

# Sporting Venues Management Act 2002 No 56

[2002-56]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 January 2008 to 10 July 2008 (accessed 17 July 2024 at 23:14)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by sec 42 (2) (c) of the [Sporting Venues Authorities Act 2008 No 65](#) with effect from 11.7.2008.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 11 July 2008

# Sporting Venues Management Act 2002 No 56



New South Wales

## Contents

<b>Long title</b> .....	4
<b>Part 1 Preliminary</b> .....	4
1 Name of Act .....	4
2 Commencement .....	4
3 Definitions .....	4
<b>Part 2 Corporation sole</b> .....	4
4 Minister to be corporation sole for certain purposes .....	4
5 Objects of Corporation .....	5
6 Functions of Corporation .....	5
7 Exercise of functions—principles of ecologically sustainable development .....	6
8 (Repealed) .....	6
9 Vesting of additional land .....	6
10 Effect of vesting of land .....	6
11 Acquisition of land .....	7
<b>Part 3 (Repealed)</b> .....	7
<b>Part 4 Miscellaneous</b> .....	7
17 Rangers .....	7
18 Seal of Corporation .....	8
19 Review of Act .....	8
20 Regulations .....	8

**Schedule 1 Land vested in Corporation** ..... 9

**Schedule 2 (Repealed)** ..... 9

# Sporting Venues Management Act 2002 No 56



New South Wales

An Act to incorporate the Minister administering this Act as a corporation sole; to vest in the Corporation the Sydney International Shooting Centre; to enable other land to be vested in the Corporation; to constitute the Sydney International Shooting Centre Trust; and for other purposes.

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Sporting Venues Management Act 2002*.

### 2 Commencement

- (1) Except as provided by subsection (2), this Act commences on 30 June 2002.
- (2) Part 3 and Schedule 2 commence on a day to be appointed by proclamation.

### 3 Definitions

In this Act:

**corporate lands** means the lands for the time being described in Schedule 1.

**Corporation** means the corporation sole with the corporate name “Minister administering the *Sporting Venues Management Act 2002*” constituted under section 4.

**exercise** a function includes perform a duty.

**function** includes a power, authority or duty.

**Sydney International Shooting Centre** means the land described as Lot 1 DP 875790.

## Part 2 Corporation sole

### 4 Minister to be corporation sole for certain purposes

- (1) The Minister is, for the purpose of exercising those functions expressed to be conferred or imposed on the Corporation by or under this or any other Act, hereby incorporated as a corporation sole with the corporate name “Minister administering

the *Sporting Venues Management Act 2002*".

(2) The Corporation:

- (a) has perpetual succession, and
- (b) is to have an official seal, and
- (c) may take proceedings, and be proceeded against, in its corporate name, and
- (d) may do and suffer all things that a body corporate generally may, by law, do and suffer and that are necessary for or incidental to the purposes for which the Corporation is constituted, and
- (e) is, for the purposes of any Act, a statutory body representing the Crown.

## **5 Objects of Corporation**

The objects of the Corporation are:

- (a) to maintain and improve the corporate lands, and
- (b) to encourage the use and enjoyment of the corporate lands by the public and such clubs, associations or other bodies as the Corporation considers appropriate, and
- (c) to make all reasonable attempts to ensure that any new development carried out on corporate lands accords with best practice environmental and planning standards.

## **6 Functions of Corporation**

(1) The functions of the Corporation are:

- (a) to manage and develop the corporate lands in accordance with the Corporation's objects, and
- (b) to permit the use of the whole or any part of the corporate lands for activities of a sporting or recreational nature, including the use of those lands for major events and general community access, and
- (c) to ensure that proper asset management plans are in place and are implemented for the corporate lands, and
- (d) to enter into any contract or arrangement with any person for the purpose of promoting the objects of the Corporation.

(2) The Corporation may, in such manner and subject to such terms and conditions as it thinks fit, sell, lease, exchange or otherwise dispose of or deal with the corporate lands and grant easements or rights of way over those lands or any part of those lands.

- (3) The Corporation may also exercise functions with respect to the management or operation of the following facilities:
  - (a) the Dunc Gray Velodrome at Bankstown,
  - (b) (Repealed)
  - (c) the Ryde Aquatic Leisure Centre,
  - (d) the Blacktown Olympic Centre.
- (4) The Corporation has and may exercise such functions as are conferred or imposed on it by or under any other Act.
- (5) The Corporation has and may exercise such functions, in addition to those specified in this section, as are reasonably necessary to achieve its objects.

#### **7 Exercise of functions—principles of ecologically sustainable development**

In carrying out its functions, the Corporation is to take into consideration, where relevant, the principles of ecologically sustainable development within the meaning of the *Local Government Act 1993*.

#### **8 (Repealed)**

#### **9 Vesting of additional land**

- (1) The Governor may from time to time, by proclamation, amend Schedule 1 for the purpose of adding to the land for the time being described in that Schedule.
- (2) Land for which a description is added to Schedule 1, whether by proclamation under this section or by another Act, is vested in the Corporation for an estate in fee simple free of any trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates existing in respect of the land immediately before the land is vested in the Corporation, except as otherwise provided in that Schedule or other Act.
- (3) A proclamation under this section may contain provisions of a savings or transitional nature consequent on the making of the proclamation (including provisions conferring on the Corporation rights and liabilities in respect of trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates continuing to exist in respect of the land described in the proclamation).
- (4) The Governor may from time to time, by proclamation, amend Schedule 1 for the purpose of removing any land described in Schedule 1 that has ceased to be vested in the Corporation.

#### **10 Effect of vesting of land**

- (1) The vesting of land effected by section 8 (1) or 9 (2) does not operate to vest in the

Corporation any pipeline, cable or related apparatus owned by a person other than the Corporation and used for the conveyance of gas, electricity, water, drainage, sewage or any other thing and lawfully situated on the land immediately before the vesting of the land.

- (2) If an interest in land of a person (other than a public or local authority) is divested by the operation of section 8 (1) or, in the case where the land concerned has been added to Schedule 1 by proclamation, by the operation of section 9 (2):
  - (a) compensation is payable for the divesting of that interest, and
  - (b) Part 3 of the *Land Acquisition (Just Terms Compensation) Act 1991* applies as if section 8 (1) or a proclamation under section 9 (1) were an acquisition notice published by the Corporation under that Act.
- (3) Despite subsection (2), no compensation is payable to a person for the divesting by section 8 (1) of the lease granted by the Minister administering the *Environmental Planning and Assessment Act 1979* to the Blacktown and District Clay Target Club Limited (as referred to in section 8 (2))
- (4) In subsection (2):

**interest** in land has the same meaning as in the *Land Acquisition (Just Terms Compensation) Act 1991*.

## **11 Acquisition of land**

- (1) The Corporation may, for the purposes of this Act, acquire land (including an interest in land) by agreement or compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (2) The other purposes for which land may be acquired under subsection (1) include the purposes of future sale, lease or disposal, that is, to enable the Corporation to exercise the Corporation's functions in relation to any land.

## **Part 3**

### **12-16 (Repealed)**

## **Part 4 Miscellaneous**

### **17 Rangers**

- (1) The Director-General of the Department of Sport and Recreation may appoint a member of staff of that Department to be a ranger for the purposes of this Act.
- (2) A ranger may exercise such functions as are conferred on a ranger by the regulations with respect to care, control and management of the corporate lands.

- (3) The Director-General is to provide each ranger with an identification card.
- (4) An identification card is a card that:
  - (a) states that it is issued under this Act, and
  - (b) states the name of the person to whom it is issued, and
  - (c) describes the nature of the powers conferred, and
  - (d) states the date (if any) on which it expires, and
  - (e) is signed by the Director-General.
- (5) In the course of exercising the functions of a ranger under this Act, the ranger must, if requested to do so by a person affected by the exercise of any such function, produce the ranger's identification card to the person.

## **18 Seal of Corporation**

- (1) The seal of the Corporation is not to be affixed to any document except in the presence of the Minister, or a member of staff of the Department of Sport and Recreation for the time being authorised by the Minister for the purpose, who is to attest by his or her signature the fact and date of the affixing of the seal.
- (2) All courts and persons acting judicially:
  - (a) must take judicial notice of the seal of the Corporation that has been affixed to any document, and
  - (b) must, until the contrary is proved, presume that the seal was properly fixed.

## **19 Review of Act**

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 4 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 4 years.

## **20 Regulations**

- (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.



- (2) In particular, regulations may be made for or with respect to the use and management of the corporate lands.
- (3) The regulations may create an offence punishable by a maximum penalty of 20 penalty units.

## Schedule 1 Land vested in Corporation

(Sections 3 and 9)

<b>Column 1</b>	<b>Column 2</b>
<b>Description of land</b>	<b>Interests etc subject to which land vested</b>
Land within Lot 100 DP 1088254	
Jindabyne Sport and Recreation Centre—being Lot 101, DP 1019527	Land vested subject to any trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates existing in respect of the land immediately before the land was included in this Schedule.
Narrabeen Sport and Recreation Centre—being Lots 862, 863, 865, 866, 871, 873, 875, 876, 877, 878, 879 and 887, DP 752038, Lot 1, DP 74818 and Lot 1, DP 525492	Land vested subject to any trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates existing in respect of the land immediately before the land was included in this Schedule.
Borambola Sport and Recreation Centre—being Lots 107 and 114, DP 757218	Land vested subject to any trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates existing in respect of the land immediately before the land was included in this Schedule.
Broken Bay/Little Wobby Sport and Recreation Centre—being Lot 19, Section A, DP 2746, Lot 1, DP 518407, Lots 53, 59, 61, 62 and 63, DP 755251, Lots 1, 2, 3, 4, 5, 6 and 129, DP 7841 and Lots 1, 2, 3 and 4, DP 795352	Land vested subject to any trusts, estates, interests, dedications, restrictions, easements, contracts, charges and rates existing in respect of the land immediately before the land was included in this Schedule.

## Schedule 2 (Repealed)