

# Queen Victoria Market Lands Bill

## EXPLANATORY MEMORANDUM

### PART 1—PRELIMINARY

- Clause 1 sets out the purposes of the Bill.
- Clause 2 provides for the commencement of the Act.

### PART 2—QUEEN VICTORIA MARKET SITE

- Clause 3 provides for the revocation of reservations and Crown grants over land set aside as sites for General Market Purposes, site for a General Market Purposes and site for a Market to facilitate disposal of the land.
- Clause 4 provides that, on revocation of the reservations, the land will be divested from the City of Melbourne and reverts to the Crown and subject to clause 8 is deemed to be unalienated land of the Crown, freed from any encumbrances.
- Clause 5 provides for the land described in Memorial No. 155 Book 430 in the Office of the Registrar-General to cease to be subject to the restriction imposed by section 4 of the **Melbourne Lands Exchange Act 1904** and divests the land from the City of Melbourne which reverts to the Crown and subject to clause 8 is deemed to be unalienated land of the Crown, freed from any encumbrances.
- Clause 6 provides for the closure of part of the roads as shown hatched on the plans in Schedule 2 and 3 of the Act.
- Clause 7 provides for the issue of a Crown grant to the City of Melbourne for any land that is deemed under this Act to be unalienated Crown land.
- Clause 8 provides that clauses 3 to 6 do not affect the status or continuity of any lease relating to the land specified in Schedule 1 or the land to which section 5 applies and existing immediately before the commencement of this clause.

Sub-clause (2) provides that any lease referred to in sub clause (1) has effect from the commencement of the clause as a lease between the Minister administering the **Land Act 1958** as lessor and the lessee for the time being under the lease, as if it had been assigned to the Minister and as if it referred to the Minister instead of the lessor.

Sub-clause (3) provides that the issue of a Crown grant under clause 7 of any land affected by a lease referred to in sub-clause (1) and existing immediately before the date of issue of the Crown grant does not affect the status or continuity of the lease of that land and that lease has effect on and from the issue of the Crown grant as a lease between the City of Melbourne as lessor and the lessee for the time being under the lease, as if it had been assigned to the City of Melbourne.

Sub-clause (4) provides that this clause has effect despite anything to the contrary in any Act or law or in a Crown grant of the land.

Sub-clause (5) provides that nothing done by this clause is to be regarded as placing any person in breach of, or as constituting a default under, any provision of a lease.

- Clause 9 requires the Registrar-General and the Registrar of Titles to make any amendments to records that are necessary because of the operation of this Act.
- Clause 10 provides for the repeal of various Acts relating to the site namely; **Melbourne General Market Site Act 1877, Melbourne Lands Exchange Act 1904** and the **Melbourne General Market Lands Act 1917**.