

Land (Revocations and Other Matters) Bill 1991

EXPLANATORY MEMORANDUM

PART 1—PURPOSE AND COMMENCEMENT

Clause 1 states the purposes of the Act which are to revoke the permanent reservations of certain lands, to revoke the reservation and Crown grant of other lands and to repeal the **Belmont Recreation Ground Lands Act 1969**.

Clause 2 provides that this Act comes into operation on the day on which it receives the Royal Assent.

PART 2—WESTERFOLDS PARK

Clause 3

Sub-clause (1) revokes the reservation as to part for Westerfolds Park.

Sub-clause (2) revokes the Order in Council which placed Westerfolds Park under the control and management of the Melbourne and Metropolitan Board of Works insofar as it relates to the land being excised from the park. The sub-clause provides for the control and management of the land to revert to the Crown.

PART 3—ALBERT PARK

Clause 4 revokes the reservation as to part for the Albert Park Reserve.

PART 4—BEECHWORTH LAND

Clause 5 revokes the reservations for the Mayday Hills Hospital Grounds at Beechworth.

PART 5—PORT FAIRY LAND

Clause 6

Sub-clause (1) revokes the reservation for the Municipal Chamber Site, Port Fairy.

Sub-clause (2) revokes the Crown grant for the Municipal Chamber Site.

PART 6—GENERAL

Clause 7 repeals the **Belmont Common Recreation Ground Lands Act 1969**.

Clause 8 provides that on the revocation by this Act of an Order in Council reserving land:

- (a) the land is deemed to be unalienated land of the Crown, freed and discharged from all trusts, reservations, estates and interests etc.;
- (b) the appointment of any committee of management for that land is revoked;

(c) any regulations for that land made under section 13 of the **Crown Land (Reserves) Act 1978** are revoked.

Clause 9 provides that no compensation is payable by the Crown in respect of anything done under or arising out of this Act, except as provided in any agreement under section 45 of the **Transport Act 1983**, relating to the Westerfolds Park land or the Albert Park land.

Clause 10 varies section 85 of the **Constitution Act 1975** to the extent necessary to prevent the Supreme Court awarding compensation in respect of anything done under or arising out of this Act, except in relation to any agreement under section 45 of the **Transport Act 1983** relating to the Westerfolds Park land or the Albert Park land.

Clause 11 provides that the Registrar-General and Registrar of Titles must make any necessary amendments to a Crown grant or Register which are necessary as a result of this Act.

Schedule 1 sets out the details of the Orders in Council to be revoked.

Schedule 2 provides a plan of the part of Westerfolds Parks which is to be revoked.

Schedule 3 provides a plan of the part of Albert Park Reserve which is to be revoked.