

LEGISLATIVE ASSEMBLY

Read 1° 31 October, 1973.

(Brought in by Mr. Borthwick and Mr. Balfour.)

A BILL

Relating to certain Crown Land in the Parish
of Doutta Galla.

WHEREAS certain land in the Parish of Doutta Galla was by an Order in Council dated the 30th day of December, 1886 permanently reserved as a site for public recreation : Preamble.
G.G. 7.1.1887,
p. 18.

5 And whereas the said land by Crown grant dated the 7th day of January, 1887 entered in the register book in the Office of Titles volume 1915 folium 382994 was vested in the Board of Land and Works and the corporation of the Borough of Flemington and Kensington (in the grant called the Borough of Kensington and Flemington) as trustees :

10 And whereas the said land was transferred and surrendered to the Crown by a transfer registered in the Office of Titles on the 3rd day of August, 1889 :

And whereas an Order in Council dated the 30th day of September, 1889 purported to permanently reserve the said land as a site for a public park : G.G. 4.10.1889,
p. 3327.

And whereas a Crown grant entered in the register book in the Office of Titles volume 2441 folium 488130 dated the 4th day of October, 1889 purported to vest the said land in the Board of Land and Works and the corporation of the Borough of Flemington and Kensington as trustees :

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1—[56]—650/1.11.1973.—7606.

And

And whereas pursuant to section 3 of the *Public Reserves Act* 1914 the council of the city of Melbourne was by Order in Council dated the 10th day of August, 1915 appointed the committee of management for the said land :

And whereas that portion of the said land shown hatched on the plan in the Schedule is occupied by the Flemington and Kensington Bowling Club :

And whereas it is expedient to revoke the permanent reservation of the land for public recreation and to confirm the permanent reservation of the land as a site for a public park :

And whereas it is expedient to confirm the Crown grant dated the 4th October, 1889 of the said land to the Board of Land and Works and the corporation of the Borough of Flemington and Kensington and to appoint the corporation of the city of Melbourne as the committee of management of the said land :

And whereas it is expedient to authorize certain leases of the whole or any part of the said land shown hatched on the plan in the Schedule :

Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. (1) This Act may be cited as the *Flemington Land Act* 1973.

Commence-
ment.

(2) This Act shall come into operation on the day upon which it receives the Royal Assent.

Revocation of
permanent
reservation.

2. The Order in Council dated the 30th day of December, 1886 relating to the land described in the Crown grant entered in the register book in the Office of Titles volume 2441 folium 488130 is hereby revoked and the Order in Council dated the 30th day of September, 1889 permanently reserving the said land as a site for a public park is hereby confirmed.

Confirmation
of Crown
grant.

3. The Crown grant entered in the register book of the Office of Titles volume 2441 folium 488130 is hereby confirmed and shall be and be deemed to have always been valid and effectual according to its tenor.

4. It

4. It is hereby declared that the corporation of the city of Melbourne is the committee of management of the land referred to in Crown grant volume 2441 folium 488130.

Confirmation
of appointment
of committee
of management.

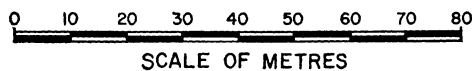
5. (1) Notwithstanding anything to the contrary in any Act, the corporation of the city of Melbourne as committee of management may from time to time grant leases of the whole or any part of the land delineated and shown hatched on the plan in the Schedule for the purposes of a bowling green and amenities connected therewith including the erection of buildings.
- 10 (2) A lease granted under this section—
- (a) shall be subjected to such covenants conditions and reservations as the corporation thinks fit ;
 - (b) shall be for a term not exceeding 21 years; and
 - (c) shall be subject to approval by the Governor in Council.
- 15 (3) The moneys received by way of rent under any lease granted under this section shall be applied by the corporation towards the maintenance and improvement of any part of the land permanently reserved by the hereinbefore recited Order in Council of the 30th day of September, 1889 not leased under this section or for any
- 20 other purpose approved by the Minister.
- (4) No compensation shall be payable by the Crown in respect of any act matter or thing done under or arising out of this section.

Power to
lease land.

SCHEDULE.

SCHEDULE.

Land in the Parish of Doutta Galla which may be leased by the corporation of the City of Melbourne.



RACECOURSE ROAD

