

Wattle Park Land Bill

EXPLANATORY MEMORANDUM

Clause 1 states that the purpose of the Bill is to provide for the Transfer of Land know as Wattle Park to the Melbourne and Metropolitan Board of Works.

Clause 2 provides that this Act comes into operation on a date to be proclaimed.

Clause 3

Sub-Clause (1) provides that the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Transport Act 1983** on receipt of a plan from the Surveyor-General may recommend to the Governor in Council that the land in the plan of survey and the rest of the land in Wattle Park vest in the Melbourne and Metropolitan Board of Works.

Sub-Clause (2) provides that the plan of survey may show land in a registered title and may adjust the boundaries of the land to overcome any defect found on survey.

Sub-Clause (3) provides that the Governor in Council may by order published in the Government Gazette on the Ministers' recommendation under sub-clause (1) vest in the Melbourne and Metropolitan Board of Works the land in the plan of survey and the land described in registered titles.

Sub-Clause (4) provides that, on the publication of the order in the Government Gazette, the land to which the order applies is divested from the Public Transport Corporation and, subject to section 5, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates, interests and provisions and vests in fee simple in the Melbourne and Metropolitan Board of Works.

Sub-Clause (5) provides that the Public Transport Corporation is, on the date of publication of the order in the Government Gazette, discharged for the future from any obligations it may have in respect of the land to which the order applies.

Clause 4

Sub-Clause (1) provides that, subject to section 5, the Melbourne and Metropolitan Board of Works must use the land vested in it under section 3 as a public park.

Sub-Clause (2) provides that the Melbourne and Metropolitan Board of Works must not sell or dispose of the whole of its interest in the land vested in it under section 3.

Sub-Clause (3) provides that sections 213 (2) and 214 of the **Melbourne and Metropolitan Board of Works Act 1958** apply with any necessary modifications to land vested in the Melbourne and Metropolitan Board of Works under section 3.

Clause 5

Sub-Clause (1) provides that this Bill and any order made under it do not effect the continuity of any interest in, licence or right affecting, or agreement or arrangement relating to the Wattle Park Chalet or any golf course or tennis court on the land vested in the Melbourne and Metropolitan Board of Works under section 3, existing immediately before the vesting of the land in the Board whether arising under an Act or otherwise.

Sub-Clause (2) provides that, on the vesting of land in the Melbourne and Metropolitan Board of Works under section 3, any lease, licence, agreement or arrangement mentioned in sub-section (1) and to which the Public Transport Corporation is a party has effect as if the Board were substituted for the Corporation.

Sub-Clause (3) provides that land vested in the Melbourne and Metropolitan Board of Works under section 3 that was used immediately before its vesting for the Wattle Park Chalet or as a golf course or tennis court may continue to be so used.

Clause 6 provides that no compensation is payable by the Melbourne and Metropolitan Board of Works or the Public Transport Corporation in respect of anything done under or arising out of this Bill.

Clause 7

Sub-Clause (1) provides that the Registrar of Titles must make any amendments in the Register under the **Transfer of Land Act 1958** that are necessary because of the operation of this Bill.

Sub-Clause (2) provides that, if at the date of commencement of this Act, section 7 of the **Transfer of Land (Computer Register) Act 1989** is not in operation then until that section comes into operation the Registrar of Titles must on request and the provision of certificates and documents make any amendments to the register book under the **Transfer of Land Act 1958** and other documents and instruments that are necessary because of the operation of this Bill.

Sub-Clause (3) provides that the Registrar-General must make any entries upon the records of enrolment of any Crown Grant and on any memorial relating to land that are necessary because of the operation of this Bill.