

LEGISLATIVE ASSEMBLY

Read 1° 7 October 1987

(Brought in by Mr Cathie and Mr Fordham)

A BILL

to revoke the permanent reservation and Crown grant of certain land, to amend the *Land Act 1958*, to repeal the *South Melbourne (Roman Catholic Orphanage) Lands Act 1969* and for other purposes.

Land (Amendment and Miscellaneous Matters) Act 1987

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

Purpose.

1. The purposes of this Act are—

- 5 (a) to amend the *Land Act 1958* concerning the sale of Crown land to public authorities; and
- (b) to repeal the *South Melbourne (Roman Catholic Orphanage) Lands Act 1969*; and
- 10 (c) to revoke the permanent reservation and Crown grant of certain land intended for use for community purposes.

Commencement.

2. This Act comes into operation on the day on which it receives the Royal Assent.

PART 2—AMENDMENT OF *LAND ACT* 1958**Principal Act.**

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3. In this Part the *Land Act* 1958 is called the Principal Act.

No. 6284.
Reprinted to
No. 59/1986.
Subsequently
amended by
Nos. 110/1986,
121/1986,
122/1986,
4/1987 and
45/1987.

New section substituted for section 99.

4. (1) For section 99 of the Principal Act substitute—

Minister may sell Crown land to public authority.

‘99. (1) In this section “public authority” has the same meaning as in the *Conservation, Forests and Lands Act* 1987. 10

(2) This section applies despite anything to the contrary in any Act.

(3) With the Governor in Council’s approval, the Minister may sell Crown land to a public authority at a price and on terms and conditions which the Minister thinks fit, if the Minister is satisfied that the public authority requires the land for a public purpose. 15

(4) The Minister cannot under sub-section (3) sell land to a public authority if the land is for the time being permanently or temporarily reserved under section 4 of the *Crown Land (Reserves) Act* 1978.

(5) A public authority may acquire land sold to it under this section for any public purpose for which the authority may acquire or hold land. 20

(6) Without limiting sub-section (5), a reference to a public purpose includes, in the case of a municipality, the purpose of housing or decentralised industry.’ 25

(2) In the heading to Division 6 of Part I of the Principal Act for “MUNICIPALITY” substitute “PUBLIC AUTHORITY”.

PART 3—LANDS—MISCELLANEOUS MATTERS**Revocation in part of permanent reservation and Crown grant.**

5. The Order in Council and the Crown grant specified in Schedule 1 are revoked to the extent to which they apply to the land shown hatched on the plan in Schedule 2. 30

Land deemed to be unalienated Crown land.

5 6. Despite any act or law to the contrary, the land shown hatched on the plan in Schedule 2 is deemed to be unalienated land of the Crown, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests.

Repeal of *South Melbourne (Roman Catholic Orphanage) Lands Act 1969*.

7. (1) The *South Melbourne (Roman Catholic Orphanage) Lands Act 1969* is repealed.

10 (2) Section 8 of the Act repealed by sub-section (1) continues to apply to the land to which it applied immediately before the commencement of this Act.

No compensation payable by Crown.

15 8. No compensation is payable by the Crown in respect of anything done under, or arising out of, this Part.

SCHEDULE 1

Lands in respect of which the permanent reservations and Crown grants are revoked

<i>Situation and area of land</i>	<i>Instrument and date of reservation</i>	<i>Description of land by reference to Government Gazette</i>	<i>Particulars of registration of Crown grant</i>	<i>Purpose of reservation</i>	<i>Extent of Revocation</i>
City of South Melbourne Parish of Melbourne South, 1.570 hectares, less excision authorised by Act No. 10059	Order in Council 28 May 1889	<i>Government Gazette</i> 12 October 1888, page 3117 and 31 May 1889, page 1794	The area of 2264 square metres shown by hatching on plan in Schedule 2 has been transferred out of Crown grant volume 2139 folio 771	Site for a Roman Catholic Orphan Asylum	That part of the reserve containing 2264 square metres, shown by hatching on the plan in Schedule 2

SCHEDULE 2

Plan of land in respect of which the permanent reservations and Crown grants are revoked



