

## DOMAIN LEASING ACT.

Act No. 57, 1961.

Elizabeth II,  
No. 57, 1961 An Act to make provision for leasing, and licensing the use, of certain land within the Domain to the Council of the City of Sydney and for leasing certain other land therein to the Government of the Commonwealth of Australia; to amend the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 11th December, 1961.]

BE

**B**E it enacted by the Queen's Most Excellent Majesty, by No. 57, 1961 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 "Domain Leasing Act, Short title. 1961".

2. In this Act, unless the context or subject matter otherwise indicates or requires,— Interpretation.

"Commonwealth" means the Government of the Commonwealth of Australia.

"Council" means the Council of the City of Sydney.

"Domain" means that area of land in the City of Sydney known as the Government Domain and being part of an area of one hundred and seventy acres one rood twenty-eight perches situated in the County of Cumberland Parish of St. James referred to in a notification of dedication of land for public purposes under the Crown Lands Consolidation Act, 1913, published in Gazette No. 123 of the twenty-eighth day of October, one thousand nine hundred and fifty-five, at pages 3220 and 3221 as the Botanic Gardens and Outer Domain.

"Trustees" means the trustees of the Domain.

3. (1) Notwithstanding anything contained in any other Act, the trustees may, with the consent of the Minister for Lands, from time to time grant— Power to lease parts of Domain for car parking station and fuel oil installations.

(a) to the Council such leases, and licenses for the use, of such parts of the Domain as may be necessary for the purposes of or for purposes connected with the operation and maintenance by the Council of the car parking station and the moving footway leading thereto, constructed before the commencement of this Act by or on behalf of the Council on part of the Domain; and

(b)

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- No. 57, 1961**            (b) to the Commonwealth such leases of such part of the Domain as may be necessary for the purposes of or for purposes connected with the operation and maintenance by the Commonwealth of the fuel oil installations constructed before the commencement of this Act by or on behalf of the Commonwealth on part of the Domain,

for such terms or periods, at such rentals and subject to such covenants and conditions as the trustees, with the approval of the Minister for Lands, may determine.

(2) For the purposes of this section the trustees shall be deemed to hold an estate in fee simple in the land in respect of which their powers are exercised.

**Validation  
of trustees'  
actions.**

**4.** Notwithstanding anything contained in any other Act, it shall be deemed always to have been within the power of the trustees to grant or give such leases, authorities, consents, licenses or rights of occupancy as have been granted or given by them before the commencement of this Act—

- (a) to the Council for or in connection with the construction, operation and maintenance by or on behalf of the Council on parts of the Domain of a car parking station and a moving footway leading thereto; and
- (b) to the Commonwealth for or in connection with the construction, operation and maintenance by or on behalf of the Commonwealth on part of the Domain of fuel oil installations,

and all leases, authorities, consents, licenses or rights of occupancy so granted or given and all conditions, including payment of rental, subject to which such leases, authorities, consents, licenses or rights of occupancy were so granted or given, are hereby validated.

**5.**

5. (1) The notification published in Gazette No. 123 of No. 57, 1961 the twenty-eighth day of October, one thousand nine hundred and fifty-five, at page 3224, purporting to revoke the dedication of about one hundred and seventy-five acres one rood two and one-half perches of Crown land in the County of Cumberland Parish of St. James, being the balance of about one hundred and seventy-eight acres of Crown land dedicated for public recreation on the twenty-second day of December, one thousand nine hundred and sixteen, shall be deemed to be and always to have been validly made.

Validation  
of revoca-  
tion of  
dedication  
of Domain,  
and re-  
dedication  
thereof.

(2) The notification published in Gazette No. 123 of the said twenty-eighth day of October, one thousand nine hundred and fifty-five, at pages 3220 and 3221, purporting to dedicate for the purposes of public recreation an area of one hundred and seventy acres one rood twenty-eight perches of Crown land in the said County and Parish, shall be deemed to be and always to have been validly made.

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