

Land Exchange and Commonwealth acquisitions

Exchange 718
Reserve 10816

Townsville LAND AGENT'S DISTRICT.

SUBJECT:

Proposed Exchange.

ROADS

- 8 OCT 1974

SECTION

ROADS

10 OCT 1974

SECTION

Messrs. Hopkins & Dwyer, Solicitors on behalf of L., V. and C. Lancini made application for exchange of freehold land in the town of Halifax for Sanitary Reserve R.536.

See letters of 10.10.73 and 28.11.73 from the Hinchinbrook Shire Council and my letter of 31.10.73. R.536 is no longer permanently used. However, during times when the Herbert River floods, the reserve must then be used. Council agrees to short term leasing only of the reserve.

See report furnished 29.8.74. Land Commissioner supports Council's view. He also states that the Council has inferred that at some in the future, R.536 could be required for some other public purpose. The area is stated to be a very valuable one from an agricultural point of view.

Land Commissioner recommends that no further action appear warranted unless the Council agrees to relinquish part of the reserve.

DR6197 - Land exchange document regarding land in the town of Halifax, 7 October 1974

Research Guide to land exchange and Commonwealth acquisition records at Queensland State Archives

Queensland State Archives (QSA) is the official repository for Queensland Government records selected for permanent retention because of their continuing value. The archived public records are from state government departments, state courts, local government authorities and statutory authorities. The records are in our facility at [Runcorn, Brisbane](#), and open records are available for viewing in the Reading Room, free-of-charge.

The main finding aid for records held at QSA is the [Queensland State Archives' online catalogue](#) (known as ArchivesSearch).

The following citation abbreviations are used throughout our catalogue:

ITM	QSA Item (describes the item)
PR	Physical Representation (generally the original or microfilm copy)
DR	Digital Representation (for a digital image)
S	Series ID (for a series of records)
A	Agency ID (for the creating or responsible agency).

Aboriginal and Torres Strait Islander readers are advised that our catalogue contains images, names and voices of people who have died.

Land exchange

The *Homestead Areas Act 1872* amended the *Crown Lands Alienation Act 1868*. Section 9 of the *Homestead Areas Act 1872* enabled the Governor-in-Council to grant any portion of Crown lands to any person. This was in exchange for lands required for settlement or other public purposes. Reasons for exchange include requirements for roads, cemeteries, camping reserves, schools, closer settlement, or situations where an exchange would be of benefit to the Crown. An exchange could be initiated by owners of freehold, Government departments or Shire Councils. Subsequent land acts included this exchange provision. The *Crown Lands Act 1884* allowed for the exchange of country land, but only in the case of roads. Where valuation of the lands to be exchanged could not be agreed upon by the respective owners, an arbitrator was appointed. In some cases, there are details of recent sales in the area to show the basis for valuation. The exchange request could be granted, withdrawn or rejected.

Exchange files

4/6/1868 – 10/3/2008

[S6335](#)

Files are listed in [ArchivesSearch](#) by the name of the owner of the freehold who was requesting or agreeing to the exchange. Files may include correspondence from lessees or their agents, Shire Councils requesting exchange, negotiations about boundaries, cost of improvements, maps, survey plans, land descriptions, land commissioner reports, appointments of appraisers, petitions, wills, gazette notices, and newspaper clippings.

Commonwealth acquisition

Section 85 of the Constitution of Australia provided for the transfer of property from the States to the Commonwealth. The *Commonwealth Land Acquisition Act 1901* dealt with land which passed to the Commonwealth with former State functions (eg. defence). This Act was replaced by the *Lands Acquisition Act 1906*. Under the new Act, land could be acquired for public purposes, such as post offices, customs and excise buildings, roads, defence purposes, and airports. Compensation was offered at an official valuation.

Card index to Commonwealth acquisition files

1/1/1884 - 31/12/1991

[S17561](#)

This card index is used to find Commonwealth acquisition files, [S17978](#). These records are arranged numerically by file number. Details include the Commonwealth Acquisition (CA) file number, parish or town where land was acquired, purpose, details of the land and the Land Agent's District. Cards may note whether the land was Crown land or freehold, payment details for exchanges of land, certificate of title, deed of grant, easements and so on. Purposes for which land was acquired by the Commonwealth included defence, post and telegraph, civil aviation and health.

Commonwealth acquisition files

1/1/1884 – 3/4/2001

[S17978](#)

To find Commonwealth acquisition files, search the card index, [S17561](#). Files may include correspondence, maps, survey plans, official notification of acquisition, transfers of land to or from the Commonwealth, compensation to the State where land was held by the State, and gazettal notices. There are some letters from individuals in these files. These files are for completed transactions.

Other relevant records

Card Index to Owners

Circa 1/1/1950 - Circa 31/12/1980

[S17563](#)

This card index is used to find Land Acquisition files, [S17969](#).

Land Acquisition Files

Circa 1/1/1895-29/6/2012

[S17969](#)

To find land acquisition files, search the card index to owners, [S17563](#). Acquisition (resumption) of land may be for public works and other public purposes. Land may be taken for any purpose set out in legislation by the Crown, by a local authority or by another constructing authority.

Other sources of information

Records of Commonwealth government negotiations with individual landowners may be held at the [National Archives of Australia](#).

Need more information?

Check our online catalogue [ArchivesSearch](#).
Phone us on (07) 3037 6777 or you can [email](#) an archivist.