

VICTORIA.



ANNO VICESIMO SEXTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 8973.

An Act to revoke the Permanent Reservations of certain Lands and for other purposes.

[27th April, 1977.]

WHEREAS the Lands referred to in Part I of the Schedule Preamble. have been permanently reserved for the purposes and in accordance with the particulars respectively set out therein :

And whereas by the Crown grant specified in Item 8 of Part I. of the Schedule the land referred to therein has been granted to "The Ballarat Water Commissioners" hereinafter called "the Commissioners" on trust for the purpose for which the said land was reserved :

And whereas the certificate of title specified in Item 8 of Part I. of the Schedule is derived from the Crown grant referred to in the aforesaid Item :

And whereas the Commissioners are the registered proprietors of the land contained in the aforesaid certificate of title :

And whereas the Country Roads Board has agreed in consideration of the land referred to in Part IX. of the Schedule being made available to it for the purpose of construction of a road thereon to pay the sum of \$96,426 to the Commissioners :

And

And whereas the lands referred to in Parts II. to IX. of the Schedule are more urgently required for other purposes :

And whereas it is expedient to provide—

- (a) that the Crown grant referred to in Item 8 of Part I. of the Schedule insofar as it relates to the land delineated and shown hatched on the plan in Part IX. of the Schedule should be revoked ;
- (b) that the certificate of title referred to in Item 8 of Part I. of the Schedule insofar as it relates to the land delineated and shown hatched on the plan in Part IX. of the Schedule should be cancelled ;
- (c) that the permanent reservations of the lands delineated and shown hatched on the plans in Parts II. to IX. of the Schedule should be revoked ; and
- (d) that the lands delineated and shown hatched on the plans in Parts II. to IX. of the Schedule shall become and be unalienated lands of the Crown :

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 *Revocation and Excision of Crown Reservations Act 1977.*

Commencement.

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

Revocation of Crown grant.

2. The Crown grant referred to in Item 8 of Part I. of the Schedule insofar as it relates to the land delineated and shown hatched on the plan in Part IX. of the Schedule shall be revoked made void and annulled.

Cancellation of Certificate of Title.

3. The certificate of title referred to in Item 8 of Part I. of the Schedule insofar as it relates to the land delineated and shown hatched on the plan in Part IX. of the Schedule shall be cancelled made void and annulled.

Revocation of Permanent Reservations.

4. (1) The Orders in Council specified in Part I. of the Schedule insofar as they relate to the lands delineated and shown hatched in Parts II. to VII. and in Part IX. of the Schedule and any other Order in Council or proclamation insofar as it reserves or affects those lands shall be revoked.

(2) Section

(2) Section 3 of the *Ballarat (Sovereign Hill) Land Act 1973* No. 8401 s. 3. insofar as it relates to the land delineated and shown hatched in Part VIII. of the Schedule and any provision of any other Act in so far as it reserves or affects that land shall be repealed.

5. Notwithstanding anything in any Act the lands delineated and shown hatched on the plans in Parts II. to IX. of the Schedule shall be and be deemed to be unalienated lands of the Crown freed and discharged of all trusts encumbrances reservations limitations and restrictions whatsoever and from every estate or interest therein. Certain lands to be unalienated Crown lands.

6. The sum of \$96,426 shall be paid by the Country Roads Board to the Commissioners. Compensation.

7. Except as otherwise expressly provided by this Act, no compensation shall be payable by the Crown in respect of any act matter or thing done under or arising out of this Act. No compensation payable by Crown.



SCHEDULE.
PART I.

Lands as to Part of which the Permanent Reservations Crown Grants (if any) and Certificates of Title (if any) are Revoked or Cancelled 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) and Certificate of Title (if any).	Purpose of Reservation.	Portion as to which Reservation and Grant (if any) are revoked and Certificate of Title (if any) is cancelled.
1	Township of Axedale, 34.8 hectares	Order in Council, 10th March, 1873	<i>Government Gazettes</i> , 20th December, 1872, page 2301, and 21st March, 1873, page 504	Site for Racecourse and General Recreation	See Part II. of this Schedule
2	Township of Axedale, 6.983 hectares	Order in Council, 15th June, 1914	<i>Government Gazettes</i> , 13th May, 1914, page 2070, and 24th June, 1914, page 2566	Site for a Racecourse and General Recreation	See Part III. of this Schedule
3	City of Geelong, 2.023 hectares	Order in Council, 16th October, 1871	<i>Government Gazettes</i> , 20th October, 1871, page 1800, and 10th November, 1871, page 1986	Site for Hospital and Benevolent Asylum	See Part IV. of this Schedule
4	Parish of Mooropna, 32.89 hectares	Order in Council, 23rd September, 1903	<i>Government Gazettes</i> , 12th August, 1903, page 2641, and 7th October, 1903, page 3240	Site for Racecourse and other purposes of Public Recreation	See Part V. of this Schedule
5	Township of Oakleigh, 3.308 hectares	Order in Council, 7th May, 1884	<i>Government Gazettes</i> , 4th April, 1884, page 901, and 13th May, 1884, page 1355	Site for Public Recreation	See Part VI. of this Schedule

SCHEDULE

SCHEDULE—continued.
PART I.—continued

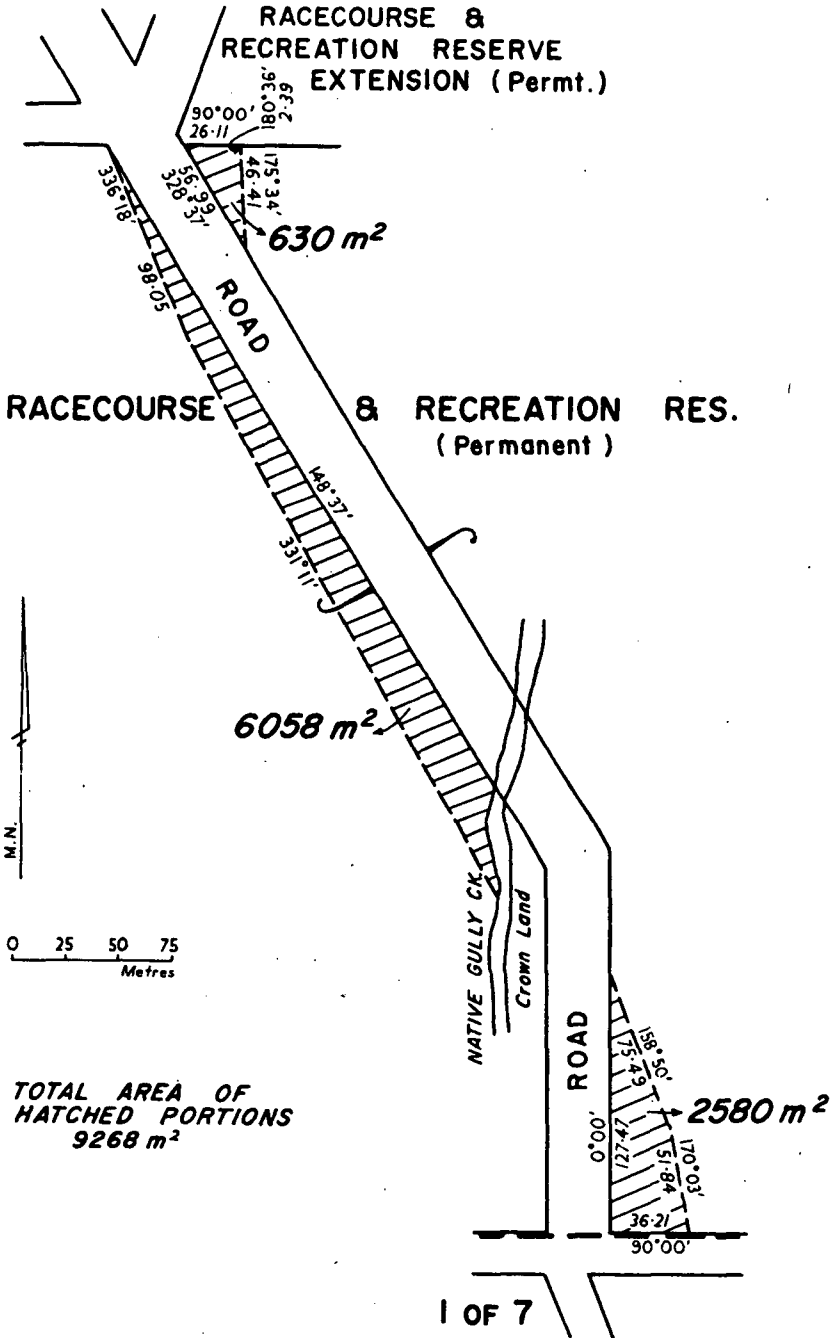
Item.	Situation and Area of Land.	Instrument and Date of Reservation.	Description of land by Reference to <i>Government Gazette</i> .	Particulars of Registration of Crown Grant (if any) and Certificate of Title (if any).	Purpose of Reservation.	Portion as to which Reservation and Crown Grant (if any) are revoked and Certificate of Title (if any) is cancelled.
6	Township of Oakleigh, 2049 square metres	Order in Council, 23rd April, 1968	<i>Government Gazettes</i> , 27th March, 1968, page 880, and 1st May, 1968, page 1723	Site for Public Recreation	See Part VII. of this Schedule
7	Township of Ballarat East, 11.67 hectares	<i>Ballarat (Sovereign Hill) Land Act</i> 1973, No. 8401, Section 3, Part B of the Schedule (Date of Proclamation 17th April, 1973)	Site for recreation and public purposes including the purposes of erecting buildings and other structures and exhibiting objects to illustrate the living and working conditions business premises, mining operations, transport, amusements and recreational activities of the gold mining period in Victoria	See Part VIII. of this Schedule
8	Parishes of Bungee, Dean and Warrenheip, 1085 hectares, less excision authorized by Act No. 8491	Order in Council, 27th 1884	<i>Government Gazettes</i> , 3rd October, 1884, page 2824, and 31st October, 1884, page 3039	Crown Grant Volume 1717 Folium 278 and Certificate of Title Volume 2846 Folium 070	Site for the purposes of Water Supply to the Ballarat Water Supply District	See Part IX. of this Schedule

SCHEDULE—continued.

PART II.

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

9268 square metres, Township of Axedale :



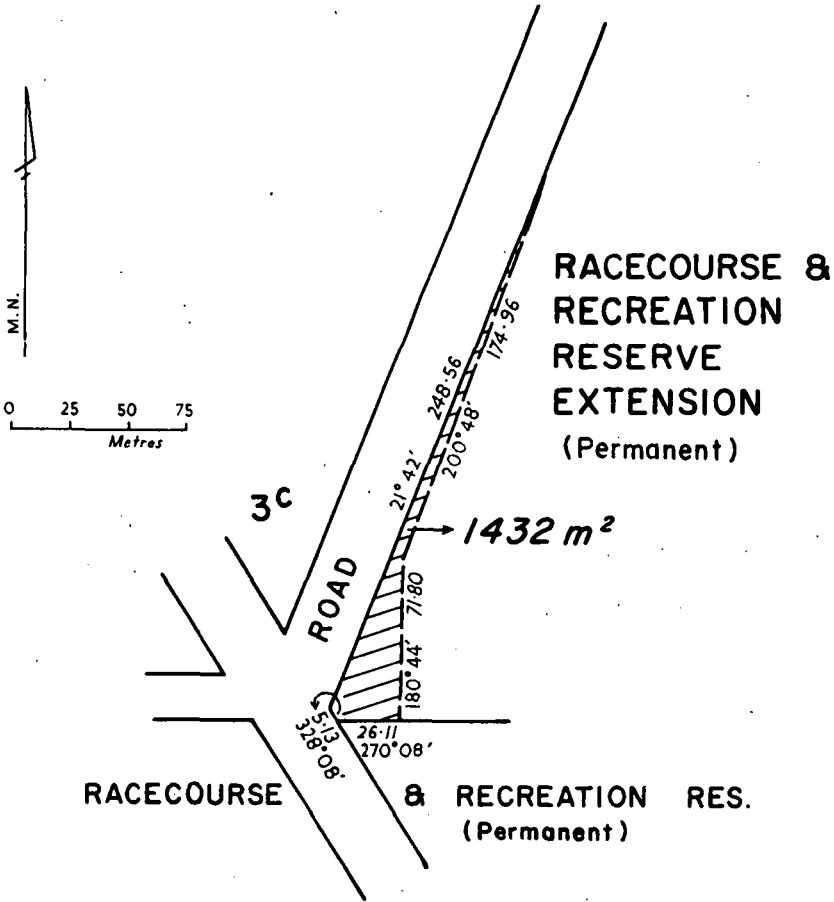
TOTAL AREA OF HATCHED PORTIONS 9268 m^2

SCHEDULE—continued.

PART III.

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

1432 square metres, Township of Axedale :

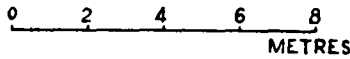
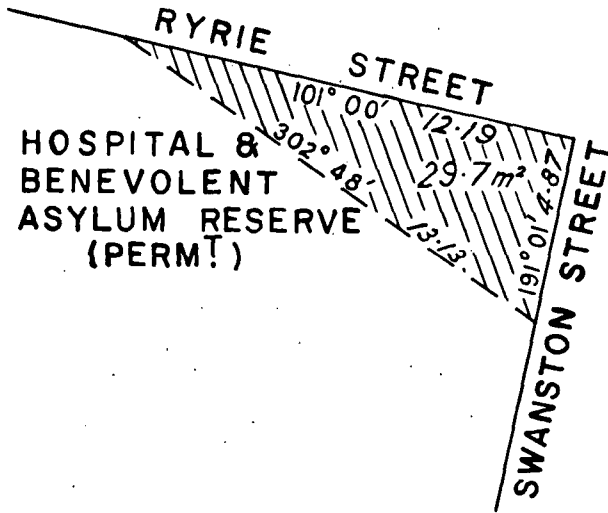


SCHEDULE—continued.

PART IV.

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

29.7 square metres, City of Geelong :

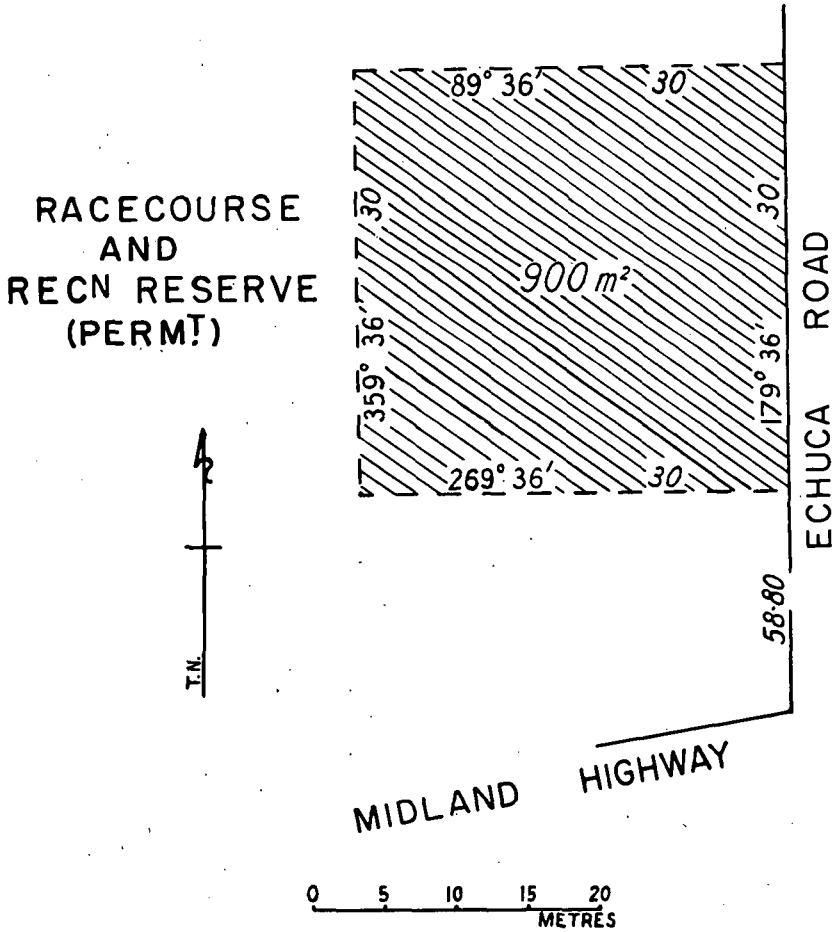


SCHEDULE—continued.

PART V.

Land, being part of the land referred to in Item 4 of Part I. of this Schedule, in respect of which the Order in Council referred to in that item is revoked by this Act.

900 square metres, Parish of Mooroopna :

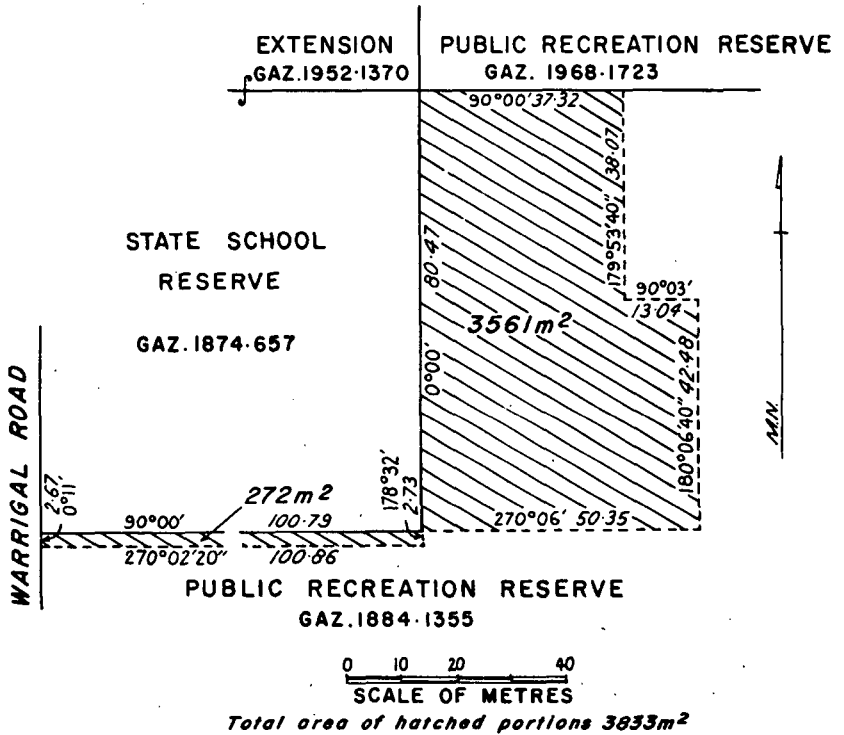


SCHEDULE—continued.

PART VI.

Land, being part of the land referred to in Item 5 of Part I. of this Schedule, in respect of which the Order in Council referred to in that item is revoked by this Act.

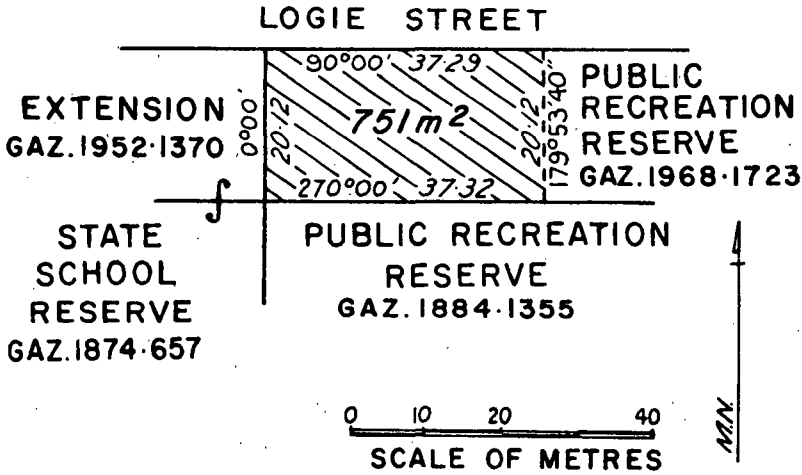
3833 square metres, Township of Oakleigh :



SCHEDULE—continued.
PART VII.

Land, being part of the land referred to in Item 6 of Part I. of this Schedule, in respect of which the Order in Council referred to in that item is revoked by this Act.

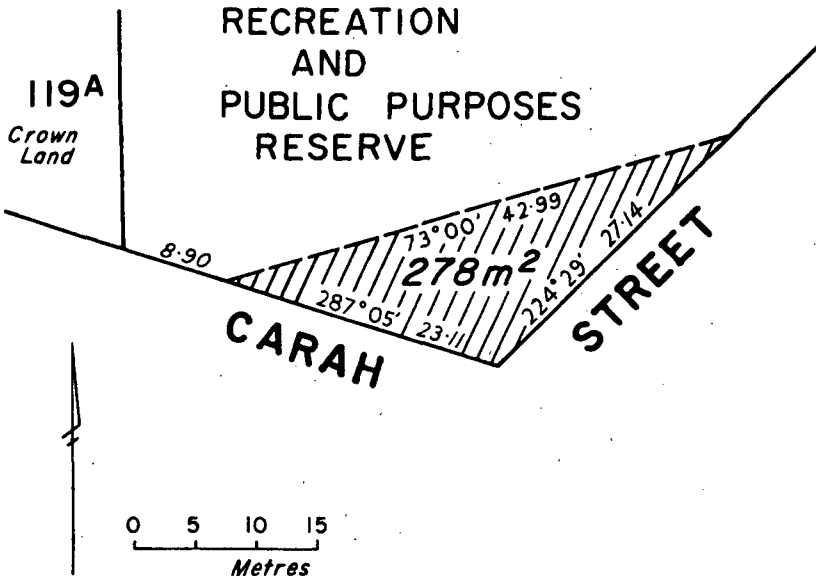
751 square metres, Township of Oakleigh :



PART VIII.

Land, being part of the land referred to in Item 7 of Part I. of this Schedule, in respect of which the Reservation referred to in that item is repealed by this Act.

278 square metres, Township of Ballarat East :

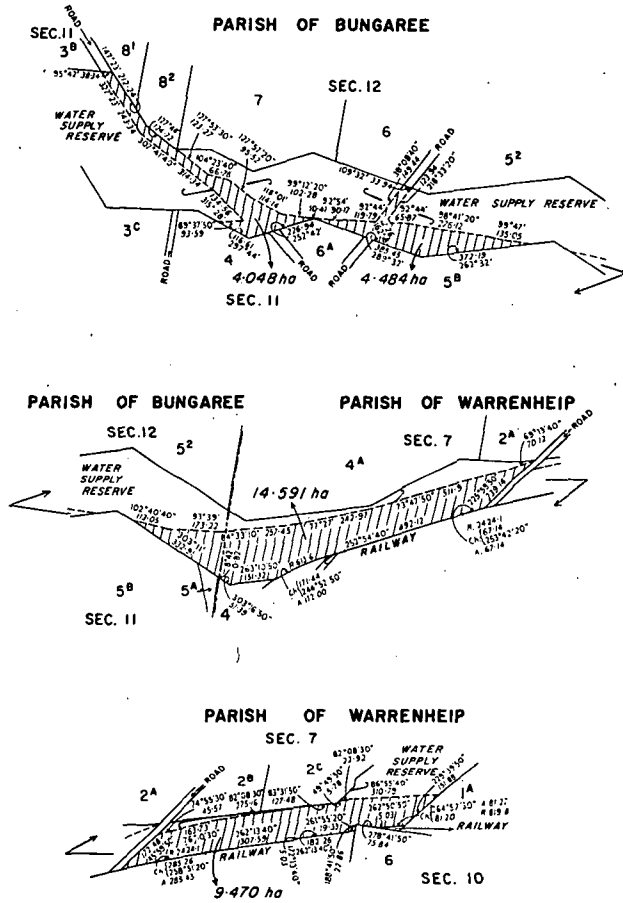


SCHEDULE—continued.

PART IX.

Land, being part of the land referred to in Item 8 of Part I. of this Schedule, in respect of which the Order in Council, Crown grant and Certificate of Title referred to in that item are revoked or cancelled by this Act.

32·593 hectares, Parishes of Bungaree and Warrenheip :



Total Area of Hatched Portions 32·593 ha

