

VICTORIA.



ANNO DUODEVICESIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7866.

An Act to authorize the Granting of a Development Lease of certain Lands in the Parish of Narree Worran permanently reserved as a Site for Public Purposes and to revoke the Permanent Reservation so far as it relates to certain other Lands and for other purposes.

[28th October, 1969.]

WHEREAS by an Order in Council of the 22nd day of July, 1930 certain lands in the Parish of Narree Worran containing 1,720 acres 12 perches more or less were permanently reserved for public purposes : Preamble.

And whereas pursuant to the provisions of section 221 of the *Land Act* 1958 the Corporation of the Municipality of Berwick has been appointed Committee of Management to control and manage portion of the reserved lands :

And whereas in order to expedite the development for the purposes of the reservation of the lands under the control and management of the Corporation of the Municipality of Berwick it is deemed expedient to authorize the Corporation to grant a development lease in respect of an area of 197 acres 35 perches more or less thereof being the land indicated by black hatching on the plan in the Schedule:

And whereas portion of the reserved lands being the land indicated by black cross-hatching on the plan in the Schedule is required for other purposes and it is expedient to provide that the permanent reservation of such land should be revoked and that such land should become and be unalienated land of the Crown :

Be

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. This Act may be cited as the *Narree Worrان Land Act* 1969.

Interpretation.

2. In this Act unless inconsistent with the context or subject-matter—

" Corporation."

" Corporation " means the Corporation of the Municipality of Berwick.

Committee of Management may grant lease of certain land.

3. (1) Notwithstanding anything in any Act or law or in any Order proclamation or reservation the Corporation as Committee of Management may grant a lease of the land indicated by black hatching on the plan in the Schedule for the development of that land for the purposes of a golf course and for amenities for social activities connected therewith including the erection of buildings for such purposes or amenities.

(2) A lease under this section—

(a) shall provide that upon the expiration or sooner determination of the term thereof all buildings erections extensions and improvements built erected constructed or made on the leased land shall absolutely revert to and belong to the Corporation as Committee of Management ;

(b) shall provide that any structural improvements on the leased land shall be insured and kept insured by the lessee in the name of the Corporation as Committee of Management to an amount which shall be determined from time to time by the Corporation against loss or damage by fire with such company as may be approved by the Corporation ;

(c) shall be subject to such other covenants conditions exceptions and reservations as the Corporation thinks fit ;

(d) shall be granted for a term not exceeding 21 years ;

(e) shall not be granted for a term expiring after the 31st December, 1991 ; and

(f) shall be subject to approval by the Governor in Council.

(3) The

(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 the portion of the reserved lands of which it is the Committee of Management other than the leased area or for such other purpose as the Minister in any particular case approves.

4. (1) The Order in Council of the 22nd day of July, 1930 in so far as it relates to the land indicated by black cross-hatching on the plan in the Schedule and all other Orders in Council or proclamations reserving or affecting or purporting to reserve or affect the said land shall so far as they relate to the said land be hereby revoked.

Revocation
of permanent
reservation
of certain
land.

(2) Notwithstanding anything in any Act such land shall be and be deemed to be unalienated land of the Crown freed and discharged from all trusts, encumbrances, reservations, limitations and restrictions whatsoever and from every estate or interest therein.

5. No person or body of persons corporate or unincorporate shall be entitled to receive or shall receive from Her Majesty any money or consideration or compensation in respect of or in any manner whatsoever arising out of any act matter or thing under this Act.

No liability to
attach to Crown.

SCHEDULE.

Land in the Parish of Narree Worran, County of Mornington.

