

Act No. 37, 1905.

SYDNEY HARBOUR
TRUST
(RECLAMATIONS
AND LEASING).

An Act to deal with certain authorities to reclaim lands in the Port of Sydney by the issue of Crown grants in respect of some and the revocation of other of such authorities; to extend the term for which certain lands may be leased by the Sydney Harbour Trust Commissioners; to amend the Sydney Harbour Trust Act, 1900, the Sydney Harbour Trust (Leasing) Act, 1903, the Crown Lands Acts of 1884 and 1895, and the Act 25 Vic. No. 1; and for purposes consequent thereon or incidental thereto. [9th December, 1905.]

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:—

Preliminary.

Short title.

1. This Act may be cited as the "Sydney Harbour Trust (Reclamations and Leasing) Act, 1905."

Reclamations.

*Sydney Harbour Trust (Reclamations and Leasing).**Reclamations.*

2. Where any land forming part of the bed or shores of the port, as defined in the Sydney Harbour Trust Act, 1900, has, before the commencement of that Act, been authorised under section nine of the Act twenty-fifth Victoria number one, or section sixty-four of the Crown Lands Act of 1884, to be reclaimed, but no grant for the same has issued, the following provisions shall have effect:—

- (a) Unless before the thirty-first day of December, one thousand nine hundred and nine, the said land is reclaimed, and the reclamation thereof is completed to the satisfaction of the Secretary for Lands, and the said Secretary so notifies in the Gazette, the authority to reclaim shall, on the said day, stand revoked, and the said land shall thereupon vest in the Sydney Harbour Trust Commissioners as if such authority had not been given. In such case any money paid to the Crown for such land shall be repaid to the person to whom such authority was given, his heirs, executors, administrators, or assigns.
- (b) If before the said day the said Secretary notifies as aforesaid that the said reclamation has been completed to his satisfaction, the Governor may, at any time, by proclamation published in the Gazette, vest the said land in His Majesty for an estate in fee-simple, free from any previous dedication, trust, or reservation affecting the same, but subject, nevertheless, to the provisions of the next following section.

3. If, on application made by any person within sixty days after any such land has been so vested in His Majesty, such person satisfies the Governor that he would, but for the passing of the Sydney Harbour Trust Act, 1900, have been entitled to a grant of the said land, the Governor, on payment being made of the amount required by law to be paid, shall issue to such person a Crown grant of the said land, but shall embody therein such terms and conditions as may appear to him desirable in the public interest, and in particular the conditions prescribed by section fifty-four of the Crown Lands Act of 1895, to be embodied in grants of land to be thereafter reclaimed under the authority of the Governor given in pursuance of section sixty-four of the Crown Lands Act of 1884.

Leasing.

4. The term for which a lease may be granted by the Sydney Harbour Trust Commissioners under section forty-one of the Sydney Harbour Trust Act, 1900, and section two of the Sydney Harbour Trust (Leasing) Act, 1903, is extended to any term not exceeding ninety-nine years; subject, however, to the proviso to the last-mentioned section.