



LEASES AND LICENCES OF PUBLIC LAND

A 3-Session On-line Course for Managers and Users of Public Land

COURSE CONTENT

Session 1 – The law governing tenures

Landlords and Tenants

- Basic property law: Crown land, freehold land, Native title
- Tenures: leases, licences, and agreements; unauthorized occupations and adverse possession
- Councils' roles - as landowner, local government, delegated manager, or tenant.

The Legislation

- The *Land Act 1958*; the *Crown Land (Reserves) Act 1978*
- 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*

Session 2 – The administration of tenures

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

Session 3 – Current and emerging issues

Responding to the Changing Law

- The new *Local Government Act 2020* Community Action Plans and Community Asset Committees
- The elements of a clear and consistent tenancy policy
- The Auditor General's commentary on subsidisation
- The forthcoming rewrite of Crown land legislation

Responding to the Changing Community

- Transitioning into and out of the COVID-19 lockdown
- Growth, multiculturalism and diversity
- The evolving distinction between 'community' and 'commercial'

Community Tenures are Changing

Community tenures have always been complex – for Crown land and freehold land alike. Now is the time for reform -

- As communities grow, evolve, and diversify
- As facilities go into and re-emerge from the COVID-19 lockdown
- As councils readjust to the new *Local Government Act 2020*
- As we head towards the reform of Crown land legislation, and
- As budgets tighten.

This course provides groundwork for a re-assessment of the relationships between municipalities, communities, and their public land.

Your Presenter Richard O'Byrne

Richard is an Associate with The Public Land Consultancy. Earlier, he held senior positions with DELWP and Parks Victoria. He now specialises in consultancy engagements relating to the community use of public land.

Cost

\$495 per person
for the 3-Session course
including GST, full course notes

Maximum Class size 10 students

Enquiries & Registrations **Fiona Sellars** *Training Coordinator*

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