

Act 1993 No. 109

WAGGA WAGGA RACECOURSE BILL 1993 (No. 2)

NEW SOUTH WALES



EXPLANATORY NOTE

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

The objects of this Bill are:

- to provide for Wagga Wagga Racecourse to be continued as a public reserve for horse racing and other public purposes;
- to confirm the status of the existing reserve trust;
- to facilitate the incorporation of the existing Murrumbidgee Turf Club and to transfer the assets of that Club to the body corporate resulting from that incorporation; and
- to consequentially repeal the Murrumbidgee Turf Club Act 1876.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day to be fixed by proclamation.

Clause 3 defines certain expressions used in the proposed Act. The expressions defined are “assets”, “liabilities”, “rights”, “the former Club”, “the former trustee”, “the incorporated Club” and “Wagga Wagga Racecourse’.

Clause 4 clarifies the current status of the land comprising the Wagga Wagga Racecourse. The 1866 deed-poll or grant of the land from the Crown to certain persons will, to the extent that it applies to the Wagga Wagga Racecourse, be revoked and the land is to be Crown land dedicated for the following purposes:

- use as a racecourse for holding horse races;
- use as a training ground where race horses can be trained;
- use as a cricket ground or for any other form of sporting or recreational activity;
- use for any other public amusement or public purpose declared by the Governor-in-Council.

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Part 5 of the Crown Lands Act 1989 will apply to the Racecourse. Under that Part a dedication of land for a public purpose may be revoked. Parliament, however, can disallow such revocation.

Clause 5 continues the reserve trust established under the Crown Lands Act 1989 as trustee of the Wagga Wagga Racecourse for the purposes of that Act. The reserve trust is to have the corporate name of “Wagga Wagga Racecourse Reserve Trust”. The appointment of the members of the existing trust board is confirmed.

Clause 6 makes it clear that nothing in the Murrumbidgee Turf Club Act 1876 prevents the members of the Murrumbidgee Turf Club from becoming incorporated as a body corporate under any law that enables persons to form a body corporate. As soon as practicable after the Club has become incorporated, the Minister will be required to publish in the Gazette a notice to the effect that the body corporate resulting from the incorporation is the incorporated Murrumbidgee Turf Club.

Clause 7 provides that, on the publication in the Gazette of the notice referred to in proposed section 6, the assets, rights and liabilities of the former Club (including the assets currently held by the chairman of the Club on its behalf) are to vest in the incorporated Club.

Clause 8 enables the Governor to make a proclamation repealing the Murrumbidgee Turf Club Act 1876 at any time on or after the publication in the Gazette of the certificate of the Minister referred to in proposed section 6.

Clause 9 empowers the Governor to make regulations for the purposes of the proposed Act, including regulations of a savings or transitional nature.

Schedule 1 contains a description of the land comprising the Wagga Wagga Racecourse.
