

# AD HOCKERY

from LEX LOCI ... 8 MARCH 2016

An occasional one-pager from The Public Land Consultancy

## The Abattoir by the Yarra



*Some Parish Plans are works of art, and should be hung in galleries. Not so sure about this one...*

See you there!  
Lex Loci

An abattoir once graced the riverside landscape, just where the Burnley tunnel now emerges into daylight. Great site for a slaughterhouse: all the muck could be drained straight into the Yarra.

In the 1980s the abattoir was closed down, but its legacy continues on the Victorian statute books.

The late (but unlamented) Richmond Council took the view that the abattoir's Crown land site, when vacated, would be available for it to sell. In April 1992 the Supreme Court agreed with the Council: the Local Government Act of the day did indeed allow a council to sell surplus Crown land, and to pocket the proceeds.

The State Government had a quite different view. The terms on which Crown land could be sold were to be set by the Parliament and no-one else. So along came an amendment to the *Crown Land (Reserves) Act 1978* which decreed that reserved Crown land may be sold, leased or licensed only under some legislative provision which '*explicitly and not merely by implication*' authorised such a dealing. Any purported dealing not so authorised would be '*absolutely void*.'

And what's more, the Supreme Court decision was retrospectively annulled.

The revenue from the abattoir's sale would be credited not to the municipal coffers, but to State Treasury.

So there. Parliament Rules, OK!

As for the muck in the River, it now has to come from further upstream. But that's another story.