



### The Crown Land Acts (Lease and Licence Terms) Act 2009 ...

... is described as 'enhancing' the operation of half a dozen Acts of Parliament which govern the leasing and licensing of public land in Victoria. Whether the new Act makes life easier or more difficult for landlords and tenants is a moot point – but it certainly adds to the complexity of the already convoluted legal framework within which they must operate.

This course is designed to map out the law governing leases and licences on both Crown and freehold public land, and to explore the policy issues and procedural requirements that must be understood for its sound administration.

## LEASES AND LICENCES OF PUBLIC LAND

*A one-day Professional Development Course for Managers and Users of Public Land*

### COURSE CONTENT

#### Landlords and Tenants

- Basic property law: leases, licences and agreements
- Councils' roles: landowner, local government and delegated manager

#### The Legislation

- The *Land Act 1958*, the *Crown Land (Reserves) Act 1978* and other Acts governing Crown land
- The *Property Law Act 1958*, *Transfer of Land Act 1958* and other Acts relating principally to freehold land
- The *Retail Leases Act 2003* and *Residential Tenancies Act 1997*
- The *Local Government Act 1989* and Local Laws

#### Negotiating Tenures

- Competition Policy, Expressions of Interest and Tenders
- Term, rental, risk apportionment, rights and responsibilities
- Community tenants and subsidised rentals

#### Managing Tenures

- Sub-tenures, mortgages, assignments and variations
- Compliance, enforcement, penalties and dispute resolution
- Terminations and renewals

#### Other Considerations

- Native Title; Adverse Possession and 'squatters' rights'
- Rateability - the *Cultural and Recreational Lands Act 1963*

### TENANCIES (SOME REAL, OTHERS HYPOTHETICAL) STUDIED IN THIS COURSE...

- A bathing box on Brighton Beach
- The Western Bulldogs tenure over Whitten Oval, Footscray, and their sub-tenure to Victoria University
- A medical suite in a hospital complex
- A couple of sporting clubs sharing a recreation reserve
- Stalls in the South Melbourne Market
- Wyndham Cove Marina, and individual berths within it
- The Big Day Out at Princes Park, Carlton
- An unused government road and a Crown water frontage enclosed in a freehold farm property
- The Melbourne Aquarium on the north bank of the Yarra
- The Kiosk in the Fitzroy Gardens
- Footpath cafés and Farmers' Markets
- Balconies overhanging road reserves

#### And some controversial cases:

- The Kyneton Bowling Club
- The St Kilda Triangle

#### Your Presenter

##### Karen Hayes

is a property consultant with extensive experience in Melbourne's public and private property sectors.

She holds qualifications in Property, Marketing and Psychology

#### Cost

\$495 per person

*including GST, full course notes and working lunch*  
Discounts for Host Organisations

Maximum Class size  
10 students

#### Inquiries and Registrations

##### Natasha Herbert

*Training Course Coordinator*

Phone 9534 5128

[natasha@publicland.com.au](mailto:natasha@publicland.com.au)