in section one hundred and one after Sec. 101.  
 the words "local land board" where thirdly (Original  
 occurring the words "Provided further that the settlement  
 annual rent shall not be less than two pounds."; lease.)
- 30 (x) by inserting at the end of subsection one of section one hundred and three the words "Provided (Additional  
 that the rent shall not be less than two pounds settlement  
 per annum."; lease.)
- 35 (y) by inserting at the end of section one hundred and seven the words "Provided that the rent (Term and  
 shall not be less than two pounds per annum."; rent of  
 conditional  
 purchase  
 lease.)
- (z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 109. (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- 5 (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- 10 (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- 15 (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- 20 (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- 25 (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- 30 (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



*Crown Lands (Amendment).*

- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- 5 (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that"; Sec. 185. (Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- 10 (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 190. (Conversion of special lease or church and school lands lease.)
- 15 (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193. (Conversion of certain leases into homestead selections or grants.)
- 20 (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193A. (Conversion of prickly-pear leases.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds."; Sec. 202. (Enclosure of roads and water-courses.)
- 25 (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- 30 (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- 35 (iv) by omitting from subsection nine of the same section the words "determined by the local land board";
- (am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258. (Provisions governing sub-divided portions.)
- 5
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904. Sec. 46. (Enclosure of roads.)
- 10
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943. Sec. 9. (Closer settlement leases.)
- 15
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- 20
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15. (Existing holdings.)
- 25
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17. (Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18. (Leasing of commons and reserves.)
- 30
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20. (Leases.)
- 35
- (v)



*Crown Lands (Amendment).*

- (v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds."; Sec. 21A. (Extension of term to lease in perpetuity.)
- 5 (b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";
- 10 (vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum." Sec. 21B. (Subdivision of leases.)

(b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as  
15 the Prickly-pear Act, 1924-1957.

(5) Where in respect of any—

20 (a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or

25 (b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or

30 (c) lease or permission to enclose a road or watercourse under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or

(d)



*Crown Lands (Amendment).*

(d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts, subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds 5 per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement 10 and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by 15 omitting section 25A and by inserting in lieu thereof the following section:—

Further  
amendment  
of Act No.  
7, 1913.  
Subst.  
sec. 25A.  
Disposal  
of  
certain  
lands as  
Crown  
lands.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 20 1957, was or is—

(a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under 25 the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or

(b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested 30 in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired 35 under the Closer Settlement Acts or as Crown land within the meaning of this Act.

5.



*Crown Lands (Amendment).*

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 7, 1913.

(a) by inserting in the definition of "Minerals" in section five after the word "substance" the words and parentheses "(whether of the same kind as the foregoing substances or not)";

Sec. 5. (Interpretation of terms.)

(b) by omitting from section seventy-five the words "in areas not exceeding in any case one thousand nine hundred and twenty acres";

Sec. 75. (Special leases, miscellaneous purposes.)

(c) (i) by omitting from subsection three of section 75B the word "fee" and by inserting in lieu thereof the word "deposit";

Sec. 75B. (Special leases in perpetuity for miscellaneous purposes.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be refunded if the application has been refused or withdrawn.

(d) by omitting from section two hundred and thirteen the following word and paragraph:—

Sec. 213. (Definitions of "improvements" and "capital value".)

(d) not in excess of the cost of making the improvements";

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

6. The Western Lands Act of 1901, as amended by subsequent Acts, is amended by omitting from section thirty-one the following word and paragraph:—

Amendment  
of Act No.  
70, 1901.  
Sec. 31.  
(Determina-  
tion of  
value of  
improve-  
ments.)

“and

5 (d) not in excess of the cost of making the improvements”.

6- 7. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

10 (i) by inserting in subsection one of section twenty-five after the word “licenses” where firstly occurring the words and parentheses “(other than leases or licenses within a timber reserve)”;

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

15 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

20 (3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

(b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

25 (2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter  
30 or thing was taken or done, is hereby validated.

7- 8. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

35 (4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined shall remain in force for a period of ten  
ten (Redeter-  
mination of  
rent upon  
certain  
transfers.)



*Crown Lands (Amendment).*

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: Provided that if at any time the lease is transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

(2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

8. 9. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division.

Amendment  
of Act No. 9,  
1924.  
Sec. 8.  
(Consent.)

In this section—

"District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

"Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the Wentworth



*Crown Lands (Amendment).*

Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

5 "Local government area" means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

10 "Western Lands Commissioner" means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.

Sydney: A. H. Pettifer, Government Printer—1957







*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 2 April, 1957.*

## New South Wales



ANNO SEXTO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. , 1957.**

An Act to provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith.



*Crown Lands (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative 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.  
(Amendment) Act, 1957".

2. (1) The Crown Lands (Amendment) Act, 1932, as Amendment  
of Act  
No. 69, 1932.  
10 amended by subsequent Acts, is amended by omitting  
from section five the words and figures "or the Prickly- Sec. 5.  
pear Acts, 1924-1930" and by inserting in lieu thereof the (Funding of  
arrears.)  
words and figures "the Prickly-pear Act, 1924, or the  
War Service Land Settlement Act, 1941";

(2) The War Service Land Settlement Act, 1941, as Amendment  
of Act  
No. 43, 1941.  
15 amended by subsequent Acts, is amended by inserting at  
the end of subsection four of section 8c the following Sec. 8c.  
new paragraph:—

The Minister shall have power and shall be deemed (Advances  
and other  
assistance to  
settlers  
under this  
Act.)  
20 always to have had power either generally or in any  
particular case or class of cases to vary as he may  
think fit the manner, instalments and times of pay-  
ment appointed by him under this subsection.

(3) The Closer Settlement Amendment (Conver- Amendment  
of Act  
No. 38, 1943.  
25 sion) Act, 1943, as amended by subsequent Acts, is  
amended by inserting at the end of section thirteen the  
following new subsection:—

(2) Section five of the Crown Lands (Amendment) Sec. 13.  
Act, 1932, as amended by subsequent Acts, shall (Application  
of certain  
provisions of  
other Acts.)  
30 mutatis mutandis apply to the whole or part of any  
amount due to the Crown in respect of a settlement  
purchase lease, group purchase lease, or closer  
settlement lease under this Act.

3.



*Crown Lands (Amendment).*

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

- 5 (a) by inserting in section fifty-two after the words “local land board” the words and parentheses “Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum”.
- 10 (b) (i) by omitting from paragraph one of section seventy the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 15 (ii) by inserting next after paragraph two of the same section the following new paragraph:—
- (2A) The annual license fee shall not in any case be less than two pounds.
- 20 (c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words “upset rent” the words and parentheses “(not being less than two pounds per annum)”;
- 25 (ii) by inserting in subsection two of the same section after the word “rent” where firstly occurring the words and parentheses “(not being less than two pounds per annum)”;
- 30 (d) (i) by omitting from paragraph two of section seventy-two the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 35 (ii) by inserting at the end of paragraph five of the same section the words “Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.”;

Sec. 52.

(Term and  
rent of  
conditional  
lease.)

Sec. 70.

(Occupation  
license.)

Sec. 71.

(Annual  
lease by  
auction or  
tender.)

Sec. 72.

(Annual  
leases  
generally:  
terms  
and  
conditions.)

(e)



*Crown Lands (Amendment).*

- (e) by inserting at the end of section seventy-three the following new paragraph:—  
 Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.
- (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";
- (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";  
 (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";
- (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";  
 (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.";
- (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";
- (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";
- (k)

Sec. 73.

(Lease under improvement conditions out of annual lease.)

Sec. 74.

(Special leases for wharfs and jetties.)

Sec. 75.

(Special leases, miscellaneous purposes.)

Sec. 75A.

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

Sec. 75B.

(Special leases in perpetuity for miscellaneous purposes.)

Sec. 76.

(Special leases: tramway and irrigation purposes.)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Serub lease.)
- 5 (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- 10 (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- 15 (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- 20 (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- 25 (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- 30 (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



*Crown Lands (Amendment).*

- 5 (r) by omitting from paragraph three of section Sec. 88.  
eighty-eight the words, figures and letter (Original  
"subject to the provisions of section 167A homestead  
hereof" and by inserting in lieu thereof the selection  
words, figures, and letters "subject to the areas.)  
provisions of paragraph (e) of subsection one  
of section ninety-one and section 167A hereof";
- 10 (s) by inserting at the end of paragraph (e) of Sec. 91.  
subsection one of section ninety-one the words (Conditions  
"Provided that the annual rent shall not in any precedent to  
case be less than two pounds."; homestead  
grant.)
- 15 (t) by omitting from paragraph (a) of subsection Sec. 93.  
two of section ninety-three the word, figures (Homestead  
and letter "section 167A" and by inserting in grant.)  
lieu thereof the words, figures and letters  
"paragraph (e) of section ninety-one and  
section 167A of this Act";
- 20 (u) by inserting at the end of paragraph three of Sec. 95.  
section ninety-five the words "Provided that (Homestead  
such rent shall not in any case be less than selection  
two pounds."; without  
residence  
before  
grant.)
- 25 (v) by inserting at the end of subsection one of Sec. 97.  
section ninety-seven the words "Provided that (Additional  
the rent shall not be less than two pounds per homestead  
annum."; selection.)
- 30 (w) by inserting in section one hundred and one after Sec. 101.  
the words "local land board" where thirdly (Original  
occurring the words "Provided further that the settlement  
annual rent shall not be less than two pounds."; lease.)
- 30 (x) by inserting at the end of subsection one of sec- Sec. 103.  
tion one hundred and three the words "Provided (Additional  
that the rent shall not be less than two pounds settlement  
per annum."; lease.)
- 35 (y) by inserting at the end of section one hundred Sec. 107.  
and seven the words "Provided that the rent (Term and  
shall not be less than two pounds per annum."; rent of  
conditional  
purchase  
lease.)  
(z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 109. (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- 5 (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- 10 (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- 15 (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- 20 (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- 25 (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- 30 (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



*Crown Lands (Amendment).*

- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- 5 (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that"; Sec. 185. (Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- 10 (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 190. (Conversion of special lease or church and school lands lease.)
- 15 (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193. (Conversion of certain leases into homestead selections or grants.)
- 20 (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193A. (Conversion of prickly-pear leases.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds."; Sec. 202. (Enclosure of roads and water-courses.)
- 25 (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- 30 (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- 35 (iv) by omitting from subsection nine of the same section the words "determined by the local land board";
- (am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258. (Provisions governing sub-divided portions.)
- 5
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904. Sec. 46. (Enclosure of roads.)
- 10
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943. Sec. 9. (Closer settlement leases.)
- 15
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- 20
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15. (Existing holdings.)
- 25
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17. (Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18. (Leasing of commons and reserves.)
- 30
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20. (Leases.)
- 35
- (v)



*Crown Lands (Amendment).*

- (v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds."; (Extension of term to lease in perpetuity.)
- 5 (b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";
- 10 (vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum." (Subdivision of leases.)
- 15 (b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Prickly-pear Act, 1924-1957.
- (5) Where in respect of any—
- 20 (a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or
- 25 (b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or
- 30 (c) lease or permission to enclose a road or watercourse under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or
- (d)



*Crown Lands (Amendment).*

(d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds  
 5 per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement  
 10 and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by  
 15 omitting section 25A and by inserting in lieu thereof the following section:—

Further amendment of Act No. 7, 1913.

Subst. sec. 25A.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 1957, was or is—

Disposal of certain lands as Crown lands.

(a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or

(b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired under the Closer Settlement Acts or as Crown land within the meaning of this Act.



*Crown Lands (Amendment).*

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Further  
amendment  
of Act  
No. 7,  
1913.

5 (a) by inserting in the definition of “Minerals” in section five after the word “substance” the words and parentheses “(whether of the same kind as the foregoing substances or not)”;

(Interpreta-  
tion of  
terms.)

(b) by omitting from section seventy-five the words “in areas not exceeding in any case one thousand nine hundred and twenty acres”;

Sec. 75.  
(Special  
leases,  
miscellaneous  
purposes.)

10 (c) (i) by omitting from subsection three of section 75B the word “fee” and by inserting in lieu thereof the word “deposit”;

Sec. 75B.  
(Special  
leases in  
perpetuity  
for mis-  
cellaneous  
purposes.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

15       Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be  
20       refunded if the application has been refused or withdrawn.

(d) by omitting from section two hundred and thirteen the following word and paragraph:—  
“and

Sec. 213.  
(Definitions  
of “improve-  
ments” and  
“capital  
value”.)

25       (d) not in excess of the cost of making the improvements”;

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the  
30 meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

6. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

5 (i) by inserting in subsection one of section twenty-five after the word "licenses" where firstly occurring the words and parentheses "(other than leases or licenses within a timber reserve)";

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

10 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

15 (b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

20 (2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter or thing was taken or done, is hereby validated.

25 7. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

30 (4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined 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: Provided that if at any time the lease is transferred

Sec. 25.  
(Redeter-  
mination of  
rent upon  
certain  
transfers.)



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*Crown Lands (Amendment).*

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transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

- 5 (2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

8. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division."
- 10 the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division."
- 15 or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division.
- 20 Division.

In this section—

- 25 "District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

- 30 "Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

- 35 "Local government area" means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

"Western



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*Crown Lands (Amendment).*

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“Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.







No. , 1957.

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## A BILL

To provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith.

[MR. NOTT;—27 March, 1957.]



*Crown Lands (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative 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.  
(Amendment) Act, 1957”.

**2.** (1) The Crown Lands (Amendment) Act, 1932, as Amendment  
amended by subsequent Acts, is amended by omitting of Act  
10 from section five the words and figures “or the Prickly- No. 69, 1932.  
pear Acts, 1924-1930” and by inserting in lieu thereof the Sec. 5.  
words and figures “the Prickly-pear Act, 1924, or the (Funding of  
War Service Land Settlement Act, 1941”;

(2) The War Service Land Settlement Act, 1941, as Amendment  
15 amended by subsequent Acts, is amended by inserting at of Act  
the end of subsection four of section 8c the following No. 43, 1941.  
new paragraph:— Sec. 8c.

The Minister shall have power and shall be deemed  
always to have had power either generally or in any  
20 particular case or class of cases to vary as he may Act.)  
think fit the manner, instalments and times of pay-  
ment appointed by him under this subsection.

(3) The Closer Settlement Amendment (Conver- Amendment  
sion) Act, 1943, as amended by subsequent Acts, is of Act  
25 amended by inserting at the end of section thirteen the No. 38, 1943.  
following new subsection:—

(2) Section five of the Crown Lands (Amendment) Sec. 13.  
Act, 1932, as amended by subsequent Acts, shall (Application  
mutatis mutandis apply to the whole or part of any of certain  
30 amount due to the Crown in respect of a settlement provisions of  
purchase lease, group purchase lease, or closer other Acts.)  
settlement lease under this Act.

**3.**



*Crown Lands (Amendment).*

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

- 5 (a) by inserting in section fifty-two after the words “local land board” the words and parentheses “Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum”.
- 10 (b) (i) by omitting from paragraph one of section seventy the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 15 (ii) by inserting next after paragraph two of the same section the following new paragraph:—
- (2A) The annual license fee shall not in any case be less than two pounds.
- 20 (c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words “upset rent” the words and parentheses “(not being less than two pounds per annum)”;
- 25 (ii) by inserting in subsection two of the same section after the word “rent” where firstly occurring the words and parentheses “(not being less than two pounds per annum)”;
- 30 (d) (i) by omitting from paragraph two of section seventy-two the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 35 (ii) by inserting at the end of paragraph five of the same section the words “Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.”;
- (e)

Sec. 52.

(Term and  
rent of  
conditional  
lease.)

Sec. 70.

(Occupation  
license.)

Sec. 71.

(Annual  
lease by  
auction or  
tender.)

Sec. 72.

(Annual  
leases  
generally:  
terms  
and  
conditions.)



*Crown Lands (Amendment).*

- |    |   |  |
|----|---|--|
|    | (e) by inserting at the end of section seventy-three the following new paragraph:—  | Sec. 73.<br>(Lease under improvement conditions out of annual lease.)                                  |
| 5  | Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.   |  |
|    | (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";                          | Sec. 74.<br>(Special leases for wharfs and jetties.)   |
| 10 | (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";                             | Sec. 75.<br>(Special leases, miscellaneous purposes.)  |
| 15 | (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";    |  |
| 20 | (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";                                    | Sec. 75A.<br>(Extension of special leases to special leases in perpetuity for miscellaneous purposes.) |
| 25 | (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum."; |  |
| 30 | (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";            | Sec. 75B.<br>(Special leases in perpetuity for miscellaneous purposes.)                                |
| 35 | (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";  | Sec. 76.<br>(Special leases: tramway and irrigation purposes.)   |
|    | (k)   |  |



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Scrub lease.)
- 5 (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- 10 (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- 15 (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- 20 (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- 25 (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- 30 (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



*Crown Lands (Amendment).*

- (r) by omitting from paragraph three of section Sec. 88.  
 eighty-eight the words, figures and letter (Original  
 "subject to the provisions of section 167A homestead  
 hereof" and by inserting in lieu thereof the selection  
 areas.)  
 5 words, figures, and letters "subject to the  
 provisions of paragraph (e) of subsection one  
 of section ninety-one and section 167A hereof";
- (s) by inserting at the end of paragraph (e) of Sec. 91.  
 subsection one of section ninety-one the words (Conditions  
 10 "Provided that the annual rent shall not in any precedent to  
 case be less than two pounds."; homestead  
 grant.)
- (t) by omitting from paragraph (a) of subsection Sec. 93.  
 two of section ninety-three the word, figures (Homestead  
 and letter "section 167A" and by inserting in grant.)  
 15 lieu thereof the words, figures and letters  
 "paragraph (e) of section ninety-one and  
 section 167A of this Act";
- (u) by inserting at the end of paragraph three of Sec. 95.  
 section ninety-five the words "Provided that (Homestead  
 20 such rent shall not in any case be less than selection  
 two pounds."; without  
 residence  
 before  
 grant.)
- (v) by inserting at the end of subsection one of Sec. 97.  
 section ninety-seven the words "Provided that (Additional  
 the rent shall not be less than two pounds per homestead  
 25 annum."; selection.)
- (w) by inserting in section one hundred and one after Sec. 101.  
 the words "local land board" where thirdly (Original  
 occurring the words "Provided further that the settlement  
 annual rent shall not be less than two pounds. lease.)  
 ";
- (x) by inserting at the end of subsection one of sec- Sec. 103.  
 tion one hundred and three the words "Provided (Additional  
 30 that the rent shall not be less than two pounds settlement  
 per annum."; lease.)
- (y) by inserting at the end of section one hundred Sec. 107.  
 35 and seven the words "Provided that the rent (Term and  
 shall not be less than two pounds per annum."; rent of  
 conditional  
 purchase  
 lease.)  
 (z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- 5 (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- 10 (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- 15 (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- 20 (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- 25 (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- 30 (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



*Crown Lands (Amendment).*

- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- 5 (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that"; Sec. 185. (Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- 10 (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 190. (Conversion of special lease or church and school lands lease.)
- 15 (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193. (Conversion of certain leases into homestead selections or grants.)
- 20 (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193A. (Conversion of prickly-pear leases.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds."; Sec. 202. (Enclosure of roads and water-courses.)
- 25 (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- 30 (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- 35 (iv) by omitting from subsection nine of the same section the words "determined by the local land board";

(am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258. (Provisions governing sub-divided portions.)
- 5
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904. Sec. 46. (Enclosure of roads.)
- 10
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943. Sec. 9. (Closer settlement leases.)
- 15
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- 20
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15. (Existing holdings.)
- 25
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17. (Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18. (Leasing of commons and reserves.)
- 30
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20. (Leases.)
- 35
- (v)



*Crown Lands (Amendment).*

- (v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds."; (Extension of term to lease in per-petuity.)
- 5 (b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";
- 10 (vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum." (Subdivision of leases.)
- (b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as  
15 the Prickly-pear Act, 1924-1957.
- (5) Where in respect of any—
- (a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown  
20 Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or
- 25 (b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or
- (c) lease or permission to enclose a road or water-  
30 course under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or
- (d)



*Crown Lands (Amendment).*

(d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds 5 per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement 10 and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by 15 omitting section 25A and by inserting in lieu thereof the following section:—

Further  
amendment  
of Act No.  
7, 1913.

Subst.  
sec. 25A.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the com- 20 mencement of the Crown Lands (Amendment) Act, 1957, was or is—

Disposal  
of  
certain  
lands as  
Crown  
lands.

(a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or other- 25 wise; or

(b) appropriated or resumed and vested in the Water Conservation and Irrigation Com- 30 mission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired 35 under the Closer Settlement Acts or as Crown land within the meaning of this Act.

5.



*Crown Lands (Amendment).*

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 7, 1913.

(a) by inserting in the definition of "Minerals" in section five after the word "substance" the words and parentheses "(whether of the same kind as the foregoing substances or not)";

(Interpretation of terms.)

(b) by omitting from section seventy-five the words "in areas not exceeding in any case one thousand nine hundred and twenty acres";

Sec. 75. (Special leases, miscellaneous purposes.)

(c) (i) by omitting from subsection three of section 75B the word "fee" and by inserting in lieu thereof the word "deposit";

Sec. 75B. (Special leases in perpetuity for miscellaneous purposes.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be refunded if the application has been refused or withdrawn.

(d) by omitting from section two hundred and thirteen the following word and paragraph:—  
"and

Sec. 213. (Definitions of "improvements" and "capital value".)

(d) not in excess of the cost of making the improvements";

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

**6.** (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

(i) by inserting in subsection one of section twenty-five after the word "licenses" where firstly occurring the words and parentheses "(other than leases or licenses within a timber reserve)";

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

(ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

(b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

(2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter or thing was taken or done, is hereby validated.

**7.** (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

(4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined 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: Provided that if at any time the lease is transferred

Sec. 25.  
(Redeter-  
mination of  
rent upon  
certain  
transfers.)



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*Crown Lands (Amendment).*

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transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

- 5       (2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

8. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight Amendment of Act No. 9, 1924.  
10 the words "Provided that where the public reserve is Sec. 8.  
not within a local government area in respect of which (Consent.)  
valuation lists have been furnished to the council thereof  
by the Valuer-General, nor within an Irrigation Area,  
the certificate of value of the land including any buildings  
15 or improvements erected or to be erected thereon may,  
if the Minister so directs, be given by the Western  
Lands Commissioner where the public reserve is in the  
Western Division or by a District Surveyor where the  
public reserve is in the Central Division or Eastern  
20 Division.

In this section—

- "District Surveyor", "Eastern Division", "Central  
Division" and "Western Division" have the  
meanings ascribed thereto respectively in the  
25 Crown Lands Consolidation Act, 1913, as  
amended by subsequent Acts.

- "Irrigation Area" means an irrigation area  
constituted under the Murrumbidgee Irrigation  
Act, 1910, or the Irrigation Act, 1912, or the  
30 Wentworth Irrigation Act, or the Hay Irrigation  
Act, 1902, or any of those Acts as amended by  
subsequent Acts.

- "Local government area" means a local government  
area within the meaning of the Local  
Government Act, 1919, as amended by  
35 subsequent Acts.

"Western



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*Crown Lands (Amendment).*

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“Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.”







# CROWN LANDS (AMENDMENT) BILL, 1957.

## EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to provide financial concessions in respect of payments to the Crown by settlers under the war service land settlement scheme;
- (b) to provide for a minimum rental of £2 per annum in respect of existing and future leases and other occupations under the Crown Lands and other allied Acts;
- (c) to permit of land vested in the Water Conservation and Irrigation Commission being dealt with as Crown lands;
- (d) to widen the definition of "Minerals" in the Crown Lands Consolidation Acts so as to enable a number of additional substances to be reserved to the Crown on the issue of Crown grants;
- (e) to remove the limitation of 1,920 acres as the area that may be granted as a special lease;
- (f) to provide for the lodgment of a deposit instead of a fee with applications for special leases in perpetuity under section 75B of the Crown Lands Consolidation Act;
- (g) to delete the provisions whereunder the capital value of improvements to be paid by persons taking up Crown lands is limited to the original cost of making the improvements;
- (h) to transfer the administration of leases and licenses in timber reserves from the Minister for Conservation to the Minister for Lands;
- (i) to amend the Lord Howe Island Act, 1953, to provide for periodic redetermination of annual rentals for perpetual leases transferred to non-Islanders;
- (j) to amend the Trustees of Public Reserves Enabling Act, 1924, to provide in certain circumstances for the acceptance of a certificate of valuation by persons other than the Valuer-General for the purpose of considering applications by trustees to mortgage public reserves;
- (k) to validate certain matters; and
- (l) to make other provisions consequential upon or incidental to the foregoing.



# CROWN LANDS (AMENDMENT) BILL, 1957

## EXPLANATORY NOTES

The Bill is intended to amend the Crown Lands Act, 1952, in relation to the powers of the Minister of Lands and Forests in respect of the disposal of Crown land.

The Bill is divided into three parts. Part I contains the amendments to the Crown Lands Act, 1952, and Part II contains the amendments to the Crown Lands Regulations, 1952.

The Bill is intended to give effect to the recommendations of the Commission of Enquiry into the Administration of the Crown Lands Department, 1954.

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No. , 1957.

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## A BILL

To provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith.

[MR. NOTT;—27 March, 1957.]



*Crown Lands (Amendment).*

**BE** it enacted by the Queen's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative 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.  
(Amendment) Act, 1957".

2. (1) The Crown Lands (Amendment) Act, 1932, as Amendment  
amended by subsequent Acts, is amended by omitting of Act  
10 from section five the words and figures "or the Prickly- No. 69, 1932.  
pear Acts, 1924-1930" and by inserting in lieu thereof the Sec. 5.  
the words and figures "the Prickly-pear Act, 1924, or (Funding of  
the War Service Land Settlement Act, 1941"; arrears.)

(2) The War Service Land Settlement Act, 1941, as Amendment  
15 amended by subsequent Acts, is amended by inserting at of Act  
the end of subsection four of section 8c the following No. 43, 1941.  
new paragraph:— Sec. 8c.

The Minister shall have power and shall be deemed  
always to have had power either generally or in any  
20 particular case or class of cases to vary as he may  
think fit the manner, instalments and times of pay-  
ment appointed by him under this subsection. (Advances  
and other  
assistance to  
settlers  
under this  
Act.)

(3) The Closer Settlement Amendment (Conver- Amendment  
sion) Act, 1943, as amended by subsequent Acts, is of Act  
25 amended by inserting at the end of section thirteen the No. 38, 1943.  
following new subsection:—

(2) Section five of the Crown Lands (Amendment) Sec. 13.  
Act, 1932, as amended by subsequent Acts, shall (Application  
mutatis mutandis apply to the whole or part of any of certain  
30 amount due to the Crown in respect of a settlement provisions of  
purchase lease, group purchase lease, or closer other Acts.)  
settlement lease under this Act.

3.



*Crown Lands (Amendment).*

**3.** (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

- 5 (a) by inserting in section fifty-two after the words “local land board” the words and parentheses “Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum”.
- 10 (b) (i) by omitting from paragraph one of section seventy the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 15 (ii) by inserting next after paragraph two of the same section the following new paragraph:—
- (2A) The annual license fee shall not in any case be less than two pounds.
- 20 (c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words “upset rent” the words and parentheses “(not being less than two pounds per annum)”;
- 25 (ii) by inserting in subsection two of the same section after the word “rent” where firstly occurring the words and parentheses “(not being less than two pounds per annum)”;
- 30 (d) (i) by omitting from paragraph two of section seventy-two the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;
- 35 (ii) by inserting at the end of paragraph five of the same section the words “Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.”;
- (e)

Sec. 52.

(Term and  
rent of  
conditional  
lease.)

Sec. 70.

(Occupation  
license.)

Sec. 71.

(Annual  
lease by  
auction or  
tender.)

Sec. 72.

(Annual  
leases  
generally:  
terms  
and  
conditions.)



*Crown Lands (Amendment).*

- (e) by inserting at the end of section seventy-three the following new paragraph:—  
 Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.
- (f) by inserting in section seventy-four after the words “local land board” the words “Provided that the rent shall not be less than two pounds per annum.”;
- (g) (i) by inserting in section seventy-five after the words “upset rent thereof” the words and parentheses “(not being less than two pounds per annum)”;
- (ii) by inserting in the same section after the words “local land board” where secondly occurring the words “Provided that the rent shall not be less than two pounds per annum.”;
- (h) (i) by inserting at the end of subsection nine of section 75A the words “Provided that the rent shall not be less than two pounds per annum.”;
- (ii) by inserting at the end of subsection ten of the same section the words “Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.”;
- (i) by inserting at the end of subsection nine of section 75B the words “Provided that upon any such determination the rent shall not be less than two pounds per annum.”;
- (j) by inserting in section seventy-six after the words “local land board” where secondly occurring the words “Provided that the rent shall not be less than two pounds per annum.”;
- (k)

Sec. 73.

(Lease under improvement conditions out of annual lease.)

Sec. 74.

(Special leases for wharfs and jetties.)

Sec. 75.

(Special leases, miscellaneous purposes.)

Sec. 75A.

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

Sec. 75B.

(Special leases in perpetuity for miscellaneous purposes.)

Sec. 76.

(Special leases: tramway and irrigation purposes.)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Scrub lease.)
- 5 (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- 10 (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- 15 (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- 20 (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- 25 (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- 30 (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



*Crown Lands (Amendment).*

- 5 (r) by omitting from paragraph three of section Sec. 88.  
 eighty-eight the words, figures and letter (Original  
 "subject to the provisions of section 167A homestead  
 hereof" and by inserting in lieu thereof the selection  
 areas.)  
 words, figures, and letters "subject to the  
 provisions of paragraph (e) of subsection one  
 of section ninety-one and section 167A hereof";
- 10 (s) by inserting at the end of paragraph (e) of Sec. 91.  
 subsection one of section ninety-one the words (Conditions  
 "Provided that the annual rent shall not in any precedent to  
 case be less than two pounds."; homestead  
 grant.)
- 15 (t) by omitting from paragraph (a) of subsection Sec. 93.  
 two of section ninety-three the word, figures (Homestead  
 and letter "section 167A" and by inserting in grant.)  
 lieu thereof the words, figures and letters  
 "paragraph (e) of section ninety-one and  
 section 167A of this Act";
- 20 (u) by inserting at the end of paragraph three of Sec. 95.  
 section ninety-five the words "Provided that (Homestead  
 such rent shall not in any case be less than selection  
 two pounds."; without  
 residence  
 before  
 grant.)
- 25 (v) by inserting at the end of subsection one of Sec. 97.  
 section ninety-seven the words "Provided that (Additional  
 the rent shall not be less than two pounds per homestead  
 annum."; selection.)
- (w) by inserting in section one hundred and one after Sec. 101.  
 the words "local land board" where thirdly (Original  
 occurring the words "Provided further that the settlement  
 annual rent shall not be less than two pounds."; lease.)
- 30 (x) by inserting at the end of subsection one of sec- Sec. 103.  
 tion one hundred and three the words "Provided (Additional  
 that the rent shall not be less than two pounds settlement  
 per annum."; lease.)
- 35 (y) by inserting at the end of section one hundred Sec. 107.  
 and seven the words "Provided that the rent (Term and  
 shall not be less than two pounds per annum."; rent of  
 conditional  
 purchase  
 lease.)  
 (z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 109. (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- 5 (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- 10 (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- 15 (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- 20 (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- 25 (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- 30 (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



*Crown Lands (Amendment).*

- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- 5 (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that"; Sec. 185. (Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- 10 (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 190. (Conversion of special lease or church and school lands lease.)
- 15 (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193. (Conversion of certain leases into homestead selections or grants.)
- 20 (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 193A. (Conversion of prickly-pear leases.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds."; Sec. 202. (Enclosure of roads and water-courses.)
- 25 (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- 30 (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- 35 (iv) by omitting from subsection nine of the same section the words "determined by the local land board";
- (am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258. (Provisions governing sub-divided portions.)
- 5
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904. Sec. 46. (Enclosure of roads.)
- 10
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943. Sec. 9. (Closer settlement leases.)
- 15
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- 20
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15. (Existing holdings.)
- 25
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17. (Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18. (Leasing of commons and reserves.)
- 30
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20. (Leases.)
- 35
- (v)



---

*Crown Lands (Amendment).*

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- (v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds."; Sec. 21A. (Extension of term to lease in perpetuity.)
- 5 (b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";
- 10 (vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum." Sec. 21B. (Subdivision of leases.)

(b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as  
15 the Prickly-pear Act, 1924-1957.

(5) Where in respect of any—

- 20 (a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or
- 25 (b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or
- 30 (c) lease or permission to enclose a road or watercourse under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or

(d)



*Crown Lands (Amendment).*

(d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds  
5 per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case  
10 may be, becomes payable next after such commencement and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by  
15 omitting section 25A and by inserting in lieu thereof the following section:—

Further amendment of Act No. 7, 1913.

Subst. sec. 25A.

Disposal of certain lands as Crown lands.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 1957, was or is—

(a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or

(b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired under the Closer Settlement Acts or as Crown land within the meaning of this Act.

5.



*Crown Lands (Amendment).*

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 7, 1913.

5 (a) by inserting in the definition of “Minerals” in section five after the word “substance” the words and parentheses “(whether of the same kind as the foregoing substances or not)”;

Sec. 5. (Interpretation of terms.)

(b) by omitting from section seventy-five the words “in areas not exceeding in any case one thousand nine hundred and twenty acres”;

Sec. 75. (Special leases, miscellaneous purposes.)

10 (c) (i) by omitting from subsection three of section 75B the word “fee” and by inserting in lieu thereof the word “deposit”;

Sec. 75B. (Special leases in perpetuity for miscellaneous purposes.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

15 Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be  
20 refunded if the application has been refused or withdrawn.

(d) by omitting from section two hundred and thirteen the following word and paragraph:—  
“and

Sec. 213. (Definitions of “improvements” and “capital value”.)

25 (d) not in excess of the cost of making the improvements”;

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

6. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

5 (i) by inserting in subsection one of section twenty-five after the word "licenses" where firstly occurring the words and parentheses "(other than leases or licenses within a timber reserve)";

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

10 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

15 (b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

20 (2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter or thing was taken or done, is hereby validated.

25 7. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

30 (4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined 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: Provided that if at any time the lease is transferred

Sec. 25.  
(Redeter-  
mination of  
rent upon  
certain  
transfers.)



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*Crown Lands (Amendment).*

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transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

- 5       (2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

8. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division."
- 10       the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division."
- 15       or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division.
- 20       Division.

In this section—

- 25       "District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

- 30       "Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

- 35       "Local government area" means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

"Western



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*Crown Lands (Amendment).*

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“Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.”







## New South Wales



ANNO SEXTO

## ELIZABETHÆ II REGINÆ

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### Act No. 30, 1957.

An Act to provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith. [Assented to, 4th May, 1957.]

BE



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*Crown Lands (Amendment).*


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**B**E 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 :—

Short title.      **1.** This Act may be cited as the “Crown Lands (Amendment) Act, 1957”.

Amendment of Act No. 69, 1932.      **2.** (1) The Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, is amended by omitting from section five the words and figures “or the Prickly-pear Acts, 1924-1930” and by inserting in lieu thereof the words and figures “the Prickly-pear Act, 1924, or the War Service Land Settlement Act, 1941”;

Sec. 5.  
(Funding of arrears.)

Amendment of Act No. 43, 1941.      (2) The War Service Land Settlement Act, 1941, as amended by subsequent Acts, is amended by inserting at the end of subsection four of section 8c the following new paragraph:—

Sec. 8c.  
(Advances and other assistance to settlers under this Act.)

The Minister shall have power and shall be deemed always to have had power either generally or in any particular case or class of cases to vary as he may think fit the manner, instalments and times of payment appointed by him under this subsection.

Amendment of Act No. 38, 1943.      (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of section thirteen the following new subsection:—

Sec. 13.  
(Application of certain provisions of other Acts.)      (2) Section five of the Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, shall mutatis mutandis apply to the whole or part of any amount due to the Crown in respect of a settlement purchase lease, group purchase lease, or closer settlement lease under this Act.



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*Crown Lands (Amendment).*

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**3.** (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

(a) by inserting in section fifty-two after the words “local land board” the words and parentheses “Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum”.

Sec. 52.

(Term and  
rent of  
conditional  
lease.)

(b) (i) by omitting from paragraph one of section seventy the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;

Sec. 70.

(Occupation  
license.)

(ii) by inserting next after paragraph two of the same section the following new paragraph:—

(2A) The annual license fee shall not in any case be less than two pounds.

(c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words “upset rent” the words and parentheses “(not being less than two pounds per annum)”;

Sec. 71.

(Annual  
lease by  
auction or  
tender.)

(ii) by inserting in subsection two of the same section after the word “rent” where firstly occurring the words and parentheses “(not being less than two pounds per annum)”;

(d) (i) by omitting from paragraph two of section seventy-two the words “Colonial Treasurer” and by inserting in lieu thereof the words “Under Secretary”;

Sec. 72.

(Annual  
leases  
generally:  
terms  
and  
conditions.)

(ii) by inserting at the end of paragraph five of the same section the words “Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.”;

(e)



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*Crown Lands (Amendment).*


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Sec. 73.

(Lease under improvement conditions out of annual lease.)

- (e) by inserting at the end of section seventy-three the following new paragraph:—

Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.

Sec. 74.

(Special leases for wharfs and jetties.)

- (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";

Sec. 75.

(Special leases, miscellaneous purposes.)

- (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";
- (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";

Sec. 75A.

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

- (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";
- (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.";

Sec. 75B.

(Special leases in perpetuity for miscellaneous purposes.)

- (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";

Sec. 76.

(Special leases: tramway and irrigation purposes.)

- (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";

(k)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; (Scrub lease.)

- (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— (Snow lease.)

In no case shall the annual rent of a lease under this section be less than two pounds.

- (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; (Inferior lands lease.)
- (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; (Improvement lease.)
- (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; (Leasing of Crown lands within towns.)
- (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; (Classified areas, conditional purchases and conditional leases.)
- (r)



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*Crown Lands (Amendment).*


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Sec. 88.  
(Original  
homestead  
selection  
areas.)

- (r) by omitting from paragraph three of section eighty-eight the words, figures and letter "subject to the provisions of section 167A hereof" and by inserting in lieu thereof the words, figures, and letters "subject to the provisions of paragraph (e) of subsection one of section ninety-one and section 167A hereof";

Sec. 91.  
(Conditions  
precedent to  
homestead  
grant.)

- (s) by inserting at the end of paragraph (e) of subsection one of section ninety-one the words "Provided that the annual rent shall not in any case be less than two pounds.";

Sec. 93.  
(Homestead  
grant.)

- (t) by omitting from paragraph (a) of subsection two of section ninety-three the word, figures and letter "section 167A" and by inserting in lieu thereof the words, figures and letters "paragraph (e) of section ninety-one and section 167A of this Act";

Sec. 95.  
(Homestead  
selection  
without  
residence  
before  
grant.)

- (u) by inserting at the end of paragraph three of section ninety-five the words "Provided that such rent shall not in any case be less than two pounds.";

Sec. 97.  
(Additional  
homestead  
selection.)

- (v) by inserting at the end of subsection one of section ninety-seven the words "Provided that the rent shall not be less than two pounds per annum.";

Sec. 101.  
(Original  
settlement  
lease.)

- (w) by inserting in section one hundred and one after the words "local land board" where thirdly occurring the words "Provided further that the annual rent shall not be less than two pounds.";

Sec. 103.  
(Additional  
settlement  
lease.)

- (x) by inserting at the end of subsection one of section one hundred and three the words "Provided that the rent shall not be less than two pounds per annum.";

Sec. 107.  
(Term and  
rent of  
conditional  
purchase  
lease.)

- (y) by inserting at the end of section one hundred and seven the words "Provided that the rent shall not be less than two pounds per annum.";

(z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 109. (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



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*Crown Lands (Amendment).*


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- (ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";
- Sec. 185.  
(Conversion of settlement lease or Crown-lease: conditions upon conversion.)
- (ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that";
- Sec. 190.  
(Conversion of special lease or church and school lands lease.)
- (ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum.";
- Sec. 193.  
(Conversion of certain leases into homestead selections or grants.)
- (aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum.";
- Sec. 193A.  
(Conversion of prickly-pear leases.)
- (ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum.";
- Sec. 202.  
(Enclosure of roads and water-courses.)
- (al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds.";
- (ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";
- (iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";
- (iv) by omitting from subsection nine of the same section the words "determined by the local land board";
- (am)



*Crown Lands (Amendment).*

- (am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum." Sec. 258.  
(Provisions governing sub-divided portions.)
- (2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:— Amendment of Act No. 37, 1904.  
Sec. 46.  
(Enclosure of roads.)
- Any determination of rent under this section shall not be less than two pounds per annum.
- (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:— Amendment of Act No. 38, 1943.  
Sec. 9.  
(Closer settlement leases.)
- Provided further that the annual rent shall not be less than two pounds.
- (4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1924.
- (i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum."; Sec. 15.  
(Existing holdings.)
- (ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)"; Sec. 17.  
(Leasing infested land.)
- (iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)"; Sec. 18.  
(Leasing of commons and reserves.)
- (iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum"; Sec. 20.  
(Leases.)
- (v)



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*Crown Lands (Amendment).*

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Sec. 21A.  
(Extension  
of term  
to lease  
in per-  
petuity.)

(v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds.";

(b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";

Sec. 21B.  
(Subdivision  
of leases.)

(vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum."

(b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Prickly-pear Act, 1924-1957.

(5) Where in respect of any—

(a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or

(b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or

(c) lease or permission to enclose a road or watercourse under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or

(d)



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*Crown Lands (Amendment).*


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- (d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by omitting section 25A and by inserting in lieu thereof the following section:—

Further  
amendment  
of Act No.  
7, 1913.

Subst.  
sec. 25A.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 1957, was or is—

Disposal  
of  
certain  
lands as  
Crown  
lands.

- (a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or
- (b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired under the Closer Settlement Acts or as Crown land within the meaning of this Act.



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*Crown Lands (Amendment).*


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Further amendment of Act No. 7, 1913.

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Sec. 5.  
(Interpretation of terms.)

- (a) by inserting in the definition of “Minerals” in section five after the word “substance” the words and parentheses “(whether of the same kind as the foregoing substances or not)”;

Sec. 75.  
(Special leases, miscellaneous purposes.)

- (b) by omitting from section seventy-five the words “in areas not exceeding in any case one thousand nine hundred and twenty acres”;

Sec. 75B.  
(Special leases in perpetuity for miscellaneous purposes.)

- (c) (i) by omitting from subsection three of section 75B the word “fee” and by inserting in lieu thereof the word “deposit”;

- (ii) by inserting at the end of the same subsection the following new paragraph:—

Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be refunded if the application has been refused or withdrawn.

Sec. 213.  
(Definitions of “improvements” and “capital value”).

- (d) by omitting from section two hundred and thirteen the following word and paragraph:—  
“and

- (d) not in excess of the cost of making the improvements”;

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



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*Crown Lands (Amendment).*


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6. The Western Lands Act of 1901, as amended by subsequent Acts, is amended by omitting from section thirty-one the following word and paragraph:—

Amendment  
of Act No.  
70, 1901.

“and

Sec. 31.  
(Determina-  
tion of  
value of  
improve-  
ments.)

- (d) not in excess of the cost of making the improve-  
ments”.

7. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

- (i) by inserting in subsection one of section twenty-five after the word “licenses” where firstly occurring the words and parentheses “(other than leases or licenses within a timber reserve)”;
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

Sec. 25.

(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

(b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

(2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter or thing was taken or done, is hereby validated.

8. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

- (4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined shall remain in force for a period of  
ten

Sec. 25.

(Redeter-  
mination of  
rent upon  
certain  
transfers.)



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*Crown Lands (Amendment).*


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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: Provided that if at any time the lease is transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

(2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

Amendment  
of Act No. 9,  
1924.  
Sec. 8.  
(Consent.)

**9.** The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division.

In this section—

"District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

"Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the Wentworth



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*Crown Lands (Amendment).*

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Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

“Local government area” means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

“Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.”

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By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1957.







*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 16 April, 1957.*

## New South Wales



ANNO SEXTO

## ELIZABETHÆ II REGINÆ

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### Act No. 30, 1957.

An Act to provide for the funding or variation of amounts owing by settlers in certain cases and for a minimum rental and fee in respect of certain tenures, permits and licences; to remove the limitation on the value to be paid for improvements on Crown land; to provide for the periodic redetermination of the rental of leases in perpetuity on Lord Howe Island upon transfer to a person other than an Islander; to validate certain matters; for these and other purposes to amend the Crown Lands (Amendment) Act, 1932, the War Service Land Settlement Act, 1941, the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Prickly-pear Act, 1924-1944, the Forestry Act, 1916-1951, the Lord Howe Island Act, 1953, the Trustees of Public Reserves Enabling Act, 1924, and certain other Acts; and for purposes connected therewith. [Assented to, 4th May, 1957.]

BE

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

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*



*Crown Lands (Amendment).*

**B**E 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 :—

Short title. **1.** This Act may be cited as the "Crown Lands (Amendment) Act, 1957".

Amendment of Act No. 69, 1932. Sec. 5. (Funding of arrears.) **2.** (1) The Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, is amended by omitting from section five the words and figures "or the Prickly-pear Acts, 1924-1930" and by inserting in lieu thereof the words and figures "the Prickly-pear Act, 1924, or the War Service Land Settlement Act, 1941";

Amendment of Act No. 43, 1941. Sec. 8c. (Advances and other assistance to settlers under this Act.) (2) The War Service Land Settlement Act, 1941, as amended by subsequent Acts, is amended by inserting at the end of subsection four of section 8c the following new paragraph:—

The Minister shall have power and shall be deemed always to have had power either generally or in any particular case or class of cases to vary as he may think fit the manner, instalments and times of payment appointed by him under this subsection.

Amendment of Act No. 38, 1943. (3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of section thirteen the following new subsection:—

Sec. 13. (Application of certain provisions of other Acts.) (2) Section five of the Crown Lands (Amendment) Act, 1932, as amended by subsequent Acts, shall mutatis mutandis apply to the whole or part of any amount due to the Crown in respect of a settlement purchase lease, group purchase lease, or closer settlement lease under this Act.

**3.**



*Crown Lands (Amendment).*

3. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
7, 1913.

(a) by inserting in section fifty-two after the words "local land board" the words and parentheses "Provided that the rent (whether provisional or otherwise) shall not be less than two pounds per annum".

Sec. 52.  
(Term and  
rent of  
conditional  
lease.)

(b) (i) by omitting from paragraph one of section seventy the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";

Sec. 70.  
(Occupation  
license.)

(ii) by inserting next after paragraph two of the same section the following new paragraph:—

(2A) The annual license fee shall not in any case be less than two pounds.

(c) (i) by inserting in paragraph (a) of subsection one of section seventy-one after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)";

Sec. 71.  
(Annual  
lease by  
auction or  
tender.)

(ii) by inserting in subsection two of the same section after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)";

(d) (i) by omitting from paragraph two of section seventy-two the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";

Sec. 72.  
(Annual  
leases  
generally:  
terms  
and  
conditions.)

(ii) by inserting at the end of paragraph five of the same section the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum.";

(e)



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*Crown Lands (Amendment).*


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- Sec. 73.  
(Lease under improvement conditions out of annual lease.)
- (e) by inserting at the end of section seventy-three the following new paragraph:—
- Provided further that the rent of any lease granted under this section shall not be less than two pounds per annum.
- Sec. 74.  
(Special leases for wharfs and jetties.)
- (f) by inserting in section seventy-four after the words "local land board" the words "Provided that the rent shall not be less than two pounds per annum.";
- Sec. 75.  
(Special leases, miscellaneous purposes.)
- (g) (i) by inserting in section seventy-five after the words "upset rent thereof" the words and parentheses "(not being less than two pounds per annum)";
- (ii) by inserting in the same section after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";
- Sec. 75A.  
(Extension of special leases to special leases in perpetuity for miscellaneous purposes.)
- (h) (i) by inserting at the end of subsection nine of section 75A the words "Provided that the rent shall not be less than two pounds per annum.";
- (ii) by inserting at the end of subsection ten of the same section the words "Provided that upon any subsequent determination the rent shall not be less than two pounds per annum.";
- Sec. 75B.  
(Special leases in perpetuity for miscellaneous purposes.)
- (i) by inserting at the end of subsection nine of section 75B the words "Provided that upon any such determination the rent shall not be less than two pounds per annum.";
- Sec. 76.  
(Special leases: tramway and irrigation purposes.)
- (j) by inserting in section seventy-six after the words "local land board" where secondly occurring the words "Provided that the rent shall not be less than two pounds per annum.";
- (k)



*Crown Lands (Amendment).*

- (k) by inserting at the end of paragraph two of section seventy-seven the words "The rent shall not be less than two pounds per annum."; Sec. 77. (Scrub lease.)
- (l) by inserting in section seventy-eight after the words "local land board" where secondly occurring the following new paragraph:— Sec. 78. (Snow lease.)
- In no case shall the annual rent of a lease under this section be less than two pounds.
- (m) (i) by inserting in paragraph one of section seventy-nine after the words "upset rent" the words and parentheses "(not being less than two pounds per annum)"; Sec. 79. (Inferior lands lease.)
- (ii) by omitting from paragraph four of the same section the words "Colonial Treasurer" and by inserting in lieu thereof the words "Under Secretary";
- (n) by inserting at the end of paragraph (c) of subsection one of section eighty the words "Provided that the rent shall not be less than two pounds per annum."; Sec. 80. (Residential lease on goldfield, or mineral field.)
- (o) by inserting at the end of paragraph three of section eighty-two the words "Provided that the yearly rent shall not in any case be less than two pounds."; Sec. 82. (Improvement lease.)
- (p) by inserting at the end of paragraph (d) of section 82A the words "Provided that the annual rent shall not in any case be less than two pounds."; Sec. 82A. (Leasing of Crown lands within towns.)
- (q) by inserting at the end of subsection three of section eighty-seven the words "Provided that such rent shall not in any case be less than two pounds per annum."; Sec. 87. (Classified areas, conditional purchases and conditional leases.)
- (r)



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*Crown Lands (Amendment).*


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| Sec. 88.<br>(Original<br>homestead<br>selection<br>areas.)                       | (r) by omitting from paragraph three of section eighty-eight the words, figures and letter "subject to the provisions of section 167A hereof" and by inserting in lieu thereof the words, figures, and letters "subject to the provisions of paragraph (e) of subsection one of section ninety-one and section 167A hereof"; |
| Sec. 91.<br>(Conditions<br>precedent to<br>homestead<br>grant.)                  | (s) by inserting at the end of paragraph (e) of subsection one of section ninety-one the words "Provided that the annual rent shall not in any case be less than two pounds.";   |
| Sec. 93.<br>(Homestead<br>grant.)  | (t) by omitting from paragraph (a) of subsection two of section ninety-three the word, figures and letter "section 167A" and by inserting in lieu thereof the words, figures and letters "paragraph (e) of section ninety-one and section 167A of this Act";   |
| Sec. 95.<br>(Homestead<br>selection<br>without<br>residence<br>before<br>grant.) | (u) by inserting at the end of paragraph three of section ninety-five the words "Provided that such rent shall not in any case be less than two pounds.";  |
| Sec. 97.<br>(Additional<br>homestead<br>selection.)                              | (v) by inserting at the end of subsection one of section ninety-seven the words "Provided that the rent shall not be less than two pounds per annum.";   |
| Sec. 101.<br>(Original<br>settlement<br>lease.)                                  | (w) by inserting in section one hundred and one after the words "local land board" where thirdly occurring the words "Provided further that the annual rent shall not be less than two pounds.";   |
| Sec. 103.<br>(Additional<br>settlement<br>lease.)                                | (x) by inserting at the end of subsection one of section one hundred and three the words "Provided that the rent shall not be less than two pounds per annum.";  |
| Sec. 107.<br>(Term and<br>rent of<br>conditional<br>purchase<br>lease.)          | (y) by inserting at the end of section one hundred and seven the words "Provided that the rent shall not be less than two pounds per annum.";  |

(z)



*Crown Lands (Amendment).*

- (z) by inserting at the end of paragraph (b) of subsection seven of section one hundred and nine the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 109. (Conditional purchase leases. Conversion into conditional purchases and conditional leases.)
- (aa) by inserting in section one hundred and twenty-two after the word "farm" where secondly occurring the words "Provided that such annual rent shall not be less than two pounds."; Sec. 122. (Homestead farm: rent.)
- (ab) by inserting at the end of subsection five of section 123A the words "Provided that such rent shall not be less than two pounds per annum."; Sec. 123A. (Right of conversion.)
- (ac) by omitting from section one hundred and twenty-seven the words "five shillings" and by inserting in lieu thereof the words "two pounds"; Sec. 127. (Suburban holding: rent.)
- (ad) by omitting from section one hundred and thirty-four the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 134. (Crown-lease: term and rent.)
- (ae) by omitting from section 136c the words "one pound" and by inserting in lieu thereof the words "two pounds"; Sec. 136c. (Rent for week-end leases.)
- (af) by inserting at the end of subsection four of section 167A the words "Provided that the local land board shall not make any determination that would have the effect of reducing the rent to less than two pounds per annum."; Sec. 167A. (Appraisal of rents.)
- (ag) (i) by inserting in subsection six of section one hundred and eighty-three after the word "therein" the words "Provided that such annual rent shall not be less than two pounds."; Sec. 183. (Conversion of homestead selection or grant or homestead farm.)
- (ii)



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*Crown Lands (Amendment).*


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Sec. 185.  
(Conversion  
of settlement  
lease or  
Crown-lease:  
conditions  
upon  
conversion.)

(ii) by inserting at the end of the same subsection the words "Provided that such rent shall not be less than two pounds per annum.";

(ah) by inserting in paragraph two of section one hundred and eighty-five after the words "Provided that" the words "such rent shall not be less than two pounds per annum: Provided further that";

Sec. 190.  
(Conversion  
of special  
lease or  
church and  
school lands  
lease.)

(ai) by inserting at the end of subsection eight of section one hundred and ninety the words "Provided that the rent shall not be less than two pounds per annum.";

Sec. 193.  
(Conversion  
of certain  
leases into  
homestead  
selections or  
grants.)

(aj) by inserting at the end of paragraph (e) of subsection one of section one hundred and ninety-three the words "Provided that such rent shall not be less than two pounds per annum.";

Sec. 193A.  
(Conversion  
of prickly-  
pear leases.)

(ak) by inserting at the end of subsection eight of section 193A the words "Provided that such rent shall not be less than two pounds per annum.";

Sec. 202.  
(Enclosure  
of roads  
and water-  
courses.)

(al) (i) by inserting in subsection one of section two hundred and two after the word "water" the words "Provided that the annual rent payable shall not be less than two pounds.";

(ii) by inserting at the end of subsection six of the same section the words "Provided that the annual rent payable shall not be less than two pounds.";

(iii) by inserting in subsection eight of the same section after the words "local land board" where firstly occurring the words "Provided that the annual rent shall not be less than two pounds.";

(iv) by omitting from subsection nine of the same section the words "determined by the local land board";

(am)



*Crown Lands (Amendment).*

(am) by inserting at the end of section two hundred and fifty-eight the words "Provided further that the rent in respect of each portion of a sub-divided homestead selection, homestead farm, Crown-lease, conditional lease, settlement lease, suburban holding, or conditional purchase lease, shall not be less than two pounds per annum."

Sec. 258.  
(Provisions governing sub-divided portions.)

(2) The Closer Settlement Act, 1904, as amended by subsequent Acts, is amended by inserting at the end of section forty-six the following new paragraph:—

Amendment of Act No. 37, 1904.  
Sec. 46.

Any determination of rent under this section shall not be less than two pounds per annum.

(Enclosure of roads.)

(3) The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended by inserting at the end of paragraph (a) of subsection two of section nine the following new proviso:—

Amendment of Act No. 38, 1943.  
Sec. 9.  
(Closer settlement leases.)

Provided further that the annual rent shall not be less than two pounds.

(4) (a) The Prickly-pear Act, 1924, as amended by subsequent Acts, is amended—

Amendment of Act No. 31, 1924.

(i) by inserting at the end of subsection (3A) of section fifteen the words "Provided that the rent of any holding shall not be reduced under this section to less than two pounds per annum.";

Sec. 15.  
(Existing holdings.)

(ii) by inserting in section seventeen after the word "rent" where firstly occurring the words and parentheses "(not being less than two pounds per annum)";

Sec. 17.  
(Leasing infested land.)

(iii) by omitting from section eighteen the words "nominal or otherwise" and by inserting in lieu thereof the words and parentheses "(not being less than two pounds per annum)";

Sec. 18.  
(Leasing of commons and reserves.)

(iv) by inserting at the end of subsection two of section twenty the words "Provided that no such reduction shall have the effect of reducing the rent to less than two pounds per annum";

Sec. 20.  
(Leases.)

(v)



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*Crown Lands (Amendment).*


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Sec. 21A.  
(Extension  
of term  
to lease  
in per-  
petuity.)

(v) (a) by inserting at the end of paragraph (a) of subsection five of section 21A the words "Provided that the annual rent shall not be less than two pounds.";

(b) by inserting in paragraph (d) of the same subsection after the word "determined" the words "Provided that the annual rent shall not be less than two pounds.";

Sec. 21B.  
(Subdivision  
of leases.)

(vi) by inserting at the end of subsection three of section 21B the words "Provided that the rent shall not in any case be less than two pounds per annum."

(b) The Prickly-pear Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Prickly-pear Act, 1924-1957.

(5) Where in respect of any—

(a) homestead selection (before or after grant), or lease, or occupation license, or permission to enclose a road or watercourse under the Crown Lands Acts as defined in section five of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, (other than a lease under Part VI of the Crown Lands Consolidation Act, 1913); or

(b) lease or permit to occupy or permission to enclose a road under the Closer Settlement Acts; or

(c) lease or permission to enclose a road or watercourse under the Returned Soldiers Settlement Act, 1916, or under that Act, as amended by subsequent Acts; or

(d)



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*Crown Lands (Amendment).*

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- (d) lease under the Prickly-pear Act, 1924, or under that Act as amended by subsequent Acts,

subsisting at the commencement of this Act, the rent or license fee, as the case may be, is less than two pounds per annum, such rent or license fee shall be increased to two pounds per annum as from the expiration of the day next preceding the day upon which the rent (whether payable yearly or half-yearly) or license fee, as the case may be, becomes payable next after such commencement and all subsequent payments of rent and license fee shall be increased to two pounds if payable annually and to one pound if payable half-yearly.

4. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended by omitting section 25A and by inserting in lieu thereof the following section:—

Further amendment  
of Act No.  
7, 1913.

Subst.  
sec. 25A.

25A. Notwithstanding the provisions of any other Act it shall be lawful to reserve from sale or lease generally any land which before or after the commencement of the Crown Lands (Amendment) Act, 1957, was or is—

Disposal  
of  
certain  
lands as  
Crown  
lands.

- (a) appropriated or resumed for any public purpose and vested in a Minister of the Crown on behalf of Her Majesty by or under the authority of any Statute or acquired by or on behalf of the Crown by gift or otherwise; or
- (b) appropriated or resumed and vested in the Water Conservation and Irrigation Commission, or otherwise acquired by or vested in the said Commission, by or under the authority of any Statute,

and upon revocation of any such reservation, the land may be dealt with as if it had been acquired under the Closer Settlement Acts or as Crown land within the meaning of this Act.



*Crown Lands (Amendment).*

Further  
amendment  
of Act  
No. 7,  
1913.

5. (1) The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is further amended—

Sec. 5.  
(Interpreta-  
tion of  
terms.)

- (a) by inserting in the definition of “Minerals” in section five after the word “substance” the words and parentheses “(whether of the same kind as the foregoing substances or not)”;

Sec. 75.  
(Special  
leases,  
miscellaneous  
purposes.)

- (b) by omitting from section seventy-five the words “in areas not exceeding in any case one thousand nine hundred and twenty acres”;

Sec. 75B.  
(Special  
leases in  
perpetuity  
for mis-  
cellaneous  
purposes.)

- (c) (i) by omitting from subsection three of section 75B the word “fee” and by inserting in lieu thereof the word “deposit”;

- (ii) by inserting at the end of the same subsection the following new paragraph:—

Where before the commencement of the Crown Lands (Amendment) Act, 1957, an application for a lease under this section was accompanied by the fee prescribed, such fee or any part thereof may be refunded if the application has been refused or withdrawn.

Sec. 213.  
(Definitions  
of “improve-  
ments” and  
“capital  
value”).

- (d) by omitting from section two hundred and thirteen the following word and paragraph:—  
“and

- (d) not in excess of the cost of making the improvements”;

(2) Any proclamation of the Governor published in the Gazette before the commencement of this Act declaring any substance to be a mineral within the meaning of the Crown Lands Consolidation Act, 1913, shall be as valid and effectual as if the amendment made by paragraph (a) of subsection one of this section had been in force at the time such proclamation was so published.



*Crown Lands (Amendment).*

6. The Western Lands Act of 1901, as amended by subsequent Acts, is amended by omitting from section thirty-one the following word and paragraph:—

Amendment  
of Act No.  
70, 1901.  
Sec. 31.  
(Determina-  
tion of  
value of  
improve-  
ments.)

“and

(d) not in excess of the cost of making the improve-  
ments”.

7. (1) (a) The Forestry Act, 1916, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
55, 1916.

(i) by inserting in subsection one of section twenty-five after the word “licenses” where firstly occurring the words and parentheses “(other than leases or licenses within a timber reserve)”;

Sec. 25.  
(Existing  
leases and  
licenses in  
State  
forests and  
timber  
reserves.)

(ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) Moneys payable as rent under any such lease or license, other than a lease or license within a timber reserve, shall be received by the Commission.

(b) The Forestry Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Forestry Act, 1916-1957.

(2) Any action, matter or thing taken or done before the commencement of this Act for or with respect to the administration of matters relating to leases or licenses within a timber reserve which would have been valid had the amendments made by subsection one of this section been in force at the time such action, matter or thing was taken or done, is hereby validated.

8. (1) The Lord Howe Island Act, 1953, is amended by inserting at the end of section twenty-five the following new subsection:—

Amendment  
of Act No.  
39, 1953.

(4) Where the lease is a lease in perpetuity under section twenty-one of this Act the rent as so determined shall remain in force for a period of ten

Sec. 25.  
(Redeter-  
mination of  
rent upon  
certain  
transfers.)



*Crown Lands (Amendment).*

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: Provided that if at any time the lease is transferred to an Islander the annual rent shall revert to one pound per acre or part of an acre on and from the date on which the annual rent is next payable after the transfer.

(2) The Lord Howe Island Act, 1953, as amended by this Act, may be cited as the Lord Howe Island Act, 1953-1957.

Amendment  
of Act No. 9,  
1924.  
Sec. 8.  
(Consent.)

9. The Trustees of Public Reserves Enabling Act, 1924, is amended by inserting at the end of section eight the words "Provided that where the public reserve is not within a local government area in respect of which valuation lists have been furnished to the council thereof by the Valuer-General, nor within an Irrigation Area, the certificate of value of the land including any buildings or improvements erected or to be erected thereon may, if the Minister so directs, be given by the Western Lands Commissioner where the public reserve is in the Western Division or by a District Surveyor where the public reserve is in the Central Division or Eastern Division.

In this section—

"District Surveyor", "Eastern Division", "Central Division" and "Western Division" have the meanings ascribed thereto respectively in the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts.

"Irrigation Area" means an irrigation area constituted under the Murrumbidgee Irrigation Act, 1910, or the Irrigation Act, 1912, or the  
Wentworth



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*Crown Lands (Amendment).*

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Wentworth Irrigation Act, or the Hay Irrigation Act, 1902, or any of those Acts as amended by subsequent Acts.

“Local government area” means a local government area within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

“Western Lands Commissioner” means the Western Lands Commissioner appointed under the Western Lands Act of 1901, as amended by subsequent Acts.”

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

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 4th May, 1957.*



