

No. , 1912.

A BILL

To amend the Borough of Newcastle Leasing and Improving Act of 1881; to remove doubts as to the power of the borough of Newcastle or the council of the municipality of Newcastle to erect certain buildings or grant certain leases; to validate certain leases; to vest certain lands in the said council; to authorise the said council to build upon, improve, or grant leases of certain lands without reference to the purposes of such buildings, improvements, or leases; and for purposes consequent thereon or incidental thereto.

WHEREAS the council of the municipality of Newcastle are the Preamble. trustees of the lands described in Schedules I, II, III, and V of the Borough of Newcastle Leasing and Improving Act of 1881, and dedicated for public purposes: And whereas the borough of Newcastle and the said council have erected buildings upon certain of the said lands, and granted leases of the said buildings and of the said lands: And whereas doubts have arisen as to the power of the said borough or

the said council to erect the said buildings or to grant the said leases, and it is desirable that such doubts should be removed, and the said leases be validated: And whereas it is desirable that the said lands should be vested in the said council absolutely for an estate in fee simple, and that the said council should have power to erect buildings upon, and otherwise improve the said lands or to grant leases thereof: And whereas it is desirable to replace the said Schedule I by a description excluding the roads included in the lands comprised in such Schedule: Be it therefore 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:—

1. This Act may be cited as the "Newcastle Market Reserve Act, 1912," and shall be read with the Borough of Newcastle Leasing and Improving Act of 1881 (hereinafter referred to as the Principal Act).

Short title.

2. The Schedule to this Act is hereby substituted for Schedule I to the Principal Act.

New Schedule substituted for Schedule I to Principal Act.

3. The lands more particularly described in the Schedule to this Act and Schedules II, III, and V of the Principal Act are hereby vested in the council of the municipality of Newcastle (hereinafter referred to as the council) for an estate in fee simple for all purposes, and free from any dedication or trusts whatsoever, as fully and effectually as if the said lands had been granted to the council by the Crown for the said estate in fee simple.

Vesting of lands described in Schedules.

4. The borough of Newcastle and the council shall be deemed to have had lawful power and authority to erect all buildings and to make all improvements heretofore erected or made by the said borough or the council upon the said lands or any part of them, and all leases of the said lands or buildings or any part thereof heretofore granted or purporting to be granted by the said borough or the council shall be deemed to be and to have been lawfully granted and to be valid and effectual to all intents and purposes, anything in any Act to the contrary notwithstanding.

Validation of building and leasing.

5. The council shall have power to build upon and improve the said lands, and to grant leases of the said lands, buildings, or improvements without reference to the purposes of the said buildings or improvements or leases, anything in any Act to the contrary notwithstanding.

Power of the council.

6. All leases granted under the next preceding section shall be let by public competition by way of auction or tender, but shall not be granted for any term exceeding twenty-one years, and shall provide for the reservation of a reasonable yearly rent to the council, and shall contain the usual covenants and such other covenants as the council may think reasonable.

SCHEDULE.

ALL that piece or parcel of land containing by admeasurement 2 acres 3 roods 17 perches in the city of Newcastle, parish of Newcastle, county of Northumberland, in the State of New South Wales: Commencing at the intersection of the northern side of King-street, with the western side of Thorn-street; and bounded thence by the western building line of Thorn-street northerly to the southern side of Hunter-street by a line crossing Hunter-street bearing north 7 degrees 20 minutes east 1 chain; and again by the western building line of Thorn-street to the northern building line of Keightley-street; thence by the northern building line of Keightley-street easterly to the western side of Market-street; by a line crossing that street bearing south 83 degrees 8½ minutes east 1 chain; and again by the northern building line of Keightley-street easterly to the eastern building line of Morgan-street; thence by the eastern building line of Morgan-street southerly to the northern side of Hunter-street; by a line crossing Hunter-street bearing south 7 degrees 51 minutes 26 seconds west 1 chain; and again by the eastern boundary line of Morgan-street southerly to the northern building line of King-street; thence by a line crossing Morgan-street bearing north 83 degrees 1 minute west 1 chain to the western building line of that street; thence by that building line northerly to the southern building line of Laing-street; by that building line westerly to an eastern building line of Thorn-street; by that eastern building line southerly to the northern building line of King-street aforesaid; and thence by a line bearing north 83 degrees 1 minute west 1 chain, to the point of commencement;—exclusive of Thorn, Keightley, Morgan and Laing streets and the parts of Hunter and Market streets within the described boundaries as shown on plan catalogued No. 13-2,137, the area of which streets has been deducted from the total area.
