

**SYDNEY CRICKET AND SPORTS GROUND
(AMENDMENT) BILL 1985**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to vest in the Sydney Cricket and Sports Ground Trust the land which currently comprises the site of the Army Engineers Depot at Moore Park; and
 - (b) to facilitate the construction by the Trust of a 40,000 seat capacity stadium and associated facilities on that land and adjoining land vested in the Trust.
-

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 (1) amends the interpretation provision of the Principal Act so as to insert a definition of "designated land" (being the land currently comprising the Sydney Sportsground, the Sydney Cricket Ground No. 2 Oval and the Army Engineers Depot), to extend the definition of "scheduled lands" (so as to bring the Army Engineers Depot under the administration of the Trust) and to provide for the meaning of a reference in the Principal Act to the carrying out of improvements.

Schedule 1 (2) inserts section 9A into the Principal Act which provides that on and from a day to be appointed by proclamation, the land which currently comprises the site of the Army Engineers Depot shall be vested in the Crown free from any encumbrances and shall be deemed to be Crown land dedicated under the Crown Lands Consolidation Act 1913 for public recreation. The land shall thereupon become subject to the administration of the Trust.

Schedule 1 (3) provides that the dedication under section 9A shall not be revoked except by an Act of Parliament.

Schedule 1 (4) inserts sections 16A and 16B into the Principal Act.

Proposed section 16A enables the Minister for Sport and Recreation to approve the carrying out of improvements on the designated land after consultation with the Minister for Public Works and Ports and the Minister for Planning and Environment.

Proposed section 16B provides that where the Minister for Sport and Recreation approves the carrying out of improvements on the designated land, the Environmental Planning and Assessment Act 1979, the Local Government Act 1919 and any instrument in force under either of those Acts shall not apply to or in respect of the improvements.

Schedule 1 (5) inserts a land description of the Army Engineers Depot into the Principal Act.

Schedule 1 (6) inserts a land description of the designated land into the Principal Act.

**SYDNEY CRICKET AND SPORTS GROUND
(AMENDMENT) BILL 1985**

No. , 1985

A BILL FOR

An Act to amend the Sydney Cricket and Sports Ground Act 1978 to vest certain land in the Sydney Cricket and Sports Ground Trust and to facilitate the development of certain land.

Sydney Cricket and Sports Ground (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5 Short title

1. This Act may be cited as the "Sydney Cricket and Sports Ground (Amendment) Act 1985".

Amendment of Act No. 72, 1978

2. The Sydney Cricket and Sports Ground Act 1978 is amended in the 10 manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS GROUND
ACT 1978

15 (1) (a) Section 4, definition of "designated land"—

After the definition of "commencement day" insert:

"designated land" means the land described in Schedule 2A;

(b) Section 4, definition of "scheduled lands"—

(i) From paragraph (a), omit "and".

20 (ii) At the end of paragraph (b), insert:

; and

(c) on and from the day appointed and notified under section 9A—the land described in Part 3 of Schedule 2;

*Sydney Cricket and Sports Ground (Amendment) 1985*SCHEDULE 1—*continued*AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

(c) Section 4 (2)—

At the end of section 4, insert:

(2) In this Act, a reference to the carrying out of any improvements includes—

- 5 (a) a reference to the carrying out of development within the meaning of the Environmental Planning and Assessment Act 1979;
- (b) a reference to the erection of a building within the meaning of Part XI of the Local Government Act 1919; and
- 10 (c) a reference to the subdivision of land or the opening of a road, or both, within the meaning of the Local Government Act 1919.

(2) Section 9A—

After section 9, insert:

15 **Vesting and dedication of land in Part 3 of Schedule 2**

9A. On and from a day to be appointed by the Governor for the purposes of this section and notified by proclamation published in the Gazette—

- 20 (a) the land described in Part 3 of Schedule 2 is vested in Her Majesty freed and discharged from any trusts, estates, interests, dedications, conditions, restrictions, covenants and provisions affecting that land or any part thereof; and
- 25 (b) that land shall be deemed to be Crown land dedicated under the Crown Lands Consolidation Act 1913 for public recreation, and (without affecting section 10) that Act, with the exception of Division 2 and 4 of Part IIIB thereof, shall apply to and in respect of that land.

(3) Section 10—

Omit “or 9”, insert instead “, 9 or 9A”.

Sydney Cricket and Sports Ground (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

(4) Sections 16A, 16B—

After section 16, insert:

Carrying out of certain improvements

5 16A. (1) Subject to subsection (2), the Minister may approve the carrying out of improvements on the designated land and any plans or specifications relating to the improvements.

10 (2) The Minister may not, under subsection (1), approve the carrying out of improvements or any plans or specifications unless the Minister certifies in the approval that the Minister has consulted with—

(a) the Minister for the time being administering the Public Works Act 1912; and

(b) the Minister for the time being administering the Environmental Planning and Assessment Act 1979,

15 with respect to the carrying out of the improvements.

Application of certain laws to designated land

16B. Where the Minister, under section 16A, approves the carrying out of improvements on the designated land—

(a) the Environmental Planning and Assessment Act 1979;

20 (b) the Local Government Act 1919; and

(c) any instrument in force under either of those Acts,

shall not apply to or in respect of—

(d) the approval of the Minister to the carrying out of those improvements;

25 (e) the carrying out of those improvements by the Trust or any person on behalf of or with the authority of the Trust;

(f) the use, at any time, of those improvements; or

Sydney Cricket and Sports Ground (Amendment) 1985

SCHEDULE 1—*continued*
 AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
 GROUND ACT 1978—*continued*

(g) the designated land on which the improvements are carried out or used or are proposed to be carried out or used.

(5) Schedule 2, Part 3—

After Part 2, insert:

5

PART 3

Army Engineers Depot, Moore Park

10

All that piece or parcel of land situated at Moore Park in the Parish of Alexandria and County of Cumberland containing 3.685 hectares, and being Lot 1 in Deposited Plan No. 205794 and formerly being the whole of the land in Certificate of Title Volume 9079 Folio 56 but now being Crown land.

(6) Schedule 2A—

After Schedule 2, insert:

15

SCHEDULE 2A

(Secs. 4, 16A, 16B)

DESIGNATED LAND

20

25

All that piece or parcel of land situated in the Parish of Alexandria County of Cumberland comprising Portion 1528, part of Portion 1530 and part of Lot 1 Deposited Plan 205794; commencing on the eastern side of Driver Avenue at its intersection with the northern side of a right of way shown in Sydney County Council Plan of Survey dated 27 August 1980 File Number S6343; and bounded thence on the west, southwest and northwest by the eastern, northeastern and southeastern sides of Driver Avenue bearing successively 356 degrees 20 seconds 165.48 metres, 355 degrees 36 minutes 68.37 metres, 308 degrees 41 minutes 114.89 metres, 322 degrees 20 minutes 20.115 metres, 346 degrees 20 minutes 20.115 metres, 4 degrees 50 minutes 20.115 metres and 18 degrees 20 minutes 75.74 metres to the

*Sydney Cricket and Sports Ground (Amendment) 1985*SCHEDULE 1—*continued*AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

5 intersection of the southeastern side of Driver Avenue with the southwestern side of Moore Park Road; on the northeast by the southwestern side of Moore Park Road bearing successively 103 degrees 22 minutes 30 seconds 50.27 metres, 106 degrees 8 minutes 95.72 metres, 110 degrees 16 minutes 30 seconds 60.13 metres, 113 degrees 4 minutes 27.62 metres, 113 degrees 30 minutes 22.53 metres, 114 degrees 32 minutes 7.15 metres, 115 degrees 40 seconds 21.54 metres, 116 degrees 34 minutes 20 seconds 21.33 metres, 117 degrees 44 minutes 30 seconds 18.18 metres, 119 degrees 56 minutes 20.45 metres, 121 degrees 56 minutes 40 seconds 32.105 metres, 123 degrees 10 41 minutes 18.3 metres, 125 degrees 29 minutes 30 seconds 22.755 metres, 126 degrees 51 minutes 30 seconds 15.405 metres, 125 degrees 23 minutes 13.72 metres and 122 degrees 24 minutes 19.065 metres to the northeastern corner of the land occupied, as at the date of assent to the Sydney Cricket and Sports Ground (Amendment) Act 1985, by the Department of the 15 Army; on the southeast by a fenced line on the northwestern side of the bitumen sealed access walkway to the Sydney Showground bearing 217 degrees 37 minutes 40 seconds 144.4 metres to the corner of brick garages; along the southeastern face of those brick garages bearing successively 217 20 degrees 25 minutes 30 seconds 34.65 metres to the angle in the southeastern wall of the garages and a line bearing 231 degrees 46 minutes 30 seconds 39.91 metres; on the south by the southern face of a brick building and prolongation thereof bearing 262 degrees 27 minutes 14.23 metres and a line bearing 262 degrees 55 minutes 40 seconds 10.415 metres to the 25 southeastern corner of the brick wall around the tennis courts, along the southern face of that brick wall to its southwestern corner bearing 262 degrees 12 minutes 30 seconds 37.77 metres and a line bearing 243 degrees 28 minutes 15.465 metres to the northern side of the Sydney County Council right of way aforesaid; generally on the southeast by lines along the 30 generally northwestern sides of the right of way aforesaid bearing 265 degrees 52 minutes 5.8 metres, 262 degrees 29 minutes 7.16 metres, 259 degrees 21 minutes 6.875 metres, 256 degrees 28 minutes 6.955 metres, 253 degrees 1 minute 6.95 metres, 250 degrees 24 minutes 6.81 metres, 246 degrees 11 minutes 11.685 metres, 191 degrees 16 minutes 15.97 metres, 234 degrees 33 minutes 59.24 metres and 266 degrees 7.08 metres to the 35 point of commencement and containing in all an area of 9.832 hectares or thereabout.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

**SYDNEY CRICKET AND SPORTS GROUND (AMENDMENT) ACT
1985 No. 188**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 188, 1985

An Act to amend the Sydney Cricket and Sports Ground Act 1978 to vest certain land in the Sydney Cricket and Sports Ground Trust and to facilitate the development of certain land. [Assented to, 4th December, 1985.]

Sydney Cricket and Sports Ground (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Sydney Cricket and Sports Ground (Amendment) Act 1985".

Amendment of Act No. 72, 1978

2. The Sydney Cricket and Sports Ground Act 1978 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS GROUND
ACT 1978

(1) (a) Section 4, definition of "designated land"—

After the definition of "commencement day" insert:

"designated land" means the land described in Schedule 2A;

(b) Section 4, definition of "scheduled lands"—

(i) From paragraph (a), omit "and".

(ii) At the end of paragraph (b), insert:

; and

(c) on and from the day appointed and notified under section 9A—the land described in Part 3 of Schedule 2;

Sydney Cricket and Sports Ground (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

(c) Section 4 (2)—

At the end of section 4, insert:

(2) In this Act, a reference to the carrying out of any improvements includes—

- (a) a reference to the carrying out of development within the meaning of the Environmental Planning and Assessment Act 1979;
- (b) a reference to the erection of a building within the meaning of Part XI of the Local Government Act 1919; and
- (c) a reference to the subdivision of land or the opening of a road, or both, within the meaning of the Local Government Act 1919.

(2) Section 9A—

After section 9, insert:

Vesting and dedication of land in Part 3 of Schedule 2

9A. On and from a day to be appointed by the Governor for the purposes of this section and notified by proclamation published in the Gazette—

- (a) the land described in Part 3 of Schedule 2 is vested in Her Majesty freed and discharged from any trusts, estates, interests, dedications, conditions, restrictions, covenants and provisions affecting that land or any part thereof; and
- (b) that land shall be deemed to be Crown land dedicated under the Crown Lands Consolidation Act 1913 for public recreation, and (without affecting section 10) that Act, with the exception of Division 2 and 4 of Part IIIB thereof, shall apply to and in respect of that land.

(3) Section 10—

Omit “or 9”, insert instead “, 9 or 9A”.

Sydney Cricket and Sports Ground (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

(4) Sections 16A, 16B—

After section 16, insert:

Carrying out of certain improvements

16A. (1) Subject to subsection (2), the Minister may approve the carrying out of improvements on the designated land and any plans or specifications relating to the improvements.

(2) The Minister may not, under subsection (1), approve the carrying out of improvements or any plans or specifications unless the Minister certifies in the approval that the Minister has consulted with—

- (a) the Minister for the time being administering the Public Works Act 1912; and
- (b) the Minister for the time being administering the Environmental Planning and Assessment Act 1979,

with respect to the carrying out of the improvements.

Application of certain laws to designated land

16B. Where the Minister, under section 16A, approves the carrying out of improvements on the designated land—

- (a) the Environmental Planning and Assessment Act 1979;
- (b) the Local Government Act 1919; and
- (c) any instrument in force under either of those Acts,

shall not apply to or in respect of—

- (d) the approval of the Minister to the carrying out of those improvements;
- (e) the carrying out of those improvements by the Trust or any person on behalf of or with the authority of the Trust;
- (f) the use, at any time, of those improvements; or

Sydney Cricket and Sports Ground (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

- (g) the designated land on which the improvements are carried out or used or are proposed to be carried out or used.

(5) Schedule 2, Part 3—

After Part 2, insert:

PART 3

Army Engineers Depot, Moore Park

All that piece or parcel of land situated at Moore Park in the Parish of Alexandria and County of Cumberland containing 3.685 hectares, and being Lot 1 in Deposited Plan No. 205794 and formerly being the whole of the land in Certificate of Title Volume 9079 Folio 56 but now being Crown land.

(6) Schedule 2A—

After Schedule 2, insert:

SCHEDULE 2A

(Secs. 4, 16A, 16B)

DESIGNATED LAND

All that piece or parcel of land situated in the Parish of Alexandria County of Cumberland comprising Portion 1528, part of Portion 1530 and part of Lot 1 Deposited Plan 205794: commencing on the eastern side of Driver Avenue at its intersection with the northern side of a right of way shown in Sydney County Council Plan of Survey dated 27 August 1980 File Number S6343; and bounded thence on the west, southwest and northwest by the eastern, northeastern and southeastern sides of Driver Avenue bearing successively 356 degrees 20 seconds 165.48 metres, 355 degrees 36 minutes 68.37 metres, 308 degrees 41 minutes 114.89 metres, 322 degrees 20 minutes 20.115 metres, 346 degrees 20 minutes 20.115 metres, 4 degrees 50 minutes 20.115 metres and 18 degrees 20 minutes 75.74 metres to the intersection of the southeastern side of Driver Avenue with the southwestern side of Moore Park Road; on the northeast by the southwestern side of Moore Park Road bearing successively 103 degrees 22 minutes 30 seconds 50.27 metres, 106 degrees 8 minutes 95.72 metres, 110 degrees 16 minutes 30 seconds 60.13 metres, 113 degrees 4 minutes 27.62 metres, 113 degrees 30 minutes 22.53 metres, 114 degrees 32 minutes 7.15 metres, 115 degrees 40 seconds 21.54 metres, 116 degrees 34 minutes 20 seconds 21.33 metres,

*Sydney Cricket and Sports Ground (Amendment) 1985*SCHEDULE 1—*continued*AMENDMENTS TO THE SYDNEY CRICKET AND SPORTS
GROUND ACT 1978—*continued*

117 degrees 44 minutes 30 seconds 18.18 metres, 119 degrees 56 minutes 20.45 metres, 121 degrees 56 minutes 40 seconds 32.105 metres, 123 degrees 41 minutes 18.3 metres, 125 degrees 29 minutes 30 seconds 22.755 metres, 126 degrees 51 minutes 30 seconds 15.405 metres, 125 degrees 23 minutes 13.72 metres and 122 degrees 24 minutes 19.065 metres to the northeastern corner of the land occupied, as at the date of assent to the Sydney Cricket and Sports Ground (Amendment) Act 1985, by the Department of the Army; on the southeast by a fenced line on the northwestern side of the bitumen sealed access walkway to the Sydney Showground bearing 217 degrees 37 minutes 40 seconds 144.4 metres to the corner of brick garages; along the southeastern face of those brick garages bearing successively 217 degrees 25 minutes 30 seconds 34.65 metres to the angle in the southeastern wall of the garages and a line bearing 231 degrees 46 minutes 30 seconds 39.91 metres; on the south by the southern face of a brick building and prolongation thereof bearing 262 degrees 27 minutes 14.23 metres and a line bearing 262 degrees 55 minutes 40 seconds 10.415 metres to the southeastern corner of the brick wall around the tennis courts, along the southern face of that brick wall to its southwestern corner bearing 262 degrees 12 minutes 30 seconds 37.77 metres and a line bearing 243 degrees 28 minutes 15.465 metres to the northern side of the Sydney County Council right of way aforesaid; generally on the southeast by lines along the generally northwestern sides of the right of way aforesaid bearing 265 degrees 52 minutes 5.8 metres, 262 degrees 29 minutes 7.16 metres, 259 degrees 21 minutes 6.875 metres, 256 degrees 28 minutes 6.955 metres, 253 degrees 1 minute 6.95 metres, 250 degrees 24 minutes 6.81 metres, 246 degrees 11 minutes 11.685 metres, 191 degrees 16 minutes 15.97 metres, 234 degrees 33 minutes 59.24 metres and 266 degrees 7.08 metres to the point of commencement and containing in all an area of 9.832 hectares or thereabout.

