

Version No. 002
Mildura College Lands Act 1916
Act No. 2842/1916

Version incorporating amendments as at 21 November 2000

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Version No. 002
Mildura College Lands Act 1916
Act No. 2842/1916

Version incorporating amendments as at 21 November 2000

An Act relating to certain Agricultural School or College Lands
situate at Mildura and for other purposes.

Preamble

WHEREAS by an indenture dated the thirty-first day of May One thousand eight hundred and eighty-seven between Her Majesty Queen Victoria by Sir Henry Brougham Loch Governor of the Colony of Victoria (with the advice of the Executive Council) of the one part and George Chaffey and William Benjamin Chaffey (in the said indenture called "the licensees") of the other part, a copy of which indenture is set forth in Part I of the Fifth Schedule to the **Mildura Irrigation Trusts Act 1895**, the said licensees covenanted (inter alia) for themselves their executors administrators and assigns to set apart and devote one-fifteenth part of all the irrigated land from time to time granted to them under the said indenture with sufficient water easements attached thereto for the purpose of endowing an agricultural school or college and to convey such land with the said water easements free from all encumbrances to the Council of Agricultural Education or to such persons or corporation as the Governor from time to time should direct:

AND WHEREAS it was declared by the said indenture that the land so set apart and conveyed should be held in trust for the maintenance of the said agricultural school or college with full power to sell or lease the same together or in parcels for any time and at any reasonable rents and the rents and profits of the said land and the proceeds of the

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sales of such portions of the same as might be sold should be held upon trust for the said school or college and upon such other trusts as the Governor might determine:

AND WHEREAS a like covenant and declaration were contained in an indenture made the tenth day of March One thousand eight hundred and ninety-one between Her Majesty Queen Victoria by His Excellency the Right Honorable John Adrian Louis Earl of Hopetoun Governor of the Colony of Victoria (with the advice of the Executive Council) of the first part George Chaffey and William Benjamin Chaffey (in the said indenture called "the licensees") of the second part and "Chaffey Brothers Limited" being a company registered under **The Companies Statute 1864** of the third part, a copy of which indenture is set forth in Part II of the Fifth Schedule to the **Mildura Irrigation Trusts Act 1895**:

AND WHEREAS by the said indenture of the tenth day of March One thousand eight hundred and ninety-one it is witnessed that the licensees did by that indenture at the request of the said Chaffey Brothers Limited and in pursuance of an indenture of the third day of February One thousand eight hundred and ninety executed by the said licensees for the considerations therein stated declare that they held all the rights privileges powers licences and authorities given to or otherwise vested in them (subject to the several conditions covenants and stipulations affecting the same by the said indenture of the thirty-first day of May One thousand eight hundred and eighty-seven and by the said indenture of the tenth day of March One thousand eight hundred and ninety-one) in trust for the said company Chaffey Brothers Limited as the said company might direct and appoint:

AND WHEREAS at an extraordinary general meeting of the said company duly convened and held on the tenth day of December One thousand eight hundred and ninety-five it was (inter alia)

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resolved that it was advisable to wind up the said company and that the company be wound up voluntarily under the provisions of the **Companies Act 1890**:

AND WHEREAS by an order of the Supreme Court of the Colony of Victoria made on the seventeenth day of December One thousand eight hundred and ninety-five the said Court did order (inter alia) that the voluntary winding up of the said company be continued but subject to the supervision of such Court:

AND WHEREAS the estate of the said George Chaffey was placed under sequestration by an order of the Court of Insolvency made on the twelfth day of May One thousand eight hundred and ninety-six:

AND WHEREAS Louis Irving Barker now of King-street Melbourne accountant is the trustee of the insolvent estate of the said George Chaffey:

AND WHEREAS the lands described or referred to in the Schedule to this Act have been set apart and devoted or were intended to be set apart and devoted to the purposes mentioned in the said covenants contained in the said recited indentures:

AND WHEREAS of the lands described or referred to in the Schedule to this Act the lands described or referred to in the First Part of the said Schedule were with the consent and by direction of the then Governor of the State of Victoria transferred in accordance with certain instruments of transfer bearing date the fourteenth day of November One thousand nine hundred and six to the Honorable George Swinburne in his capacity as the Minister of Agriculture of the said State who is the registered proprietor thereof:

AND WHEREAS of the lands described or referred to in the Schedule to this Act the lands described or referred to in the Second and Third Parts of the said Schedule have not been conveyed in accordance with the said recited covenants but

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are vested in fee simple in the said Chaffey Brothers Limited (now in liquidation) subject as to the lands described or referred to in the Third Part of the said Schedule to the mortgages referred to therein:

AND WHEREAS of the lands described or referred to in the Schedule to this Act the lands described or referred to in the Fourth Part of the said Schedule have not been conveyed in accordance with the said recited covenants but are vested in fee simple in the said Louis Irving Barker of William-street Melbourne accountant and the said William Benjamin Chaffey:

AND WHEREAS the titles to the lands described or referred to in the said Fourth Part of the Schedule to this Act are subject to a lien but the lienee has consented to the said lands being vested in the Minister of Public Instruction and his successors as provided in and for the purposes of this Act free and discharged from such lien:

AND WHEREAS it is expedient that all the lands described or referred to in the Schedule to this Act should be vested in the Minister of Public Instruction and his successors free and discharged from any mortgages charges or liens affecting the same and that the Minister of Public Instruction for the time being should be empowered to demise the said lands or any of them and it is expedient also to provide that any demise of any of the said lands or of any part thereof made before and continuing at the commencement of this Act should have the like effect as if made under this Act and that provision should be made with respect to the rents and profits of the said lands or arising from any demise thereof (whether before or after the commencement of this Act):

AND WHEREAS the said the Honorable George Swinburne, Louis Irving Barker, William Benjamin Chaffey (by his attorney) and the said Chaffey Brothers Limited (in liquidation) and the registered proprietors of the said mortgages so far

as relates to the said persons or the said company or the said mortgagees respectively have consented to the said lands being vested in the Minister of Public Instruction and his successors as provided in this Act:

BE IT THEREFORE ENACTED by the King'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):

1. Short title

This Act may be cited as the **Mildura College Lands Act 1916**.

2. Vesting of lands in Minister¹

Notwithstanding anything to the contrary in any Act law or usage whatsoever or in any indenture deed agreement instrument or writing whatsoever by whomsoever made or entered into—

- (a) the lands described or referred to in Schedule 1 to this Act are hereby and without further or other conveyance or transfer than this Act vested in the Minister for the purposes of the beneficiaries referred to in Schedule 2 with sufficient water easements attached thereto but free and discharged from any mortgages charges or liens heretofore affecting the same respectively;

S. 2(a)
amended by
Nos 5830
s. 2(a), 8860
s. 2(a),
58/1990
ss 4(1), 5(1).

- (b) the Registrar of Titles must make any recordings in the Register that are necessary because of the vesting of lands in the Minister and the Minister's successors in accordance with paragraph (a) and the holder of any relevant certificate of title must if

S. 2(b)
amended by
No. 8860
s. 2(b),
substituted by
No. 18/1989
s. 13(Sch.
item 56(a)).

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s. 2

requested to do so deliver it to the Registrar of Titles;

S. 2(c)
amended by
No. 8860
s. 2(c),
repealed by
No. 18/1989
s. 13(Sch. 2
item 56(b)).

* * * * *

S. 2(d)
amended by
No. 8860
s. 2(d),
repealed by
No. 18/1989
s. 13(Sch. 2
item 56(b)).

* * * * *

S. 2(e)
amended by
Nos 5830
s. 2(b), 8860
s. 2(e),
26/1995
s. 4(1).

(e) subject to this section, the Minister is hereby empowered to demise for such period and upon such terms and for such rent and subject to such covenants conditions or restrictions as he thinks fit the said lands or any of them or any part or parts thereof;

S. 2(ea)
inserted by
No. 9495 s. 2.

(ea) the Minister may grant or create in favour of any person an easement over or in respect of land vested in the Minister by virtue of this Act, for the periods and upon the terms and conditions that the Minister thinks fit;

S. 2(eb)
inserted by
No. 26/1995
s. 4(2).

(eb) rental on a lease of any part of the lands must be determined on the basis of a valuation of the land by the Valuer-General and must be reviewed—

(i) at the end of every third year on the basis of a further valuation of the land by the Valuer-General; or

-
- (ii) at the end of each year by the application of the all groups consumer price index for Melbourne published by the Australian Statistician—
- according to whichever method of review is provided by the lease;
- (ec) a leaseholder may apply to the Victorian Civil and Administrative Tribunal for review of a decision made by the Valuer-General with respect to valuation of the land;
- (ed) any valuation by the Valuer-General must not include the value of any improvements on the land if—
- (i) those improvements were made by the current leaseholder; or
- (ii) a payment in respect of those improvements was made by the current leaseholder to the then existing leaseholder upon assignment of the lease to the current leaseholder;
- (ee) any valuation of the land by the Valuer-General, other than a valuation to which paragraph (ed) applies, must include in the valuation any improvements on the land;
- (ef) ownership of any improvements on any part of the lands leased by a leaseholder remains with the leaseholder or the leaseholder's lawful assignees in the circumstances described in paragraph (ed), but at the expiration of the lease in the event of there being no lawful assignees the improvements are the property of the Crown.
- S. 2(ec) inserted by No. 26/1995 s. 4(2), amended by No. 52/1998 s. 311(Sch. 1 item 63).
- S. 2(ed) inserted by No. 26/1995 s. 4(2).
- S. 2(ee) inserted by No. 26/1995 s. 4(2).
- S. 2(ef) inserted by No. 26/1995 s. 4(2).

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S. 2(f)
amended by
Nos 3522 s. 2,
5830 s. 2(c),
substituted by
Nos 7963
s. 2(1),
26/1995
s. 5(1).

(f) ²without limiting any other power of the Minister, he or she may enter into an agreement with a trustee company within the meaning of the **Trustee Companies Act 1984** for the provision by that company of services with respect to all or any part of the land vested in the Minister by virtue of this Act or the management and administration of—

- (i) any rents and profits arising from any demise of that land; or
- (ii) the special fund referred to in section 3(2);

S. 2(fa)
inserted by
No. 7963
s. 2(1),
substituted by
No. 26/1995
s. 5(1).

(fa) an agreement referred to in paragraph (f) must provide for—

- (i) one or more funds³ to be established by the trustee company for the benefit of the beneficiaries referred to in Schedule 2 and for the payment into that fund or those funds of any rents and profits referred to in paragraph (f)(i);
- (ii) the costs incurred in connection with any subdivision of the land or of any part or parts of it for the purpose of leasing or selling it or in connection with the laying out and construction of any roads and streets for the purposes of any such subdivision to be paid out of that fund or those funds;
- (iii) the costs incurred by the Minister in connection with the administration of this Act to be paid out of that fund or those funds;

(iv) payments out of the balance remaining in that fund or those funds after deductions have been made under subparagraphs (ii) and (iii) and liabilities met under section 5(2) of the **Mildura College Lands (Amendment) Act 1995** to be made every quarter to the beneficiaries (being State schools within the meaning of the **Education Act 1958** or schools registered under Part III of that Act) referred to in Schedule 2;

(v) the money paid out under subparagraph (iv) to be distributed according to the formula—

$$\frac{A}{B} \times C \text{ where—}$$

A is the number of students enrolled in the school listed as a beneficiary in Schedule 2 as at the preceding 28 February;

B is the total number of students enrolled in all schools listed as beneficiaries in Schedule 2 as at the preceding 28 February;

C is the amount to be distributed;

(vi) the submission of quarterly financial reports by the trustee company to the Minister;

(fb) if the Councils of all the schools referred to in Schedule 2 recommend that the distribution of income amongst them be varied in a specified manner, the trustee company must act in accordance with any such recommendation until superseded by a

S. 2(fb)
inserted by
No. 7963
s. 2(1),
substituted by
Nos 58/1990
s. 4(2),
26/1995
s. 5(1).

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subsequent recommendation under this paragraph;

S. 2(fba)-(fbc) inserted by No. 58/1990 s. 4(2), repealed by No. 26/1995 s. 5(1).

* * * * *

S. 2(fbd) inserted by No. 58/1990 s. 4(2).

(fbd) If the name of a school referred to in Schedule 2 is changed, the change of name does not affect the school's entitlement to share in the distribution of an amount under this Act;

S. 2(fbe) inserted by No. 58/1990 s. 4(2).

(fbe) In this section, "**school**" includes college;

S. 2(fc) inserted by No. 7963 s. 2(1), amended by Nos 58/1990 s. 4(3), 26/1995 s. 6(a).

(fc) A share of the fund or funds established in accordance with paragraph (fa)(i) set aside for the benefit of a school under paragraph (fa)(iv) shall be used for or towards the provision erection re-erection extension repair maintenance and renewal of buildings the maintenance of grounds and the provision and maintenance of equipment (including sports equipment) for or in connexion with the school and any student's hostel, at which students at the school are accommodated, established primarily for the benefit of students at a school referred to in Schedule 2;

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(fd) from the amount set aside under paragraph (fa)(iv), as the share for the benefit of any school referred to in Schedule 2, there must be paid out of the fund or funds established in accordance with paragraph (fa)(i) to or on behalf of the Council of the school—

S. 2(fd)
inserted by
No. 8860
s. 2(f),
substituted by
No. 8987 s. 2,
amended by
Nos 58/1990
s. 4(4),
26/1995
s. 6(b).

(i) the whole amount of the share as requested; or

(ii) such part of the amount of the share as is from time to time requested—

by the Council and approved by the Minister.

(fe) any moneys paid under paragraph (fd) to the Council or governing body of a school shall be held by the Council or body upon trust for the benefit of that school and shall together with any interest thereon be used for or towards the provision, erection, re-erection, extension, repair, maintenance and renewal of buildings, the maintenance of grounds and the provision and maintenance of equipment (including sports equipment) for or in connexion with the school and any students' hostel at which the students of the school are accommodated, established primarily for the benefit of students at the school;

S. 2(fe)
inserted by
No. 8860
s. 2(f).

(ff) the Council or governing body of a school may invest in or upon any investments in which trustees are by law authorized to invest trust funds any moneys paid to it under paragraph (fd) together with any interest thereon which are not for the time being required for the purposes referred to in paragraph (fe);

S. 2(ff)
inserted by
No. 8860
s. 2(f).

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S. 2(g)
amended by
No. 8860
s. 2(g).

(g) any demise of any of the said lands or of any part thereof heretofore made and continuing at the commencement of this Act is hereby validated and shall have the like operation and effect as if it had been made by the Minister under this Act and shall be read and construed and given effect accordingly and any rents and profits of the said lands or arising (whether before or after the commencement of this Act) from any such demise shall be dealt with in like manner as is provided for rents and profits under the foregoing provisions of this section so far as the same have not been transferred to the Consolidated Revenue before the commencement of this Act which transfer is hereby validated;

S. 2(h)
amended by
Nos 5830
s. 2(d), 7963
s. 2(2), 8860
s. 2(h),
58/1990
ss 4(5), 5(2).

(h) after the commencement of this Act—
any reference in the said recited indentures to an agricultural school or college shall be deemed and taken to refer to schools referred to in Schedule 2 so far as regards any lands described or referred to in Schedule 1 to this Act and any lands hereafter set apart and devoted under the said covenants; and
any lands hereafter so set apart and devoted shall with sufficient water easements attached thereto be conveyed or transferred to the Minister; and
the provisions of this Act as to the demise of lands referred to herein and to the application of the rents and profits of such lands or arising from any demise thereof shall extend and apply to any lands hereafter so set apart and devoted and the rents and profits of such lands or arising from any demise thereof; and

the said recited indentures shall be read and construed and given effect in accordance with the provisions of this Act.

3. Land held on trust for sale

S. 3
inserted by
No. 26/1995
s. 7.

- (1) Any land vested in the Minister by virtue of this Act is held by the Minister on trust for sale with power to postpone the sale for an indefinite period.
- (2) The proceeds arising from any sale of land under this Act must be paid into a special fund to be established for this purpose.
- (3) The proceeds referred to in sub-section (2) held in the special fund must be invested in the purchase of land in fee simple at a time to be determined by the Minister and, until so invested, must continue to be held in the special fund.
- (4) If land in fee simple is purchased out of money standing to the credit of the special fund referred to in sub-section (2), this Act (except section 2(a)) has effect (with any necessary modifications) in relation to the land so purchased as if it were included in the lands described or referred to in Schedule 1 and were land vested in the Minister by virtue of this Act.

* * * * *

S. 3(5)
repealed by
No. 104/1995
s. 6(Sch. 1
item 19).

- (6) All income derived from money standing to the credit of the special fund referred to in sub-section (2) must be applied in the same manner as would be applicable in accordance with this Act if it were rents and profits arising from any demise under section 2(e) and this Act has effect in relation to it accordingly.

s. 3

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- (7) This section has effect despite any rule of law to the contrary or any provision to the contrary made by or under any Act or by any instrument.
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SCHEDULES

SCHEDULE 1

Preamble,
section 2.
Sch.
re-named
Sch. 1 by
No. 58/1990
s. 5(3).

FIRST PART

LANDS VESTED IN THE HONORABLE GEORGE SWINBURNE IN HIS
CAPACITY AS THE MINISTER OF AGRICULTURE OF THE STATE OF
VICTORIA

Sch. 1 Pt 1
amended by
No. 18/1989
s. 13(Sch. 2
item 56
(c)(i)) (as
amended by
Nos 48/1991
s. 70(c)(v),
74/2000
s. 3(Sch. 1
item 128.2)).

All that piece of land containing two acres and two roods or thereabouts being lot four section sixty-two block D on plan of subdivision number 2144 lodged in the Office of Titles and being part of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3207 folium 641241.

All that piece of land containing forty-nine acres two roods twenty-nine perches and eight-tenths of a perch or thereabouts being lots eight nine ten and eleven section forty-seven block E on plan of subdivision number 2653 lodged in the Office of Titles and being part of Crown portion four parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3207 folium 641242.

All that piece of land containing twenty acres or thereabouts being lots sixteen and seventeen section fifty-three block F on plan of subdivision number 2636 lodged in the Office of Titles and being part of Crown portion four parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3207 folium 641243.

All those pieces of land containing three acres two roods and twenty-four perches or thereabouts being lot five section thirteen, lot three section nineteen, part of lot twenty-six section twenty, lot thirty-four and parts of lots four and nine section twenty-one, lots twelve and twenty-seven section twenty-two, lots five twenty-nine and thirty section twenty-three, lots eighteen and nineteen section twenty-four, lots six and twenty-one section twenty-five, lots four nineteen and thirty-four section forty, lot seven section forty-one, lots two seventeen and thirty-two section forty-three, lots twelve and twenty-seven section forty-four, lots seven twenty-two and thirty-seven section forty-five, and lot five section forty-six—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of

Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646698.

All those pieces of land containing three acres one perch and three-fourths of a perch or thereabouts being lots fourteen and twenty-nine section twenty-six, lots seven twenty-two and thirty-seven of section twenty-seven, lot five section twenty-eight, lot ten section twenty-nine, lot fifteen section thirty, lots one and sixteen section thirty-five, lot six section thirty-six, lot four section thirty-seven, lots fourteen and twenty-nine section thirty-eight, and lots nine twenty-four and thirty-nine section thirty-nine—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646699.

All those pieces of land containing four acres twenty-six perches and one-half of a perch or thereabouts being lot eight section fifty, lots three eighteen and thirty-three section fifty-one, lots thirteen and twenty-eight section fifty-two, lots eight twenty-three and thirty-eight section fifty-three, lots five eighteen and thirty-three section fifty-four, lots eight twenty-three and thirty-eight section fifty-six, lots seven twenty-two and thirty-seven section sixty-seven, lots two seventeen and thirty-two section sixty-eight, lots twelve and twenty-seven section sixty-nine, lots seven twenty-two and thirty-five section seventy, lots two seventeen and thirty-two section seventy-one, lots twelve and twenty-seven section seventy-two, and lot ten section seventy-three—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646700.

All those pieces of land containing fifteen acres and four perches or thereabouts being lot seven section eighteen, part of lot three section forty-seven, lot twelve section seventy-four, lot six section seventy-five, lot three section eighty-three, and lot nine section eighty-four—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646701.

All those pieces of land containing twenty-four acres two roods and nineteen perches or thereabouts being lots one and two section thirty-one, lot two section sixty, part of lot eleven section sixty-two, lot five section sixty-three, lot nine section seventy-seven, lot eleven section seventy-eight, lot eight section seventy-nine, lot eight section eighty-one, and lot twelve section eighty two—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646702.

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All those pieces of land containing one acre three roods eleven perches and one-half of a perch or thereabouts being lots three eighteen and thirty-three section fifty-seven, lots thirteen and twenty-eight section fifty-eight, lot eleven section fifty-nine, lot seven section sixty-four, lots two seventeen and thirty-two section sixty-five, and lots twelve and twenty-seven section sixty-six—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646703.

All those pieces of land containing seventy-eight acres one rood and thirty-five perches or thereabouts being lots thirteen to twenty (both inclusive) section twenty-nine block F on plan of subdivision number 2272 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646704.

All that piece of land containing eighteen acres one rood thirty-seven perches and four-tenths of a perch or thereabouts being lots eleven and twelve section twenty-four block E on plan of subdivision number 2380 lodged in the Office of Titles and being part of Crown portion two parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646705.

All those pieces of land containing two hundred and one acres one rood and twenty-five perches or thereabouts being lots one two and three and part of lot six section ten, lots one two eleven twelve thirteen and fourteen section eleven, and lots one to six (both inclusive) and lots twelve to fifteen (both inclusive) section twelve—all of block F on plan of subdivision number 2381 lodged in the Office of Titles and being parts of Crown portion two parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646706.

All that piece of land containing seventy-four acres three roods and three-tenths of a perch or thereabouts being section sixty-one block F on plan of subdivision number 3190 lodged in the Office of Titles and being part of Crown portion five parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646707.

All that piece of land containing eighteen acres and two perches or thereabouts being lots one and eleven section twenty-two block F on plan of subdivision number 3330 lodged in the Office of Titles and being part of Crown portion eight parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646708.

All that piece of land containing thirty acres or thereabouts being lots four five and six section sixty-six block E on plan of subdivision number 3470 lodged in the Office of Titles and being part of Crown portion fifteen parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646709.

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All that piece of land containing twenty-eight acres two roods twenty-six perches and three-tenths of a perch or thereabouts being lots nine ten and eleven section one hundred and thirty-nine block F on plan of subdivision number 3499 lodged in the Office of Titles and being part of Crown portion fifteen parish of Mildura county of Karkaroc particularly described in folio of the Register volume 3234 folium 646710.

Sch. 1 Pt 2
amended by
No. 18/1989
s. 13(Sch. 2
item 56(c)(ii)).

SECOND PART

LANDS VESTED IN CHAFFEY BROTHERS LIMITED
(IN LIQUIDATION)

<i>Lots</i>	<i>Section</i>	<i>Block</i>	<i>No. of Lodged Plan in Office of Titles</i>	<i>Part of Crown Portion</i>
4, 5, 6, 10, 11, 12	12	E	2508	3
1, 2, 15, 16, 17, and such parts of 3, 4, 5, 6, 7, 11, 12, 13, and 14 as are described in folio of the Register, volume 3923, folium 784585	22	E	2496	2
1, 6, 7, 8, 9, 10, 18, 19, 20, and such parts of 2, 3, 4, and 5 as are described in folio of the Register, volume 3923, folium 784590	31	E	2653	4
3	39	E	3366	12
1 to 20, both inclusive... ..	41	E	2653	4
2	44	E	2382	2
2	45	E	2653	4
6, 7, 8	65	E	3470	13 & 15
12, 13	73	E	3568	19
13, 14	76	E	3469	15
4, 14	63	F	3190	5
1, 2	67	F	3205	5
4, 5, 6, 7, 8	69	F	3561	9
1, 2, 3, 13, 14, 15	111	F	3657	15

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THIRD PART

LANDS VESTED IN CHAFFEY BROTHERS LIMITED
(IN LIQUIDATION) SUBJECT TO MORTGAGES

<i>Lots</i>		<i>Section</i>	<i>Block</i>	<i>No. of Lodged Plan in Office of Tiles</i>	<i>Part of Crown Portion</i>	<i>No. of Mortgage</i>
17	...	31	E	2653	4	141372
1	...	45	E	2653	4	141372
3, 4	...	27	F	2380	2	141372
5	...	53	F	2636	4	141372
18, 19, 20, 3	}	69	F	{ 3418 3561 }	9	141040

FOURTH PART

LANDS VESTED IN LOUIS IRVING BARKER AND WILLIAM
BENJAMIN CHAFFEY

All those pieces of land being lot thirty-six of section twenty-five and lots thirteen and thirty of section fifty-five—all of block D on plan of subdivision number 2144 lodged in the Office of Titles and being parts of Crown portion one parish of Mildura county of Karkaroc.

Mildura College Lands Act 1916

Act No. 2842/1916

Sch. 2

Sch. 2
inserted by
No. 58/1990
s. 5(4),
amended by
No. 63/1992
s. 4,
substituted by
No. 26/1995
s. 8.

SCHEDULE 2⁴

BENEFICIARIES

CARDROSS PRIMARY SCHOOL
CHAFFEY SECONDARY COLLEGE
HENDERSON COLLEGE
HOLY TRINITY LUTHERAN SCHOOL
IRYMPLE PRIMARY SCHOOL
IRYMPLE SECONDARY COLLEGE
IRYMPLE SOUTH PRIMARY SCHOOL
KOORLONG PRIMARY SCHOOL
MERBEIN PRIMARY SCHOOL
MERBEIN SECONDARY COLLEGE
MERBEIN SOUTH PRIMARY SCHOOL
MERBEIN WEST PRIMARY SCHOOL
MILDURA PRIMARY SCHOOL
MILDURA SECONDARY COLLEGE
MILDURA SOUTH PRIMARY SCHOOL
MILDURA SPECIAL DEVELOPMENT SCHOOL
MILDURA WEST PRIMARY SCHOOL
NICHOLS POINT PRIMARY SCHOOL
OUR LADY OF THE SACRED HEART PRIMARY SCHOOL
RANFURLY PRIMARY SCHOOL⁵
RED CLIFFS EAST PRIMARY SCHOOL
RED CLIFFS HIGH SCHOOL
RED CLIFFS PRIMARY SCHOOL
SACRED HEART PRIMARY SCHOOL
ST. JOSEPH'S PRIMARY SCHOOL
ST. JOSEPH'S SECONDARY SCHOOL
ST. PAUL'S PRIMARY SCHOOL
SUNNY CLIFFS PRIMARY SCHOOL
THE LAKE PRIMARY SCHOOL

ENDNOTES

1. General Information

The **Mildura College Lands Act 1916** was assented to on 6 November 1916 and came into operation on 6 November 1916.

Mildura College Lands Act 1916
Act No. 2842/1916

2. Table of Amendments

This Version incorporates amendments made to the **Mildura College Lands Act 1916** by Acts and subordinate instruments.

Mildura College Lands Act 1927, No. 3522/1927

Assent Date: 11.10.27
Commencement Date: 11.10.27
Current State: All of Act in operation

Mildura College Lands (Amendment) Act 1954, No. 5830/1954

Assent Date: 14.12.54
Commencement Date: 14.12.54
Current State: All of Act in operation

Mildura College Lands (Amendment) Act 1970, No. 7963/1970

Assent Date: 13.4.70
Commencement Date: 13.4.70
Current State: All of Act in operation

Mildura College Lands (Schools Fund) Act 1976, No. 8860/1976

Assent Date: 8.6.76
Commencement Date: 8.6.76: s. 1(3)
Current State: All of Act in operation

Mildura College Lands (Mildura Schools Fund) Act 1977, No. 8987/1977

Assent Date: 3.5.77
Commencement Date: 3.5.77: s. 1(3)
Current State: All of Act in operation

Mildura College Lands (Easements) Act 1980, No. 9495/1980

Assent Date: 23.12.80
Commencement Date: 23.12.80: s. 1(3)
Current State: All of Act in operation

Transfer of Land (Computer Register) Act 1989, No. 18/1989 (as amended by Nos 48/1991, 74/2000)

Assent Date: 16.5.89
Commencement Date: 3.2.92: Government Gazette 18.12.91 p. 3488
Current State: All of Act in operation

Mildura College Lands (Amendment) Act 1990, No. 58/1990

Assent Date: 13.11.90
Commencement Date: 13.11.90: s. 2
Current State: All of Act in operation

Mildura College Land (Ranfurly) Act 1992, No. 63/1992

Assent Date: 17.11.92
Commencement Date: 1.1.93: s. 2
Current State: All of Act in operation

Mildura College Lands Act 1916

Act No. 2842/1916

Endnotes

Mildura College Lands (Amendment) Act 1995, No. 26/1995

Assent Date: 30.5.95
Commencement Date: Ss 1, 2 on 30.5.95: s. 2(1); rest of Act on 1.2.96:
Government Gazette 1.2.96 p. 232
Current State: All of Act in operation

Trustee and Trustee Companies (Amendment) Act 1995, No. 104/1995

Assent Date: 5.12.95
Commencement Date: 1.1.96: s. 2
Current State: All of Act in operation

**Tribunals and Licensing Authorities (Miscellaneous Amendments) Act 1998,
No. 52/1998**

Assent Date: 2.6.98
Commencement Date: S. 311(Sch. 1 item 63) on 1.7.98: Government Gazette
18.6.98 p. 1512
Current State: This information relates only to the provision/s
amending the **Mildura College Lands Act 1916**

3. Explanatory Details

¹ S. 2: Section 6 of the **Mildura College Lands (Amendment) Act 1990**, No. 58/1990 reads as follows:

6. Application

The Principal Act as amended by this Act applies to money received by the Mildura Schools Fund on or after the date of commencement of this Act.

² S. 2(f): Section 9 of the **Mildura College Lands (Amendment) Act 1995**, No. 26/1995 reads as follows:

9. Application

The Principal Act as amended by this Act applies to all money standing to the credit of the Mildura Schools Fund immediately before the commencement of section 5(1) and to all money of a kind referred to in section 2(f) of the Principal Act received on or after that commencement by any trustee company with whom the Minister has entered into an agreement under that section.

³ S. 2(fa)(i): Section 5(2) of the **Mildura College Lands (Amendment) Act 1995**, No. 26/1995 reads as follows:

5. Mildura Schools Fund

- (2) All money standing to the credit of the Mildura Schools Fund immediately before the commencement of sub-section (1) must be paid into the fund or funds established in accordance with section 2(fa)(i) of the Principal Act and all liabilities of that Fund that have not been met before the money standing to its credit is paid into that fund or those funds must be met from it or them.

⁴ Sch. 2: See note 1.

Mildura College Lands Act 1916

Act No. 2842/1916

⁵ Sch. 2: Section 5 of the **Mildura College Land (Ranfurly) Act 1992**, No. 63/1992 reads as follows:

5. Transitional provision

- (1) The Principal Act as amended by this Act applies to money received by the Mildura Schools Fund on or after the date of commencement of this Act.
- (2) The Principal Act continues to apply to money received by the Mildura Schools Fund before the commencement of this Act as if this Act had not been enacted.