

Version No. 001**Royal Agricultural Show-grounds Act 1931****Act No. 3965/1931**

Version incorporating amendments as at 8 October 1999

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Version No. 001

Royal Agricultural Show-grounds Act 1931

Act No. 3965/1931

Version incorporating amendments as at 8 October 1999

An Act to provide for the Use of certain Lands in the Parish of Doutta Galla forming Portion of the Royal Agricultural Show Grounds for Purposes of Recreation Entertainment or Amusement in addition to the Purposes provided for in certain Orders in Council and Crown Grants relating to the said Lands, the Application of the Net Profits of such Use of the said Lands, and the Validation of the Transfers of certain Lands previously forming Portions of the said Royal Agricultural Show Grounds.

Preamble

WHEREAS by Order in Council of the fifteenth day of May One thousand eight hundred and eighty-two¹ the land described in the First Schedule to this Act was permanently reserved as a site for the use of the National Agricultural Society of Victoria for show yards and other purposes:

AND WHEREAS by a Crown grant bearing date the twenty-seventh day of August One thousand eight hundred and eighty-six and entered in the register book of the Office of Titles volume 1902 folium 380325 the land described in the said First Schedule was granted to Andrew Plummer James Gibb and William John Lobb upon trust inter alia that the said land and the buildings for the time being thereon should be at all times thereafter maintained and used as and for a site for the show yards of the National Agricultural Society of Victoria and offices and conveniences connected therewith and for no other purpose whatsoever:

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AND WHEREAS the Royal assent was on the sixth day of May One thousand eight hundred and ninety given to the change of the name of the said society to The Royal Agricultural Society of Victoria:

AND WHEREAS by Order in Council of the fifth day of August One thousand nine hundred and thirteen² the land described in the Second Schedule to this Act was permanently reserved as a site for agricultural show purposes:

AND WHEREAS by a Crown grant bearing date the twenty-second day of June One thousand nine hundred and fourteen and entered in the register book of the Office of Titles volume 3807 folium 761226 the land described in the said Second Schedule was granted to James Gibb William John Lobb Alexander McCracken and Samuel Sherwen Cameron upon trust that the said land and the buildings for the time being thereon should be at all times thereafter maintained and used as and for agricultural show purposes and offices and conveniences connected therewith and for no other purpose whatsoever:

AND WHEREAS by a transfer dated the twenty-first day of May One thousand nine hundred and six the land described in the Third Schedule to this Act (being portion of the land described in the said First Schedule) was transferred by the trustees for the time being of the land described in the said First Schedule to The Victorian Railways Commissioners:

AND WHEREAS by a transfer dated the thirty-first day of July One thousand nine hundred and twenty-six the land described in the Fourth Schedule to this Act (being portion of the land described in the said Second Schedule) was transferred by the trustees for the time being of the land described in the Second Schedule to the mayor aldermen councillors and citizens of the city of Melbourne:

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s. 1

AND WHEREAS prior to such transfers the lands described in the said First and Second Schedules were (together with certain other lands held in trust for the said society) known as the Royal Agricultural Show-grounds:

AND WHEREAS Samuel Sherwen Cameron Charles Edward Merrett George Thomas Chirnside and Arthur Ernest Tyndall Payne (hereinafter called the said trustees) are the present trustees of the remaining portions (which portions together with certain other lands held in trust for the said society are now known as the Royal Agricultural Show-grounds) of the lands described in the said First and Second Schedules:

AND WHEREAS The Royal Agricultural Society of Victoria desires that the said trustees should be empowered to use or permit to be used the remaining portions of the lands described in the said First and Second Schedules for purposes of recreation entertainment or amusement as hereinafter provided:

AND WHEREAS it is expedient so to empower such trustees and to provide as hereinafter enacted for the application of the net profits arising from such use of the said remaining portions of the said lands and to validate so far as necessary the transfer as aforesaid of the lands described in the said Third and Fourth Schedules:

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 **Royal Agricultural Show-grounds Act 1931**.

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s. 1A

S. 1A
inserted by
No. 72/1994
s. 3.

1A. Definition

In this Act—

"Royal Agricultural Society" means the company incorporated under the Corporations Law of Victoria called R.A.S.V. Limited, A.C.N. 006 728 785 or, if that company changes its name, that company under its new name.

2. Provision for use of land in Schedules 1 and 2 for recreation etc.

- (1) Notwithstanding anything in the hereinbefore recited Orders in Council of the fifteenth day of May One thousand eight hundred and eighty-two and the fifth day of August One thousand nine hundred and thirteen respectively or in the hereinbefore recited Crown grants bearing date the twenty-seventh day of August One thousand eight hundred and eighty-six and the twenty-second day of June One thousand nine hundred and fourteen relating to the lands described in the First and Second Schedules to this Act respectively, the trustees of the lands described in the said First and Second Schedules may in addition to the purposes provided for in the said Orders in Council and Crown grants use or permit to be used such portions of the lands described in the said First and Second Schedules as are not described in the Third and Fourth Schedules to this Act for purposes of recreation entertainment or amusement:

Provided that the said trustees shall not use or permit to be used such portions of the said lands—

* * * * *

S. 2(1)
(Proviso)(a)
repealed by
No. 72/1994
s. 4(a)(i).

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s. 3

- | | |
|---|---|
| <p>(b) for any purpose of recreation entertainment or amusement which is prohibited by the Governor in Council by Order published in the Government Gazette.</p> | <p>S. 2(1)
(Proviso)(b)
amended by
No. 72/1994
s. 4(a)(ii).</p> |
| <p>(2) The net profits received by the said trustees arising from the use of the said lands as hereby authorized shall be applied—</p> | <p>S. 2(2)
amended by
No. 72/1994
s. 4(b).</p> |
| <p style="padding-left: 40px;">(a) in effecting improvements on the said lands or on any lands in the vicinity thereof which are held in fee simple in trust for the Royal Agricultural Society; or</p> | <p>S. 2(2)(a)
amended by
No. 72/1994
s. 4(b).</p> |
| <p style="padding-left: 40px;">(b) otherwise for the purposes of the Royal Agricultural Society—</p> | <p>S. 2(2)(b)
amended by
No. 72/1994
s. 4(b).</p> |

in such manner as the governing body of the Royal Agricultural Society directs.

3. Validation of transfers of lands in Schedules 3 and 4

The transfer dated the twenty-first day of May One thousand nine hundred and six of the land described in the Third Schedule to this Act to The Victorian Railways Commissioners by the trustees for the time being of the land described in the First Schedule to this Act and the transfer dated the thirty-first day of July One thousand nine hundred and twenty-six of the land described in the Fourth Schedule to this Act to the mayor aldermen councillors and citizens of the city of Melbourne by the trustees for the time being of the land described in the Second Schedule to this Act shall be deemed to be valid and effectual for all purposes; and the trustees for the time being of the land described in the said First Schedule and of the land described in the said Second Schedule shall respectively be deemed to have been empowered so to transfer the lands described in

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S. 4
inserted by
No. 72/1994
s. 5.

the said Third Schedule and the said Fourth Schedule.

4. Application of planning schemes to Show-ground land

Section 46 of the **Planning and Environment Act 1987** does not apply to those lands described in the First and Second Schedules to this Act that are not described in the Third and Fourth Schedules to this Act.

S. 5
inserted by
No. 72/1994
s. 5.

5. Change of name

On and from the commencement of the **Royal Agricultural Show-grounds (Amendment) Act 1994**, any reference to The Royal Agricultural Society of Victoria or the National Agricultural Society of Victoria in—

- (a) the recited Order in Council of 15 May 1882; and
- (b) the recited Crown grant dated 27 August 1886 and any instrument relating to a trust in that Crown grant—

is deemed to be a reference to the Royal Agricultural Society.

S. 6
inserted by
No. 72/1994
s. 5.

6. Registrar of Titles to make necessary amendments

The Registrar of Titles must make any amendments in the Register under the **Transfer of Land Act 1958** that are necessary because of the operation of section 5.

SCHEDULES

FIRST SCHEDULE

Land permanently reserved as a Site for the Use of the National Agricultural Society of Victoria for Show Yards and other purposes by Order in Council dated 15 May 1882 (vide "Government Gazette" of 19 May 1882, page 1127), and described in folio of the Register, volume 1902, folium 380325.

**Preamble,
section 2.
Sch. 1
amended by
No. 18/1989
s. 13(Sch. 2
item 74(a)).**

Thirty acres, county of Bourke, parish of Doudda Galla, municipal district of Essendon and Flemington, being parts of allotments 29 and 30: commencing at the north angle of the site, being a point bearing S. 44° 49' W. eight chains twenty-two links from the intersection of the south-west side of Epsom-road and the south-east side of Lang's-road; bounded thence by a line bearing S. 45° 41' E. eleven chains forty-eight links; thence by a road bearing S. 45° W. twenty-five links, S. 45° 41' E. eight chains forty-five links, S. 45° W. eighty-one links, S. 83° 5' W. two chains eighty-four links, and S. 6° 55' E. twenty-five links; thence by the railway to the racecourse bearing westerly eighteen chains fifty-nine links in an arc of a circle whose centre lies twenty-seven chains fifty links south-easterly; thence by a line bearing N. 45° 11' W. twelve chains forty-eight links; and thence by Lang's-road aforesaid bearing N. 44° 49' E. twenty chains thirty links to the point of commencement.

Sch. 2

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Preamble,
section 2.
Sch. 2
amended by
No. 18/1989
s. 13(Sch. 2
item 74(a)).

SECOND SCHEDULE

Land permanently reserved as a Site for Agricultural Show Purposes by Order in Council dated 5 August 1913 (vide "Government Gazette" of 13 August 1913, page 3532), and described in folio of the Register, volume 3807, folium 761226.

Two acres three roods thirty-three perches, county of Bourke, parish of Doutta Galla, city of Melbourne, being allotment 28C of Section 3: commencing at the north-east angle of allotment 28A; bounded thence by that allotment bearing S. 83° 23' W. eight chains twenty-five links; thence by allotment 28B and a line bearing N. 45° 27' W. two chains four links and a half; thence by allotment 29 bearing N. 44° 44' E. six chains thirty-eight links and seven-tenths; and thence by Epsom-road bearing S. 45° 46' E. seven chains nineteen links and seven-tenths to the point of commencement.

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Sch. 3

THIRD SCHEDULE

Land (being Portion of the Land described in the First Schedule to this Act) transferred to The Victorian Railways Commissioners by a Transfer dated 21 May 1906, and being the Lands described in folio of the Register, volume 3157, folium 631216.

**Preamble,
sections 2, 3.
Sch. 3
amended by
No. 18/1989
s. 13(Sch. 2
item 74(b)).**

Twenty-five perches, county of Bourke, parish of Doutta Galla, city of Essendon, (being parts of Crown allotment 29), in the two portions hereinafter described:

- (a) Commencing at a point bearing S. 45° W. eighty-one links and S. 83° 5' W. twenty-three and four-tenths links from the south-east angle of the land permanently reserved for the use of the National Agricultural Society of Victoria by Order in Council dated 15 May 1882; bounded thence by lines bearing respectively S. 83° 5' W. one chain seven and two-tenths links, N. 41° 55' E. sixty-eight links, and south-easterly seventy-two and three-tenths links in an arc of a circle whose centre lies one chain fifty-one and five-tenths links north-easterly and chord bearing S. 58° 13' E. to the point of commencement.
- (b) Commencing at a point bearing S. 45° W. eighty-one links and S. 83° 5' W. two chains seventy-three and three-tenths links from the south-east angle of the land permanently reserved for the use of the National Agricultural Society of Victoria by Order in Council dated 15 May 1882; bounded thence by lines bearing respectively S. 83° 5' W. ten and seven-tenths links, S. 6° 55' E. twenty-five links, S. 82° 47' W. two chains forty-two and five-tenths links, N. 13° 44' W. thirty-seven and eight-tenths links, N. 75° 46' E. two chains fifty-four and five-tenths links, and S. 13° 49' E. forty-four links to the point of commencement.

Sch. 4

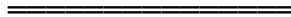
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Preamble,
sections 2, 3.
Sch. 4
amended by
No. 18/1989
s. 13(Sch. 2
item 74(b)).

FOURTH SCHEDULE

Land (being Portion of the Land described in the Second Schedule to this Act) transferred to the Mayor Aldermen Councillors and Citizens of the City of Melbourne by a Transfer dated 31 July 1926, and being the Land described in folio of the Register, volume 5232, folium 1046280.

Seventeen perches, county of Bourke, parish of Doutta Galla, city of Melbourne, (being part of Crown allotment 28C, section 3): Commencing at the north-east angle of allotment 28A of section 3; bounded thence by that allotment bearing S. 83° 23' W. nineteen and six-tenths links; by lines bearing N. 45° 46' W. seven chains seven and five-tenths links, and N. 44° 44' E. fifteen and one-tenth links; and thence by Epsom-road bearing S. 45° 46' E. seven chains nineteen and seven-tenths links to the point of commencement.



ENDNOTES

1. General Information

The **Royal Agricultural Show-grounds Act 1931** was assented to on 8 October 1931 and came into operation on 8 October 1931.

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2. Table of Amendments

This Version incorporates amendments made to the **Royal Agricultural Show-grounds Act 1931** by Acts and subordinate instruments.

Transfer of Land (Computer Register) Act 1989, No. 18/1989

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

Royal Agricultural Show-grounds (Amendment) Act 1994, No. 72/1994

Assent Date: 25.10.94
Commencement Date: Ss 1, 2 on 25.10.94; s. 2(1); rest of Act on 1.12.94:
 Government Gazette 24.11.94 p. 3095
Current State: All of Act in operation

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Endnotes

3. Explanatory Details

¹ Preamble: Government Gazette 19 May 1882 page 1127.

² Preamble: Government Gazette 13 August 1913 page 3532.