

**LORD HOWE ISLAND AERODROME ACT.**

**New South Wales**



ANNO VICESIMO TERTIO

**ELIZABETHÆ II REGINÆ**

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**Act No. 25, 1974.**

An Act to sanction and to provide for the carrying out of works for the Lord Howe Island Aerodrome; to amend the Public Works Act, 1912, and the Lord Howe Island Act, 1953; to validate certain matters; and for purposes connected therewith. [Assented to, 17th April, 1974.]

BE

*Lord Howe Island Aerodrome.*

**B**E it enacted by the Queen's Most Excellent Majesty, by **No. 25, 1974** 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 "Lord Howe Island Short title. Aerodrome Act, 1974".

**2.** (1) In this Act, "scheduled works" means the works described in the Schedule, subject to such modifications and deviations as may be deemed necessary or desirable by the Minister. Interpretation.

(2) The site of the scheduled works is shown on the plan marked "Lord Howe Island General Layout of Proposed Airstrip" signed by the Minister and the Director of Public Works and deposited in the public office of the Minister.

**3.** (1) The carrying out of the scheduled works is hereby sanctioned. Scheduled works sanctioned.

(2) The Minister is empowered to carry out the scheduled works and for the purpose of so doing may do all such things, including entering into contracts, as he may consider necessary.

**4.** The cost of carrying out the scheduled works which, exclusive of amounts paid in connection with the acquisition of land, is estimated at \$750,000, shall not be exceeded by more than 10 per centum. Estimated cost not to be exceeded by more than 10 per centum.

**5.** (1) The scheduled works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act"). Application of Public Works Act, 1912.

(2) For the purpose of the scheduled works, the Minister shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections 34, 35, 36, 37, 98, 99 and 100, shall apply to and in respect of the scheduled works.

**(4)**

*Lord Howe Island Aerodrome.*

No. 25, 1974 (4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

Leasing  
under  
Lord Howe  
Island Act,  
1953.

6. (1) In this section—

“Crown lands”, “Islander” and “vacant Crown lands” have the meanings respectively ascribed thereto by the Lord Howe Island Act, 1953;

“former lessee” means a person, not being an Islander, who, at any time before the commencement of this Act, was the holder of a lease of Crown lands and surrendered those lands under section 22A of the Lord Howe Island Act, 1953, to permit the construction, on any part of those lands, of the scheduled works.

(2) The Minister for Lands may, under section 21 of the Lord Howe Island Act, 1953, grant a lease of vacant Crown land to a former lessee, notwithstanding that the former lessee is not an Islander, if that former lessee, before the commencement of this Act made, or within six months after that commencement makes, application therefor.

(3) Notwithstanding section 21 (9) of the Lord Howe Island Act, 1953, the rent of a lease granted as referred to in subsection (2) shall be such amount as is fixed by the Board by a determination made as soon as practicable after the lease is granted and, subject to subsection (4), shall operate in respect of the lease on and from the date of the grant.

(4) Section 25 (4) of the Lord Howe Island Act, 1953, applies to and in respect of a lease granted as referred to in subsection (2) in the same way as it applies to and in respect of a lease referred to in section 25 (4) of that Act but as if the reference in section 25 (4) of that Act to the rent determined under section 25 (1) of that Act were a reference to the rent determined under subsection (3).

7.

*Lord Howe Island Aerodrome.*

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7. Any lands taken or acquired by the Constructing Authority for or in connection with the construction of the scheduled works that are not required for or in connection with those works upon their completion shall, on and from the day on which a description of those lands is published in the Gazette, be vacant Crown lands within the meaning of the Lord Howe Island Act, 1953. No. 25, 1974  
Super-  
fluuous  
lands.

8. Any act, matter or thing done or commenced to be done by the Constructing Authority before the commencement of this Act shall be as valid and effective as it would have been had this Act been in force when that act, matter or thing was done or commenced. Validation.

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SCHEDULE.

Sec. 2.

*Description of Works.*

1. Works for the Lord Howe Island Aerodrome comprising the construction of a runway approximately 3,300 feet long and 300 feet wide in a generally north-westerly direction from Blinky Beach to Prince William Henry Bay, with such associated works as may be deemed necessary or desirable by the Minister.
2. The construction of roads of access to the borrow areas referred to in item 4.
3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of the works referred to in items 1 and 2.
4. The establishment of borrow areas for filling required for carrying out the works referred to in items 1 to 3 inclusive and item 5.
5. Such works for the protection of the environment as may be deemed necessary or desirable by the Minister as a consequence of carrying out any of the works referred to in items 1 to 4 inclusive.

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