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, 23 October, 1958.

New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. , 1958.

An Act to make provision for and with respect to permissive occupancies of Crown lands; for this purpose to amend the Crown Lands Consolidation Act, 1913, and certain other Acts; to validate certain matters; and for purposes connected therewith.

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 5 follows:—

1. This Act may be cited as the "Crown Lands (Permissive Short title. Occupancies) Amendment Act, 1958".

- The Crown Lands Consolidation Act, 1913, as amended Amendment by subsequent Acts, is amended—
 - (a) by inserting in paragraph (b) of section one next Sec. 1. after the matter relating to PART V the following (Short title. new matter: -

PART VA.—PERMISSIVE OCCUPANCIES—section 136K.

(b) by inserting next after section 136J the following new Part : -

PART VA.

PERMISSIVE OCCUPANCIES.

New Part VA.

Parts.)

136k. (1) The Minister may grant permissions to Permissive occupy Crown lands, whether above or below or occupancies. beyond high water mark, or whether reserved from lease or license or not, for such purposes and upon such terms and conditions as to him may seem fit.

(2) A permission under subsection one of this section to occupy Crown lands for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts, shall not be granted except with the approval of the Secretary for Mines.

The Secretary for Mines may waive compliance with the requirements of this subsection in such circumstances, in such cases and to such extent as to him may seem fit.

(3) A permission to occupy Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, and whether or not a tenancy was created or purported to have been created thereby, shall be deemed to have been validly granted and to have and always to have had force and effect subject to the terms and conditions thereof.

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- (4) (a) No lease shall be granted and no quarry license or quarry permit shall be issued under this Act or the regulations in respect of land subject to—
- (i) a permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts; or
 - (ii) a permission to occupy Crown lands granted under subsection one of this section for such purpose.
- (b) A lease so granted or a quarry license or quarry permit so issued after the twenty-fourth day of September, one thousand nine hundred and fifty-eight, and before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, in respect of land referred to in sub-paragraph (i) of paragraph (a) of this subsection, shall have no force or effect and shall be deemed never to have had any force or effect.
- 25 (5) A permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section or a permission to occupy Crown lands granted under subsection one of this section shall be terminable at will by the Minister.

A BILL

To make provision for and with respect to permissive occupancies of Crown lands; for this purpose to amend the Crown Lands Consolidation Act, 1913, and certain other Acts; to validate certain matters; and for purposes connected therewith.

[Mr. W. McC. Gollan; -22 October, 1958.]

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

1. This Act may be cited as the "Crown Lands (Permissive Short title. Occupancies) Amendment Act, 1958".

	vn Lanas (Fermissive Occupancies) Amenameni.	
	ne Crown Lands Consolidation Act, 1913, as amended quent Acts, is amended—	Amendment of Act No. 7, 1913.
(a)	by inserting in paragraph (b) of section one next after the matter relating to PART V the following new matter:—	(Short title. Division into
	PART VA.—PERMISSIVE OCCUPANCIES—section 136K.	Parts.)
(b)	by inserting next after section 136J the following new Part:—	
10	PART VA. PERMISSIVE OCCUPANCIES.	New Part VA.
15	136k. (1) The Minister may grant permissions to occupy Crown lands, whether above or below or beyond high water mark, or whether reserved from lease or license or not, for such purposes and upon such terms and conditions as to him may seem fit.	occupancies.
20	(2) A permission under subsection one of this section to occupy Crown lands for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts, shall not be granted except with the approval of the Secretary for Mines.	
25	The Secretary for Mines may waive compliance with the requirements of this subsection in such circumstances, in such cases and to such extent as to him may seem fit.	
30 Store out?	(3) A permission to occupy Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, and whether or not a tenancy was created or purported to have	

been created thereby, shall be deemed to have been validly granted and to have and always to have had

force and effect subject to the terms and conditions

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thereof.

(4)

- (4) (a) No lease shall be granted and no quarry license or quarry permit shall be issued under this Act or the regulations in respect of land subject to—
 - (i) a permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts; or
 - (ii) a permission to occupy Crown lands granted under subsection one of this section for such purpose.
- (b) A lease so granted or a quarry license or quarry permit so issued after the twenty-fourth day of September, one thousand nine hundred and fifty-eight, and before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, in respect of land referred to in sub-paragraph (i) of paragraph (a) of this subsection, shall have no force or effect and shall be deemed never to have had any force or effect.
- 25 (5) A permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section or a permission to occupy Crown lands granted under subsection one of this section shall be terminable at will by the Minister.

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CROWN LANDS (PERMISSIVE OCCUPANCIES) AMENDMENT BILL, 1958.

EXPLANATORY NOTE.

THE object of this Bill is to authorise the granting of permissive occupancies under the Crown Lands Consolidation Act, 1913, and to validate permissive occupancies purported to have been granted.

No. , 1958.

A BILL

To make provision for and with respect to permissive occupancies of Crown lands; for this purpose to amend the Crown Lands Consolidation Act, 1913, and certain other Acts; to validate certain matters; and for purposes connected therewith.

[Mr. W. McC. Gollan;—22 October, 1958.]

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 5 follows:—

1. This Act may be cited as the "Crown Lands (Permissive Short title. Occupancies) Amendment Act, 1958".

2. The Crown Lands Consolidation Act, 1913, as amended Amendment by subsequent Acts, is amended— 7, 1913.

(a) by inserting in paragraph (b) of section one next Sec. 1. after the matter relating to PART V the following (Short title. new matter: into Parts.)

PART VA.—PERMISSIVE OCCUPANCIES—section 136K.

(b) by inserting next after section 1361 the following new Part :-

PART VA.

PERMISSIVE OCCUPANCIES.

New Part VA.

136k. (1) The Minister may grant permissions to Permissive occupy Crown lands, whether above or below or occupancies. beyond high water mark, or whether reserved from lease or license or not, for such purposes and upon such terms and conditions as to him may seem fit.

(2) A permission under subsection one of this section to occupy Crown lands for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts, shall not be granted except with the approval of the Secretary for Mines.

The Secretary for Mines may waive compliance with the requirements of this subsection in such circumstances, in such cases and to such extent as to him may seem fit.

(3) A permission to occupy Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, and whether or not a tenancy was created or purported to have been created thereby, shall be deemed to have been validly granted and to have and always to have had force and effect subject to the terms and conditions thereof.

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- (4) (a) No lease shall be granted and no quarry license or quarry permit shall be issued under this Act or the regulations in respect of land subject to—
- (i) a permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts; or
 - (ii) a permission to occupy Crown lands granted under subsection one of this section for such purpose.
- (b) A lease so granted or a quarry license or quarry permit so issued after the twenty-fourth day of September, one thousand nine hundred and fifty-eight, and before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, in respect of land referred to in subparagraph (i) of paragraph (a) of this subsection, shall have no force or effect and shall be deemed never to have had any force or effect.
- or a permissive occupancy of Crown lands referred to in subsection three of this section or a permission to occupy Crown lands granted under subsection one of this section shall be terminable at will by the Minister.

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New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 26, 1958.

An Act to make provision for and with respect to permissive occupancies of Crown lands; for this purpose to amend the Crown Lands Consolidation Act, 1913, and certain other Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 3rd November, 1958.]

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 (Permissive Short title. Occupancies) Amendment Act, 1958".

45641 [4d.]

Amendment of Act No. 7, 1913.

Sec. 1. (Short title. Division into Parts.)

- 2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended—
 - (a) by inserting in paragraph (b) of section one next after the matter relating to PART V the following new matter:—

PART VA.—PERMISSIVE OCCUPANCIES—section 136K.

(b) by inserting next after section 136J the following new Part:—

New Part Va.

Permissive occupancies

PART VA.

PERMISSIVE OCCUPANCIES.

- 136K. (1) The Minister may grant permissions to occupy Crown lands, whether above or below or beyond high water mark, or whether reserved from lease or license or not, for such purposes and upon such terms and conditions as to him may seem fit.
- (2) A permission under subsection one of this section to occupy Crown lands for the purpose of removal of gravel, sand, stone, loam, or shells, or other substances being minerals within the meaning of the Mining Act, 1906, as amended by subsequent Acts, shall not be granted except with the approval of the Secretary for Mines.

The Secretary for Mines may waive compliance with the requirements of this subsection in such circumstances, in such cases and to such extent as to him may seem fit.

(3) A permission to occupy Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, and whether or not a tenancy was created or purported to have been created thereby, shall be deemed to have been validly granted and to have and always to have had force and effect subject to the terms and conditions thereof.

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- (5) A permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section or a permission to occupy Crown lands granted under subsection one of this section shall be terminable at will by the Minister.

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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, 28 October, 1958.

New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 26, 1958.

An Act to make provision for and with respect to permissive occupancies of Crown lands; for this purpose to amend the Crown Lands Consolidation Act, 1913, and certain other Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 3rd November, 1958.]

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 (Permissive Short title. Occupancies) Amendment Act, 1958".

2.

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.

Amendment of Act No. 7, 1913.

Sec. 1. (Short title. Division into Parts.)

- 2. The Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, is amended-
 - (a) by inserting in paragraph (b) of section one next after the matter relating to PART V the following new matter: -

PART VA.—PERMISSIVE OCCUPANCIES—section 136K.

(b) by inserting next after section 1361 the following new Part: -

New

Part VA.

PART VA.

PERMISSIVE OCCUPANCIES.

Permissive occupancies

- 136k. (1) The Minister may grant permissions to occupy Crown lands, whether above or below or beyond high water mark, or whether reserved from lease or license or not, for such purposes and upon such terms and conditions as to him may seem fit.
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(3) A permission to occupy Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the Crown Lands (Permissive Occupancies) Amendment Act, 1958, and whether or not a tenancy was created or purported to have been created thereby, shall be deemed to have been validly granted and to have and always to have had force and effect subject to the terms and conditions thereof.

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 - (ii) a permission to occupy Crown lands granted under subsection one of this section for such purpose.
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- (5) A permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection three of this section or a permission to occupy Crown lands granted under subsection one of this section shall be terminable at will by the Minister.

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

E. W. WOODWARD,

Governor.

Government House, Sydney, 3rd November, 1958.