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New South Wales

# **Queanbeyan Showground (Variation of Purposes) Bill 1995**

## **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

### **Overview of Bill**

The objects of this Bill are to extend the kinds of uses which may be carried out on the land known as the Queanbeyan Showground and to simplify the way in which that land is held and managed.

Currently, part of that land is dedicated and the rest is reserved under the *Crown Lands Act 1989* for the purposes of a showground. The proposed Act will revest the land in the Crown and dedicate the whole of the land for use as a public showground, for public recreational use and for use for community purposes.

The proposed Act will also establish a reserve trust for the land and appoint Queanbeyan City Council to manage the affairs of the trust.

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## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

**Clause 3** defines some of the terms used in the proposed Act (*the Reserve* means all of the land known as the Queanbeyan Showground).

**Clause 4** reverts the Reserve in the Crown free from any previously applicable trusts and estates or other interests which existed before the commencement of the proposed Act. The Reserve is declared to have been dedicated under the *Crown Lands Act 1989* for use as described above. Any licence that applied to the Reserve immediately before it is vested in the Crown will continue in force.

**Clause 5** establishes a reserve trust called "Queanbeyan Showground Reserve Trust" for the Reserve. Queanbeyan City Council is declared to have been appointed to manage the affairs of the new trust.

**Clause 6** requires a draft plan of management to be prepared for the Reserve within 3 months of the commencement of the proposed Act. A plan of management is not to allow use of the Reserve in any way which interferes with its use as a showground, unless The Queanbeyan Show Society Inc. consents.

**Clause 7** dissolves the former reserve trust.

**Clause 8** applies the savings and transitional provisions in section 53 of the *Interpretation Act 1987* which provide for the new trust to be a continuation of, and the same legal entity as, the former reserve trust and which have the effect of making all assets, liabilities, claims and demands of or against the former reserve trust those of or against the new trust.

**Schedule 1** describes the former dedicated land and the former reserved land which together comprise the Reserve.

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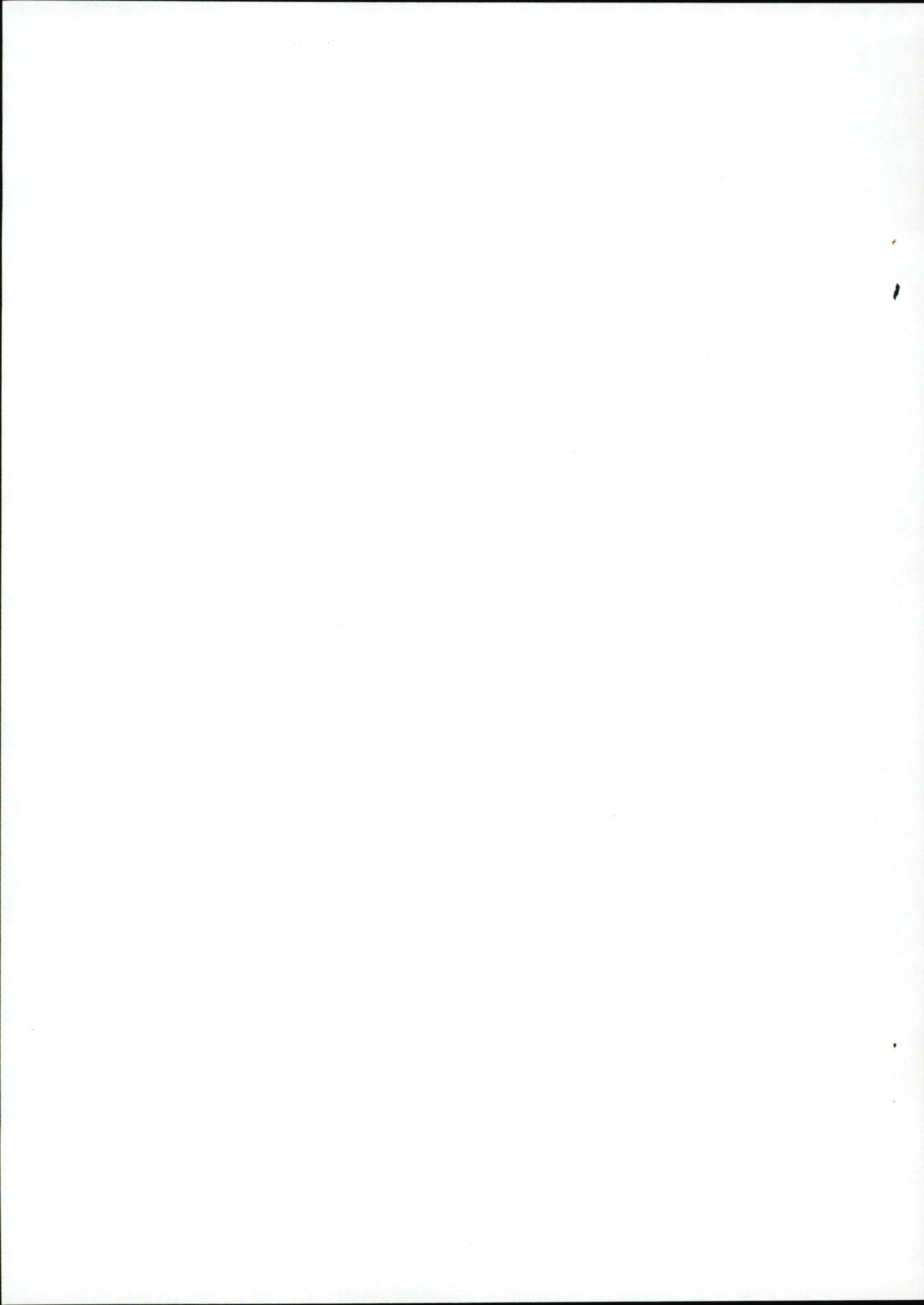
# Queanbeyan Showground (Variation of Purposes) Bill 1995

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New South Wales

## **Queanbeyan Showground (Variation of Purposes) Bill 1995**

No. , 1995

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### **A Bill for**

An Act to dedicate all of the land comprising Queanbeyan Showground for a public showground, public recreation and community purposes; and to make related provisions.

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Queanbeyan Showground (Variation of Purposes) Act 1995*.

**2 Commencement**

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This Act commences on a day to be appointed by proclamation.

**3 Definitions**

In this Act:

*the former trust* means the reserve trust as constituted under Part 5 of the *Crown Lands Act 1989* for the land described in Part 1 of Schedule 1 immediately before the commencement of this Act. 10

*the new trust* means the Queanbeyan Showground Reserve Trust established by section 5.

*the Reserve* means all of the land described in Schedule 1.

**4 Vesting and dedication of the Reserve**

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(1) On the commencement of this Act, the Reserve is vested in the Crown by this Act freed and discharged from any trusts, estates, interests, dedications, reservations, conditions, restrictions, covenants and provisions affecting that land or any part of it.

(2) The Reserve is taken to be dedicated under section 80 of the *Crown Lands Act 1989* for a public showground, public recreation and community purposes. 20

(3) This section does not affect any licence that applied to the Reserve or any part of it immediately before the commencement of this Act. 25

**5 Establishment of Queanbeyan Showground Reserve Trust**

(1) A reserve trust under the name Queanbeyan Showground Reserve Trust is taken to be established and named under section 92 of the *Crown Lands Act 1989* in respect of the Reserve. The new trust is taken to be appointed under that section as trustee of the Reserve. 30

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- (2) Queanbeyan City Council is taken to be appointed under section 95 of the *Crown Lands Act 1989* to manage the affairs of the new trust.

## 6 Plan of management

- (1) The new trust is taken to have been directed under section 112 of the *Crown Lands Act 1989* to prepare a draft plan of management for the Reserve within 3 months after the commencement of this Act. 5
- (2) The draft plan of management is to include provisions ensuring that the use of the Reserve for a public showground is not prevented or restricted by the use of the land for the other dedicated purposes and that the Reserve will be available for use by The Queanbeyan Show Society Inc. on such days (not exceeding 14 each year) as are notified to the manager of the new trust by the Society. 10  
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- (3) A plan of management for the Reserve may be adopted only if it includes such provisions or The Queanbeyan Show Society Inc. has consented by special resolution to the omission of such provisions.
- (4) This section does not prevent the Minister from requiring a draft plan of management for the Reserve to include other provisions which are not inconsistent with this section. 20

## 7 Dissolution of the former trust

The former trust is dissolved.

## 8 Savings and transitional provisions

- (1) Section 53 of the *Interpretation Act 1987* (which provides for the effect of alterations of names and constitutions of bodies) applies to the former trust and the new trust as if the new trust were the former trust with a name and constitution altered by this Act. However, section 53 (2) (b) of that Act does not limit the functions of the new trust to the part of the Reserve for which the former trust was established. 25  
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- (2) This Act does not give rise to a claim for compensation or to any other claim or demand against the Crown whether because of the vesting of land by this Act or otherwise.
- (3) In this section, *the Crown* means the Crown in right of New South Wales and includes the Government of New South Wales and a Minister of the Crown in right of New South Wales. 5



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**Schedule 1 Land comprising the reserve**

(Section 3)

**Part 1 Former dedicated land**

All those parcels of land at Queanbeyan in the Town and Parish of Queanbeyan, County of Murray, being Allotment 4 of Section 56 and the residue of Allotment 6 of Section 56 after the exclusion of Allotments 7 and 8 of Section 56 and Lot 1, D.P. 319352.

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Total area: About 7.3 hectares (17 acres 3 roods 38½ perches)

**Part 2 Former reserved land**

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All those parcels of land at Queanbeyan in the Parish of Queanbeyan, County of Murray, comprising the whole of the land in Auto Consol. 3969-97 at the Land Titles Office, Sydney, being Lots 1-24 in Deposited Plan 13963.

Area: About 1.5 hectares (3 acres 2 roods 31¼ perches)

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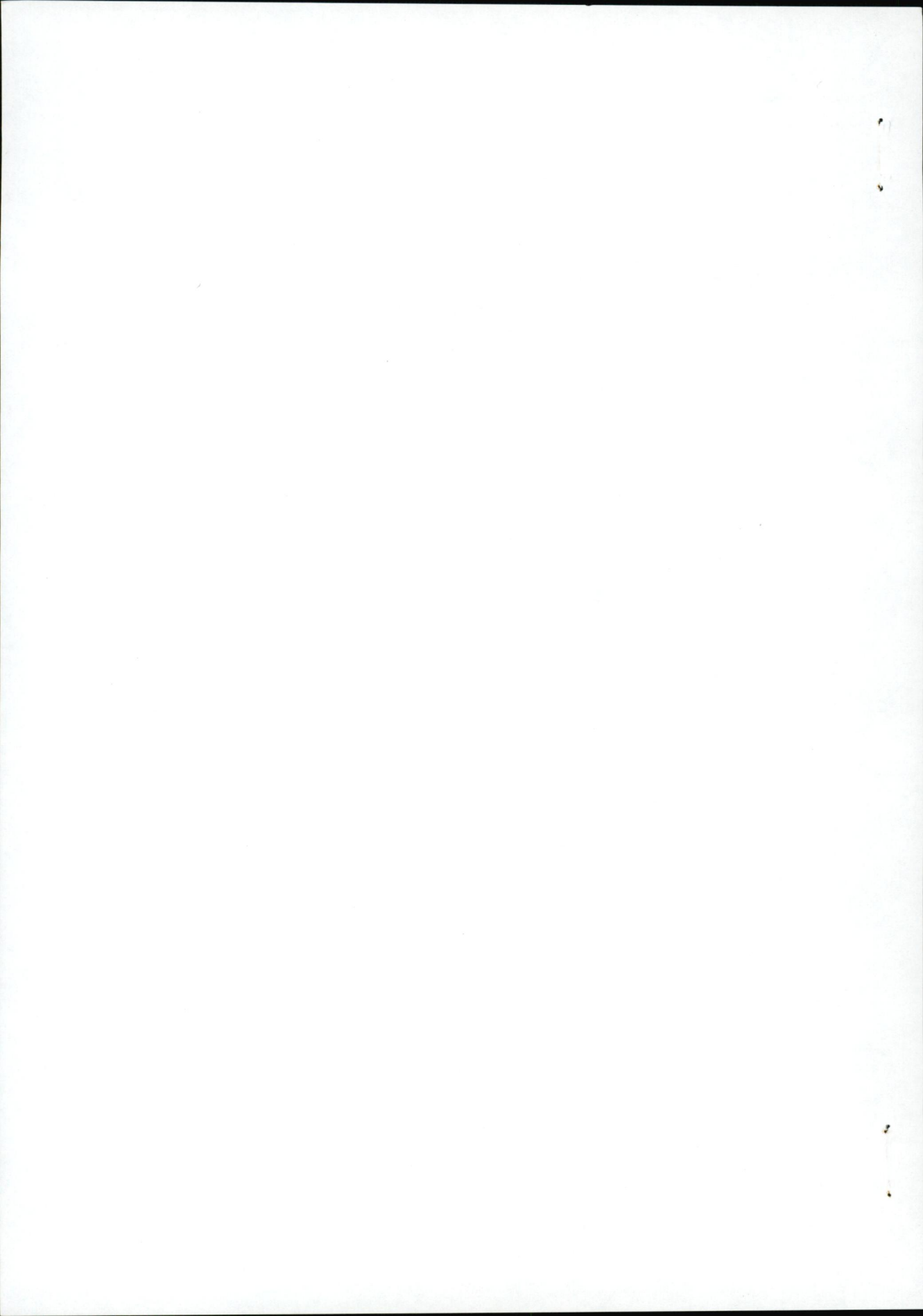
# Queanbeyan Showground (Variation of Purposes) Act 1995 No 14

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## **Queanbeyan Showground (Variation of Purposes) Act 1995 No 14**

Act No 14, 1995

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An Act to dedicate all of the land comprising Queanbeyan Showground for a public showground, public recreation and community purposes; and to make related provisions. [Assented to 15 June 1995]

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Queanbeyan Showground (Variation of Purposes) Act 1995*.

**2 Commencement**

This Act commences on a day to be appointed by proclamation.

**3 Definitions**

In this Act:

*the former trust* means the reserve trust as constituted under Part 5 of the *Crown Lands Act 1989* for the land described in Part 1 of Schedule 1 immediately before the commencement of this Act.

*the new trust* means the Queanbeyan Showground Reserve Trust established by section 5.

*the Reserve* means all of the land described in Schedule 1.

**4 Vesting and dedication of the Reserve**

- (1) On the commencement of this Act, the Reserve is vested in the Crown by this Act freed and discharged from any trusts, estates, interests, dedications, reservations, conditions, restrictions, covenants and provisions affecting that land or any part of it.
- (2) The Reserve is taken to be dedicated under section 80 of the *Crown Lands Act 1989* for a public showground, public recreation and community purposes.
- (3) This section does not affect any licence that applied to the Reserve or any part of it immediately before the commencement of this Act.

**5 Establishment of Queanbeyan Showground Reserve Trust**

- (1) A reserve trust under the name Queanbeyan Showground Reserve Trust is taken to be established and named under section 92 of the *Crown Lands Act 1989* in respect of the Reserve. The new trust is taken to be appointed under that section as trustee of the Reserve.

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- (2) Queanbeyan City Council is taken to be appointed under section 95 of the *Crown Lands Act 1989* to manage the affairs of the new trust.

## **6 Plan of management**

- (1) The new trust is taken to have been directed under section 112 of the *Crown Lands Act 1989* to prepare a draft plan of management for the Reserve within 3 months after the commencement of this Act.
- (2) The draft plan of management is to include provisions ensuring that the use of the Reserve for a public showground is not prevented or restricted by the use of the land for the other dedicated purposes and that the Reserve will be available for use by The Queanbeyan Show Society Inc. on such days (not exceeding 14 each year) as are notified to the manager of the new trust by the Society.
- (3) A plan of management for the Reserve may be adopted only if it includes such provisions or The Queanbeyan Show Society Inc. has consented by special resolution to the omission of such provisions.
- (4) This section does not prevent the Minister from requiring a draft plan of management for the Reserve to include other provisions which are not inconsistent with this section.

## **7 Dissolution of the former trust**

The former trust is dissolved.

## **8 Savings and transitional provisions**

- (1) Section 53 of the *Interpretation Act 1987* (which provides for the effect of alterations of names and constitutions of bodies) applies to the former trust and the new trust as if the new trust were the former trust with a name and constitution altered by this Act. However, section 53 (2) (b) of that Act does not limit the functions of the new trust to the part of the Reserve for which the former trust was established.

- (2) This Act does not give rise to a claim for compensation or to any other claim or demand against the Crown whether because of the vesting of land by this Act or otherwise.
- (3) In this section, *the Crown* means the Crown in right of New South Wales and includes the Government of New South Wales and a Minister of the Crown in right of New South Wales.



## **Schedule 1 Land comprising the reserve**

(Section 3)

### **Part 1 Former dedicated land**

All those parcels of land at Queanbeyan in the Town and Parish of Queanbeyan, County of Murray, being Allotment 4 of Section 56 and the residue of Allotment 6 of Section 56 after the exclusion of Allotments 7 and 8 of Section 56 and Lot 1, D.P. 319352.

Total area: About 7.3 hectares (17 acres 3 roods 38 $\frac{1}{2}$  perches)

### **Part 2 Former reserved land**

All those parcels of land at Queanbeyan in the Parish of Queanbeyan, County of Murray, comprising the whole of the land in Auto Consol. 3969-97 at the Land Titles Office, Sydney, being Lots 1-24 in Deposited Plan 13963.

Area: About 1.5 hectares (3 acres 2 roods 31 $\frac{1}{2}$  perches)

[Minister's second reading speech made in—  
Legislative Assembly on 25 May 1995  
Legislative Council on 7 June 1995]

