

1975

VICTORIA.



ANNO VICESIMO QUARTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 8735.

An Act relating to certain Crown land in the Township  
of Eltham.

[21st October, 1975.]

**W**HEREAS an Order in Council of the 29th day of June, 1965 permanently reserved certain Crown land in the township of Eltham now known as Eltham Lower Park (hereinafter called "the reserve") as a site for public recreation:

Preamble.  
*Government  
Gazette*  
7.7.1965,  
p. 2186.

And whereas pursuant to section 221 of the *Land Act* 1958 the corporation of the Shire of Eltham was on the 22nd day of April, 1970 appointed the committee of management of the reserve:

*Government  
Gazette*  
6.5.1970,  
p. 1253.

And whereas the land delineated and shown hatched on the plan in the Schedule (hereinafter called "the railway land") is part of the reserve upon which certain engine sheds, station buildings, platforms and associated amenities of a miniature railway stand:

Schedule.

And whereas the railway land is used for the carriage of passengers on the miniature railway:

And whereas it is expedient to authorize the corporation as committee of management to grant leases of the whole or any part of the railway land and to make other provision as hereinafter enacted:

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. (1) This Act may be cited as the *Eltham Land Act 1975*.

Commencement.

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

2. In this Act—

"Corporation."

"Corporation" means the corporation of the Shire of Eltham.

"The reserve."

"The reserve" means the lands referred to in the hereinbefore recited Order in Council of the 29th day of June, 1965.

Power to lease certain land.

3. (1) Notwithstanding anything to the contrary in any Act, the corporation as committee of management of the reserve 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 purpose of operating a miniature railway and amenities connected therewith.

Conditions of lease.

(2) A lease granted under this section—

(a) shall be subject to such covenants conditions exceptions 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.

Application of rent.

(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 reserve not leased under this section or for any other purpose approved by the Minister.

No compensation payable by Crown.

4. No compensation shall be payable by the Crown in respect of any act matter or thing done under or arising out of this Act.

SCHEDULE.

Land in the Township of Eltham which may be leased by the corporation.

Section 3.

