

Carlton (Recreation Ground) Land (Amendment) Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 25 October 1995

(Brought in by Mr Coleman and Mr Gude)

A BILL

to amend the **Carlton (Recreation Ground) Land Act 1966** and for other purposes.

Carlton (Recreation Ground) Land (Amendment) Act 1995

Preamble

The **Carlton (Recreation Ground) Land Act 1966** authorises the granting of leases of certain land at Carlton in the City of Melbourne permanently reserved as a Site for a Public Park and known as Princes Park.

The land described in the Schedule to that Act (the Carlton Recreation Ground) has been leased to The Carlton Cricket and Football Social Club A.C.N. 005 449 909.

The Carlton Cricket and Football Social Club proposes to extend and develop the stadium at the

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

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Carlton Recreation Ground and expand the uses of the stadium to include cultural or educational uses.

The extension of the stadium is intended to include a cantilevered grandstand over a part of Princes Park not included in the existing leased land.

To facilitate that development it is appropriate to amend the **Carlton (Recreation Ground) Land Act 1966** to extend the area which can be leased under that Act for the purposes of the Carlton Recreation Ground and to expand the uses to which the leased land can be put to include cultural or educational uses.

The Parliament of Victoria therefore enacts as follows:

1. *Purposes*

The main purposes of this Act are—

- (a) to amend the **Carlton (Recreation Ground) Land Act 1966** to extend by stratum the area over which leases may be granted to facilitate the construction of a cantilevered grandstand; and
- (b) to extend the purposes for which a lease may be granted.

2. *Commencement*

This Act comes into operation on the day that it receives the Royal Assent.

3. *Principal Act*

In this Act, the **Carlton (Recreation Ground) Land Act 1966** is called the Principal Act.

4. *Amendment of purposes for which lease may be granted*

In section 3 (1A) of the Principal Act—

- (a) for “the Schedule” substitute “Schedule 1”; and

Act No. 7414.
Amended by
Nos 7583,
8703 and
41/1987.

(b) after “social” insert “or cultural or educational”.

5. Amendment of section 4

In section 4 (1) of the Principal Act, for “the Schedule” substitute “Schedule 1”.

6. New sections 5 and 6 inserted

After section 4 of the Principal Act, insert—

“5. Extension of lease area

(1) This section has effect despite anything to the contrary in any other Act or law.

(2) In this section “**stratum**” means a part of land consisting of a space of any shape above or below, or partly above and partly below, the surface of the land, all the dimensions of which are limited.

(3) On receiving a plan of survey signed by the Surveyor-General of—

(a) a stratum consisting of a space above the surface of any part of the land shown hatched on the plan in Schedule 2, or that land as nearly as practicable, to be used for the construction of a cantilevered grandstand; and

(b) any other parts of that hatched land or that land as nearly as practicable (whether above, below or on the surface of the land and shown on the plan of survey) that the Minister is satisfied are necessary for the construction of supports for the proposed grandstand—

the Minister administering the **Crown Land (Reserves) Act 1978** may recommend to the Governor in Council

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that an Order be made that the stratum referred to in paragraph (a) and the other parts of the hatched land referred to in paragraph (b) and specified in the recommendation be added to the area in Schedule 1.

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(4) The Governor in Council may make the Order recommended in sub-section (3).

(5) An Order under sub-section (4) must include a copy of the plan of survey of the land to which the Order applies.

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(6) On publication in the Government Gazette of an Order under sub-section (4), the land is deemed to be included in the land described in Schedule 1.

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6. Registrar-General and Registrar of Titles to make necessary amendments

(1) The Registrar-General must make all entries on the records of enrolment of any Crown grant and on any memorial relating to land that are necessary because of the operation of any provision of this Act.

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(2) The Registrar of Titles must make any amendments to the Register under the **Transfer of Land Act 1958** that are necessary because of the operation of any provision of this Act.”.

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7. Schedule amended

In the Schedule to the Principal Act—

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(a) for “SCHEDULE” substitute “SCHEDULE 1”;
and

(b) after “social” insert “or cultural or educational”.

8. Schedule 2 inserted

After the Schedule to the Principal Act, insert—

“SCHEDULE 2

Plan of area to which section 5 applies



