

Land (Miscellaneous Matters) Bill

EXPLANATORY MEMORANDUM

The purpose of the Bill is to revoke the permanent reservations and land titles of lands listed hereunder, amend the *Melbourne Lands Act 1987*, amend the *Kew and Heidelberg Lands Act 1933*, amend the *Kew and Heidelberg Lands Act 1958* and to repeal three obsolete Acts.

Richmond Abattoirs
Ballarat City Baths
Pomonal Public Hall
Queen Victoria Hospital
Handicapped Children's Reserve, Malvern
Recreation and Public Gardens, Progress Street, Kaniva
Plantation Reserve, Warringal Place, Heidelberg
Yarra Bend Park

Clause 1 briefly describes the purpose of the Bill.

Clause 2 provides for all the provisions of the Bill except for Part 8 and sections 18 to 21 and 24 to commence on the day of the Royal Assent. Part 8 and sections 18 to 21 are to come into operation on a day to be proclaimed.

Clause 3 revokes the reservations, Crown grants and certificate of title for the Richmond Abattoirs land.

Clause 4 deems the Richmond Abattoirs land to be unalienated land freed from all trusts encumbrances estates and interests and the like.

Clause 5 revokes the reservations and Crown grants for the Ballarat City Baths land.

Clause 6 deems the Ballarat City Baths land freed from all trusts, encumbrances estates and interests and the like.

Clause 7 revokes the reservation for the Pomonal Public Hall land.

Clause 8 deems the Pomonal Public Hall land freed from all trusts encumbrances estates and interests and the like.

Clause 9 revokes the reservation for the Queen Victoria Hospital land.

Clause 10 deems the Queen Victoria Hospital land freed from all trusts encumbrances estates and interests and the like.

Clause 11 revokes the reservation for the Handicapped Children's Reserve land at Malvern.

Clause 12 deems the Handicapped Children's Reserve land at Malvern to be unalienated land freed from all trusts encumbrances estates and interests and the like.

Clause 13 revokes the reservation in respect of portion of the recreation and public gardens reserve land at Progress Street, Kaniva.

Clause 14 deems the portion of the recreation and Public gardens reserve land at Kaniva to be unalienated land freed from all trusts encumbrances estates and interests and the like.

Clause 15 revokes the reservation in respect of portion of the plantation purposes reserve land and Warringal Place, Heidelberg.

Clause 16 deems the portion of the plantation purposes reserve land at Heidelberg to be unalienated land freed from all trusts encumbrances estates and interests and the like.

Clause 17 provides for changes to the boundary of Yarra Bend Park. The area shown by cross hatching on the plan in Part 2 of Schedule 4 is to be excised from the reservation and Crown grant for the park and the areas shown by hatching are to be added to the reservation and Crown grant for the park. The clause empowers the Governor in Council to declare those changes by Order published in the *Government Gazette*.

Clause 18 amends the *Kew and Heidelberg Lands Act 1933* as a consequence of the change to the boundary of Yarra Bend Park including appropriate measures which ensure that not only the current action in this Bill is accounted for but that deficiencies in other earlier relevant legislation are overcome.

Clause 19 amends the *Kew and Heidelberg Lands Act 1958* as a consequence of the change to the boundary of Yarra Bend Park.

Clause 20 ensures that existing rights of carriageway, entry and use granted in relevant legislation are preserved except that where any such right applies to the land being excised from Yarra Bend Park by this Act the clause provides for cessation of those rights.

Clause 21 ensures that the current trustees of the Yarra Bend Park are the appointed trustees and that appointment of the trustees applies to the land being added to the park by this Bill. The provisions overcome deficiencies in earlier relevant legislation. It also revokes the appointment of trustees so far as it relates to the land being excised from the park by this Bill.

Clause 22 ensures that other than any compensation provided for in any agreement under section 45 of the *Transport Act 1983*, the Crown is not liable for anything done under or arising out of this Act.

Clause 23 directs the Registrar of Titles to make any amendments to the Register under the *Transfer of Land Act 1958* which are necessary because of this Act.

Clause 24 amends the Melbourne Lands Act to correct an error in the description of the lands in the Schedule to that Act.

Clause 25—

Sub-clause (1) repeals the *Moorlap Salt Works Act 1896*.

Sub-clause (2) repeals the *Wangaratta Lands Act 1933*.

Schedule 1

Sets out the particulars of certain reservations and land titles which are to be revoked.

Schedule 2

Sets out the particulars of certain reservations which are to be revoked.

Schedule 3

Sets out the particulars of certain reservations which are to be revoked as to the portions shown by hatching on the plans in the Schedule.

Schedule 4

Sets out in Part 1 of this Schedule the particulars of the reservation for Yarra Bend Park which is to be revoked as to the portion shown by cross hatching on the plan in Part 2 of this Schedule. That plan also shows by hatching the land which is being added to Yarra Bend Park.

