



New South Wales

# Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Bill 2001

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The use of buildings and temporary structures as places of public entertainment, the installation of temporary structures on land and the installation of oil and solid fuel heating appliances are all matters that currently require approvals under the *Local Government Act 1993* and are subject to conditions imposed on such approvals by regulations made under that Act.

The objects of this Bill are:

- (a) to amend the *Local Government Act 1993* so as:
  - (i) to remove the need for approvals for the use of buildings and temporary structures as places of public entertainment, the installation of temporary structures on land and the installation of oil and solid fuel heating appliances, and

Explanatory note

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- (ii) to repeal a provision with respect to the use of places of public entertainment by the Crown, and
  - (iii) to repeal a provision that enables a local council to issue orders under that Act requiring a place of public entertainment to be upgraded to relevant standards, and
  - (iv) to make other minor amendments, and
  - (v) to enact provisions of a savings or transitional nature,
- (b) to amend the *Environmental Planning and Assessment Act 1979* so as:
- (i) to allow the use of buildings and temporary structures as places of public entertainment and the installation of temporary structures on land to be regulated under that Act, and
  - (ii) to regulate the carrying out by the Crown of development involving the use of a building as a place of public entertainment, and
  - (iii) to enable a local council to issue orders under that Act requiring a place of public entertainment to be upgraded to relevant standards, and
  - (iv) to make other minor amendments, and
  - (v) to enact provisions of a savings or transitional nature.

The Bill also makes consequential amendments to a number of other Acts.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation, except for an amendment to the *Fines Act 1996* which is expressed to commence on the date of assent to the proposed Act.

**Clause 3** is a formal provision giving effect to the amendments to the *Local Government Act 1993* set out in Schedule 1.

**Clause 4** is a formal provision giving effect to the amendments to the *Environmental Planning and Assessment Act 1979* set out in Schedule 2.

**Clause 5** is a formal provision giving effect to the amendments to other Acts set out in Schedule 3.

## **Schedule 1 Amendment of Local Government Act 1993**

### **Removal of need for approvals**

**Schedule 1 [4]** amends section 68 by omitting item 2 (installation of temporary structures on land) and item 3 (use of buildings and temporary structures as places of public entertainment) from Part A of the Table to that section and by omitting item 4 (the installation of domestic oil and solid fuel heating appliances) from Part F of that Table. The effect of this amendment is to remove the need for an approval under that section in respect of those matters. **Schedule 1 [6], [9], [10] and [13]** effect consequential amendments, removing various references to temporary structures which, because of the amendment to section 68, will no longer be regulated under the Act.

### **Use of places of public entertainment by the Crown**

**Schedule 1 [5]** omits section 71 (Use by the Crown of places of public entertainment). **Schedule 1 [1] and [8]** effect consequential amendments.

### **Upgrade orders for places of public entertainment**

**Schedule 1 [11]** amends section 124 by omitting paragraph (c) of the matter relating to order No 5 in the Table to that section. The effect of this amendment is to remove the power of a local council to issue orders requiring a place of public entertainment to be upgraded to relevant standards. **Schedule 1 [15]** inserts a new Part at the end of Schedule 8 containing a clause that continues the effect of orders issued before the commencement of the proposed Act.

### **Minor amendments**

**Schedule 1 [2] and [3]** amend section 12 so as to remove provisions requiring building applications to be made available for public inspection. The erection of a building no longer requires an application under the *Local Government Act 1993* but is dealt with under the *Environmental Planning and Assessment Act 1979* as a consequence of amendments to those Acts made by the *Environmental Planning and Assessment Amendment Act 1997*.

**Schedule 1 [7]** amends section 92 so as to require a local council to be satisfied as to the standard of any component, process or design if the component, process or design complies with standards imposed by the regulations under the

*Environmental Planning and Assessment Act 1979* in respect of the carrying out of development under that Act. This amendment ensures consistency between the two Acts.

**Schedule 1 [12]** amends section 626 so as to update a cross-reference.

**Schedule 1 [14]** amends clause 1 of Schedule 8 so as to enable savings and transitional regulations to be made in connection with the enactment of the proposed Act.

**Schedule 1 [16]** amends the Dictionary as a consequence of the other amendments to be made by Schedule 1.

## **Schedule 2 Amendment of Environmental Planning and Assessment Act 1979**

### **Places of public entertainment**

The use of land for the purposes of a place of public entertainment is controlled under both the *Environmental Planning and Assessment Act 1979* (from an environmental planning perspective) and the *Local Government Act 1993* (from a public safety perspective). It is proposed that the *Environmental Planning and Assessment Act 1979* be amended to ensure that it can impose public safety conditions of the kind currently in force under the *Local Government Act 1993*. To this end it is proposed to amend section 108 (Regulations respecting existing use) and section 109 (Continuance of and limitations on other lawful uses) so as to enable the regulations under the *Environmental Planning and Assessment Act 1979* to impose conditions on the use of a building for the purposes of a place of public entertainment (**Schedule 2 [5]** and **[6]**). These regulations, together with regulations under section 80A (11) (prescribed conditions for development consents), will be able to apply to all places of public entertainment.

**Schedule 2 [1]** makes consequential amendments to section 4, inserting definitions of *licensed premises*, *place of public entertainment* and *public entertainment* that are needed to support the proposed regulations. **Schedule 2 [2]**, **[3]** and **[4]** make consequential amendments to section 78A.

**Schedule 2 [8]** amends section 121B so as to enable orders to be made under that section in the same terms as orders are currently made under section 124 of the *Local Government Act 1993* with respect to the upgrading of places of public entertainment.

A transitional provision (proposed clause 40 of Schedule 6) allows existing applications for approvals to be determined and continues the existing conditions that apply to the use of places of public entertainment under the *Local Government Act 1993* (**Schedule 2 [13]**).

### **Temporary structures**

The current definition of *building* in section 4 expressly excludes temporary structures. **Schedule 2 [1]** substitutes the definition so as to expressly include them. Consequently, temporary structures will become subject to the same regulatory scheme as all other buildings.

A transitional provision (proposed clause 41 of Schedule 6) allows existing applications for approvals to be determined and continues the existing conditions that apply to the installation of temporary structures under the *Local Government Act 1993* (**Schedule 2 [13]**).

### **Crown development for public entertainment**

As mentioned in connection with the amendments referred to in Schedule 1, it is proposed to repeal section 71 of the *Local Government Act 1993*. In place of that section, it is proposed to insert a new section 116GA into the *Environmental Planning and Assessment Act 1979* (**Schedule 2 [7]**). The new section subjects the Crown to a regulatory regime similar to that imposed on the Crown by section 116G in relation to building, demolition and incidental work. That regulatory regime requires a Minister of the Crown to certify, in relation to development carried out by the Crown, that the development complies with specified requirements that are prescribed by the regulations under the Act.

### **Minor amendments**

**Schedule 2 [9]** amends section 126 so as to enable the regulations under the Act to impose lesser penalties than the default penalty of 1,000 penalty units (\$110,000) currently imposed by that section.

**Schedule 2 [10]** amends section 127 so as to extend to offences against the regulations under the Act the defence afforded by section 127 (7) with respect to offences against the Act.

**Schedule 2 [11]** amends section 127A so as to make clear that penalty notices can be issued for offences against the regulations under the Act as well as for offences against the Act.

**Schedule 2 [12]** amends clause 1 of Schedule 6 so as to enable savings and transitional regulations to be made in connection with the enactment of the proposed Act.

### **Schedule 3 Amendment of other Acts**

Schedule 3 makes consequential amendments to each of the following Acts:

*Boxing and Wrestling Control Act 1986 No 11*

*Casino Control Act 1992 No 15*

*Fines Act 1996 No 99*

*Liquor Act 1982 No 147*

*Parliamentary Electorates and Elections Act 1912 No 41*

The amendment to the *Fines Act 1996* amends Schedule 1 to that Act (which identifies the penalty notices that may be enforced under that Act) so as to include a reference to section 127A (Penalty notices for certain offences) of the *Environmental Planning and Assessment Act 1979*. This amendment will avoid the need to prescribe that section under the regulations under the *Fines Act 1996*.



New South Wales

# Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Bill 2001

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New South Wales

# Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Bill 2001

No. , 2001

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## A Bill for

An Act to amend the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979* so as to transfer provisions relating to certain local government functions from the one to the other; to make consequential amendments to other Acts; and for other purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</i> .	3 4
<b>2 Commencement</b>	5
(1) This Act commences on a day or days to be appointed by proclamation, except as provided by subsection (2).	6 7
(2) Schedule 3.3, and section 5 in its application to that item, commence on the date of assent to this Act.	8 9
<b>3 Amendment of Local Government Act 1993 No 30</b>	10
The <i>Local Government Act 1993</i> is amended as set out in Schedule 1.	11
<b>4 Amendment of Environmental Planning and Assessment Act 1979 No 203</b>	12
The <i>Environmental Planning and Assessment Act 1979</i> is amended as set out in Schedule 2.	13 14 15
<b>5 Amendment of other Acts</b>	16
Each Act listed in Schedule 3 is amended as set out in that Schedule.	17

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<b>Schedule 1</b>	<b>Amendment of Local Government Act 1993</b>	1
	(Section 3)	2
<b>[1]</b>	<b>Section 4 Does this Act bind the Crown?</b>	3
	Omit the following matter from the note to section 4:	4
	• section 71—concerning the use of places of public entertainment	5
<b>[2]</b>	<b>Section 12 What information is publicly available?</b>	6
	Omit the following matter from section 12 (1):	7
	• applications under Part 1 of Chapter 7 for approval to erect a building, and associated documents	8 9
<b>[3]</b>	<b>Section 12 (1A)</b>	10
	Omit “, or an application under Part 1 of Chapter 7 for approval to erect a building.”.	11 12
<b>[4]</b>	<b>Section 68 What activities, generally, require the approval of the council?</b>	13 14
	Omit items 2 and 3 from Part A, and item 4 from Part F, of the Table to the section.	15 16
<b>[5]</b>	<b>Section 71 Use by the Crown of places of public entertainment</b>	17
	Omit the section.	18
<b>[6]</b>	<b>Section 92 Approval where an accreditation is in force</b>	19
	Omit “, design or temporary structure” wherever occurring.	20
	Insert instead “or design”.	21
<b>[7]</b>	<b>Section 92</b>	22
	Insert “or under the regulations under the <i>Environmental Planning and Assessment Act 1979</i> ” after “Division 5”.	23 24

Local Government and Environmental Planning and Assessment  
Amendment (Transfer of Functions) Bill 2001

Schedule 1      Amendment of Local Government Act 1993

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<b>[8] Section 99 Notice to applicant of determination of application</b>	1
Omit “71 or” from section 99 (1).	2
<b>[9] Chapter 7, Part 1, Division 5, heading</b>	3
Omit “, designs and temporary structures”. Insert instead “ <b>and designs</b> ”.	4
<b>[10] Sections 120, 121 and 122</b>	5
Omit “, design or temporary structure” wherever occurring.	6
Insert instead “or design”.	7
<b>[11] Section 124 What orders may be given, in what circumstances and to whom?</b>	8
Omit paragraph (c) from Column 1 of the matter relating to order No 5 in the Table to the section.	9
<b>[12] Section 626 Failure to obtain approval</b>	12
Omit “subsection (1), (2) or (3)” from section 626 (4).	13
Insert instead “subsection (1) or (3)”.	14
<b>[13] Schedule 6 Regulations</b>	15
Omit “and temporary structures” from the matter relating to item 8.	16
<b>[14] Schedule 8 Savings, transitional and other provisions consequent on the enactment of other Acts</b>	17
Insert at the end of clause 1 (1):	18
<i>Local Government and Environmental Planning and</i>	19
<i>Assessment Amendment (Transfer of Functions) Act 2001</i>	20
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<b>[15] Schedule 8</b>	1
Insert at the end of the Schedule, with appropriate numbering:	2
<b>Part Provisions consequent on enactment of Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</b>	3 4 5 6
<b>Definitions</b>	7
In this Part:	8
<i>amending Act</i> means the <i>Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</i> .	9 10 11
<b>Order no 5 (c) under section 124</b>	12
(1) Any order of the kind referred to in paragraph (c) of item 5 of the Table to section 124:	13 14
(a) that, immediately before the commencement of this clause, was in force, or	15 16
(b) that arises from anything continued or completed as referred to in subclause (2),	17 18
in relation to a building or temporary structure used as a place of public entertainment continues to have effect, and may be enforced, as if the amending Act had not been enacted.	19 20 21
(2) Anything done under this Act in connection with the making of an order referred to in subclause (1) may be continued and completed as if the amending Act had not been enacted.	22 23 24

Local Government and Environmental Planning and Assessment  
Amendment (Transfer of Functions) Bill 2001

Schedule 1      Amendment of Local Government Act 1993

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<b>[16] Dictionary</b>	1
Omit the definitions of <i>drive-in theatre</i> , <i>entertainment</i> , <i>licensed premises</i> , <i>open-air theatre</i> , <i>place of public entertainment</i> , <i>public entertainment</i> , <i>temporary structure</i> and <i>theatre or public hall</i> .	2 3 4
Insert in appropriate order:	5
<i>licensed premises</i> means premises the subject of a licence under the <i>Liquor Act 1982</i> or a certificate of registration under the <i>Registered Clubs Act 1976</i> .	6 7 8

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## Schedule 2 Amendment of Environmental Planning and Assessment Act 1979

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(Section 4)

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### [1] Section 4 Definitions

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Omit the definition of *building* from section 4 (1).

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Insert instead in alphabetical order:

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*building* includes part of a building, and also includes any structure or part of a structure (including any temporary structure or part of a temporary structure), but does not include a manufactured home, moveable dwelling or associated structure or part of a manufactured home, moveable dwelling or associated structure.

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*place of public entertainment* means:

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(a) any theatre or cinema (including a drive-in or open-air theatre or cinema) that is used or intended to be used for the purpose of providing public entertainment, or

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(b) any premises the subject of a licence under the *Liquor Act 1982* or a certificate of registration under the *Registered Clubs Act 1976*, that are used or intended to be used for the purpose of providing entertainment, including public entertainment, but not including amusement provided by means of an approved amusement device (within the meaning of the *Liquor Act 1982*) or poker machine (within the meaning of the *Registered Clubs Act 1976*), or

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(c) any public hall that is used or intended to be used for the purpose of providing public entertainment.

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*public entertainment* means entertainment to which admission may ordinarily be gained by members of the public on payment of money or other consideration:

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(a) whether or not some (but not all) persons are admitted free of charge, and

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(b)	whether or not the money or other consideration is demanded:	1
(i)	as a charge for a meal or other refreshment before admission is granted, or	2
(ii)	as a charge for the entertainment after admission is granted.	3
	<i>temporary structure</i> includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.	4
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<b>[2]</b>	<b>Section 78A Application</b>	10
	Omit “paragraph 1, 2 or 3 of Part A” from section 78A (3).	11
	Insert instead “paragraph 1 of Part A”.	12
<b>[3]</b>	<b>Section 78A (3)</b>	13
	Omit “paragraph 1–6, 8, 9 or 10 of Part F”.	14
	Insert instead “paragraph 1–3, 5, 6, 8, 9 or 10 of Part F”.	15
<b>[4]</b>	<b>Section 78A Note</b>	16
	Omit the matter relating to <b>Structures or places of public entertainment</b> .	17
	Insert instead:	18
	<b>Manufactured homes and moveable dwellings</b>	19
	Installing a manufactured home, moveable dwelling or associated structure on land	20
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<b>[5]</b>	<b>Section 108 Regulations respecting existing use</b>	22
	Insert at the end of section 108 (1):	23
	, and	24
(d)	in the case of an existing use for the purpose of a place of public entertainment, the conditions to which such a use is to be subject.	25
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<b>[6] Section 109 Continuance of and limitations on other lawful uses</b>	1
Insert after section 109 (3):	2
(4) The regulations may make provision for or with respect to the conditions on which the use of a building for the purpose of a place of public entertainment may be continued pursuant to this section.	3 4 5 6
<b>[7] Section 116GA</b>	7
Insert after section 116G:	8
<b>116GA Crown development for public entertainment</b>	9
(1) In this section:	10
<b><i>Crown development for public entertainment</i></b> means:	11
(a) development (other than exempt development) carried out by the Crown, or	12 13
(b) an activity (within the meaning of Part 5) carried out by the Crown,	14 15
that comprises the use of a building as a place of public entertainment.	16 17
<b><i>relevant controls</i></b> means those provisions of:	18
(a) the regulations or an environmental planning instrument, or	19 20
(b) a publication, the provisions of which have been applied, adopted or incorporated by the regulations or an environmental planning instrument,	21 22 23
that are prescribed by the regulations or an environmental planning instrument to be relevant controls for the purposes of this section.	24 25 26
(2) Crown development for public entertainment cannot be commenced to be carried out unless it is certified by or on behalf of the Crown to comply with all relevant controls in force as at the date on which it commences.	27 28 29 30



(3)	A Minister, by order in writing, may at any time determine in relation to:	1
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(a)	Crown development for public entertainment generally,	3
	or	4
(b)	a specified class of Crown development for public entertainment,	5
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	that a specified relevant control does not apply, or does apply, but with such exceptions and modifications as may be specified.	7
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(4)	A determination of a Minister applies only to Crown development for public entertainment carried out:	10
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(a)	by or on behalf of the Minister, or	12
(b)	by or on behalf of a person appointed, constituted or regulated by or under an Act administered by the Minister.	13
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(5)	A determination of a Minister has effect according to its tenor.	16
<b>[8]</b>	<b>Section 121B What orders may be given by a consent authority?</b>	17
	Insert in appropriate order in Columns 1, 2 and 3 of the Table to section 121B (1):	18
		19
13A	To take such action as is necessary to bring into compliance with relevant development standards any building that is used as a place of public entertainment	20
	Failure to comply with relevant standards	21
	Owner, occupier or manager	22
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<b>[9]</b>	<b>Section 126 Penalties</b>	27
	Omit section 126 (2). Insert instead:	28
(2)	A person guilty of an offence against the regulations is, for every such offence, liable to:	29
		30
(a)	the penalty (not exceeding 1,000 penalty units) expressly imposed by the regulations, or	31
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(b)	if no such penalty is imposed, to a penalty not exceeding 1,000 penalty units.	1 2
<b>[10]</b>	<b>Section 127 Proceedings for offences</b>	3
	Insert “or the regulations” after “this Act” in section 127 (7).	4
<b>[11]</b>	<b>Section 127A Penalty notices for certain offences</b>	5
	Insert “or the regulations” after “under this Act” in section 127A (1).	6
<b>[12]</b>	<b>Schedule 6 Savings, transitional and other provisions</b>	7
	Insert at the end of clause 1 (1):	8
	<i>Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</i>	9 10
<b>[13]</b>	<b>Schedule 6, Part 10</b>	11
	Insert after Part 9:	12
	<b>Part 10 Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</b>	13 14 15
<b>38</b>	<b>Definition</b>	16
	In this Part:	17
	<i>amending Act</i> means the <i>Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001</i> .	18 19 20
<b>39</b>	<b>Pending applications for approvals for places of public entertainment</b>	21 22
	Any application for an approval under the <i>Local Government Act 1993</i> , as in force immediately before the commencement of this clause:	23 24 25
(a)	for use of a building or temporary structure as a place of public entertainment, or	26 27

- (b) for the installation of a temporary structure on land, 1  
being an application that had been made, but not determined, 2  
before the commencement of this clause is to be determined 3  
under that Act as if the amending Act had not been enacted. 4
- 40 Conditions applying to places of public entertainment 5**
- (1) Subject to the regulations under this Act, the conditions 6  
applying to the use of a building as a place of public 7  
entertainment: 8
- (a) pursuant to any regulation in force under the *Local 9  
Government Act 1993*, as in force immediately before 10  
the commencement of this clause, or 11
- (b) pursuant to any approval in force under Part 1 of 12  
Chapter 7 of the *Local Government Act 1993*, as in 13  
force immediately before the commencement of this 14  
clause, including an approval granted as referred to in 15  
clause 39, or 16
- (c) pursuant to any local policy in force under Part 3 of 17  
Chapter 7 of the *Local Government Act 1993*, as in 18  
force immediately before the commencement of this 19  
clause, or 20
- (d) pursuant to any exemption in force under the *Local 21  
Government Act 1993*, as in force immediately before 22  
the commencement of this clause, 23
- continue to apply to the use of a building as a place of public 24  
entertainment as if those conditions were contained in 25  
regulations under this Act. 26
- (2) The conditions arising from the regulations referred to in 27  
subclause (1) (a) are prescribed to be relevant controls for the 28  
purposes of section 116GA. 29
- (3) This clause does not authorise the use of a building as a place 30  
of public entertainment if, apart from this clause, the building 31  
may not lawfully be used for that purpose under this Act. 32
- (4) This clause ceases to have effect on 1 July 2003. 33

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<b>41</b>	<b>Conditions applying to installation of temporary structures</b>	1
(1)	Subject to the regulations under this Act, the conditions applying to the installation of a temporary structure on land:	2
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(a)	pursuant to any regulation in force under the <i>Local Government Act 1993</i> , as in force immediately before the commencement of this clause, or	4
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		6
(b)	pursuant to any approval in force under Part 1 of Chapter 7 of the <i>Local Government Act 1993</i> , as in force immediately before the commencement of this clause, including an approval granted as referred to in clause 39, or	7
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(c)	pursuant to any local policy in force under Part 3 of Chapter 7 of the <i>Local Government Act 1993</i> , as in force immediately before the commencement of this clause, or	12
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(d)	pursuant to any exemption in force under the <i>Local Government Act 1993</i> , as in force immediately before the commencement of this clause,	16
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	continue to apply to the installation of a temporary structure on land as if those conditions were contained in regulations under this Act.	19
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		21
(2)	This clause does not authorise the installation of a temporary structure on land if, apart from this clause, such a structure may not lawfully be installed on the land under this Act.	22
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(3)	This clause ceases to have effect on 1 July 2003.	25

<b>Schedule 3</b>	<b>Amendment of other Acts</b>	1
	(Section 5)	2
<b>3.1</b>	<b>Boxing and Wrestling Control Act 1986 No 11</b>	3
	<b>Section 62A Application of Part and definitions</b>	4
	Omit “an approval, in force under Part 1 of Chapter 7 of the Local Government Act 1993,” from paragraph (b) (ii) of the definition of <i>public entertainment</i> in section 62A (2).	5 6 7
	Insert instead “a development consent in force under the <i>Environmental Planning and Assessment Act 1979</i> ”.	8 9
<b>3.2</b>	<b>Casino Control Act 1992 No 15</b>	10
	<b>Section 90 Casino a place of public entertainment for purposes of Environmental Planning and Assessment Act 1979</b>	11 12
	Omit “Parts 1 and 2 of Chapter 7 of the <i>Local Government Act 1993</i> ” from section 90 (1).	13 14
	Insert instead “the <i>Environmental Planning and Assessment Act 1979</i> ”.	15
<b>3.3</b>	<b>Fines Act 1996 No 99</b>	16
	<b>Schedule 1 Statutory provisions under which penalty notices issued</b>	17 18
	Insert in alphabetical order:	19
	Environmental Planning and Assessment Act 1979, section 127A	20

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<b>3.4 Liquor Act 1982 No 147</b>	1
<b>[1] Section 4 Definitions</b>	2
Omit the definitions of <i>public hall</i> and <i>theatre</i> from section 4 (1).	3
Insert instead, in alphabetical order:	4
<i>public hall</i> means a public hall that is used or intended to be used for the purpose of conducting public meetings or providing public entertainment.	5
<i>theatre</i> means a theatre or cinema that is used or intended to be used for the purpose of providing public entertainment.	6
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<b>[2] Section 54BA Grant of nightclub licence</b>	10
Omit section 54BA (1) (c). Insert instead:	11
(c) a development consent is in force under the <i>Environmental Planning and Assessment Act 1979</i> for the use of the premises as a place of public entertainment within the meaning of that Act, and	12
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<b>3.5 Parliamentary Electorates and Elections Act 1912 No 41</b>	16
<b>Section 151B Exhibition of posters</b>	17
Omit “an approval in force under Part 1 of Chapter 7 of the <i>Local Government Act 1993</i> ” from section 151B (3) (b).	18
Insert instead “a development consent in force under the <i>Environmental Planning and Assessment Act 1979</i> ”.	19
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	21