

# Lord Howe Island Aerodrome Act 1974 No 25

[1974-25]



New South Wales

## Status Information

### Currency of version

Repealed version for 17 April 1974 to 5 July 2012 (accessed 24 November 2024 at 6:00)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by Sch 5 to the [Statute Law \(Miscellaneous Provisions\) Act 2012 No 42](#) with effect from 6.7.2012.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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## Contents

<b>Long title</b> .....	3
1 Name of Act .....	3
2 Interpretation .....	3
3 Scheduled works sanctioned .....	3
4 Estimated cost not to be exceeded by more than 10 per centum .....	3
5 Application of Public Works Act 1912 .....	3
6 Leasing under Lord Howe Island Act 1953 .....	4
7 Superfluous lands .....	4
8 Validation .....	5
<b>Schedule</b> .....	5
Description of works .....	5
1 .....	5
2 .....	5
3 .....	5
4 .....	5
5 .....	5

# Lord Howe Island Aerodrome Act 1974 No 25



New South Wales

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.

## 1 Name of Act

This Act may be cited as the *Lord Howe Island Aerodrome Act 1974*.

## 2 Interpretation

- (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.
- (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 Scheduled works sanctioned

- (1) The carrying out of the scheduled works is hereby 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 Estimated cost not to be exceeded by more than 10 per centum

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.

## 5 Application of *Public Works Act 1912*

- (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**).
- (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) 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).

## 6 Leasing under [Lord Howe Island Act 1953](#)

- (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 Superfluous lands

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](#).

## **8 Validation**

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.

## **Schedule**

(Section 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.