

Melbourne (Flinders Street Land) Act 2003

Act No. 31/2003

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Victoria

No. 31 of 2003

Melbourne (Flinders Street Land) Act 2003[†]

[Assented to 27 May 2003]

Preamble

The land described in the paragraphs I, II and III of the Second Schedule to **The Railway Melbourne Lands Exchange Act 1888**, with the exception of certain areas provided for in the **King-street Bridge Act 1957**, was, by the operation of the **Melbourne (Flinders-street) Land Act 1958**, vested in the Lord Mayor Councillors and Citizens of the City of Melbourne for municipal purposes.

A part of that land was divested from the Melbourne City Council by the **Melbourne Lands (Yarra River North Bank) Act 1997**.

It is now proposed to divest the remainder of the land from the Melbourne City Council and revoke the reservation of that land.

The Parliament of Victoria therefore enacts as follows:

1. *Purposes*

The purposes of this Act are—

- (a) to divest land from the Melbourne City Council and revoke the reservation of the land; and
- (b) to amend the **Melbourne (Flinders-street) Land Act 1958**; and
- (c) to provide for other related matters.

2. *Commencement*

- (1) Subject to sub-section (2), this Act comes into operation on a day to be proclaimed.
- (2) If this Act does not come into operation before 30 June 2005, it expires on that day.

3. *Divesting of land from Melbourne City Council*

The land vested in the Melbourne City Council under the **Melbourne (Flinders-street) Land Act 1958** is divested from the Melbourne City Council and—

- (a) is deemed to be unalienated land of the Crown, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests; and
- (b) any regulations made under the **Crown Land (Reserves) Act 1978** are revoked in so far as they apply to the land.

4. Preserving rights under certain Acts

Nothing in this Act affects—

- (a) any rights under the **Melbourne Underground Rail Loop Act 1970** over the land divested from the Melbourne City Council by section 3; and
- (b) any rights under the **Transport Act 1983** over the land divested from the Melbourne City Council by section 3, being rights that apply to the Flinders Street Viaduct Railway; and
- (c) any rights of passage under section 5 of the **Melbourne Lands (Yarra River North Bank) Act 1997** over any of the land divested from the Melbourne City Council by section 3.

5. Repeal of certain sections of the Melbourne (Flinders-street) Land Act 1958

Sections 2 and 3 of the **Melbourne (Flinders-street) Land Act 1958** are repealed.

See:
Act No.
6178.
LawToday:
www.dms.
dpc.vic.
gov.au

ENDNOTES

[†] *Minister's second reading speech—*

Legislative Assembly: 9 April 2003

Legislative Council: 7 May 2003

The long title for the Bill for this Act was "to provide for the divesting of certain land in the vicinity of Flinders Street from the Melbourne City Council, and for the revocation of the reservation of that land, to amend the **Melbourne (Flinders-street) Land Act 1958** and for related matters."