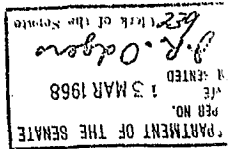


*For tabling*



**Joint Committee on the  
Australian Capital Territory**

**REPORT ON  
AUSTRALIAN CAPITAL  
TERRITORY FREEHOLD  
LANDS INQUIRY**

**THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA**

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE JOINT COMMITTEE OF THE AUSTRALIAN  
CAPITAL TERRITORY

**Joint Committee on the  
Australian Capital Territory**

REPORT ON

**REPORT ON  
AUSTRALIAN CAPITAL  
TERRITORY FREEHOLD  
LANDS INQUIRY**

BY

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

MR. J. A. J. ARTHUR, CHAIRMAN

PRINTED AND SOLD BY THE GOVERNMENT PRINTER, CANBERRA

BY AUTHORITY

A. J. ARTHUR, COMMONWEALTH GOVERNMENT PRINTER

CANBERRA: 1968

## THE JOINT COMMITTEE ON THE AUSTRALIAN CAPITAL TERRITORY

1. The Committee was appointed for the life of the 26th Parliament by Resolutions of the House of Representatives and the Senate on 7 March and 8 March 1967 respectively. It was first appointed by Resolutions of both Houses of the Parliament on 8 November 1956 and re-appointed in succeeding Parliaments.

2. The duties of the Committee are to:

- (a) examine and report on all proposals for modifications or variations of the plan of lay-out of the City of Canberra and its environs published in the *Commonwealth of Australia Gazette* on the nineteenth day of November 1925, as previously modified or varied, which are referred to the Committee by the Minister for the Interior; and
- (b) examine and report on such other matters relating to the Australian Capital Territory as may be referred to the Committee by the Minister for the Interior.

3. PERSONNEL OF THE COMMITTEE—October 1967 to January 1968

Chairman: Senator I. A. C. Wood

Members: \*Senator G. H. Branson

†Senator R. C. Cotton

Senator D. M. Devitt

Senator the Hon. Sir Kenneth Morris, K.B.E., C.M.G.

Senator J. P. Toohey

Mr F. M. Daly, M.P.

Mr J. A. England, E.D., M.P.

Mr E. M. C. Fox, M.P.

Mr J. R. Fraser, M.P.

\* Resigned 18 October 1967.

† Appointed 2 November 1967.

## CONTENTS

Paragraph	Page
1 The Inquiry . . . . .	1
3 Introductory . . . . .	2
7 Historical . . . . .	2
12 Constitutional Obligation to Acquire Freehold Lands in the Australian Capital Territory . . . . .	3
14 The Present Situation . . . . .	4
15 The Future Growth of Canberra . . . . .	5
19 Future Water Supply Requirements . . . . .	5
22 Problems Arising from Subdivision . . . . .	6
25 Existing Arrangements with Neighbouring Shires, etc. . . . .	6
27 The Rights of the Australian Capital Territory Freeholder . . . . .	7
28 The Proposed Legislation . . . . .	7
34 The Case for Acquisition by the Commonwealth of Remaining Freehold Lands in the Australian Capital Territory . . . . .	9
37 The Leasing Back of Acquired Land Not Immediately Required for Commonwealth Purposes . . . . .	10
39 The Opportunity for Freehold Landowners to have their Properties Acquired by the Commonwealth . . . . .	11
40 The Right of the Commonwealth to Acquire any Property offered for Sale . . . . .	11
41 The Need for a Development Plan for the Australian Capital Territory . . . . .	11
43 The Powers of the National Capital Development Commission . . . . .	12
46 Summary of Recommendations . . . . .	12
47 Delays by the Department of the Interior . . . . .	14
49 The Powers of the Joint Parliamentary Committee on the Australian Capital Territory . . . . .	14
50 Appreciation . . . . .	15

## APPENDIXES

- I—List of Witnesses
- II—Map of present land occupation in the Australian Capital Territory
- III—Map H—Possible Future Land Use as envisaged by the Department of the Interior and the National Capital Development Commission
- IV—Draft Plan of Possible Zones as related to the Basic Ideas Framework
- V—Details of the acquisition by the Commonwealth of freehold land in the Australian Capital Territory

JOINT COMMITTEE ON THE AUSTRALIAN CAPITAL  
TERRITORY

**Report on the Control of the Subdivision  
and Use of Freehold Lands in the  
Australian Capital Territory**

THE INQUIRY

1. On 9 October 1967, in a letter to the Committee, the then Minister for the Interior, the Hon. J. D. Anthony, M.P., requested it to inquire into the control of the subdivision and use of the freehold lands in the Australian Capital Territory. The Minister's letter read, in part:

There is, however, a matter of very great importance affecting the Australian Capital Territory, and which calls for urgent attention. This matter is that of ensuring proper control of the subdivision and use of the freehold lands which exist in the Territory.

The need for such controls had not been evident until relatively recent times, when it became clear that without them these lands could be exploited by speculators, to the detriment and at the expense of the national public interest. There are at present no controls such as exist elsewhere.

Attached is a copy of a new temporary Ordinance which was recently promulgated and which was designed to provide some interim control, pending the introduction of permanent legislation by 1 July 1968. There is, however, a notice of motion in the Senate for the disallowance of this Ordinance, and I am most concerned that the introduction of the necessary permanent legislation should not be delayed, but should at the same time be based upon the best possible advice.

There is, of course, the immediate problem of ensuring that the situation does not deteriorate pending the introduction of permanent legislation, and it is very necessary in the public interest to provide adequate protection to the natural assets of the lands in the Territory, and to prevent undesirable land use which would not be compatible with the purpose of the Territory in relation to the National Capital.

I should be grateful if the Committee would undertake an enquiry into the matter of introducing effective controls of the subdivision and use of the lands concerned. My Department would be happy to prepare a brief which could be one of the bases for consideration by the Committee.

2. The Ordinance referred to in the Minister's letter—*Freehold Land (Subdivision and Use) Ordinance 1967*—which had been objected to by the Senate Standing Committee on Regulations and Ordinances, was amended by the Department of the Interior to meet some of the objections of the Senate Committee, but was disallowed by the Senate on 2 November 1967.

## INTRODUCTORY

3. Your Committee had resolved previously that it approach the Minister for the Interior with a view to having the question of city and industrial leasing referred to it for investigation and report. In rejecting the Committee's request, the Minister wrote:

I have carefully considered the suggestion, but cannot see that this matter warrants an enquiry by the Committee, and indeed I am satisfied that the planning intentions of the National Capital Development Commission are being realised.

4. However, the Committee was not satisfied, and in agreeing to undertake an inquiry into the control of the subdivision and use of freehold lands in the Australian Capital Territory, it further resolved:

That consequent upon the fact that the Minister has requested the Committee to examine the subject of freehold land subdivision and control in the Australian Capital Territory and the Committee's agreement to accept the reference, the Committee considers it illogical for the Minister not to refer to it the matter of examining the question of administration of leasehold land in the Canberra City area and strongly urges the Minister to reconsider his decision.

5. The Committee's further request was not met and the terms of reference of the inquiry were limited to those set out in the Minister's letter of 9 October 1967.

6. By advertisement in the local press, an invitation was extended to interested parties to present written or oral evidence to the Committee. Your Committee took evidence on the subject from representatives of a wide range of associations in the Canberra community and from private citizens. In all twenty-eight submissions were received by the Committee.\*

## HISTORICAL

7. The area selected for the Australian Capital Territory was within the State of New South Wales, as required by Section 125 of the Constitution of the Commonwealth of Australia. By agreement between the Commonwealth and New South Wales Governments dated 18 October 1909, and subsequently ratified and confirmed by the Commonwealth in the *Seat of Government Acceptance Act 1909* and by the New South Wales Parliament in its *Seat of Government Surrender Act 1909*, the area was acquired by the Commonwealth for the purposes of the National Capital. At that time, certain areas of freehold land totalling approximately 315,723 acres, while being incorporated legally into the Territory, were not actually purchased by the Commonwealth.

8. The Australian Capital Territory consists of an area of approximately 900 square miles (582,777 acres) of which the Commonwealth owns approximately 83 per cent. The remaining 17 per cent (approximately 150 square miles or 97,621 acres) is freehold land of which 97,523 acres are used for grazing and agricultural purposes and held by 70 owners in 310 certificates of title. There are also 98 acres of freehold in 172 holdings in

\* See Appendix I for list of witnesses.

the villages of Hall, Tharwa, the Oaks Estate and in a motor service station at Williamsdale. A map showing present land occupation in the Australian Capital Territory is included as Appendix II to this Report.

9. Of the 582,777 acres of the Territory, approximately 254,350 were ceded by the State of New South Wales under the *Seat of Government Surrender Act*. Freehold land acquired by the Commonwealth up till 1930 totalled 213,830 acres at a cost of £792,842 or approximately £3.15.0 an acre.\* Approximately 11,100 acres have been acquired since 1930, 4,929 of which have been acquired since 1964 for the Tidbinbilla Flora and Fauna Reserve. Details of the acquisition by the Commonwealth of freehold land within the Australian Capital Territory are included as Appendix V to this Report.

10. The *Seat of Government (Administration) Act 1910-1959* provides that 'No Crown lands in the Territory shall be sold or disposed of for any estate of freehold . . . '.

11. The Department of the Interior is responsible for developmental planning and administration of the Australian Capital Territory with the exception of health and justice. The National Capital Development Commission was created by the *National Capital Development Commission Act 1957*—an Act to establish a Commission to undertake the planning, development and construction of the City of Canberra as the National Capital and to do all things incidental to the performance of this function. The Commission is empowered to 'provide or arrange for the provision of, within the Australian Capital Territory, buildings, roads, bridges, works for the supply of water or electricity, sewerage or drainage works, and other matters and things for, or incidental to, that purpose'.

## CONSTITUTIONAL OBLIGATION TO ACQUIRE FREEHOLD LANDS IN THE AUSTRALIAN CAPITAL TERRITORY

12. In the course of conducting its inquiry, the Committee received a submission from the Canberra Chamber of Commerce, part of which reads as follows:

### A. CONTROL BY ACQUISITION

1. We believe this subject must be studied in the light of section 125 of the Commonwealth of Australia *Constitution Act*.

The seat of Government of the Commonwealth shall be determined by the Parliament and shall be within territory which shall have been granted to or acquired by the Commonwealth, and shall be vested in and belong to the Commonwealth . . . '.

2. Thus it would appear that the 93,000 acres which are the subject of this enquiry should have been acquired by the Commonwealth and now be vested in and belong to the Commonwealth.

3. Section 125 implies that the Commonwealth is the trustee for the Nation in respect of all land in the Australian Capital Territory. The Commonwealth may be accused of failing in its trust if it does not assume absolute control of all land within the boundaries of the Territory.

NOTE—Some properties acquired by the Commonwealth prior to 1930 straddled the New South Wales/Australian Capital Territory border. Although no accurate details are available, it is believed that of the 213,830 acres, approximately 6,000 were within the State of New South Wales.

13. The Committee felt that if the submission of the Canberra Chamber of Commerce set out above were correct, it would be doubtful whether the Committee could properly inquire into the matter referred to it by the Minister for the Interior. Accordingly, the Committee sought the views of the Secretary, Attorney-General's Department, as to whether, in effect, the Commonwealth is under a constitutional obligation to acquire all freehold interests in land in the Australian Capital Territory. In his reply to the Committee the Acting Secretary, Attorney-General's Department stated (in part):

(6) In my opinion, there is no justification whatever for that conclusion to be found either in section 125 or in any other provision in the Constitution.

(7) Section 125 provides:

'The seat of Government of the Commonwealth shall be determined by the Parliament, and shall be within territory which shall have been granted to or acquired by the Commonwealth, and shall be vested in and belong to the Commonwealth, and shall be in the State of New South Wales, and be distant not less than one hundred miles from Sydney.

Such territory shall contain an area of not less than one hundred square miles, and such portion thereof as shall consist of Crown lands shall be granted to the Commonwealth without any payment therefor.

The Parliament shall sit at Melbourne until it meet at the seat of Government.'

(8) The view advanced by the Chamber of Commerce fails to take account of the very clear distinction in law between, on the one hand, 'territorial' rights in land and, on the other, 'property' rights in land. According to the plain meaning of the language used in section 125, what is to be granted to or acquired by the Commonwealth is 'territory' in contradistinction to 'property'; in other words, the section envisages the Commonwealth acquiring territorial rights, or rights of jurisdiction or sovereignty over the area—not necessarily proprietary rights in the estates held by individuals in land comprised within the area.

(9) This is the sense in which section 125 has been construed consistently by the Commonwealth's legal advisers since Federation. That the section was so understood when the Seat of Government Acceptance Act was passed in 1909 is made abundantly clear by section 7 of that Act, which provides:

'All estates and interests in any land in the capital Territory which are held by any person from the State immediately before the proclaimed day shall, subject to any law of the Commonwealth, continue to be held from the Commonwealth on the same terms and conditions as they were held from the State.'

(10) In my opinion, there is nothing in section 125 that stands in the way of the Joint Committee inquiring into and reporting on the matter referred to it by the Minister for the Interior.

### THE PRESENT SITUATION

14. The Department of the Interior stated in evidence that there is no direct legislative control of the subdivision or use of freehold lands in the Australian Capital Territory. However lack of clear-cut control did not present any real difficulties over the years. In the last year or so several proposals by owners to subdivide their freehold lands came to the notice of the Department. The

question of introducing controls had been receiving consideration and the practices in the various States of the Commonwealth were examined. The *Freehold Land (Subdivision and Use) Ordinance 1967* came into operation on 27 July 1967 and was designed to control the subdivision and use of freehold land pending the introduction of a permanent scheme regulating the subdivision and use of freehold lands in the Australian Capital Territory. It was proposed that the permanent legislation would be introduced by 30 June 1968 when the interim Ordinance would cease to operate. However, the interim Ordinance was disallowed by the Senate on 2 November 1967.

### THE FUTURE GROWTH OF CANBERRA

15. Representatives of the National Capital Development Commission stated in evidence that those portions of the Australian Capital Territory which are physically capable of development for urban, institutional and recreational purposes will, in fact, be required within a foreseeable period for those purposes.

16. The National Capital Development Commission estimates that Canberra's population will reach 250,000 by the year 1980. From studies which are still continuing, the Commission considers that the extent of urban land available is sufficient for a population of about 400,000 in the Australian Capital Territory.

17. As an integral part of the National Capital Metropolitan area, broad acre sites for institutional and other extra-urban areas will be required on the northern and eastern fringes of the urban development and west of the Murrumbidgee River. The National Capital Development Commission believes that the greater part of the areas available for this purpose will be committed by the time the population of the Territory reaches 400,000.

18. The Committee received no evidence to suggest that the estimates of the National Capital Development Commission are unreliable, and accepts the submission of the Commission that all of the available land of the Australian Capital Territory will be required within a foreseeable period for the purposes of the National Capital.

### FUTURE WATER SUPPLY REQUIREMENTS

19. Evidence was presented to the Committee that dams and storages constructed or under construction on the Cotter River will meet the water supply requirements of a population of 200,000. On present growth rates, construction of the next storage must be commenced by about 1972-73 and further projects will follow as population increases are foreseen. Present investigations are exploring the possibilities of constructing storages on the Murrumbidgee and its tributaries, including the Molonglo, Naas, Gudgenby and Cotter

Rivers. Within the Australian Capital Territory, apart from the Cotter catchment, the only practicable site for a major supply storage lies in the Naas-Gudgenby catchment.

20. Representatives of the National Capital Development Commission stressed that upon completion and analysis of investigations now being carried out, decisions must be made within the next two years on the sequence of further storage construction. If the Naas-Gudgenby storage is not the first project, the Commission considers it likely to be required within the next 15 years.

21. Highlighted by the necessity for existing restrictions on the use of water in Canberra, and the present critical water storage situation in Melbourne, the Committee fully endorses the investigations at present being undertaken by the National Capital Development Commission into the most suitable site for the next water supply storage for the National Capital.

#### PROBLEMS ARISING FROM SUBDIVISION

22. It has been the desire of the Department of the Interior and of the National Capital Development Commission to maintain the predominant pastoral use and character of the rural areas which are now in freehold ownership in the Australian Capital Territory and that these lands should continue to provide a suitable background for the expanding city.

23. Your Committee carried out an inspection of the rural areas of the Territory and studied recent subdivision of pastoral holdings. It is satisfied that subdivision into farmlet areas can only lead to a change in the use and appearance of the land and generally to a destruction of its present rural character. The increased market values created by subdivision, together with the cost of improvements later effected, must increase substantially the amount of compensation payable where it is later necessary to acquire the land for purposes of the National Capital.

24. Your Committee agrees that it is essential that sufficient controls should be available to prevent land being used in a way that will frustrate or make unduly difficult or costly for the taxpayers of Australia, its ultimate application for Commonwealth purposes.

#### EXISTING ARRANGEMENTS WITH NEIGHBOURING SHIRES, ETC.

25. Evidence was given to the Committee of co-operation being received by the National Capital Development Commission from the State Planning Authority of New South Wales and shire councils adjoining the Australian Capital Territory in an endeavour to avoid undesirable subdivision on the borders of the Territory, particularly on highways leading to Canberra.

26. The Committee applauds this action and urges the Commission to make every effort to renew and strengthen the existing arrangements with these bodies.

#### THE RIGHTS OF THE AUSTRALIAN CAPITAL TERRITORY FREEHOLDER

27. The Committee recognises that the position of freehold landowners in the Australian Capital Territory is different from that of freehold landowners elsewhere in Australia. Principally, it believes that a threat to their tenure of lands has existed since the area of the Australian Capital Territory was first defined for the development of the National Capital of Australia. It considers that argument by the Australian Capital Territory freehold landowners that they should enjoy all of the rights available to freeholders elsewhere is not valid in the circumstances.

#### THE PROPOSED LEGISLATION

28. The Minister for the Interior asked the Committee to undertake an inquiry into the matter of introducing effective controls of the subdivision and use of the lands concerned. He stressed the necessity, in the public interest, to provide adequate protection to the natural assets of the lands in the Territory and to prevent undesirable land use which would not be compatible with the purpose of the Territory in relation to the National Capital.

29. In evidence to the Committee, the Department of the Interior presented a 'Basic Ideas Framework' as the collective thinking of that Department and the National Capital Development Commission as the basis of permanent legislation for the control of the subdivision and use of freehold lands in the Australian Capital Territory. The Basic Ideas Framework is as follows:

##### *Policy Objectives*

1. To provide effective regulation of the development of the freehold lands in the Australian Capital Territory to ensure that such development is in the best interests of the Territory's role as the Territory for the Seat of Government of the Commonwealth.
2. To preserve the rural environment of the City of Canberra to ensure maintenance, now and for the future, of the amenity of its environs.
3. To avoid changes in subdivision and use of freehold lands in the Australian Capital Territory which could be prejudicial to the planning, developmental or constructional intentions for the City of Canberra as the National Capital of the Commonwealth.

##### *Machinery*

Prescription of zones for regulating the subdivision and use of freehold land.



## Zones

### Zone 1—

Lands required for urban expansion and extra-urban uses within a limited period.

#### Conditions

- (a) Continuation of use for grazing and agriculture.
- (b) No restriction on the erection of new structures or repairs and additions to structures which facilitate the use of the land for its grazing and agricultural purposes.
- (c) No subdivision.

### Zone 2—

All freehold lands other than in Zone 1 and Zone 3.

#### Conditions

- (a) As for Zone 1.
- (b) As for Zone 1.
- (c) No subdivision to be permitted which would result in one undivided parcel of less than 500 acres.
- (d) All subdivisions to be subject to conditions as to access, drainage shape and the like to be prescribed in the proposed legislation.
- (e) Subdivision to be approved by a Responsible Authority subject to the provisions of the proposed legislation.
- (f) Right of appeal to tribunal against refusal of application for subdivision.

### Zone 3—

Basic zoning schemes for Villages of Hall, Tharwa and Oaks Estate to regulate subdivision and use of land.

#### Administration

- (a) Responsible Authority to be appointed by the Minister to administer provisions of Ordinance.
- (b) Actual zones to be declared by Minister by notice in the Gazette and tabled in both Houses.

#### Compensation

Provision to be made for the payment of compensation where applicable.

#### Existing Use

Proposed legislation not to prohibit or interfere with the continuance of any lawful use of land being carried on as at the date of introduction of the legislation.

30. A draft plan indicating possible zoning as related to the 'Basic Ideas Framework' was prepared for the Committee by the National Capital Development Commission and the Department of the Interior and is included as Appendix IV to this Report.

31. Whilst it has been said that the 'Basic Ideas Framework' seems to be too restrictive both of spontaneous community desires and of development enterprise to suit the conditions likely to develop, the Committee firmly believes that of paramount importance is the need to preserve the rural lands for ultimate development by the Commonwealth to meet the needs of the expanding metropolis.

32. The Committee finds the 'Basic Ideas Framework' acceptable as a basis for the permanent legislation and rejects suggestions of unnecessary restriction on private development of the areas of freehold land. It recommends, however, that the tribunal proposed in the legislation to hear appeals against refusal of an application to subdivide should consist of a Chairman who is either a Judge of the Supreme Court or a person qualified for appointment as such, and two other members, not necessarily non-lawyers but who should be appointed mainly for other qualifications, one representing the point of view of the planning authorities and the other the point of view of the general public.

33. The Committee believes that it is essential that all areas of freehold land in the Australian Capital Territory should be subject to the provisions of the permanent legislation until such time as it may be acquired by the Commonwealth.

## THE CASE FOR ACQUISITION BY THE COMMONWEALTH OF REMAINING FREEHOLD LANDS IN THE AUSTRALIAN CAPITAL TERRITORY

34. In a submission to the Committee, a representative of the Department of the Interior stated that, provided the Department can obtain effective controls over the freehold lands, it was not the desire of that Department to disturb or incommode the existing landowners. The National Capital Development Commission—the authority charged with the responsibility to undertake the planning, development and construction of the City of Canberra as the National Capital—made it clear to the Committee that in the absence of an effective control which would enable the protection and preservation of the rural areas of the Australian Capital Territory, it considered it may be wise for the Commonwealth, in the interests of the future development of the National Capital, to acquire the freehold lands now remaining. The overwhelming weight of evidence presented to the Committee from such diverse points of view as representatives of the Canberra Chamber of Commerce and elected Australian Labor Party Members of the Advisory Council of the Australian Capital Territory was in support of total acquisition of all remaining freehold land in the Territory.

35. The Committee considers that it is essential and recommends most strongly that the Commonwealth should acquire without delay, on fair and just terms as provided in the *Lands Acquisition Act 1955-1966*, the following areas of freehold land in the Australian Capital Territory:

- (1) The area required for the Naas-Gudgenby Water Storage and its catchment area—such area to be determined by an interdepartmental committee, the National Capital Development Commission, and any other bodies necessary to ensure that the storage is safe from siltation and to safeguard the purity and cleanliness of the water.

- (2) Those areas required for urban development of the National Capital during the next 15 years.
- (3) Those areas required for institutional and recreational purposes during the next 15 years.

36. The Committee considers that ultimately total acquisition of all remaining freehold lands in the Australian Capital Territory may be necessary. It recommends that the Commonwealth Government should undertake immediately a survey of the economics of the resumption now of all remaining freehold lands in the Australian Capital Territory not covered in paragraph 35 above, and the leasing back for rural purposes of those areas not immediately required for Commonwealth purposes, as compared with estimated costs of resumption at the time of need. If the survey reveals that it is more economic for the Commonwealth to acquire freehold land now, the Committee recommends that acquisition of those lands which the Commonwealth believes ultimately will be needed for its own requirements in the development of the National Capital, should be proceeded with as soon as possible.

#### THE LEASING BACK OF ACQUIRED LAND NOT IMMEDIATELY REQUIRED FOR COMMONWEALTH PURPOSES

37. The Committee believes it fair and reasonable that where freehold land is to be acquired and is not needed immediately for Commonwealth purposes, the former owner of that land should have the right to say if he wishes to remain on the land under lease conditions and if he so elects, he should be given preference over all others in the grant of that lease. It believes, however, that these leases should be granted on the following conditions:

- (a) That the lease is for a specified number of years only, such period to take account of the estimated time of need of the Commonwealth for development purposes.
- (b) That any lease granted should include a provision enabling the Commonwealth to withdraw any part or whole of the land in the lease should it be required by the Commonwealth during the term of the lease.
- (c) That the removal of timber and natural vegetation is limited to avoid defoliation of the area.
- (d) That the stocking rate is such as to avoid soil erosion, particularly in the catchment area of the Naas-Gudgenby water storage; and
- (e) That the lessee should be required to pay particular attention to the need to protect the land from soil erosion.

38. The Committee believes that if the previous owner is unwilling to accept a lease under these conditions, the right of lease of the area under conditions (a) to (e) in paragraph 37 should be determined by public tender or auction.

#### THE OPPORTUNITY FOR FREEHOLD LANDOWNERS TO HAVE THEIR PROPERTIES ACQUIRED BY THE COMMONWEALTH

39. The Committee believes that any owner of freehold land in the Australian Capital Territory whose property is not to be acquired immediately and who is unwilling to remain the owner of that property because of the restrictions to be imposed on its subdivision and use, should have the right to have his property acquired by the Commonwealth without delay under fair and just terms as provided in the *Lands Acquisition Act 1955-1966*.

#### THE RIGHT OF THE COMMONWEALTH TO ACQUIRE ANY PROPERTY OFFERED FOR SALE

40. The Committee believes that any owner of freehold land in the Australian Capital Territory whose property is not to be acquired immediately and who wishes to sell that property should be first obliged to give to the Commonwealth the opportunity to purchase that property should it so desire. Such purchase should be subject to fair and just terms as provided in the *Lands Acquisition Act 1955-1966*.

#### THE NEED FOR A DEVELOPMENT PLAN FOR THE AUSTRALIAN CAPITAL TERRITORY

41. In evidence to the Committee, representatives of the Department of the Interior presented 'Map H' (included as Appendix III) showing the possible future land use as envisaged by the National Capital Development Commission and the Department of the Interior. Complaints were made by representatives of the Freehold Landowners Association of the difficulties in obtaining advice of the planning intentions of the National Capital Development Commission. The Committee was informed that 'Map H' had not been displayed for public inspection previously.

42. The Committee is satisfied that there is a need for an overall development plan for the whole of the Australian Capital Territory. It recommends that the National Capital Development Commission should collaborate with the Department of the Interior in the preparation of such a plan, based on conclusions drawn from surveys, estimates and projections which have been presented to the Committee. Such a plan should be made freely available for public inspection, published in the *Commonwealth of Australia Gazette* and local newspapers, displayed in Post Offices within the Australian Capital Territory and be subject to any objections to be lodged. Any amendments of the plan should be similarly published, displayed and subject to objections.

## THE POWERS OF THE NATIONAL CAPITAL DEVELOPMENT COMMISSION

43. The Committee received evidence of the free consultation that occurs between the National Capital Development Commission and the Department of the Interior. It was also stated by representatives of the National Capital Development Commission that there is no evidence of discontent that the administration of the Ordinance relating to leases of city areas should be in hands other than those of the Department of the Interior.

44. On the other hand, evidence was given to the Committee that the National Capital Development Commission had received advice from the Attorney-General's Department in May 1965 that it was not a function of the Commission under the National Capital Development Commission Act to plan and establish a system of national parks for the Australian Capital Territory. It appears to the Committee that in this respect the powers of the Commission are too restrictive.

45. The Committee recommends that the powers of the National Capital Development Commission should be widened to enable it to undertake total planning for the Australian Capital Territory but that general administration as distinct from planning administration should remain under the authority of the Department of the Interior.

### SUMMARY OF RECOMMENDATIONS

46. Your Committee recommends:

- (1) That all freehold land in the Australian Capital Territory should be subject to control of its subdivision and use.
- (2) That the 'Basic Ideas Framework' proposed by the Department of the Interior with the modification recommended in paragraph 32, is suitable as a basis for permanent legislation for the control of the subdivision and use of freehold land in the Australian Capital Territory.
- (3) That the Commonwealth should acquire, without delay, on fair and just terms as provided under the *Lands Acquisition Act 1955-1966*, the following areas of freehold land in the Australian Capital Territory—
  - (a) the area required for the Naas-Gudgenby Water Storage and its catchment area—such area to be determined by an inter-departmental committee, the National Capital Development Commission and any other bodies necessary to ensure that the storage is safe from siltation and to safeguard the purity and cleanliness of the water;
  - (b) those areas required for urban development of the National Capital during the next 15 years;

- (c) those areas required for institutional and recreational purposes during the next 15 years.
- (4) That the Commonwealth Government should undertake a survey of the economics of the resumption now of all remaining freehold lands in the Australian Capital Territory not covered in paragraph (3) above, and the leasing back for rural purposes of those areas not immediately required for Commonwealth purposes, as compared with estimated costs of resumption at the time of need. If the survey reveals that it is more economic for the Commonwealth to acquire freehold land now, the Committee recommends that acquisition of those lands which the Commonwealth believes ultimately will be needed for its own requirements in the development of the National Capital, should be proceeded with as soon as possible.
- (5) That where freehold land is to be acquired and is not needed immediately for Commonwealth purposes, the former owner of that land should have the right to say if he wishes to remain on the land under lease conditions and if he so elects, he should be given preference over all others in the grant of that lease. It believes however that these leases should be granted on the following conditions—
  - (a) That the lease is for a specified number of years only, such period to take account of the estimated time of need of the Commonwealth for development purposes.
  - (b) That any lease granted should include a provision enabling the Commonwealth to withdraw any part or whole of the land in the lease should it be required by the Commonwealth during the period of the lease.
  - (c) That the removal of timber and natural vegetation is limited to avoid defoliation of the area.
  - (d) That the stocking rate is such as to avoid soil erosion, particularly in the catchment area of the Naas-Gudgenby water storage, and
  - (e) That the lessee should be required to pay particular attention to the need to protect the land from soil erosion.
- (6) That if the previous owner is unwilling to accept a lease under these conditions, the right of lease of the area under conditions (a) to (e) above should be determined by public tender or auction.
- (7) That any owner of freehold land in the Australian Capital Territory whose property is not to be acquired immediately and who is unwilling to remain the owner of that property because of the restrictions to be imposed on its subdivision and use, should have the right to have his property acquired by the Commonwealth without delay under fair and just terms as provided in the *Lands Acquisition Act 1955-1966*.
- (8) That any owner of freehold land in the Australian Capital Territory whose property is not to be acquired immediately and who wishes to

sell that property should be first obliged to give to the Commonwealth the opportunity to acquire that property should it so desire. Such a purchase should be subject to fair and just terms as provided in the *Lands Acquisition Act 1955-1966*.

- (9) That the National Capital Development Commission should collaborate with the Department of the Interior in the preparation of an overall development plan for the whole of the Australian Capital Territory. Such a plan should be made freely available for public inspection, published in the *Commonwealth of Australia Gazette* and local newspapers, displayed in Post Offices within the Australian Capital Territory and be subject to any objections to be lodged. Any amendments of the plan should be similarly published, displayed and subject to objections.
- (10) That the powers of the National Capital Development Commission should be widened to enable it to undertake total planning for the Australian Capital Territory but that general administration as distinct from planning administration should remain under the authority of the Department of the Interior.

#### DELAYS BY THE DEPARTMENT OF THE INTERIOR

47. The Committee is gravely concerned at the unexplained delays by the Department of the Interior in dealing with applications concerning the subdivision and use of freehold land and the acquisition by the Commonwealth of freehold land. To this end, the Committee refers particularly to dealings between the Department of the Interior and the following:

- (1) Nepean Enterprises Pty Limited concerning the subdivision of Mr C. H. Read's property 'White Gates'.
- (2) Dr S. V. Boyden.
- (3) Mrs S. A. Newland.
- (4) Mr H. J. McCormack.
- (5) Mr B. J. Ritchard.

48. In the circumstances, the Committee feels that it should present its report on the current reference but now seeks from the Minister for the Interior a reference to inquire into the matters it has raised in this and the preceding paragraph.


#### THE POWERS OF THE JOINT PARLIAMENTARY COMMITTEE ON THE AUSTRALIAN CAPITAL TERRITORY

49. Your Committee recommends that immediate action should be taken to amend its Resolution of Appointment to enable it to undertake investigations upon its own initiative. It feels strongly that it should not be restricted only to those matters relating to the Australian Capital Territory as may be referred to it by the Minister for the Interior.

#### APPRECIATION

50. Your Committee is grateful for the many thoughtful submissions placed before it and extends its thanks to all witnesses for their contributions.

51. Your Committee also records its thanks to Mr L. M. Barlin of the House of Representatives Department who acted as Secretary of the Committee during the currency of its inquiry.

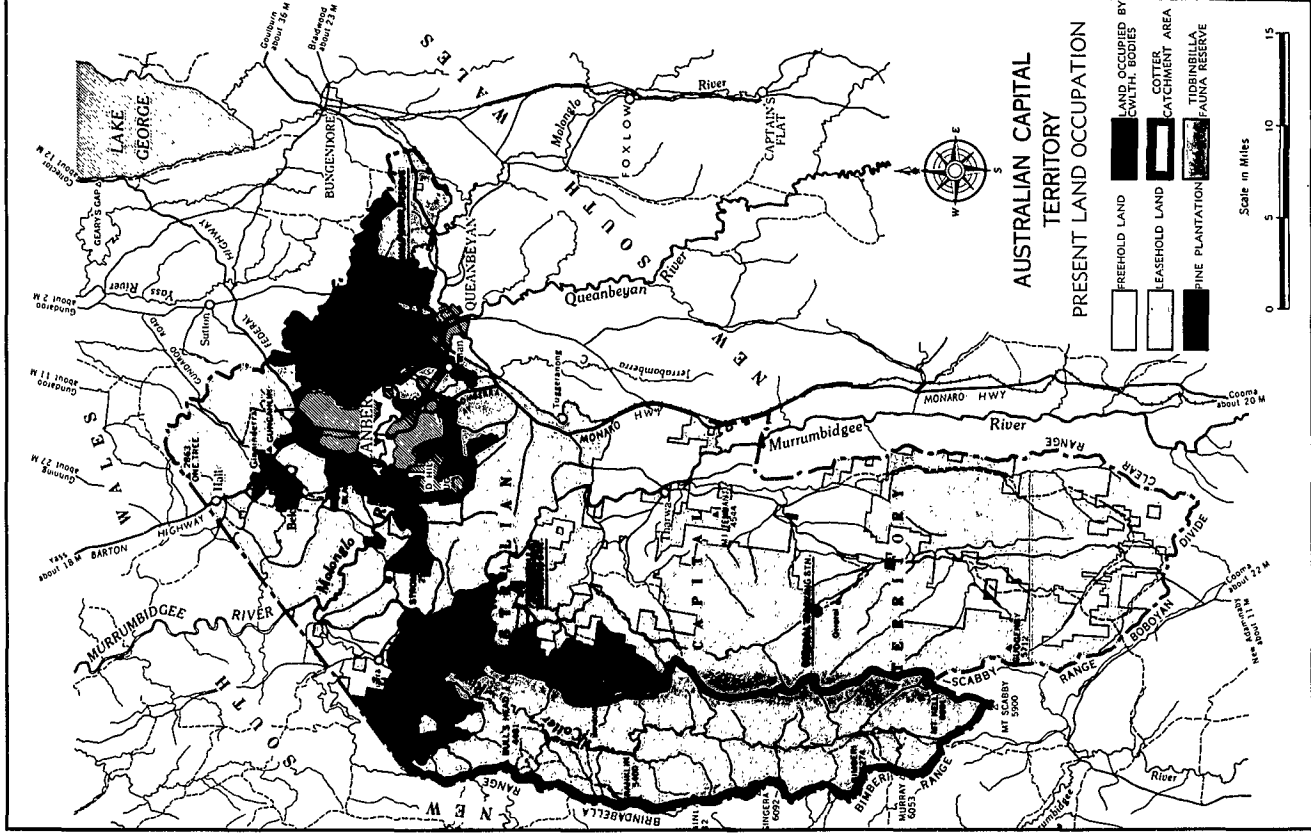
 I. A. C. WOOD  
Chairman

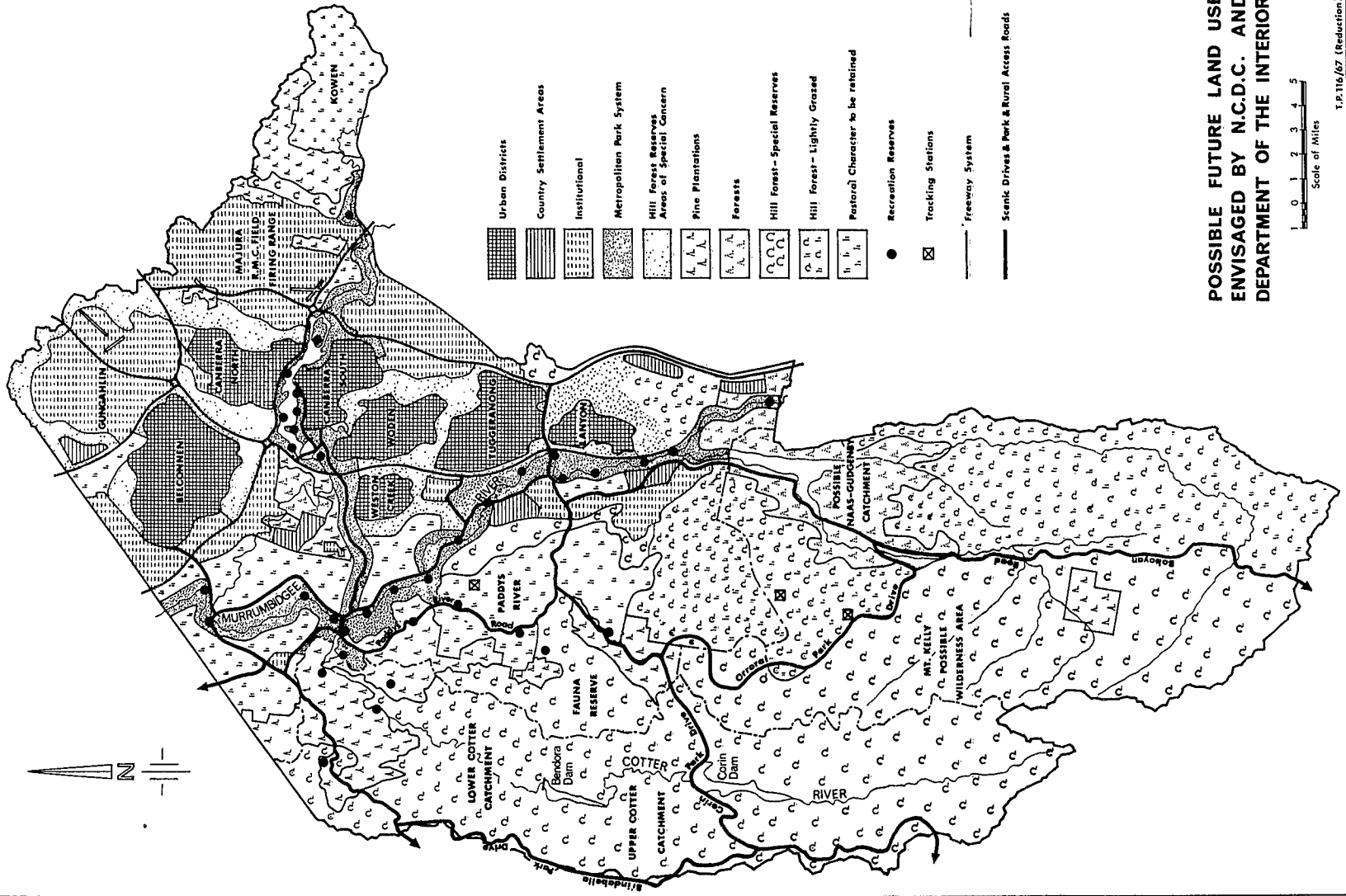
Canberra  
30 January 1968

## APPENDIX I

### LIST OF WITNESSES

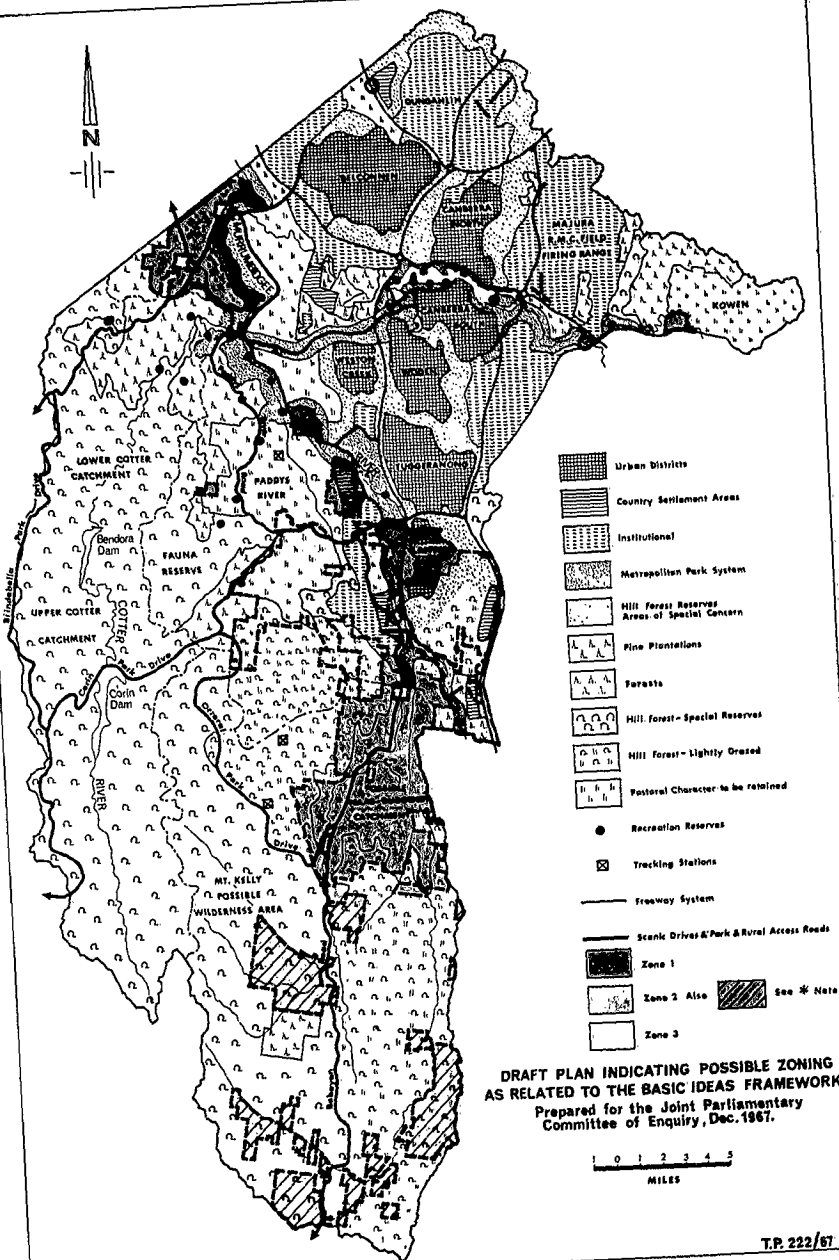
BAKER, Mr A. E., President, Canberra Chamber of Commerce.  
COSTELLO, Mr J. A., Director (Planning), Department of the Interior.  
CRAIGSMITH, Mr A.  
EAST, Mr S. G., Secretary, Canberra Chamber of Commerce.  
FULLAGAR, Dr P. J., on behalf of the Canberra Group of the Ecological Society of Australia.  
HAIN, Mr D. W., Town Planner, National Capital Development Commission.  
HARRISON, Mr P. F., Director of Town Planning, National Capital Development Commission.  
HIGGINS, Mr T. J., Secretary, A.C.T. Electorate Council, Australian Labor Party.  
KILLEN, Dr E. D. L., Chairman, A.C.T. Hotel-Motel Group.  
LANSDOWN, Mr R. B., Associate Commissioner, National Capital Development Commission.  
LYNEHAM, Mr N. L., Supervisor of Town Planning, National Capital Development Commission.  
MCFARLANE, Mr B.  
MARTIN, Mr A. G.  
MATHIESON, Mr R. A.  
MILLER, Mr A. R., Honorary Secretary, Canberra Division of the Institution of Surveyors of Australia.  
MOORE, Mr B. R., Chairman, Freehold Landowners Association of the Australian Capital Territory.  
O'KEEFE, Mr R. R., Elected A.L.P. Member of the A.C.T. Advisory Council.  
PEAD, Mr J. H., Chairman, A.C.T. Advisory Council (submitted certain papers from A.C.T. Advisory Council).  
RITCHARD, Mr B. J., Secretary, Freehold Landowners Association of the Australian Capital Territory.  
RYAN, Miss L., Elected A.L.P. Member of A.C.T. Advisory Council.  
SAWER, Professor G., Professor of Law, Research School of Social Sciences, Australian National University.  
SUMMERS, Mr S. N.  
WALKER, Dr D. (as representative of 50 citizens of the Australian Capital Territory).  
WALLER, Wing-Commander G. L.  
WALSH, Mr G. J., Elected A.L.P. Member of A.C.T. Advisory Council.  
WESTERMAN, Mr H. L., Director of Town Planning, National Capital Development Commission.  
WIGLEY, Mr E., Assistant Secretary, Lands Branch, Department of the Interior.  
WILSON, Mr R. M. and Mrs P. E. L.





**POSSIBLE FUTURE LAND USE  
ENVISAGED BY N.C.D.C. AND  
DEPARTMENT OF THE INTERIOR**



**NOTE**

While these areas, which form part of the Naas-Gudgenby water catchment, are proposed at present for Zone 2, it is possible that, following consultation between the Departments of Health and Interior and the N.C.D.C., they could be included in Zone 1.

**NAAS-GUDGENBY WATER CATCHMENT**

The timing of the development of the Naas-Gudgenby catchment for A.C.T. water supply purposes can be indicated in the following terms: Upon the completion and analysis of these investigations, decisions must be made within the next two years on the sequence of further storage construction. The Naas-Gudgenby storage could be the first in the sequence and construction would then commence within five years. If the Naas-Gudgenby storage is not the first project, in the light of the present knowledge but still unconfirmed pending the result of the investigations referred to above, it is considered likely to be required within 15 years.



**APPENDIX V**

**ACQUISITION FOR COMMONWEALTH PURPOSES—  
AUSTRALIAN CAPITAL TERRITORY**

**APPENDIX V  
ACQUISITION FOR COMMONWEALTH PURPOSES—AUSTRALIAN CAPITAL TERRITORY**

Acquisition No.	Date of Acquisition	Holding No.	Former Owner	Area	Compensation Paid	Price per Acre	Remarks
				S. F.	£	s. d.	
1	25.2.11	H.24	A. H. Jeffery ..	1,750	2 0	8 9	
2	25.2.11	H.1	E. O. Moore ..	237	2 17	10 34	
3	27.7.12	H.1	R. Moore Sar ..	1,280	0 0	4 32	
	27.7.12	H.2	Wm. H. Moore ..	833	1 20	1,490	6 2 3.32
	27.7.12	H.4	Wm. H. Moore ..	867	2 0	2,634	6 2 6.32
	27.7.12	H.5	P. Handy Jar ..	640	0 0	3,885	10 10 8.95
	27.7.12	H.6, 6a	P. Handy Jar ..	248	2 0	1,637	2 7 1.20
	27.7.12	H.7	Mrs M. Ingram ..	720	0 0	780	0 3 6.27
	27.7.12	H.8	Mrs M. Morrison ..	554	0 38	1,258	5 11 3.49
	27.7.12	H.8a	M. P. M. ...	140	0 0	2,000	0 0 7.20
	27.7.12	H.9	Mrs E. Blundell ..	140	0 0	621	4 4 6.18
	27.7.12	H.10	F. Campbell ..	39,640	1 42	149,662	15 5 7.59
	27.7.12	H.11	Trustees Estate Ellen Fox ..	313	0 15	1,408	10 6 8.99
	27.7.12	H.12	W. Wallis ..	321	0 0	421	18 9 6.12
	27.7.12	H.13	Executors Wm Sullivan ..	1,099	0 0	1,271	8 9 5.96
	27.7.12	H.14	J. Wallace ..	120	0 0	357	0 6 5.98
	27.7.12	H.15	Owen Fox ..	80	0 0	333	14 11 8.34
	27.7.12	H.16	P. Shady ..	1,204	0 3	4,845	2 8 8.04
	27.7.12	H.17	J. E. Fitzgerald ..	717	3 36	6,597	14 10 21.11
	27.7.12	H.18	Estate Luke Tiersan ..	1,955	1 0	8,928	19 11 9.13
	27.7.12	H.20	Executors W. Sullivan ..	30,451	0 0	144,690	19 3 9.50
	27.7.12	H.21	Colonel J. E. R. Campbell ..	118	0 5	4,504	14 10 76.33
	27.7.12	H.22	Church of England Property Trust ..	1	3 38	30	19 10 2.45
	27.7.12	H.23	J. Darmody ..	40	0 0	166	19 5 6.34
	27.7.12	H.29	Bradbury Estate ..	413	2 20	Included in H.18	...
4	8.6.12	H.19	Estate Luke Tiersan ..	41	2 3	Acquired with H.16	...
6	17.8.12	H.31	P. Shady ..	636	1 34	and 10a	12 67
	17.8.12	H.30	Wm Ryan ..	789	1 10	4,148	14 7 10.51
	17.8.12	H.32	Trustees D. C. Palmer ..	80	1 8	450	19 8 11.23
8	21.12.12	H.36	John Morrison ..	81	1 8	450	19 8 11.23
	1.2.13	H.37	W. E. Ollfield ..	16	1 8	466	3 8 11.46
	1.2.13	H.41	D. and G. Morton ..	16	1 38	111	2 8 13.47

Yarralumla Estate (Includes 656 acres located in N.S.W. and resold 1.3.1913)

Duntroon Estate

(Includes 60 acres 3 roads located in N.S.W.)

(Includes 1,370 acres located in N.S.W. and resold 1.9.1921)

11	5.4.13	H.88	Mrs M. S. Harcourt ..	687	1 0	3,192	15 3 9.29
12	4.2.13	H.90	D. Percot ..	1,280	0 0	701	16 2 1.09
13	14.5.13	H.91	P. Hardy Sar ..	641	2 0	875	5 3 3.05
	14.5.13	H.92	W. C. McDonald ..	1,201	0 0	1,956	8 3 3.09
	14.5.13	H.94	W. C. McDonald ..	40	0 0	193	9 7 9.67
	14.5.13	H.95	H. C. W. Reid and W. C. McDonald ..	370	0 0	431	8 8 2.69
	14.5.13	H.96	J. Blundell Sar ..	1,280	0 0	810	15 3 1.26
	14.5.13	H.97	S. Shaanon ..	103	0 0	363	15 8 6.25
	14.5.13	H.98	Angus Cameron ..	115	2 36	80	5 9 10.21
14	12.7.13	H.81	P. Hardy Jar ..	28	0 3	137	5 6 9.79
15	19.7.13	H.74	J. E. Ollfield ..	2,880	0 0	2,135	8 8 1.48
16	18.1.13	H.80	John Shumack ..	152	1 0	279	5 7 3.68
17	11.10.13	H.78	Jas Ryan ..	2,053	3 2	3,680	0 0 5.38
18	22.11.13	H.44, 47	Wm Darmody Sar ..	417	1 0	1,414	8 2 6.77
19	6.12.13	H.108	John Shumack ..	63	1 0	302	7 10 9.56
20	12.1.14	H.25	J. E. Monk ..	599	1 19	2,222	4 10 8.72
21	9.4.14	H.244	Mrs M. S. Harcourt ..	3,754	0 0	5,470	8 2.90
22	9.4.14	H.278	Woods Brothers ..	1	0 0	401	5 8
23	9.4.14	H.278 (b)	W. H. Jones ..	1	0 0	401	5 8
24	9.4.14	H.116, 331	Estate J. Southwell ..	167	0 8	880	10 8 10.54
25	9.4.14	H.89	W. Webber ..	201	0 0	198	13 7 1.57
26	16.5.14	H.99	J. Williams ..	2,162	9 0	2,269	3 8 2.07
27	16.5.14	H.38	Estate P. Shady ..	1,280	0 0	2,316	7 4 3.61
28	16.5.14	H.186, 187	W. G. Green ..	210	0 0	660	11 5 6.29
29	30.5.14	H.55	J. McInosh ..	1,763	1 0	5,898	1 2 6.64
30	30.5.14	M.1	A. H. Nevell ..	3	3 4	30	4 6 26.60
31	(One Estate)			363	0 0	122	6 6 0.67
32	4.7.14	H.53	F. E. Fitzgerald ..	1,638	1 37	2,162	0 0 ..
34	4.7.14	H.53, 54	F. E. Fitzgerald ..	704	0 20	916	2 11 2.60
35	8.8.14	H.72	W. Handy ..	1,100	0 31	3,703	1 0 5.82
36	3.10.14	H.36	G. E. Southwell ..	690	0 0	432	7 0 1.44
37	23.1.14	H.10	A. and C. Melanes ..	754	1 39	3,968	17 10 10.52
38	18.3.15	H.22 to 26 and 226	A. and C. Melanes ..	318	0 0	1,386	5 10 8.71
39	18.3.15	H.23	Estate T. Harman ..	1,160	3 0	2,410	3 11 4.14
40	18.3.15	H.25	W. Ryan ..	80	0 0	265	16 7 14.31
41	18.3.15	H.27	J. Flint ..	80	0 0	572	14 5 14.31
	18.3.15	H.28	R. Shumack ..	317	3 8	1,122	17 0 7.06

APPENDIX V—continued

Acquisition No.	Date of Acquisition	Holding No.	Former Owner	Area	Compensation Paid	Price per Acre	Remarks
				a. r. p.	£ s. d.		
18.3.15	H.29, 84		R. Moloney ..	581 2 0	3,123 15 8	10.74	
18.3.15	H.37		Bishop of Goulburn ..	38 0 0	201 9 10	10.60	
18.3.15	H.40		Miss J. Cameron ..	942 0 0	3,123 8 4	6.65	(Includes 5 acres 1 road 34 perches located in N.S.W.)
18.3.15	H.43, 50		J. Cooper ..	80 0 0	645 19 2	16.14	
18.3.15	H.48		J. Dunmody ..	240 0 0	514 14 11	2.96	
18.3.15	H.49		E. P. O'Rourke ..	140 0 0	649 2 5	9.21	
18.3.15	H.51		J. Darnody ..	69 2 0	689 10 11	20.13	
18.3.15	H.52, 57		W. Darnody Sr ..	39 3 0	271 8 2	13.65	
18.3.15	H.58		Miss W. Harman ..	109 3 0	134 19 0	2.45	
18.3.15	H.61		H. S. Harman ..	201 0 2	4,653 14 4	23.64	
18.3.15	H.62		J. J. Edmunds ..	40 0 0	538 1 8	26.90	
18.3.15	H.65		P. Gleeson ..	40 0 0	158 9 10	7.92	
18.3.15	H.66		C. J. O'Rourke ..	40 2 0	125 8 10	6.19	
18.3.15	H.67		G. R. Rolfe ..	30 1 0	1,246 19 0	13.87	
18.3.15	H.76		Executors E. Ryan ..	100 0 0	823 18 0	16.47	
18.3.15	H.82		Mrs M. McDonald ..	19,239 1 9	61,917 19 11	6.43	Includes 656 acres located in N.S.W. resold 29.2.1940 and 19.7.1944 'Gungahlin Estate'
18.3.15	H.82		Executors E. K. Crote ..		283 2 5		
18.3.15	H.82		W. H. Jones ..		52 18 5		
18.3.15	H.83		J. Rolfe ..	170 1 0	1,000 0 0	11.74	
18.3.15	H.85		John Read ..	202 0 0	1,441 0 5	14.26	
18.3.15	H.87		Trustees Church of England ..	200 0 0	1,181 9 8	11.81	
18.3.15	H.101		R. McDonald ..	345 1 5	740 17 7	1.71	
18.3.15	H.103		S. Shumack ..	868 1 8	4,024 4 5	6.77	Compensation paid in respect of 1188 acres 1 road 8 perches (includes H.108)
18.3.15	H.104		G. E. Shumack ..	260 2 25	4,413 12 9	8.37	Compensation paid in respect of 1054 acres 0 roads 5 perches (includes H.129, 130)
18.3.15	H.106		S. Shumack ..	520 0 0	acquired with H.103		
18.3.15	H.109		Mrs A. Cameron ..	752 1 0	3,014 18 3	8.01	
18.3.15	PT. H.110		J. V. Hiberson and Mrs E. A. Cox ..	1,566 2 0	858 15 8	1.25	
18.3.15	H.112		J. C. Armstrong and Mrs E. A. Armstrong ..	1,046 2 0	3,045 11 6	5.82	
18.3.15	H.113		J. Bolton ..	282 0 0	968 6 4	6.99	
18.3.15	H.114		J. R. Gillies ..	348 2 12	1,183 11 10	6.79	
18.3.15	H.115		J. K. Kilby ..	130 0 0	541 7 8	8.32	
18.3.15	H.119		J. K. Kilby ..	85 1 30	783 8 2	18.33	
18.3.15	H.120		J. K. Kilby ..	168 0 0	Acquired with H.119		
18.3.15	H.123		J. K. Kilby ..	169 0 0	613 1 8	8.54	
18.3.15	H.124		W. Campbell ..	40 0 0	129 2 6	6.45	
18.3.15	H.125		T. Grubbs ..	451 3 0	2,102 3 4	9.30	
18.3.15	H.129		Geo. Ed. Shumack ..	229 0 0	Acquired with H.104		
18.3.15	H.130		Geo. Ed. Shumack ..	573 1 20	Acquired with H.104		
18.3.15	H.131		Roderick McDonald ..	280 0 0	Acquired with H.101		
18.3.15	H.132		Agnes Cameron ..	200 0 0	40 0 9	0.40	
18.3.15	H.146		Maria S. Colverwell ..	450 0 0	1,114 17 9	3.00	Compensation paid in respect of 742 acres 3 roads 35 perches (includes H.161)
18.3.15	H.149		Edw. W. Cavanagh ..	52 0 0	100 12 6	3.87	
18.3.15	H.150		Mrs Cavanagh ..	91 0 0	96 10 11	2.12	
18.3.15	H.163		C. Masters Sr ..	2 2 27	8 3 10	6.13	
18.3.15	H.172		J. C. Gallagher ..	2,527 3 11	6,049 17 7	4.78	(Includes about 304 acres located in N.S.W.)
18.3.15	H.174		J. C. Gallagher ..	309 2 0	501 7 8	3.23	
18.3.15	H.175		S. F. Gallagher ..	80 0 0	752 15 1	10.51	Compensation paid in respect of 138 acres (includes H.191)
18.3.15	H.177		Wm Gallagher ..	239 2 34	1,057 11 3	8.82	
18.3.15	H.181		H. T. Ginn ..	306 0 0	1,150 5 3	7.57	
18.3.15	H.183		Eliza M. Gozzard ..	401 0 0	1,528 9 3	7.60	
18.3.15	H.188		Hugh Gregory ..	138 0 0	743 14 6	10.77	
18.3.15	H.188		Executors E. K. Crote ..	602 1 0	Not available		
18.3.15	H.190		Thos. St. Johns ..	37 0 32	Acquired with H.82		
18.3.15	H.198		Joseph Acete ..	571 3 27	1,233 3 6	4.31	Area includes Part Holding 109 Compensation paid in respect of 611 acres 3 roads 27 perches (includes H.156)
18.3.15	H.203						
18.3.15	H.221		H. M. Murphy ..	560 0 0	452 2 6	2.51	
18.3.15	H.225		R. A. S. Nelmes ..	2,444 1 0	8,438 1 3	4.52	
18.3.15	H.227		A. McKechnie ..	2,723 1 0	8,421 4 3	6.18	(Includes about 104 acres located in N.S.W.)
18.3.15	H.245		John Ryan ..	1,017 2 11	5,022 4 8	9.87	
18.3.15	H.276		Richard Vest ..	330 1 0	999 9 7	6.05	

APPENDIX V—continued

Acquisition No.	Date of Acquisition	Holding No.	Former Owner	Area		Compensation		Price per Acre	Remarks		
				a.	b.	£	s. d.				
18.3.15	H.281	Executors E. Winter ..	..	..	..	..	..	..	..		
18.3.15	H.282	John Winter ..	..	..	894	2	0	538	15	2	12.31
18.3.15	H.283	Joseph Winter ..	..	..	130	0	0	2,114	6	10	4.72
18.3.15	H.288	Thomas Gallagher ..	..	..	130	0	0	232	13	2	1.29
18.3.15	H.291	Maria G. Coverwell ..	..	..	292	3	35	Acquired with H.147	..	..	..
											(Includes 24 acres 1 rood 25 perches located in N.S.W. and resold 25.11.15)
18.3.15	H.364	Joseph Keefe ..	..	..	40	0	0	Acquired with H.205	..	..	..
18.3.15	H.391	Samuel F. Gallagher ..	..	..	148	0	0	Acquired with H.174	..	..	..
18.3.15	H.413	E. Wronski ..	..	..	80	0	0	1,200	0	0	14.09
18.3.15	H.415	E. Wronski ..	..	..	80	0	0	244	0	8	6.10
18.3.15	H.169	Wm Flint ..	..	..	1,260	0	0	704	0	8	1.11
18.3.15	H.105	W. C. McDonald ..	..	..	1,182	0	0	1,404	18	9	2.37
18.3.15	H.246	Richard Hyles ..	..	..	15	0	15	57	6	4	8.75
18.3.15	H.152	Executor James Cooper ..	..	..	1	1	5	6	7	41.59	..
18.3.15	H.45	W. Darrody Junr ..	..	..	31	1	0	11	10.79	..	..
18.3.15	H.117	Edmund Rolfe ..	..	..	3,939	0	6	8,236	5	8	4.18
18.3.15	H.121	W. Ryan ..	..	..	1,772	2	20	7,809	0	7	8.81
18.3.15	H.109	Thomas S. Hyles ..	..	..	7	0	33	Acquired with H.198	..	..	..
18.3.15	H.46	James Darrody ..	..	..	363	0	16	165	9	9	0.91
18.3.15	H.128	W. Rule ..	..	..	383	2	0	1,072	8	8	5.39
18.3.15	H.171	J. Gallagher Junr ..	..	..	1,366	3	20	4,368	2	4	6.39
18.3.15	H.148	W. M. Curwight ..	..	..	23	0	0	24	5	7	2.04
18.3.15	H.216	J. F. Mastin and A. Masters ..	..	..	17	3	10	10	12	2	1.18
18.3.15	H.256, 257, 362	Mrs E. Murphy ..	..	..	138	3	37	508	12	9	7.31
18.3.15	H.414	J. F. Maslin ..	..	..	6	2	33	8	9	11	2.53
18.3.15	H.195	E. T. Hatch ..	..	..	61	1	39	60	9	7	1.96
18.3.15	H.196	A. W. Hyles ..	..	..	54	3	10	22	15	9	0.43
18.3.15	H.122	J. Southwell Junr ..	..	..	3	2	32	12	3	2	6.48
18.3.15	H.49	J. J. Darrody ..	..	..	28	1	23	116	19	5	8.86
18.3.15	H.100	F. O'Rourke ..	..	..	600	2	28	302	18	3	1.00
											(Includes 9 acres 0 roods 27 perches located in N.S.W.)

23.12.15	H.125	S. Southwell ..	..	..	140	1	13	357	4	1	5.09	..
7.7.16	H.176	T. Gallagher ..	..	..	66	3	7	147	4	4	4.40	..
17.2.16	H.560	Mrs Sarah McKeanine ..	..	..	239	2	6	519	0	8	4.33	..
23.3.16	H.111	M. Lazzarus ..	..	..	81	0	0	3,902	17	9	86.49	..
20.3.16	H.178	S. E. Gallagher ..	..	..	4	0	15	16	8	10	8.03	..
6.4.16	Pr. H.110	Mrs E. A. Cox ..	..	..	217	1	0	..	..	..	..	(Located in N.S.W.)
13.4.16	H.344	Walter Ginn ..	..	..	1,035	1	37	2,560	2	0	4.86	..
8.6.16	H.402	A. McKeanine ..	..	..	1	0	32	5	2	10	8.56	..
20.7.16	H.102, 237	Lanyon Estate ..	..	..	21,160	0	0	78,093	5	1	7.41	..
21.9.16	H.214	M. Maloney ..	..	..	584	3	0	827	8	5	2.82	..
11.1.17	H.197	Richard Hyles ..	..	..	1,877	1	27	4,904	6	9	5.20	..
												(Includes 67 acres 1 rood 14 perches located in N.S.W. and resold 28.3.45 with H.59)
25.1.17	H.46	J. Darrody ..	..	..	165	0	28	202	11	11	2.45	..
18.10.17	H.107	G. Hatcliffe ..	..	..	380	0	0	719	15	2	2.48	..
8.11.17	H.144	Paul Brennan ..	..	..	788	0	0	737	9	6	1.94	..
8.11.17	H.42	Joseph Keefe ..	..	..	832	0	0	452	19	0	1.08	..
8.11.17	H.192	Charles Hardy ..	..	..	1,075	0	0	243	9	3	0.45	..
8.11.17	H.204	Elizabeth Keefe ..	..	..	404	0	0	1,777	9	7	8.79	..
8.11.17	H.143	E. Brennan ..	..	..	874	3	10	2,861	4	4	6.54	..
3.9.20	H.164	John Dunn ..	..	..	1,040	0	0	1,155	11	3	2.22	..
12.5.21	H.156	Michael Cotter ..	..	..	600	0	0	810	0	0	2.70	..
11.8.21	H.104	John Morrison ..	..	..	714	0	0	3,958	16	0	11.08	..
25.5.22	H.33, 334, 71	Disposal of Pr. H.204 located in N.S.W. in exchange for Pr. H.179—see Acquisition No. 112	..	..	84	0	105	1,846	0	0	43.91	..
1.6.22	H.231	Thomas Oldfield Star ..	..	..	223	0	0	769	8	8	6.60	..
22.6.22	Pr. H.223	Morton and Alex McDonald ..	..	..	3,478	0	0	8,090	0	7	4.65	..
7.6.23	Pr. H.179	E. A. J. Stoker ..	..	..	85	0	0	Not available	..	..	..	..
1.11.23	H.166	Hendrica Ferrer ..	..	..	285	0	0	4,500	0	0	31.57	..
3.4.24	H.255	W. Andrews Filie ..	..	..	108	0	0	1,128	0	0	20.88	..
17.4.24	H.68, 34	Phillip Hardy Junr and Bertie Blundell	..	..	297	0	5	2,633	10	0	17.75	..
4.9.24	H.116											(Includes 494 acres 0 roods 34 perches—89 acres 1 rood resold 25.5.22)

APPENDIX V—continued

Acquisition No.	Date of Acquisition	Holding No.	Former Owner	Area	Compensation				Price per Acre	Remarks	
					£.	s.	d.	\$			
117	2.4.25	H.203, 260, 263, 264, 410	J. J. Kay, J. Ryan, J. Smith, J. Smith, A. J. McDonald	441 3 36	5,213	5	9	23.59			
118	25.11.26	Pt. H.223	Morton and Alex. J. McDonald	238 2 20	520	0	0	3.46			
119	28.4.27	H.160	Thomas Carley	104 2 24	1,000	0	0	19.11			
120	28.4.27	H.179	David Crady	161 0 0	870	0	0	10.80			
121	5.3.27	H.398, 39b	R. Blundell Jnr and D. and G. Morton	24 1 10	250	0	0	20.56			
122	5.3.27	H.194	Richard J. Harris	160 0 0	1,600	0	0	20.00			
123	2.6.27	H.347	Angus Cameron	55 3 1	500	0	0	17.33			
124	2.6.27	H.268, 269	David Sullivan	480 0 0	1,850	0	0	7.70			
125	9.6.27	H.173	Pat Gallagher	242 2 38	2,600	0	0	21.42			
127	25.8.27	H.142	Geo. Hatcliffe	267 3 20	435	2	0	3.24			
128	22.9.27	H.33c	T. E. Bainbridge	9 1 25	197	9	4	41.98			
129	22.9.27	H.359	Charles H. McKeanle	20 0 20	149	15	10	14.88			
130	27.10.27	..	..	2,561 1 20	..	..	..	..	(Located in N.S.W.—Part Cotter Catchment)		
131	19.1.28	H.260	James Ryan	37 3 30	349	19	6	18.45			
132	9.4.28	H.189	A. J. Cunningham	86 2 15	215	12	0	4.97			
135	17.4.35	Pt. H.222	A. McDonald	24 1 18.8	Not available						
137	6.6.35	Pt. H.222	A. McDonald	0 1 6	Not available						
138	13.8.35	H.213	John B. Maitney	49 2 10	Not available						
139	18.8.38	Orora, Sections 1, 2	H. J. Cooks	0 0 29.3	25	0	0				
140	16.3.39	Orora Estate Pt. Lots 3, 33 Section H	F. D. Robertson—G. Dovers	0 0 7.3	5	0	0	..	Easement for Water Main		
142	15.1.42	H.175	J. R. E. Hyles	23 3 10	72	0	0	6.01			
144	27.4.43	Pt. H.223	Morton and A. J. McDonald	30 2 25	97	0	0	6.32			
148	18.11.48	Orora Estate Pt. Lots 20, 21 Section K	Mr and Mrs P. A. Corstini	0 0 12	23	0	0	6.13			
150	24.7.52	Pt. H.223	Morton and Alex. J. McDonald	118 2 18.25	Not available						
152	8.1.57	Parish of Taverneux	..	..	..	..	..	..			
153	8.1.57	Pt. Por. 61	..	1 1 34.5	30	0	0	40.93			
154	12.6.58	Parish of Gasline Pt. Por. 24	..	..	..	..	..	..			
155	16.10.58	Parish of Gasline Pt. Por. 24	..	..	..	..	..	..			
156	20.5.59	Parish of Orora Portions 160, 161, 167 and 174, 125, 126	D. G. Hyles	802 3 20	4,014	7	6	9.50	Total acquired #45 acres 0 roads 10 perches		
157	1960	Parish of Tharwa Pt. Por. 64	F. V. Snow	1 2 4.5	Gift				Road deviation		
159	5.12.60	Parish of Tharwa Pt. Por. 15	F. V. Snow	1 3 34.25	Gift				Road deviation		
160	26.7.61	Parish of Tharwa Pt. Por. 19	Castle Hill Pty Ltd	0 1 25	Gift				Road deviation		
161	30.8.63	Parish of Tharwa Pt. Por. 30	J. B. Henry	14 0 34	No claim				Road deviation		
162	30.4.64	Parish of Orora Portions 12-15	Estate E. G. Gregory	1 2 30	50	12	6		Road deviation		
163	30.4.64	Parish of Orora Portions 1-7, 28-33	H. Hinchley—G. H. Harrington	480 0	2,103	acres	42,004	0	8	39.94	Ororal Tracking Station
164	30.4.64	Parish of Orora Portions 1-7, 28-33	L. V. Gregory	480 0	..	..	..	..	..		

APPENDIX V—Continued

Acquisition No.	Date of Acquisition	Holding No.	Former Owner	Area	Compensation Paid	Price per Acre	Remarks
163	2.7.64	Parish of Booroomba Portions 1, 2, 16, 37, 43, 63, 76, 80, 84, 85, 88	A. A. Driver ..	1,483 0 0	\$ 26,000.00	17.53	
	2.7.64	Parish of Booroomba Portions 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 72, 73, 86, 91, 97	Mrs Dallender ..	1,601 0 0	22,875.00	12.70	Tidbinbilla Fauna Reserve
	2.7.64	Parish of Booroomba Portions 35, 79, 89	O. Pumps ..	656 0 0	8,630.00	13.15	
164	11.1.65	Parish of Burrera Pt. Portions 1, 4, 7, 10, 11	E. S. Smith ..	1 0 0	£ s. d.		
	9.65	Parish of Gulgahby Portions 1, 3, 6, 7, 14, 15	V. V. McDonald ..	9 2 0	50 0 0	..	Road Deviation
		Parish of Booroomba Pt. Portions 163, 200	V. K. Smith ..	3 0 0	150 0 0	38.09	Road Deviation
166	7.10.65	Parish of Neas Portions 48, 49	C. H. Read ..	840 0 0	\$ 10,000.00	10.72	Honeyeucalye Tracking Station
167	13.1.66	Greenfield Portions 1, 4, 7, 10, 11	E. F. L. and E. J. Oldfield	2,112 3 0	64,950.00	30.74	Forestry
168	25.5.66	Parish of Booroomba Pt. Portions 6, 21, 64, 68	Mrs S. A. Newland ..	137 0 5	32,250.00	233.27	Tidbinbilla Fauna Reserve

28

169	15.11.66	Parish of Neas Pt. Portions 14, 16, 21, 22	L. V. Gregory—Mrs G. P. Crgan	17 1 2½	No cash	..	Road Deviation
170	13.4.67	Parish of Booroomba Pt. Portions 6, 9, 21, 24, 77	S. V. Boyden ..	360 0 0	64,800.00	180.00	
171	16.6.67	Parish of Booroomba Pt. Portions 64	Mrs Orimes ..	6 1 14.5	5,100.00	804.33	
172	8.9.67	Parish of Booroomba Pt. Portions 9	H. L. and P. P. Monton	171 2 3½	28,670.00	163.94	Tidbinbilla Fauna Reserve
173	28.9.67	Parish of Booroomba Pt. Portions 9	A. Maxwell ..	287 2 2½	15,500.00	54.84	
174	28.9.67	Parish of Booroomba Pt. Portions 9	E. Green ..	28 1 39	6,300.00	224.50	
						218,102 acres*	\$1,852,362.01†

\* Total area excludes land in N.S.W. acquired for Commonwealth purposes  
 † Compensation includes prices paid for improvements on land and price paid for lands acquired in N.S.W.

29