



*This one-day course maps out the law governing leases and licences on both Crown and freehold public land, and explores 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*; *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
- 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

### Forthcoming Presentations

For details of forthcoming presentations go to [www.publicland.com.au](http://www.publicland.com.au) then to professional development.

#### Your Presenter

##### Richard O'Byrne

Richard is an Associate with The Public Land Consultancy. He has considerable experience with public land tenures with government agencies, and in the private sector.

#### Cost

\$550 per person  
including GST, full course notes  
and working lunch  
Discounts for Host Organisations  
Maximum Class size  
10 students

#### Enquiries and Registrations

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