

LEGISLATIVE COUNCIL

Read 1^o 6 May 1992

(Brought in by the Honourable D. R. White)

A BILL

to amend the Alpine Resorts Act 1983 and for other purposes.

Alpine Resorts (Amendment) Act 1992

The Parliament of Victoria enacts as follows:

1. Purpose

The purpose of this Act is to amend the Alpine Resorts Act 1983 to—

- 5 (a) alter the retirement age of Commissioners; and
 (b) enable the Commission to enter into agreements or
 arrangements; and
 (c) amend the regulation making powers.

2. Commencement

- 10 This Act comes into operation on the day on which it
 receives the Royal Assent.

Section headings appear in bold italics and are not part of the Act.
(See Interpretation of Legislation Act 1984.)

No. 9974.

3. *Principal Act*

Reprinted to
12/88.
Amended by
94/90.

In this Act the Alpine Resorts Act 1983 is called the
Principal Act.

4. *Alteration of retirement age of commissioners*

In section 6 (4) of the Principal Act, for “65” substitute 5
“72”.

5. *Insertion of new Part to follow Part IV*

(1) After Part IV of the Principal Act insert—

**‘PART IV_A—MANAGEMENT OF LAND OUTSIDE
ALPINE RESORTS** 10

**22. *Commission may make management agreements or
arrangements with land managers***

- (1) Where any land, which is not land to which
section 23 applies, is vested in or controlled or
managed by a person or public authority, the 15
Commission and the person or public authority
may enter into an agreement or arrangement for
the management of the land by the Commission
as if the land were part of the alpine resort
specified in the agreement or arrangement. 20
- (2) Where an agreement or arrangement is in force
under this section for the management of land
and in so far as the agreement or arrangement
does not make any other express provision—
- (a) that land is to be controlled and managed 25
as if it were part of the alpine resort
specified in the agreement or arrangement;
and
- (b) sections 8, 9, 18, 24, 25, 26, 27, 33 (4), 39 30
and 42 and the regulations under this Act
applying to the alpine resort specified in
the agreement or arrangement have effect

in respect of the land as if it were part of
that alpine resort.

- 5 (3) Despite anything to the contrary in any other Act,
a person or public authority managing land which
is the subject of an agreement or arrangement
under this section may delegate any of the powers
or functions imposed on it by or under any Act to
the Commission by that agreement or
arrangement.

10 **23. *Commission may enter into agreements or
arrangements with respect to land managed under a
relevant law***

- 15 (1) Where any land is managed under a relevant law
within the meaning of the **Conservation, Forests
and Lands Act 1987**, the Commission may enter
into a written agreement or written arrangement
with the person or public authority who manages
that land for the provision of cross country trail
systems on that land and their use for cross
country skiing.

- 20 (2) An agreement or arrangement under this section
may apply any section of this Act or any provision
of the regulations made under this Act to the land
which is the subject of the agreement or
25 arrangement, and any section or provision which
is so applied is applied with all the necessary
modifications and any additional modifications
or deletions that are specified in the agreement or
arrangement.

- 30 (3) Despite anything to the contrary in any other Act,
the person or public authority managing land
which is the subject of an agreement or
arrangement under this section may delegate any
of the powers or functions imposed on it by or
35 under any Act to the Commission by that
agreement or arrangement.”.

- (2) Despite the coming into operation of sub-section (1),
where the Commission, before the coming into

operation of that sub-section, had entered into an agreement or arrangement with a person or public authority, for the management of land by the Commission in connection with an alpine resort, the Commission and the person or public authority are to be taken to have always had the power to enter into that agreement or arrangement. 5

- (3) For the purposes of sub-section (2), "Commission" and "public authority" have the same meaning as in the Principal Act.' 10

6. *Amendment of regulation-making powers*

In section 42 of the Principal Act—

- (a) in sub-section (1), after paragraph (m) insert—

"(ma) fees or other charges for or with respect to any improvement, service or facility in any alpine resort or for cross-country skiing in an alpine resort or any part of an alpine resort determined by the Commission;" 15

- (b) at the end of the section insert—

"(4) Any regulation may leave any matter to be approved or determined by a specified person or body or a specified class of persons or bodies". 20

