

1967

VICTORIA.



ANNO SEXTO DECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7578.

An Act to revoke the Permanent Reservations and a Crown Grant of certain Lands and the Temporary Reservation of certain Lands, and for other purposes.

[8th November, 1967.]

Preamble.

First Schedule.

Second
Schedule.

WHEREAS the lands referred to in the First Schedule and in Part I. of the Second Schedule have been or are purported to have been permanently reserved for the purposes and in accordance with the particulars respectively set out therein :

Third Schedule.

And whereas the lands referred to in the Third Schedule have been or are purported to have been temporarily reserved for the purposes and in accordance with the particulars set out therein :

And whereas by the Crown Grant specified in Item 4 of Part I. of the Second Schedule the lands referred to therein were granted to trustees on trust for the purposes for which the said lands were reserved :

And whereas—

- (a) the lands referred to in the First Schedule ;
- (b) those parts of the lands referred to in Part I. of the Second Schedule which are respectively described in Parts II. to V. of the Second Schedule ; and
- (c) the lands referred to in the Third Schedule—

are no longer required for the purposes for which they are respectively reserved or are more urgently required for other purposes :

And

And whereas it is expedient to provide that the permanent reservations of the lands referred to in the First Schedule and of the lands described in Parts II. to V. of the Second Schedule and the temporary reservation of the lands referred to in the Third Schedule should be revoked and that the said lands so referred to or described should become and be unalienated lands of the Crown and that the Crown Grant relating to the lands described in Part V. of the Second Schedule should be revoked :

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) :—

1. This Act may be cited as the *Revocation and Excision of Crown Reservations (No. 2) Act 1967.* Short title.

2. The Orders in Council specified—

(a) in the First Schedule ;

(b) in Part I. of the Second Schedule so far as they relate to the lands respectively described in Parts II. to V. of the Second Schedule ; and

(c) in the Third Schedule—

and all other Orders in Council or proclamations reserving or affecting or purporting to reserve or affect any of the lands referred to in the First Schedule or the said lands described in Parts II. to V. of the Second Schedule or any of the lands referred to in the Third Schedule shall so far as they relate to any of the said lands be hereby revoked.

3. The Crown Grant referred to in Item 4 of Part I. of the Second Schedule so far as it relates to the lands described in Part V. of the Second Schedule shall be revoked made void and annulled.

Revocation of
reservations of
lands in First
Second and
Third Schedules.

Revocation of
Crown Grant
of land in Part
V. of Second
Schedule.

4. Notwithstanding anything in any Act the lands described in the First Schedule and the lands described in Parts II. to V. of the Second Schedule and the lands described in the Third Schedule shall be and be deemed to be unalienated lands of the Crown freed and discharged from all trusts encumbrances reservations limitations and restrictions whatsoever and from every estate or interest therein.

Lands in
First Schedule
and Parts II.
to V. of
Second
Schedule and
Third
Schedule to be
unalienated
Crown lands.

5. No person or body of persons whosoever or whatsoever shall be entitled to receive or shall receive from the Crown 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.

SCHEDULES.

SCHEDULES.

FIRST SCHEDULE.

Lands of which the Permanent Reservations and Crown Grants (if any) are revoked by this Act.

Item.	Situation and Area of Land.	Instrument and Date of Reservation.	Description of Land by reference to Government Gazette.	Particulars of Registration of Crown Grant (if any).	Purpose of Reservation.
1.	Township of Casterton, 1 rood 29 perches	Order in Council, 20th June, 1932	<i>Government Gazettes</i> , 11th May, 1932, page 1056 and 29th June, 1932, page 1435	Nil	Site for an Odd- fellows' Hall
2.	Parish of Loddon, 45 acres 1 rood 7 perches	Order in Council, 6th January, 1887	<i>Government Gazettes</i> , 3rd December, 1886, page 3340 and 14th January, 1887, page 77	Nil	Site for Water Supply Purposes
3.	Parish of Kyabram East, 87 acres 2 roods 23 perches, being Allotment 32A	Order in Council, 24th June, 1902	<i>Government Gazettes</i> , 21st May, 1902, page 1792 and 2nd July, 1902, page 2816	No existing Crown Grant	Site for a Racecourse

SECOND SCHEDULE.

PART I.

Lands as to Part of which the Permanent Reservations and Crown Grants (if any) are revoked by this Act.

Item.	Situation and Area of Land.	Instrument and Date of Reservation.	Description of Land by Reference to Government Gazette.	Purpose of Reservation.	Particulars of Registration of Crown Grant (if any).	Portion as to which Reservation and Crown Grant (if any) may be Revoked.
1.	Parish of Prahran, East of Elsternwick, 13 acres 35 perches	Order in Council, 17th January, 1888	<i>Government Gazettes</i> , 16th December, 1887, page 3808 and 20th January, 1888, page 145	Site for the Recreation and Convenience of the People	Nil ..	See Part II. of this Second Schedule
2.	Parish of Prahran, East of Elsternwick, 1 acre 3 roods 10 perches	Order in Council, 22nd September, 1964	<i>Government Gazettes</i> , 19th August 1964, page 2688 and 30th September, 1964, page 3047	Site for the Recreation and Convenience of the People	Nil ..	See Part III. of this Second Schedule
3.	City of South Melbourne and at St. Kilda, Parish of Melbourne South, 570 acres, more or less revoked as to parts by various Acts	Order in Council, 21st March, 1876	<i>Government Gazettes</i> , 21st January, 1876, page 96 and 24th March, 1876, page 568	Site for a Public Park	No existing Crown Grant	See Part IV. of this Second Schedule
4.	Parish of Prahran, at Caulfield, 141 acres 2 roods 18 perches	Order in Council, 6th October, 1879	<i>Government Gazettes</i> , 5th September, 1879, page 2185 and 10th October, 1879, page 2436	Site for Racing, Recreation and Public Park purposes	Crown Grant Volume 7275 Folium 814	See Part V. of this Second Schedule

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SECOND SCHEDULE—continued.

PART II.

Land, being portion of the land referred to in Item 1 of Part I. of this Second Schedule, in respect of which the Order in Council referred to in the said Item is revoked by this Act.

Three roods, 16 perches, more or less, Parish of Prahran, East of Elsternwick, County of Bourke, in the two separate portions hereinafter described :—

- (a) Twenty-nine perches, more or less : Commencing at the junction of the western alignment of Crosbie-road with the eastern alignment of Murrumbeena-road ; bounded thence by Crosbie-road bearing $89^{\circ} 55' 26\frac{1}{2}$ links, south-easterly 146 links in an arc of a circle of radius 1,600 links with centre lying north-easterly and further by Crosbie-road bearing $152^{\circ} 2' 31\frac{1}{2}$ links ; thence north-westerly 293 links in an arc of a circle of radius 592 $\frac{1}{2}$ links with centre lying south-westerly and with chord of the arc bearing $318^{\circ} 27' 290$ links and westerly 43 $\frac{1}{2}$ links in an arc of a circle of radius 42 $\frac{1}{2}$ links with centre lying southerly and with chord of the arc bearing $274^{\circ} 37' 42$ links ; and thence by Murrumbeena-road bearing $359^{\circ} 55' 186\frac{1}{2}$ links to the point of commencement.
- (b) Two roods, 27 perches, more or less : Commencing at the junction of the western alignment of Crosbie-road with the northern alignment of North-road ; bounded thence by North-road bearing $270^{\circ} 20' 1,189\frac{1}{2}$ links ; by the eastern boundary of the site permanently reserved for the Recreation and Convenience of the People by Order in Council of the 22nd September, 1964, bearing $359^{\circ} 58' 52\frac{1}{2}$ links ; by a line bearing $90^{\circ} 22' 1,009\frac{1}{2}$ links and north-easterly 187 $\frac{1}{2}$ links in an arc of a circle of radius 90 $\frac{1}{2}$ links with centre lying north-westerly and with chord of the arc bearing $31^{\circ} 12' 156\frac{1}{2}$ links ; and thence by Crosbie-road bearing $152^{\circ} 2' 211$ links to the point of commencement.

PART III.

Land, being portion of the land referred to in Item 2 of Part I. of this Second Schedule, in respect of which the Order in Council referred to in the said Item is revoked by this Act.

Eight perches, more or less, Parish of Prahran, East of Elsternwick, County of Bourke : Commencing at the south-eastern angle of Crown portion 74 ; bounded thence by the eastern boundary of that portion bearing $359^{\circ} 28' 52\frac{1}{2}$ links ; by a line bearing $89^{\circ} 52' 100$ links ; by the western boundary of the site permanently reserved for the Recreation and Convenience of the People by Order in Council of the 17th January, 1888, bearing $179^{\circ} 28' 52\frac{1}{2}$ links ; and thence by North-road bearing $269^{\circ} 50'$ to the point of commencement.

PART IV.

Land, being portion of the land referred to in Item 3 of Part I. of this Second Schedule, in respect of which the Order in Council referred to in the said item is revoked by this Act.

Nineteen perches, more or less, City of South Melbourne, Parish of Melbourne South, County of Bourke :

Commencing at a point being the most eastern angle of the land temporarily reserved as a site for a Technical School by Order in Council of the 8th January, 1952 ; bounded thence by that reserve bearing $328^{\circ} 18' 257\frac{1}{2}$ links ; and thence by lines bearing $58^{\circ} 18' 45\frac{1}{2}$ links, $148^{\circ} 18' 257\frac{1}{2}$ links and $238^{\circ} 18' 45\frac{1}{2}$ links to the point of commencement.

PART V.

Land, being portion of the land referred to in Item 4 of Part I. of this Second Schedule, in respect of which the Order in Council and Crown Grant referred to in the said Item are revoked by this Act.

Nine acres 2 roods 27 perches, more or less, Parish of Prahran, at Caulfield, County of Bourke :

Commencing at a point on the northern alignment of Neerim-road, at the southern angle of allotment 12, section 8 ; bounded thence by that allotment bearing $0^{\circ} 15' 525$ links ; by the said allotment and allotments 13 and 14 bearing $325^{\circ} 10' 660\frac{1}{2}$ links ; by lines bearing $102^{\circ} 16' 1273\frac{1}{2}$ links $162^{\circ} 11' 531\frac{1}{2}$ links and $164^{\circ} 42' 312\frac{1}{2}$ links ; and thence by Neerim-road, bearing $270^{\circ} 32' 1115\frac{1}{2}$ links to the point of commencement.

THIRD SCHEDULE.

Lands of which the Temporary Reservation is revoked by this Act.

Item.	Situation and Area of Land.	Instrument and Date of Reservation.	Description of Land by reference to <i>Government Gazette.</i>	Purpose of Reservation.
1.	Parish of Kyabram East, 7 acres 1 rood 22 perches	Order in Council, 17th June, 1952	<i>Government Gazette</i> , 25th June, 1952, page 3319	Site for a Racecourse