

Newcastle Sand-drift Reclamation.

Newcastle declaring that the lands therein specified have been resumed by Her Majesty for the purposes of this Act And an abstract of the lands so resumed shall be laid before Parliament if in session at the date of the publication of such notification within seven days after
 5 such notification and if not then within fourteen days after the commencement of the next ensuing session Upon the publication of such notification the lands therein specified (and being lands included in the descriptions contained in Schedules A B C D and E to this Act) shall to the extent and with the effect declared in the fifth section
 10 hereof be vested in the Secretary for Mines and his successors as a corporation sole on behalf of Her Majesty for an estate of inheritance in fee-simple in possession freed and discharged from all trusts obligations estates interests contracts charges rates rights-of-way or other easements whatsoever in the same manner with the same powers and
 15 subject to the same provisions as are declared and expressed by section eight of the Principal Act in respect to lands resumed thereunder.

3. Subject to the directions contained in the fifth section of this Act the respective owners of the lands so resumed or the persons who but for the provisions hereinbefore contained would have been
 20 such owners shall be entitled to receive such sums of money by way of compensation for the lands of which they have been deprived as shall be ascertained under the provisions of the Principal Act as amended by the Act forty-fifth Victoria number twenty-six And for the purpose of giving effect to this section the following sections of the said
 25 Acts are declared to be incorporated with this Act viz.—

- (a) As to conversion of the estates of owners of lands into a claim to compensation Section eleven of the Principal Act
- (b) As to notice of claim for compensation and abstract of title Section twelve of the Principal Act and First Schedule thereto
 30 as amended by section three of the Act forty-fifth Victoria number twenty-six
- (c) As to procedure after receipt of notice of claim and the institution of proceedings in Supreme Court Sections thirteen and fourteen of the Principal Act
- 35 (d) As to the nature of the issue in actions for compensation verdict and costs the payment of compensation and the mode of assessing compensation Section two of the Act forty-fifth Victoria number twenty-six and sections sixteen and eighteen of the Principal Act
- 40 (e) As to power of entry Section nineteen of the Principal Act
- (f) As to sale of superfluous lands Section twenty-two of the Principal Act
- (g) As to procedure on registration or transfer Section twenty-four of the Principal Act

45 And in order further to carry out the intention of this section the words "this Act" whensoever occurring in any of the sections so declared to be incorporated shall be held to include this present Act—and the words "under the sixth section of this Act" in section twenty-four of the Principal Act shall be held for the like purpose
 50 to refer to the second section of this Act.

4. The several sections of the Government Railways Act twenty-second Victoria number nineteen hereinafter specified together with the respective powers authorities duties liabilities obligations and other the provisions therein contained are hereby declared to be
 55 incorporated with and embodied in this Act to the intent that the same may be applied as fully and effectually to and in respect of lands resumed under the authority of this Act as if the said sections had been specifically enacted herein Provided that wheresoever in any section so incorporated the word "Commissioner" occurs there shall for the purposes

Compensation for
lands taken under
this Act.

Incorporation of
provisions of Govern-
ment Railways Act.

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purposes of this Act be substituted in lieu of such word the expression "Secretary for Mines" And whenever the word "Railway" or words denoting works connected with a railway occur there shall be substituted such words respectively as denote the nature of the work
 5 undertaking or purpose in respect of which the land in question has been resumed under this Act The following are the sections so declared to be incorporated with this Act—

- 10 (I) As to the deposit of compensation money in certain cases with the Master in Equity and the application and investment thereof As to payment of such money in certain cases to trustees or to the parties themselves and the exoneration of the Minister in respect thereof after payment Sections forty-seven to fifty-two both inclusive
- 15 (II) As to the deposit and application of compensation money on refusal of the owner to accept the same or on his failing to make out a satisfactory title and as to presumption of ownership Sections fifty-three to fifty-six both inclusive
- 20 (III) As to the procedure by the Minister in case the owner or occupier of any lands resumed under this Act shall refuse to give up possession thereof or hinder the Minister from entering upon or taking possession of the same Section sixty-one
- 25 (IV) As to the purchase or redemption of the interests of mortgagees and the deposit of principal and interest due on mortgages with the Master in Equity the procedure to be observed when the mortgaged lands are of less value than the mortgage debt and where part only of lands in mortgage is taken Sections sixty-five to seventy both inclusive
- 30 (V) As to the release of lands from rent charges and other incumbrances and procedure thereon Sections seventy-one to seventy-four both inclusive
- (VI) As to the apportionment of rent where lands taken are under lease and as to compensation to tenants Sections seventy-five to seventy-eight both inclusive

35 5. Resumption under this Act shall not have the effect of passing any estate or interest in or right to any coal or other mineral under the surface of the land resumed and the persons entitled to mine for any such mineral under the surface of such land shall not be prejudiced or affected in respect of their right so to mine by reason of anything contained in this Act. Qualified effect of resumption.

40 6. The lands resumed under this Act shall be used and applied for the purposes following that is to say— Disposal of resumed lands.

- 45 (I) Any deposits of sand soil rock or other material may be removed for the purpose of filling-up and otherwise of depressions in and levelling and plantations may be made for the arresting of the spread of sand-drifts
- (II) A portion not exceeding one-fourth part of the land resumed may be dedicated as a reserve for public recreation and for other public purposes
- 50 (III) Any residue of the said lands remaining after the setting apart of any such reserve may be sold or leased by public auction at such times for such prices and subject to such terms conditions covenants and provisions as the Governor may determine

55 Provided always that the Governor may form and dedicate to the public in such manner as he may think fit any lanes of not less than the lawful width for the purpose of giving access to any buildings to be erected on the lands so sold or leased.

7. The Governor may make regulations (which shall have the force of law on publication in the *Gazette*) for the purpose of giving
 60 full effect to this Act in respect of any matter not herein specially provided for. Regulations.

Newcastle Sand-drift Reclamation.

8. The Colonial Treasurer shall by virtue of warrants of the Governor under his hand (which he is hereby authorized to issue) pay out of the Consolidated Revenue Fund such sums of money as shall be found necessary to provide compensation moneys for lands resumed under this Act. Provided always that the proceeds of sale of any portion of such resumed lands and the rents and profits derived from the leasing of any portion of such lands or buildings erected thereon shall be paid over to the said Treasurer and be by him carried to the credit of the Consolidated Revenue Fund.

Compensation for
lands resumed and
disposal of proceeds
&c.

10

SCHEDULES.

SCHEDULE A.

Description.

Nineteen acres one rood twenty-one perches county of Northumberland parish of Newcastle portion two hundred and fifty-five Commencing at a point bearing north
15 twenty-eight degrees six minutes east one chain twenty-three and a half links from the north-eastern corner of portion two-hundred and fifty-six and bounded thence on the south by Macquarie-street bearing south eighty-two degrees ten minutes west fourteen chains and one link on the west by a line bearing north five minutes west six chains and thirty-seven links on the north-west by a line bearing north thirty-five degrees twelve
20 minutes east twelve chains and fifty-seven links on the north-east by Dumaresque-street bearing south sixty-one degrees forty-seven minutes east twelve chains and eighty links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes west nine chains and eighty-six links to the point of commencement.

SCHEDULE B.

Description.

Five acres three roods thirty-five perches county of Northumberland parish of Newcastle portion two hundred and fifty-six Commencing at a point bearing south
25 eighty-nine degrees fifty-five minutes west fifty-seven links from the north-western corner of portion two hundred and fifty-eight and bounded thence on the south by a
30 line bearing south eighty-nine degrees fifty-five minutes west ten chains on the west by a line bearing north 5 minutes west four chains thirty-five links on the north by Macquarie-street bearing north eighty-two degrees ten minutes east thirteen chains and forty-three links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes east seven chains to the point of commencement.

35

SCHEDULE C.

Description.

Forty-one acres one rood thirteen perches county of Northumberland parish of Newcastle portion two hundred and fifty-seven Commencing on the south-eastern side of the building-line of Darby-street at its intersection by the south-easterly prolongation
40 of the south-western side of the building-line of Parry-street and bounded thence on the north-east south-east north-east south-east and north-east by lines bearing respectively south sixty-one degrees forty-seven minutes east two chains and seventy-five links south twenty-eight degrees six minutes west twelve chains and fifty links south
45 sixty-one degrees fifty-four minutes east eleven chains and twenty links south twenty-eight degrees six minutes west nine chains south sixty-one degrees fifty-four minutes east two chains and fifty links south seventeen degrees twenty-two minutes east eight chains and fifty-eight links on the south by the northern boundary of portion two hundred and fifty-eight bearing south eighty-nine degrees fifty-five minutes west twenty-five chains and sixty links on part of the north-west by Darby-street bearing north
50 twenty-eight degrees six minutes east thirty chains and sixty links on the remainder of the north-east part of the north-west and the south-west by the south-western south-eastern and north-eastern boundaries of portion two hundred and fifty-nine bearing respectively south sixty-one degrees fifty-four minutes east two chains and fifty links north twenty-eight degrees six minutes east one chain and north sixty-one degrees fifty-
55 four minutes west two chains and fifty links and on the remainder of the north-west by Darby-street bearing north twenty-eight degrees six minutes east eight chains to the point of commencement.

SCHEDULE D

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SCHEDULE D.

Description.

Twenty-six acres county of Northumberland parish of Newcastle portion two hundred and fifty-eight Commencing at the easternmost corner of portion two hundred and fifty-seven and bounded thence on the north by the southern boundary of that portion and a line in all bearing south eighty-nine degrees fifty-five minutes west twenty-six chains and twenty-six links on the west by a line bearing south eight degrees eight minutes east twenty-one chains and fifty links on the south-west by lines bearing respectively north forty-one degrees twenty-five minutes east fifteen chains and north fifty-five degrees forty minutes east sixteen chains and ten links and on the east by a line bearing north five minutes west one chain to the point of commencement.

SCHEDULE E.

Description.

One rood county of Northumberland parish of Newcastle portion two hundred and fifty-nine Commencing at a point bearing south twenty-eight degrees six minutes west eight chains from the northernmost corner of portion two hundred and fifty-seven and bounded thence on the north-east by a south-western boundary of that portion bearing south sixty-one degrees fifty-four minutes east two chains and fifty links on the south-east by a north-western boundary of portion two hundred and fifty-seven afore-said bearing south twenty-eight degrees six minutes west one chain on the south-west by a north-eastern boundary of the same portion bearing north sixty-one degrees fifty-four minutes west two chains and fifty links and on the north-west by Darby-street bearing north twenty-eight degrees six minutes east one chain to the point of commencement.

1885-6.

Legislative Council.

NEWCASTLE SAND-DRIFT RECLAMATION BILL.

(*Amendments and New Clauses to be proposed in Committee of the Whole by DR. MACKELLAR.*)

Page 1, clause 1, lines 6 and 7. *Omit* "and in its construction as well
"as in the construction of any regulation thereunder"

Page 1, clause 1, line 7. *Before* "means" *insert* "except as appearing
"in the fifth section of this Act shall"

Page 1, clause 1, line 8. *After* "and" *insert* "the words"

Page 1, clause 1, line 9. *Before* "means" *insert* "shall"

Page 1, clause 1, line 9. *Omit* "s" from "means"

Page 1, clause 1. At end of clause *add* "as amended by the Act forty-
"five Victoria number twenty-six"

Pages 1, 2, and 3. *Omit* clauses 2 3 4 *insert* new clause:—

2. For the purpose of arresting as far as possible the further deposit of sand upon the lands respectively described in Schedules A B C D and E of this Act and to enable the said lands to be reclaimed it shall be lawful for the Governor to resume the said lands or any part thereof in the same manner and subject to the same provisions and conditions as lands may be resumed for public purposes under the Principal Act and such reclamation shall be deemed to be a public work and undertaking within the meaning of the said Principal Act and such Act shall for all purposes apply to the said lands and to the resumption thereof except that the land may be resumed notwithstanding that no money may have been voted by Parliament for that purpose and that the land so resumed shall vest in the Secretary for Mines.

Page 3, clause 5, line 34. *Before* "Resumption" *insert* "The said"

Page 3, clause 5, line 34. *Omit* "under this Act"

Page 3, clause 5. At end of clause *add* "or in the Principal Act"

Page 3. *Omit* clauses 6 and 7 *insert* new clause:—

4. The said lands when reclaimed may be sold or leased by public auction for such price or yearly rent and subject to such terms and conditions as the Governor may determine ^{Disposal of resumed lands.} Provided always that it shall be lawful for the Governor to set apart any portion of the said land not exceeding one-fourth part thereof as a reserve for public recreation or for any other public purpose.

Page 4, clause 8, line 1. *Omit* "by virtue" *insert* "in pursuance"

Page 4, clause 8, line 1. *After* "warrants" *insert* "under the hand"

Page 4, clause 8, line 2. *Omit* "under his hand"

Page 4, clause 8, line 4. *After* "for" *insert* "the"

Page 4, clause 8, line 4. *After* "lands" *insert* "so"

Page 4, clause 8, line 5. *Omit* "under this Act" *insert* "as aforesaid
"and to defray all the expenses of such reclamation"

Page 4, clause 8, line 6. *Omit* "resumed"

Page 4, clause 8, line 7. *Omit* "of any portion of such lands or build-
"ings erected thereon" *insert* "thereof"

Page 4, clause 8, line 8. *Omit* "over"

NEWCASTLE SAND-DRIFT RECLAMATION BILL.

SCHEDULE of Amendments referred to in Message of 29th September, 1886.

- Page 1, clause 1, lines 6 and 7. *Omit* "as well as in the construction of any regulation
"thereunder"
- Page 1, clause 1, line 7. *After* "Governor" *insert* "except as appearing in the fifth
"section of this Act shall"
- Page 1, clause 1, line 8. *Omit* "s" from "means"
- Page 1, clause 1, line 9. *After* "and" *insert* "the words"
- Page 1, clause 1, line 9. *Before* "means" *insert* "shall"
- Page 1, clause 1, line 9. *Omit* "s" from "means"
- Page 1, clause 1. At end of clause *add* "as amended by the Act forty-fifth Victoria
"number twenty-six"
- Pages 1, 2, and 3. *Omit* clauses 2 3 4 *insert* new clause 2.
- Page 3, clause ~~5~~ 3, line 47. *Before* "Resumption" *insert* "The said"
- Page 3, clause ~~5~~ 3, line 47. *Omit* "under this Act"
- Page 3, clause ~~5~~ 3. At end of clause *add* "or in the Principal Act"
- Pages 3 and 4. *Omit* clauses 6 and 7 *insert* new clause 4.
- Page 4, clause ~~8~~ 5, line 20. *Omit* "by virtue" *insert* "in pursuance"
- Page 4, clause ~~8~~ 5, line 20. *After* "warrants" *insert* "under the hand"
- Page 4, clause ~~8~~ 5, line 21. *Omit* "under his hand"
- Page 4, clause ~~8~~ 5, line 24. *After* "for" *insert* "the"
- Page 4, clause ~~8~~ 5, line 24. *After* "lands" *insert* "so"
- Page 4, clause ~~8~~ 5, line 24. *Omit* "under this Act" *insert* "as aforesaid and to defray
"all the expenses of such reclamation"
- Page 4, clause ~~8~~ 5, line 26. *Omit* "resumed"
- Page 4, clause ~~8~~ 5, lines 27 and 28. *Omit* "of any portion of such lands or buildings
"erected thereon" *insert* "thereof"
- Page 4, clause ~~8~~ 5, line 28. *Omit* "over"
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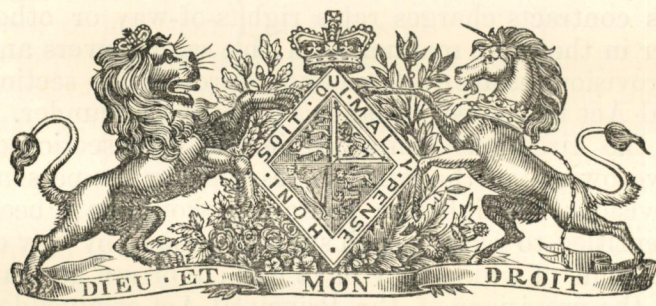
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, } *F. W. WEBB,*
Sydney, 13 August, 1886. } *Acting Clerk of Legislative Assembly.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, } *JOHN J. CALVERT,*
Sydney, 29th September, 1886. } *Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No.

An Act to authorize the resumption of certain portions of land situate in the parish of Newcastle and county of Northumberland for the purpose of enabling the Government to arrest as far as possible the further deposit of sand thereon and to reclaim for public purposes and dispose of the said lands as hereinafter provided.

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

5 1. This Act may be cited as the "Newcastle Sand-drift Recla- Short title.
mation Act" and in its construction as well as in the construction of any Construction
Regulation thereunder the word "Governor" except as appearing in the
fifth section of this Act shall mean the "Governor with the advice of
the Executive Council" and the words "Principal Act" shall mean
10 the Act forty-fourth Victoria number sixteen as amended by the Act
forty-fifth Victoria number twenty-six.

2. Upon the passing of this Act the several portions of land Power to resume for
or such part or parts thereof as the Governor may think proper purposes of Act
described respectively in Schedules A B C D and E of this Act may lands described in
15 be resumed for the purposes of this Act by a notification of resumption Schedules A B C D
under the hand of the Governor to be published in the Gazette and E.
and in one or more newspapers circulating in the Municipality of
Newcastle

Newcastle Sand-drift Reclamation.

Newcastle declaring that the lands therein specified have been resumed by Her Majesty for the purposes of this Act. And an abstract of the lands so resumed shall be laid before Parliament if in session at the date of the publication of such notification within seven days after such notification and if not then within fourteen days after the commencement of the next ensuing session. Upon the publication of such notification the lands therein specified (and being lands included in the descriptions contained in Schedules A B C D and E to this Act) shall to the extent and with the effect declared in the fifth section hereof be vested in the Secretary for Mines and his successors as a corporation sole on behalf of Her Majesty for an estate of inheritance in fee-simple in possession freed and discharged from all trusts obligations estates interests contracts charges rates rights-of-way or other easements whatsoever in the same manner with the same powers and subject to the same provisions as are declared and expressed by section eight of the Principal Act in respect to lands resumed thereunder.

3. Subject to the directions contained in the fifth section of this Act the respective owners of the lands so resumed or the persons who but for the provisions hereinbefore contained would have been such owners shall be entitled to receive such sums of money by way of compensation for the lands of which they have been deprived as shall be ascertained under the provisions of the Principal Act as amended by the Act forty-fifth Victoria number twenty-six. And for the purpose of giving effect to this section the following sections of the said Acts are declared to be incorporated with this Act viz.—

- (a) As to conversion of the estates of owners of lands into a claim to compensation. Section eleven of the Principal Act
- (b) As to notice of claim for compensation and abstract of title. Section twelve of the Principal Act and First Schedule thereto as amended by section three of the Act forty-fifth Victoria number twenty-six
- (c) As to procedure after receipt of notice of claim and the institution of proceedings in Supreme Court. Sections thirteen and fourteen of the Principal Act
- (d) As to the nature of the issue in actions for compensation verdict and costs the payment of compensation and the mode of assessing compensation. Section two of the Act forty-fifth Victoria number twenty-six and sections sixteen and eighteen of the Principal Act
- (e) As to power of entry. Section nineteen of the Principal Act
- (f) As to sale of superfluous lands. Section twenty-two of the Principal Act
- (g) As to procedure on registration or transfer. Section twenty-four of the Principal Act

And in order further to carry out the intention of this section the words "this Act" whensoever occurring in any of the sections so declared to be incorporated shall be held to include this present Act—and the words "under the sixth section of this Act" in section twenty-four of the Principal Act shall be held for the like purpose to refer to the second section of this Act.

4. The several sections of the Government Railways Act twenty-second Victoria number nineteen hereinafter specified together with the respective powers authorities duties liabilities obligations and other the provisions therein contained are hereby declared to be incorporated with and embodied in this Act to the intent that the same may be applied as fully and effectually to and in respect of lands resumed under the authority of this Act as if the said sections had been specifically enacted herein. Provided that wheresoever in any section so incorporated the word "Commissioner" occurs there shall for the purposes—

Compensation for lands taken under this Act.

Incorporation of provisions of Government Railways Act.

Newcastle Sand-drift Reclamation.

purposes of this Act be substituted in lieu of such word the expression "Secretary for Mines" And whenever the word "Railway" or words denoting works connected with a railway occur there shall be substituted such words respectively as denote the nature of the work undertaking or purpose in respect of which the land in question has been resumed under this Act The following are the sections so declared to be incorporated with this Act—

- (I) As to the deposit of compensation money in certain cases with the Master in Equity and the application and investment thereof As to payment of such money in certain cases to trustees or to the parties themselves and the exoneration of the Minister in respect thereof after payment Sections forty-seven to fifty-two both inclusive
- (II) As to the deposit and application of compensation money on refusal of the owner to accept the same or on his failing to make out a satisfactory title and as to presumption of ownership Sections fifty-three to fifty-six both inclusive
- (III) As to the procedure by the Minister in case the owner or occupier of any lands resumed under this Act shall refuse to give up possession thereof or hinder the Minister from entering upon or taking possession of the same Section sixty-one
- (IV) As to the purchase or redemption of the interests of mortgagees and the deposit of principal and interest due on mortgages with the Master in Equity the procedure to be observed when the mortgaged lands are of less value than the mortgage debt and where part only of lands in mortgage is taken Sections sixty-five to seventy both inclusive
- (V) As to the release of lands from rent charges and other incumbrances and procedure thereon Sections seventy-one to seventy-four both inclusive
- (VI) As to the apportionment of rent where lands taken are under lease and as to compensation to tenants Sections seventy-five to seventy-eight both inclusive

2. For the purpose of arresting as far as possible the further deposit of sand upon the lands respectively described in Schedules A B C D and E of this Act and to enable the said lands to be reclaimed it shall be lawful for the Governor to resume the said lands or any part thereof in the same manner and subject to the same provisions and conditions as lands may be resumed for public purposes under the Principal Act and such reclamation shall be deemed to be a public work and undertaking within the meaning of the said Principal Act and such Act shall for all purposes apply to the said lands and to the resumption thereof except that the lands may be resumed notwithstanding that no money may have been voted by Parliament for that purpose and that the lands so resumed shall vest in the Secretary for Mines.

Power to resume for purposes of Act lands described in Schedules A B C D and E.

3. The said resumption under this Act shall not have the effect of passing any estate or interest in or right to any coal or other mineral under the surface of the land resumed and the persons entitled to mine for any such mineral under the surface of such land shall not be prejudiced or affected in respect of their right so to mine by reason of anything contained in this Act or in the Principal Act.

Qualified effect of resumption.

6. The lands resumed under this Act shall be used and applied for the purposes following that is to say—

Disposal of resumed lands.

- (I) Any deposits of sand soil rock or other material may be removed for the purpose of filling-up and otherwise of depressions in and levelling and plantations may be made for the arresting of the spread of sand-drifts
- (II) A portion not exceeding one-fourth part of the land resumed may be dedicated as a reserve for public recreation and for other public purposes

(iii)

Newcastle Sand-drift Reclamation.

- (III) Any residue of the said lands remaining after the setting apart of any such reserve may be sold or leased by public auction at such times for such prices and subject to such terms conditions covenants and provisions as the Governor may determine
- 5 Provided always that the Governor may form and dedicate to the public in such manner as he may think fit any lanes of not less than the lawful width for the purpose of giving access to any buildings to be erected on the lands so sold or leased.
- 10 7. The Governor may make regulations (which shall have the force of law on publication in the *Gazette*) for the purpose of giving full effect to this Act in respect of any matter not herein specially provided for. Regulations.
- 15 4. The said lands when reclaimed may be sold or leased by public auction for such price or yearly rent and subject to such terms and conditions as the Governor may determine. Provided always that it shall be lawful for the Governor to set apart any portion of the said lands not exceeding one-fourth part thereof as a reserve for public recreation or for any other public purpose. Disposal of resumed lands.
- 20 8. 5. The Colonial Treasurer shall by virtue in pursuance of warrants under the hand of the Governor ~~under his hand~~ (which he is hereby authorized to issue) pay out of the Consolidated Revenue Fund such sums of money as shall be found necessary to provide compensation moneys for the lands so resumed ~~under this Act as aforesaid and to~~ Compensation for lands resumed and disposal of proceeds &c.
- 25 ~~defray all the expenses of such reclamation~~ Provided always that the proceeds of sale of any portion of such resumed lands and the rents and profits derived from the leasing of any portion of such lands or buildings erected thereon thereof shall be paid over to the said Treasurer and be by him carried to the credit of the Consolidated Revenue Fund.

*Newcastle Sand-drift Reclamation.***SCHEDULES.****SCHEDULE A.***Description.*

- Nineteen acres one rood twenty-one perches county of Northumberland parish of Newcastle portion two hundred and fifty-five Commencing at a point bearing north twenty-eight degrees six minutes east one chain twenty-three and a half links from the north-eastern corner of portion two hundred and fifty-six and bounded thence on the south by Macquarie-street bearing south eighty-two degrees ten minutes west fourteen chains and one link on the west by a line bearing north five minutes west six chains and
- 10 thirty-seven links on the north-west by a line bearing north thirty-five degrees twelve minutes east twelve chains and fifty-seven links on the north-east by Dumaresque-street bearing south sixty-one degrees forty-seven minutes east twelve chains and eighty links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes west nine chains and eighty-six links to the point of commencement.

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SCHEDULE B.*Description.*

- Five acres three roods thirty-five perches county of Northumberland parish of Newcastle portion two hundred and fifty-six Commencing at a point bearing south eighty-nine degrees fifty-five minutes west fifty-seven links from the north-western
- 20 corner of portion two hundred and fifty-eight and bounded thence on the south by a line bearing south eighty-nine degrees fifty-five minutes west ten chains on the west by a line bearing north 5 minutes west four chains thirty-five links on the north by Macquarie-street bearing north eighty-two degrees ten minutes east thirteen chains and forty-three links and on the south-east by Darby-street bearing south twenty-eight
- 25 degrees six minutes east seven chains to the point of commencement.

SCHEDULE C.*Description.*

- Forty-one acres one rood thirteen perches county of Northumberland parish of Newcastle portion two hundred and fifty-seven Commencing on the south-eastern side of the building-line of Darby-street at its intersection by the south-easterly prolongation of the south-western side of the building-line of Parry-street and bounded thence on the north-east south-east north-east south-east and north-east by lines bearing respectively south sixty-one degrees forty-seven minutes east two chains and seventy-five links south twenty-eight degrees six minutes west twelve chains and fifty links south
- 35 sixty-one degrees fifty-four minutes east eleven chains and twenty links south twenty-eight degrees six minutes west nine chains south sixty-one degrees fifty-four minutes east two chains and fifty links south seventeen degrees twenty-two minutes east eight chains and fifty-eight links on the south by the northern boundary of portion two hundred and fifty-eight bearing south eighty-nine degrees fifty-five minutes west twenty-
- 40 five chains and sixty links on part of the north-west by Darby-street bearing north twenty-eight degrees six minutes east thirty chains and sixty links on the remainder of the north-east part of the north-west and the south-west by the south-western south-eastern and north-eastern boundaries of portion two hundred and fifty-nine bearing respectively south sixty-one degrees fifty-four minutes east two chains and fifty links
- 45 north twenty-eight degrees six minutes east one chain and north sixty-one degrees fifty-four minutes west two chains and fifty links and on the remainder of the north-west by Darby-street bearing north twenty-eight degrees six minutes east eight chains to the point of commencement.

SCHEDULE D.*Description.*

- Twenty-six acres county of Northumberland parish of Newcastle portion two hundred and fifty-eight Commencing at the easternmost corner of portion two hundred and fifty-seven and bounded thence on the north by the southern boundary of that portion and a line in all bearing south eighty-nine degrees fifty-five minutes west twenty-
- 55 six chains and twenty-six links on the west by a line bearing south eight degrees eight minutes east twenty-one chains and fifty links on the south-west by lines bearing respectively north forty-one degrees twenty-five minutes east fifteen chains and north fifty-five degrees forty minutes east sixteen chains and ten links and on the east by a line bearing north five minutes west one chain to the point of commencement.

Newcastle Sand-drift Reclamation.

SCHEDULE E.

Description.

One rood county of Northumberland parish of Newcastle portion two hundred and fifty-nine Commencing at a point bearing south twenty-eight degrees six minutes 5 west eight chains from the northernmost corner of portion two hundred and fifty-seven and bounded thence on the north-east by a south-western boundary of that portion bearing south sixty-one degrees fifty-four minutes east two chains and fifty links on the south-east by a north-western boundary of portion two hundred and fifty-seven afore- 10 said bearing south twenty-eight degrees six minutes west one chain on the south-west by a north-eastern boundary of the same portion bearing north sixty-one degrees fifty-four minutes west two chains and fifty links and on the north-west by Darby-street bearing north twenty-eight degrees six minutes east one chain to the point of com- 15 mencement.

Sydney : Thomas Richards, Government Printer.—1886.

[6d.]

SCHEDULE D.

Description.

Twenty-six acres county of Northumberland parish of Newcastle portion two hundred and fifty-eight Commencing at the easternmost corner of portion two hundred and fifty-seven and bounded thence on the north by the southern boundary of that portion and a line in all bearing south eighty-nine degrees fifty-five minutes west twenty- 5 six chains and eighty-six links on the west by a line bearing south eighty-eight degrees eight minutes east twenty-one chains and fifty links on the south-west by lines bearing respectively north forty-one degrees twenty-five minutes east fifteen chains and north 10 fifty-five degrees forty minutes east sixteen chains and ten links and on the east by a line bearing north five minutes west one chain to the point of commencement.

SCHEDULE H.

188—H

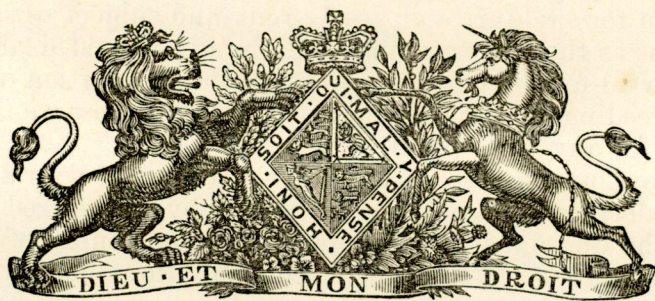
NEWCASTLE SAND-DRIFT RECLAMATION BILL.

SCHEDULE showing the Legislative Assembly's Amendment upon, and disagreements from, the Legislative Council's Amendments.

Page 3, clause 2, lines 43, 44, and 45. *Omit* "that the lands may be resumed notwithstanding that no money may have been voted by Parliament for that purpose and"

Page 4, clause 5, line 20. *Re-insert* "by virtue" *omit* "in pursuance"
" " line 21. *Omit* "under the hand"
" " line 21. *Re-insert* "under his hand"
" " line 24. *Re-insert* "the"
" " line 24. *Re-insert* "so"
" " line 24. *Omit* "under this Act"
" " lines 24 and 25. *Omit* "as aforesaid and to defray all the expenses of such reclamation"
" " line 26. *Re-insert* "resumed"
" " lines 27 and 28. *Re-insert* "of any portion of such lands or buildings erected thereon"
" " line 28. *Omit* "thereof"
" " line 28. *Re-insert* "over"

New South Wales.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No. XXII.

An Act to authorize the resumption of certain portions of land situate in the parish of Newcastle and county of Northumberland for the purpose of enabling the Government to arrest as far as possible the further deposit of sand thereon and to reclaim for public purposes and dispose of the said lands as hereinafter provided. [Assented to, 14th October, 1886.]

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

1. This Act may be cited as the "Newcastle Sand-drift Reclamation Act" and in its construction the word "Governor" except as appearing in the fifth section of this Act shall mean the "Governor with the advice of the Executive Council" and the words "Principal Act" shall mean the Act forty-fourth Victoria number sixteen as amended by the Act forty-fifth Victoria number twenty-six.

2. For the purpose of arresting as far as possible the further deposit of sand upon the lands respectively described in Schedules A B C D and E of this Act and to enable the said lands to be reclaimed it shall be lawful for the Governor to resume the said lands or any part thereof

Short title.
Construction

Power to resume for
purposes of Act
lands described in
Schedules A B C D
and E.

Newcastle Sand-drift Reclamation.

thereof in the same manner and subject to the same provisions and conditions as lands may be resumed for public purposes under the Principal Act and such reclamation shall be deemed to be a public work and undertaking within the meaning of the said Principal Act and such Act shall for all purposes apply to the said lands and to the resumption thereof except that the lands so resumed shall vest in the Secretary for Mines.

Qualified effect of
resumption.

3. The said resumption shall not have the effect of passing any estate or interest in or right to any coal or other mineral under the surface of the land resumed and the persons entitled to mine for any such mineral under the surface of such land shall not be prejudiced or affected in respect of their right so to mine by reason of anything contained in this Act or in the Principal Act.

Disposal of resumed
lands.

4. The said lands when reclaimed may be sold or leased by public auction for such price or yearly rent and subject to such terms and conditions as the Governor may determine. Provided always that it shall be lawful for the Governor to set apart any portion of the said lands not exceeding one-fourth part thereof as a reserve for public recreation or for any other public purpose.

Compensation for
lands resumed and
disposal of proceeds
&c.

5. The Colonial Treasurer shall by virtue of warrants of the Governor under his hand (which he is hereby authorized to issue) pay out of the Consolidated Revenue Fund such sums of money as shall be found necessary to provide compensation moneys for lands resumed under this Act. Provided always that the proceeds of sale of any portion of such resumed lands and the rents and profits derived from the leasing of any portion of such lands or buildings erected thereon shall be paid over to the said Treasurer and be by him carried to the credit of the Consolidated Revenue Fund.

SCHEDULES.

SCHEDULE A.

Description.

Nineteen acres one rood twenty-one perches county of Northumberland parish of Newcastle portion two hundred and fifty-five. Commencing at a point bearing north twenty-eight degrees six minutes east one chain twenty-three and a half links from the north-eastern corner of portion two hundred and fifty-six and bounded thence on the south by Macquarie-street bearing south eighty-two degrees ten minutes west fourteen chains and one link on the west by a line bearing north five minutes west six chains and thirty-seven links on the north-west by a line bearing north thirty-five degrees twelve minutes east twelve chains and fifty-seven links on the north-east by Dumaresque-street bearing south sixty-one degrees forty-seven minutes east twelve chains and eighty links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes west nine chains and eighty-six links to the point of commencement.

SCHEDULE B.

Description.

Five acres three roods thirty-five perches county of Northumberland parish of Newcastle portion two hundred and fifty-six. Commencing at a point bearing south eighty-nine degrees fifty-five minutes west fifty-seven links from the north-western corner of portion two hundred and fifty-eight and bounded thence on the south by a line bearing south eighty-nine degrees fifty-five minutes west ten chains on the west by a line bearing north 5 minutes west four chains thirty-five links on the north by Macquarie-street bearing north eighty-two degrees ten minutes east thirteen chains and forty-three links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes east seven chains to the point of commencement.

SCHEDULE C.

Newcastle Sand-drift Reclamation.

SCHEDULE C.

Description.

Forty-one acres one rood thirteen perches county of Northumberland parish of Newcastle portion two hundred and fifty-seven Commencing on the south-eastern side of the building-line of Darby-street at its intersection by the south-easterly prolongation of the south-western side of the building-line of Parry-street and bounded thence on the north-east south-east north-east south-east and north-east by lines bearing respectively south sixty-one degrees forty-seven minutes east two chains and seventy-five links south twenty-eight degrees six minutes west twelve chains and fifty links south sixty-one degrees fifty-four minutes east eleven chains and twenty links south twenty-eight degrees six minutes west nine chains south sixty-one degrees fifty-four minutes east two chains and fifty links south seventeen degrees twenty-two minutes east eight chains and fifty-eight links on the south by the northern boundary of portion two hundred and fifty-eight bearing south eighty-nine degrees fifty-five minutes west twenty-five chains and sixty links on part of the north-west by Darby-street bearing north twenty-eight degrees six minutes east thirty chains and sixty links on the remainder of the north-east part of the north-west and the south-west by the south-western south-eastern and north-eastern boundaries of portion two hundred and fifty-nine bearing respectively south sixty-one degrees fifty-four minutes east two chains and fifty links north twenty-eight degrees six minutes east one chain and north sixty-one degrees fifty-four minutes west two chains and fifty links and on the remainder of the north-west by Darby-street bearing north twenty-eight degrees six minutes east eight chains to the point of commencement.

SCHEDULE D.

Description.

Twenty-six acres county of Northumberland parish of Newcastle portion two hundred and fifty-eight Commencing at the easternmost corner of portion two hundred and fifty-seven and bounded thence on the north by the southern boundary of that portion and a line in all bearing south eighty-nine degrees fifty-five minutes west twenty-six chains and twenty-six links on the west by a line bearing south eight degrees eight minutes east twenty-one chains and fifty links on the south-west by lines bearing respectively north forty-one degrees twenty-five minutes east fifteen chains and north fifty-five degrees forty minutes east sixteen chains and ten links and on the east by a line bearing north five minutes west one chain to the point of commencement.

SCHEDULE E.

Description.

One rood county of Northumberland parish of Newcastle portion two hundred and fifty-nine Commencing at a point bearing south twenty-eight degrees six minutes west eight chains from the northernmost corner of portion two hundred and fifty-seven and bounded thence on the north-east by a south-western boundary of that portion bearing south sixty-one degrees fifty-four minutes east two chains and fifty links on the south-east by a north-western boundary of portion two hundred and fifty-seven aforesaid bearing south twenty-eight degrees six minutes west one chain on the south-west by a north-eastern boundary of the same portion bearing north sixty-one degrees fifty-four minutes west two chains and fifty links and on the north-west by Darby-street bearing north twenty-eight degrees six minutes east one chain to the point of commencement.

Veronica Land-Grant Description

SCHEDULE C

The following is a description of the land granted to the said Veronica Land-Grant, situated in the County of Victoria, and bounded as follows, to-wit: Beginning at a point on the north-west corner of the said land, and running thence north 89 degrees 15 minutes east 100 chains to a point on the north-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-west corner of the said land, and thence north 89 degrees 15 minutes east 100 chains to the point of commencement.

SCHEDULE D

The following is a description of the land granted to the said Veronica Land-Grant, situated in the County of Victoria, and bounded as follows, to-wit: Beginning at a point on the north-west corner of the said land, and running thence north 89 degrees 15 minutes east 100 chains to a point on the north-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-west corner of the said land, and thence north 89 degrees 15 minutes east 100 chains to the point of commencement.

SCHEDULE E

The following is a description of the land granted to the said Veronica Land-Grant, situated in the County of Victoria, and bounded as follows, to-wit: Beginning at a point on the north-west corner of the said land, and running thence north 89 degrees 15 minutes east 100 chains to a point on the north-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-west corner of the said land, and thence north 89 degrees 15 minutes east 100 chains to the point of commencement.

SCHEDULE F

The following is a description of the land granted to the said Veronica Land-Grant, situated in the County of Victoria, and bounded as follows, to-wit: Beginning at a point on the north-west corner of the said land, and running thence north 89 degrees 15 minutes east 100 chains to a point on the north-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-east corner of the said land, and thence south 89 degrees 15 minutes west 100 chains to a point on the south-west corner of the said land, and thence north 89 degrees 15 minutes east 100 chains to the point of commencement.