

has been paid to the council by the owner of the land, the council may repay that money to the owner—

but nothing in this sub-section shall prevent a request being made by the council to the owner of such land pursuant to sub-section (8A) where a plan of subdivision in respect of the land is subsequently submitted to the council.

Ss. (10) inserted
by No. 8531 s. 2
(1) (i).

(10) The sealing of a plan of subdivision shall be conclusive evidence for all purposes that there has been compliance with this Act with respect to such sealing and that all preliminary steps and proceedings required to be taken in connexion therewith have been duly and properly taken.

Reserves set out
on plans of
subdivision to
vest in council.
S. 569BA
inserted by No.
7013 s. 17,
amended by No.
9573 s. 17 (a) (b),
substituted by
No. 10019
s. 37 (2).

569BA. (1) Where any map or plan has been lodged or deposited with the Registrar of Titles pursuant to section 97 of the *Transfer of Land Act* 1958 whether before on or after the commencement of this section and any allotment on that map or plan has been transferred the council may by a resolution direct that the whole or any part of the land comprised in any reserve shown on that map or plan shall vest in the council and upon the publication of that resolution in the *Government Gazette* that land shall vest in the municipality freed and discharged from any mortgage, charge, lease or sub-lease.

(2) Where pursuant to section 569B (8) (i) or sub-section (1) any land is or has been transferred to or vested in a municipality and the council is of the opinion that the land or some part of the land is no longer required for the purpose for which it was reserved the council may after it has complied with sub-section (3) resolve to sell the land or part of the land or use the land or part of the land for some other purpose for which the municipality is authorized to hold land.

(3) The council shall before it resolves to sell any land or use any land under sub-section (2)—

(a) publish a public notice in a newspaper generally circulating in the municipal district—

- (i) giving a description of the proposed resolution to sell or use the land including a description of the land by reference to the address or such other particulars as will facilitate the identification and location of the land;
- (ii) stating where it is proposed to sell the land, whether the land is to be sold by public auction, public tender or private treaty;
- (iii) stating where it is proposed to use the land for another purpose, the nature of that purpose; and
- (iv) stating that objections to the proposal will be considered in accordance with section 193A;

(b) post a notice in the form of or to the effect of the public notice published pursuant to paragraph (a) in a conspicuous place on the land; and