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VICTORIA.



ANNO VICESIMO QUARTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 8685.

An Act relating to Certain Lands in the Cities of
Melbourne and South Melbourne.

[2nd May, 1975.]

WHEREAS by Order in Council dated the 3rd February, 1914 certain Crown lands in the City of Melbourne containing 5,388 square metres more or less and known as Snowden Gardens were permanently reserved as a site for ornamental purposes and were vested in the Corporation of the City of Melbourne by Order in Council dated the 13th November, 1917 pursuant to the provisions of paragraph (b) of sub-section (1) of section 4 of the *Prince's Bridge Approach Act 1900* :

Preamble.

And whereas the lands delineated and shown cross-hatched on the plan in the Schedule are part of City-road part of Riverside-avenue and part of St. Kilda-road in the City of Melbourne :

And whereas it is expedient that the said Orders in Council should be revoked and that the said part of City-road the said part of Riverside-avenue and the said part of St. Kilda-road should be closed in order that the lands delineated and shown hatched and cross-hatched on the plan in the Schedule may be reserved as a site for the Victorian Arts Centre :

And whereas it is necessary to confer certain powers on the Victorian Arts Centre Building Committee :

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 shall be cited as the *Melbourne (Snowden Gardens) Land Act 1975*.

Commencement.

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

Revocation of Orders in Council.

2. (1) The Order in Council dated the 3rd February, 1914 permanently reserving certain lands in the City of Melbourne containing 5,388 square metres as a site for ornamental purposes is hereby revoked.

(2) The Order in Council dated the 13th November, 1917 vesting the said lands in the Corporation of the City of Melbourne is hereby revoked.

(3) Any other Order in Council and any proclamation so far as it reserves or affects or purports to reserve or affect the said land shall also be revoked and notwithstanding anything in any Act such land shall be deemed to be unalienated land of the Crown, freed and discharged from all trusts encumbrances reservations limitations and restrictions whatsoever and from every estate or interest therein.

Land shown cross-hatched in the Schedule shall cease to form part of a public road.

3. The lands delineated and shown cross-hatched on the plan in the Schedule shall cease to form part of a public road and all rights easements and privileges existing for the public or claimed by any person in or in connexion with the land as a public road shall cease and determine and the land shall be deemed to be unalienated land of the Crown freed and discharged from all trusts encumbrances reservations limitations and restrictions whatsoever and from every estate or interest therein.

Land shown hatched and cross-hatched may be reserved as a site for the Victorian Arts Centre.

4. The land delineated and shown hatched and cross-hatched on the plan in the Schedule may pursuant to the *Land Act 1958* be permanently reserved as a site for the Victorian Arts Centre.

Land may be granted to the Victorian Arts Centre Building Committee.

5. (1) The Governor in Council may notwithstanding anything in the *Land Act 1958* grant to the Victorian Arts Centre Building Committee the land shown hatched and cross-hatched on the plan in the Schedule.

(2) A grant under sub-section (1) shall be subject to the condition that all landscape and garden areas established on the

land

land shall be laid out to the satisfaction of the council of the City of Melbourne and thereafter maintained by the corporation of the City of Melbourne at the expense of the grantee and to such other conditions reservations and exceptions as the Governor in Council thinks fit.

6. (1) Notwithstanding anything in any Act the Governor in Council may upon such terms and conditions as the Governor in Council thinks fit and upon such conditions as the council of the municipal district in which the land is situated deems necessary grant to the Victorian Arts Centre Building Committee any authority necessary or expedient to enable the Committee to erect pedestrian ways and areas to be used for ornamental purposes or for the recreation convenience and amusement of the people over all or any of the parts of the roads known as Riverside-avenue City-road and Sturt-street that abut lands reserved under this Act or under the *Melbourne South Land Act 1946*.

Governor in Council may enter into agreements with the councils of the Cities of Melbourne and South Melbourne.

(2) The Victorian Arts Centre Building Committee may enter into agreements with the councils of the Cities of Melbourne and South Melbourne with respect to the maintenance and management of pedestrian ways and areas constructed in accordance with any authority given under sub-section (1).

(3) Each such council may do or suffer anything necessary or expedient for carrying any such agreement into effect and where any such agreement is entered into between the Victorian Arts Centre Building Committee and both councils each council may do anything necessary or expedient for carrying the agreement into effect in the municipal district of the other council.

7. The operation of this Act shall not be affected by the *Melbourne (St. Kilda-road Underpass) Lands Act 1969* or anything done under that Act.

This Act not affected by *Melbourne (St. Kilda-road Underpass) Lands Act 1969*.

8. 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.

9. The *National Art Gallery and Cultural Centre Act 1956* shall be amended as follows :—

Amendment of No. 6025.

(a) In sub-section (1) of section 3 for the words "a suitable building on land reserved under the Principal Act and for the erection of such a building on such land" there shall be substituted the expression "suitable buildings on the lands reserved under the Principal Act and the *Melbourne (Snowden Gardens) Land Act 1975* and for the erection of such buildings on such lands";

S. 3 (1).

(b) In paragraph (a) of sub-section (4) of section 6 for the words "land vested in the committee pursuant to this Act" there shall be substituted the expression

S. 6 (4) (a).

"lands

“lands vested in the committee pursuant to this Act and the *Melbourne (Snowden Gardens) Land Act 1975*”;

s. 6 (4) (b).

(c) In paragraph (b) of sub-section (4) of section 6 for the words “a suitable building” there shall be substituted the words “suitable buildings” and for the word “land” there shall be substituted the word “lands”;

s. 7.

(d) In section 7 for the expression “7.” there shall be substituted the expression “7. (1)”;

s. 7.

(e) After section 7 there shall be inserted the following sub-section:—

“(2) The committee may exercise the power conferred on it under paragraph (b) of sub-section (1) notwithstanding anything in the *Land Act 1958* or in any Crown grant vesting any land in the committee.”

SCHEDULE.

Land in the City of Melbourne.

