

# Sunshine Land Act 1992

No. 77 of 1992

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Sunshine Land



**Victoria**

**No. 77 of 1992**

## **Sunshine Land Act 1992**

[Assented to 24 November 1992]

**The Parliament of Victoria enacts as follows:**

### **1. *Purpose***

The purpose of this Act is to revoke the permanent reservations of land at Sunshine so that it can be used for other purposes, and to make provision in consequence of that revocation.

### **2. *Commencement***

This Act comes into operation on a day to be proclaimed.

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**3. Revocation of reservations and vesting order**

- (1) The Order in Council specified in item 1 of Schedule 1 is revoked.
- (2) The Order in Council specified in item 2 of Schedule 1 is revoked to the extent that it applies to the land shown crosshatched on the plan in Schedule 2.
- (3) The Order in Council made under section 16 of the **Crown Land (Reserves) Act 1978**, dated 25 November 1986 and published in the Government Gazette on 3 December 1986, page 4591, is revoked to the extent that it applies to the land shown hatched and crosshatched on the plan in Schedule 2.

**4. Consequences of revoking reservations and vesting order**

On the revocation by this Act of an Order in Council mentioned in section 3—

- (a) the land in respect of which the Order is revoked is deemed to be unalienated land of the Crown, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests;
- (b) the management and control of that land is divested from the Council of the City of Sunshine and reverts to the Crown;
- (c) the appointment of any committee of management is revoked to the extent that it relates to that land;
- (d) any regulations under section 13 of the **Crown Land (Reserves) Act 1978** are revoked to the extent they apply to that land.

**5. No compensation payable by Crown**

Except as provided in any agreement under section 45 of the **Transport Act 1983** concerning any land shown hatched or crosshatched on the plan in Schedule 2, no compensation is payable by the Crown in respect of anything done under or arising out of this Act.

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**6. *Supreme Court—Limitation of jurisdiction***

It is the intention of this section to alter or vary section 85 of the **Constitution Act 1975** to the extent necessary to prevent the Supreme Court awarding compensation in respect of anything done under or arising out of this Act, except in relation to any agreement under section 45 of the **Transport Act 1983** concerning any land shown hatched or crosshatched on the plan in Schedule 2.

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**SCHEDULES**

**SCHEDULE 1**

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Land in respect of which the permanent reservations are revoked

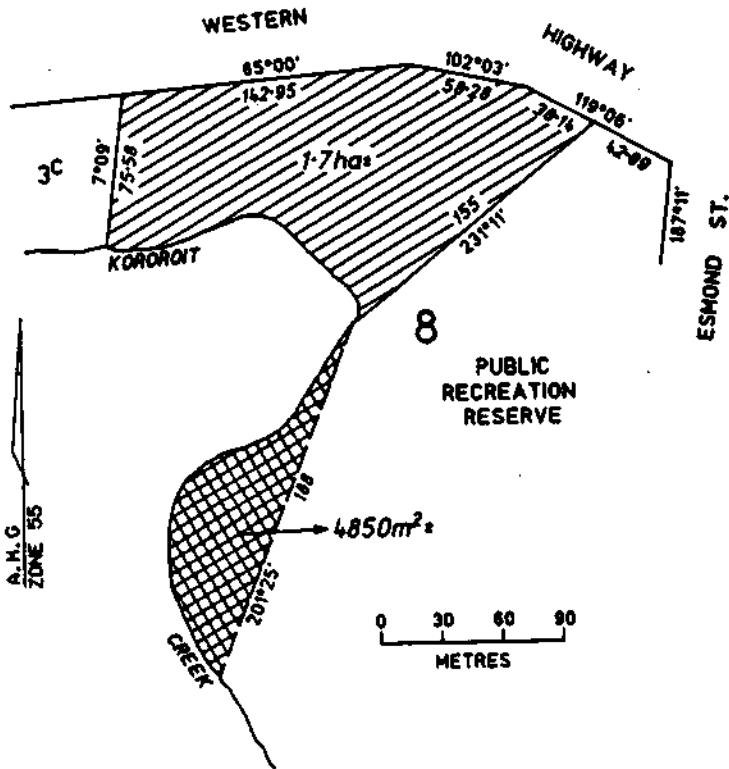
<i>Item</i>	<i>Situation and area of land</i>	<i>Instrument and date of reservation</i>	<i>Description of land by reference to Government Gazette</i>	<i>Purpose of Reservation</i>	<i>Extent of reservation</i>
1.	Parish of Maribyrnong County of Bourke 1.7 hectares more or less	Order in Council 27 September 1978	30 August 1978 Page 2837 and 4 October 1978 page 3155	Site for Public Recreation	The entire reserve being the land shown by hatching in Schedule 2
2.	Parish of Maribyrnong, County of Bourke, 11.23 hectares more or less	Order in Council 6 November 1963	9 October 1963 Page 3155 and 13 November 1963 Page 3413	Site for Public Recreation	Land shown by crosshatching in Schedule 2

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SCHEDULE 2

Sunshine Land



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Notes

NOTES

1. *Minister's second reading speech—*

*Legislative Assembly: 29 October 1992*

*Legislative Council: 6 November 1992*

2. The long title for the Bill for this Act was "A Bill to revoke the permanent reservations of land at Sunshine and for other purposes."

3. **Constitution Act 1975:**

*Section 85 (5) statement:*

*Legislative Assembly: 29 October 1992*

*Legislative Council: 6 November 1992*

*Absolute majorities:*

*Legislative Assembly: 5 November 1992*

*Legislative Council: 12 November 1992*

4. Section headings appear in bold italics and are not part of the Act.  
(See **Interpretation of Legislation Act 1984.**)