

LAND ACQUISITION FOR INDUSTRIAL PURPOSES (TOMAGO) ACT.

Act No. 50, 1946.

George VI.
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An Act to make provision for authorising the appropriation or resumption of certain land situated in the Parish of Stockton, County of Gloucester, for use by certain persons for industrial purposes; to specify the persons in whom the land may be vested; to provide that the vesting may be made subject to covenants, conditions, exceptions and reservations; and for purposes connected therewith. [Assented to, 24th December, 1946.]

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

Short title.

1. This Act may be cited as the "Land Acquisition for Industrial Purposes (Tomago) Act, 1946."

Appropriation or resumption of land described in Schedule.

2. (1) Where the Governor is satisfied upon application made to him through the Minister for the purpose—

(a) that the land described in the Schedule to this Act is required for use by a person, body corporate or proposed body corporate, for or in

in connection with the establishment and ^{No. 50, 1946.} conduct of an industrial enterprise the objects of which include the manufacture of rayon yarn and staple fibre, and

(b) that it is necessary or desirable in the public interest or in the interest of industrial development that such land should be acquired by appropriation or resumption under this section,

the Governor may, upon provision being made to his satisfaction for the payment of compensation for the land, together with interest and all necessary charges and expenses incidental to the appropriation or resumption, authorise the appropriation or resumption of the land.

(2) Thereupon the Governor may appropriate or resume the land under Division 1 of Part V of the Public Works Act, 1912.

(3) Notwithstanding anything contained in the Public Works Act, 1912, or in any other Act, upon the publication in the Gazette of the notification referred to in section forty-two of the Public Works Act, 1912, the lands described or referred to in such notification shall forthwith be vested in His Majesty freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way or other easement whatsoever and shall be deemed to be Crown lands within the meaning of the Crown Lands Consolidation Act, 1913, reserved from sale or lease generally.

(4) A Crown grant of the land may be issued to the applicant or to the nominee of the applicant, and such grant may be issued subject to such trusts, conditions, covenants, provisions, exceptions and reservations as the Governor may deem expedient.

(5) For the purposes of the Public Works Act, 1912, an appropriation or resumption under this section shall be deemed to be for the purpose of carrying out an authorised work within the meaning of that Act, and the Minister for Public Works shall be deemed to be the constructing authority.

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(6) In this section "land" means land in fee simple whether vacant or built upon, or any easement, right or privilege in, over or affecting land.

SCHEDEULE.

ALL THAT piece or parcel of land containing an area of 36 acres 9½ perches or thereabouts situated in the Shire of Port Stephens Parish of Stockton County of Gloucester and State of New South Wales and being part of the land comprised in Certificate of Title Volume 4954 Folio 231 being the hereinafter stated several dimensions all a little more or less commencing at the North-western corner of the land in the Certificate of Title aforesaid and bounded thence towards the North by part of the Northern boundary of Portion 17 of the said Parish bearing Easterly 540 links thence towards the East by a line bearing South 6800 links to the left bank of the Hunter River thence towards the South by part of that bank upwards 540 links to the Easterly boundary of the land comprised in Certificate of Title Volume 5176 Folio 184 thence towards the West by the Easterly boundary of Portion 20 of the said Parish being a line bearing Northerly 6800 links to the point of commencement ALSO ALL THAT piece or parcel of land containing an area of 24 acres 3 roods 21 perches or thereabouts situated as aforesaid commencing at a point on the Northern boundary of the said Portion 17 bearing Easterly 720 links from the North-western corner of the said Portion 17 and bounded thence towards the North by part of the said boundary of the said Portion 17 bearing Easterly 360 links thence towards the East by a line bearing South 6800 links to the left bank of the Hunter River thence towards the South by that bank upwards 360 links thence towards the West by a line bearing North 6800 links to the point of commencement ALSO ALL THAT piece or parcel of land containing an area of 60 acres 2 roods 25 perches or thereabouts situated in the Parish and County aforesaid and being part of the land comprised in the said Certificate of Title Volume 4954 Folio 231 commencing at a point on the Northern boundary of Portion 17 aforesaid bearing Westerly 900 links from the North-eastern corner of the said Portion 17 and bounded thence towards the East by a line bearing South 7420 links to the left bank of the Hunter River and bounded thence towards the South by part of that left bank upwards 800 links thence towards the West by a line bearing North 7368 links to the Northern boundary of the said Portion 17 thence towards the North by part of that Northern boundary of the said Portion 17 bearing East 800 links to the point of commencement EXCEPTING THEREOUT those parts of the main road from Hexham to Stockton which fall within the boundaries of the lands hereinbefore described.

MORATORIUM