

LITHGOW LAND (PITT'S PADDOCK VESTING) ACT.

Act No. 46, 1963.

Elizabeth II, An Act to vest certain land at Lithgow in the Council
No. 46, 1963 of the City of Lithgow and certain other land at
 Lithgow in The Lithgow District Hospital; and for
 purposes connected therewith. [Assented to, 13th
 December, 1963.]

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:—

Short title. 1. This Act may be cited as the "Lithgow Land (Pitt's
 Paddock Vesting) Act, 1963".

**Interpreta-
 tion.** 2. In this Act, unless the context or subject matter other-
 wise indicates or requires—

“Council” means the Council of the City of Lithgow.

“Council land” means the land described in the First
 Schedule to this Act.

“Hospital” means The Lithgow District Hospital.

“Hospital land” means the land described in the Second
 Schedule to this Act.

“Minister” means the Minister for Education.

**Vesting of
 land in the
 Council and
 the
 Hospital.** 3. (1) The Council land is hereby vested in the Council
 for an estate in fee-simple.

(2) The Hospital land is hereby vested in the Hos-
 pital for an estate in fee-simple.

(3) Any estate or interest in the said lands which,
 immediately before the commencement of this Act, was vested
 in or held by Her Majesty the Queen or the Minister is hereby
 divested and Her Majesty the Queen and the Minister are
 hereby

hereby discharged from any duties, liabilities or obligations No. 46, 1963 existing immediately before such commencement in respect of or in relation to the said lands.

(4) Any trusts, conditions or encumbrances affecting the said lands immediately before the commencement of this Act are hereby revoked and annulled.

(5) The vesting of the said lands in the Council and the Hospital under this section is subject to the exception of—

- (a) all minerals in the said lands which, immediately before the commencement of this Act, were vested in the Crown; and
- (b) all mines or deposits of coal, ironstone, kerosene shale, limestone, slate or other minerals in and under the said lands, which, immediately before such commencement, were vested in any person other than the Crown.

4. (1) Notwithstanding the provisions of Division 3 of Powers of the Local Government Act, 1919, as amended by subsequent Acts, the Council may by public auction or tender or private treaty and with the Minister's consent sell or lease the Council land or any part thereof subject to such covenants, conditions and reservations as the Council may think fit.

Without limiting the generality of such covenants, conditions and reservations, the consideration or rent payable in respect of any such sale or lease shall, having regard to the purposes and circumstances relating to such sale or lease, be such as may reasonably be obtainable.

(2) The powers conferred on the Council by subsection one of this section in respect of the Council land shall be in addition to and not in derogation of the powers conferred on the Council by the Local Government Act, 1919, as amended by subsequent Acts, in respect of land vested in the Council.

(3) The Hospital shall hold the Hospital land subject to the provisions of the Public Hospitals Act, 1929, as amended by subsequent Acts.

No. 46, 1963

Registrar-
General to
issue
certificate
of title.

5. On application by or on behalf of the Council in respect of the Council land and the Hospital in respect of the Hospital land and on production of certificates of title Volume 4407 Folio 203 and Volume 5402 Folio 116, the Registrar-General shall issue to the Council a certificate of title for the Council land and to the Hospital a certificate of title for the Hospital land, subject in each case to the exception contained in subsection five of section three of this Act, but free of any caveat or notification.

Sec. 3 (1).

FIRST SCHEDULE.

Land vested in Lithgow City Council.

All that piece or parcel of land situate in the City of Lithgow, parish of Lett and county of Cook, being part of the land shown in plans annexed to dealings D238368 and B972695: Commencing on the south-eastern side of Mort Street at the northernmost corner of the said land shown in plan annexed to dealing D238368; and bounded thence on the north-east by part of the easternmost north-eastern boundary of that land and the north-eastern boundary of the said land shown in plan annexed to dealing B972695 bearing successively 157 degrees 14 minutes 2 chains, 154 degrees 23 minutes 30.3 links and 143 degrees 35 minutes 15 chains 10.2 links; on the east by part of the eastern boundary of the said land shown in plan annexed to dealing B972695 bearing 179 degrees 38 minutes 32.8 links; on the south-east by a line bearing 212 degrees 31 minutes 50 seconds 9 chains 24.5 links; on the south by a line bearing 270 degrees 40 seconds 15 chains 23.6 links; on the south-west by a line bearing 349 degrees 43 minutes 50 seconds 3 chains 53.1 links; again on the south by a line bearing 270 degrees 44 minutes 45.5 links to the generally western boundary of the said land shown in plan annexed to dealing D238368; generally on the west by part of that boundary bearing successively 42 minutes 1 chain, 90 degrees 44 minutes 1 chain 72.5 links, 359 degrees 13 minutes 3 chains 23.6 links, 44 minutes 1 chain, 270 degrees 44 minutes 70.9 links, 59 minutes 2 chains 12.1 links, 270 degrees 44 minutes 1 chain 97.7 links and 2 degrees 47 minutes 4 chains 19 links to the westernmost north-western corner of that land; and generally on the north-west by the generally north-western boundary of that land bearing successively 66 degrees 53 minutes 3 chains 11.2 links, 337 degrees 36 minutes 2 chains, 66 degrees 57 minutes 4 chains 69.1 links, 154 degrees 52 minutes 1 chain 89.5 links, 66 degrees 57 minutes 9.1 links, 334 degrees 52 minutes 1 chain 89.5 links, 66 degrees 57 minutes 3 chains 42.5 links, 154 degrees 52 minutes 1 chain 89.5 links, 66 degrees 57 minutes 1 chain 81.8 links, 334 degrees 52 minutes 1 chain 89.5 links and 66 degrees 57 minutes 90.7 links to the point of commencement,—and having an area of 33 acres 3 roods 29 $\frac{1}{4}$ perches or thereabouts.

SECOND

SECOND SCHEDULE.

No. 46, 1963

Land vested in The Lithgow District Hospital.

Sec. 3 (2).

All that piece or parcel of land situate in the City of Lithgow, parish of Lett and county of Cook, being part of the land shown in plan annexed to dealing D238368: Commencing at the intersection of the northern side of Hill Street with the generally western boundary of the said land shown in plan annexed to dealing D238368; and bounded thence on the west by part of that boundary bearing 42 minutes 5 chains 52.9 links to the southern side of Short Street; on the north by a line bearing 90 degrees 44 minutes 45.5 links; on the north-east by a line bearing 169 degrees 43 minutes 50 seconds 5 chains 52.7 links; on the south-east by a fenced line bearing 263 degrees 19 minutes 77.4 links; and on the south by a line bearing 270 degrees 43 minutes 74 links to the point of commencement,— and having an area of 2 roods 7 perches or thereabouts.
