

No. , 1976.

A BILL

To amend the Local Government Act, 1919, with respect to the constitution of parking advisory committees and the constitution and functions of the Local Government Appeals Tribunal.

[MR HEALEY—24 March, 1976.]

BE

Local Government (Further Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Local Government Short title. (Further Amendment) Act, 1976".
2. (1) This section and section 1 shall commence on the Commence-
date of assent to this Act. ment.
- 10 (2) Sections 3 and 4 and Schedule 1 shall commence upon the day appointed and notified pursuant to section 2 (2) of the Environmental Planning Act, 1976.
3. The Local Government Act, 1919, is amended in the Amendment
manner set forth in Schedule 1. of Act No.
41, 1919.
- 15 4. (1) A person who immediately before the commence- Savings.
ment of this section was a member of the Local Government Appeals Tribunal appointed as one of the persons referred to in section 342AV (1) (b) of the Local Government Act, 1919, as in force immediately before that commencement shall
20 be deemed to be a member of that Tribunal appointed as one of the persons referred to in section 342AV (1) (a) of that Act, as so in force, and subject to that Act shall continue to be a member of the Tribunal for the balance of the term of office for which he was appointed.
- 25 (2) Where the Chairman of the New South Wales Planning and Environment Commission, or a member or servant of that Commission nominated by him, is a member of a parking advisory committee constituted under section 270D of the the Local Government Act, 1919, as enacted
30 immediately before the commencement of this section, he shall be deemed to have vacated his office on that commencement.

Local Government (Further Amendment).

(3) Nothing in subsection (2) shall prejudice or affect the continuity of a parking advisory committee constituted under section 270D of the Local Government Act, 1919, and any such committee shall continue notwithstanding the provisions of this Act.

SCHEDULE 1.

Sec. 3.

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919.

(1) (a) Section 270D (2) (a)—

Omit the paragraph.

10 (b) Section 270D (3)—

Omit the subsection, insert instead :—

15 (3) The chairman of a parking advisory committee shall be the member referred to in subsection (2) (e) or, where there are two or more members appointed in accordance with subsection (2) (e), the member appointed in accordance with subsection (2) (e) elected as chairman by the members of the parking advisory committee, or the deputy appointed to act in the place of that member under subsection (4) (a).

(c) Section 270D (4) (b)—

Omit "Authority,".

(2) (a) Section 342AV (1) (b)—

Omit the paragraph.

25 (b) Section 342AV (1) (g)—

Omit "and" where secondly occurring.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- 5 (c) Section 342AV (1) (h)—
Omit “Division.”, insert instead “Division;”.
- 10 (d) Section 342AV (1) (i), (j)—
After section 342AV (1) (h), insert :—
- (i) one or more persons—
 - 15 (i) who has or have qualifications and experience as environmental planners; and
 - (ii) who is or are included in a panel of persons having those qualifications and experience nominated by the Royal Australian Planning Institute (New South Wales Division); and
 - (j) one or more persons—
 - 20 (i) who in the opinion of the Minister administering the Environmental Planning Act, 1976, has or have qualifications or experience in determining matters affecting the environment; and
 - 25 (ii) who shall be nominated for appointment to the Tribunal by that Minister.
- (e) Section 342AV(4)—
Omit “and (h)”, insert instead “, (h) and (i)”.
- 30 (f) Section 342AV (6)—
Omit “or (b)”.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- 5 (g) Section 342AV (7)—
Omit “or (b)”.
- (h) Section 342AV (9)—
Omit “or (b)”.
- (i) Section 342AV (10)—
Omit “or (b)”.
- 10 (3) (a) Section 342AX (1) (a)—
Omit “Act;”, insert instead “Act; or”.
- (b) Section 342AX (1) (b)—
Omit “342BEA (3); or”, insert instead “342BEA
(3)”.
- 15 (c) Section 342AX (1) (c)—
Omit the paragraph.
- (d) Section 342AX (2) (a), (b)—
Omit the paragraphs, insert instead :—
- 20 (a) consist of any one member of the Tribunal
referred to in section 342AV (1) (a); or
- (b) consist of more than one member of the
Tribunal.
- (e) Section 342AX (3)—
Omit the subsection.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(f) Section 342AX (6), (7)—

5 Omit the subsections, insert instead :—

(6) Where a board consists of members of the Tribunal as referred to in subsection (2) (b)—

10 (a) the number of persons shall be as determined by the senior chairman but one of them shall be a person referred to in section 342AV (1) (a);

15 (b) not more than one of them shall be a person referred to in any one (except paragraph (a)) of the paragraphs of section 342AV (1); and

20 (c) if only one of them is a person referred to in section 342AV (1) (a), he shall be the chairman of the board but if more than one of them is a person referred to in section 342AV (1) (a), one of the persons so referred to shall be appointed by the senior chairman to be the chairman of the board.

(g) Section 342AX (8)—

25 Omit the subsection, insert instead :—

30 (8) In appointing the members of a board pursuant to subsection (2) (b) the senior chairman shall have regard to the qualifications of the members to be appointed in relation to the nature of the appeal.

(4) Section 342AY (2)—

Omit “or (b)”.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(5) Section 342AZ (1) (i)—

5 Omit “or (b)”.

(6) Section 342BA (1)—

10 After “section 342AZ,” insert “or, in the opinion of the senior chairman, becomes unable by reason of illness or any other cause to continue with the hearing or determination of any appeal being dealt with by the board.”.

(7) (a) Section 342BB (3), (4)—

Omit the subsections, insert instead :—

15 (3) A quorum of a board that consists of more than one member shall be—

(a) where the number of members of the board is an even number—one-half of the number of members; or

20 (b) where the number of members of the board is not an even number—the number that is next above one-half of the number of members of the board.

25 (4) During the absence of the chairman of a board consisting of more than one member from any sitting of the board, another member of the board appointed by the senior chairman to act as chairman of the board shall preside at that sitting and shall have all the powers and authorities of a chairman of the board.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- 5 (b) Section 342BB (5)—
Omit the subsection.
- (8) Section 342BD (1)—
Omit “or (b)”.
- (9) Section 342BE (2), (3)—
Omit section 342BE (2), insert instead : —
- 10 (2) Ordinances may be made with respect to the
practice and procedure relating to appeals to the
Tribunal and the conduct of appeals before a board.
- 15 (3) A reference in subsection (1) or (2) to an
appeal includes a reference to an application for leave
to appeal to the Tribunal made under the
Environmental Planning Act, 1976.
- (10) (a) Section 342BF (1)—
Omit “hearing and determining”, insert instead
“dealing with”.
- 20 (b) Section 342BF (1A), (1B)—
After section 342BF (1), insert :—
- (1A) In dealing with an appeal, a board—
(a) shall act according to the substantial
merits of the case without regard to
25 legal technicalities and procedures;

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919.—
continued.

5 (b) shall not be bound to observe the rules
of law covering the admission of
evidence; and

(c) may inform itself on any matter as it
thinks fit.

10 (1B) Where an appeal relates to the decision
of a person or body with respect to an application
made to that person or body, a board may permit
an amendment to that application if all parties
to the appeal have in the opinion of the board
15 been afforded a reasonable opportunity to
consider the amendment.

(c) Section 342BF (2) (b)—

Omit “if all the parties to the proceedings
consent,”.

(d) Section 342BF (2) (j)—

20 Omit the paragraph, insert instead :—

(j) except as may be provided by regulations
referred to in section 342BE (2) or by
any direction given by the senior chair-
man under section 342BFA, regulate its
25 own procedure;

(e) Section 342BF (2) (k)—

Omit “appeal;”, insert instead “appeal; or”.

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- (f) Section 342BF (2) (1)—
5 Omit “subsections (1) and (5), the application
in such manner as it thinks fit; or”, insert instead
“subsection (1), the application in such manner
as it thinks fit.”.
- (g) Section 342BF (2) (m)—
10 Omit the paragraph.
- (h) Section 342BF (2A)—
After section 342BF (2), insert :—
15 (2A) In any proceedings before it a board
shall permit the New South Wales Planning and
Environment Commission and the State Pollution
Control Commission to make submissions to it in
relation to the subject matter of the appeal.
- (i) Section 342BF (3)—
20 Omit “a member of the Tribunal appointed
pursuant to paragraph (a) of subsection (1) of
section 342AV and a member of the Tribunal
appointed pursuant to paragraph (b) of that
subsection”, insert instead “two members of the
25 Tribunal appointed pursuant to section 342AV
(1) (a)”.
- (j) Section 342BF (3)—
Omit “by any two such members”.
- (k) Section 342BF (4), (5)—
Omit the subsections.

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(1) Section 342BF (6)—

5 After “Minister”, insert “or the State Pollution
Control Commission”.

(11) Sections 342BFA, 342BFB—

After section 342BF, insert :—

10 342BFA. (1) The senior chairman may at any time either generally or in a particular case give directions as to the procedure to be adopted by a board in hearing an appeal. Powers of senior chairman to give directions relating to procedure.

(2) Without limiting the generality of subsection (1), a direction may—

15 (a) direct that there be no formal hearing of an appeal specified in the direction or of any appeals of a class so specified but that each party may make written submissions to the board appointed to determine the appeal; or

20 (b) direct that where a formal hearing of an appeal is to be held cross examination of witnesses be permitted only by leave of the board.

25 342BFB. A member of the Tribunal appointed pursuant to section 342AV (1) (a) may determine any application for leave to appeal to the Tribunal made under the Environmental Planning Act, 1976. Applications for leave to appeal.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(12) Section 342BGA (2)—

5 Omit the subsection, insert instead :—

(2) A reference in subsection (1)—

(a) to an appeal includes a reference to an application made under the Environmental Planning Act, 1976, for leave to appeal; and

10 (b) to a party to an appeal includes a reference to an applicant under the Environmental Planning Act, 1976, for leave to appeal.

(13) Section 342BI (1)—

15 After “board shall”, insert “, if the senior chairman so directs,”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

**LOCAL GOVERNMENT (FURTHER AMENDMENT)
BILL, 1976**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide that a parking advisory committee shall not include a member or servant of the New South Wales Planning and Environment Commission (Schedule 1 (1));
- (b) to authorise the inclusion among the members of the Local Government Appeals Tribunal of persons having qualifications and experience in environmental planning nominated by the Royal Australian Planning Institute (New South Wales Division) and persons having qualifications and experience in determining matters affecting the environment (Schedule 1 (2) (d));
- (c) to provide that an appeals board constituted under Part XIIB of the Local Government Act, 1919 (hereinafter referred to as "the Principal Act") may consist of one member of the Local Government Appeals Tribunal if the senior chairman so determines (Schedule 1 (3) (d));
- (d) to extend the provisions of section 342BA of the Principal Act (which deals with cases where a person ceases to be a member of an appeals board after an appeal has been referred to the board) to cover cases where a member of a board by reason of illness or otherwise ceases to continue as a member of the board (Schedule 1 (6));
- (e) to provide that an appeals board shall act in accordance with the substantial merits of the case without regard to legal technicalities or procedures and not be bound by the rules of evidence and may inform itself on any matter in such manner as it thinks fit (Schedule 1 (10) (b));
- (f) to authorise an appeals board to permit the amendment of an application the subject of an appeal (Schedule 1 (10) (b));
- (g) to enable an appeals board to determine appeals on written submissions (Schedule 1 (10) (c));
- (h) to provide that the New South Wales Planning and Environment Commission and the State Pollution Control Commission may make submissions to an appeals board on the subject matter of any appeal (Schedule 1 (10) (h));
- (i) to authorise one member of the Local Government Appeals Tribunal to determine an application for leave to appeal made under the Environmental Planning Act, 1976 (Schedule 1 (11));

- (j) to provide that proceedings of an appeal to the Local Government Appeals Tribunal shall only be recorded if the chairman so directs (Schedule 1 (13));
and
 - (k) to make other amendments of a minor, consequential or ancillary character.
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No. , 1976.

A BILL

To amend the Local Government Act, 1919, with respect to the constitution of parking advisory committees and the constitution and functions of the Local Government Appeals Tribunal.

[MR HEALEY—24 March, 1976.]

BE

Local Government (Further Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Local Government Short title. (Further Amendment) Act, 1976".
2. (1) This section and section 1 shall commence on the Commence-
ment. date of assent to this Act.
- 10 (2) Sections 3 and 4 and Schedule 1 shall commence upon the day appointed and notified pursuant to section 2 (2) of the Environmental Planning Act, 1976.
3. The Local Government Act, 1919, is amended in the Amendment
of Act No.
41, 1919. manner set forth in Schedule 1.
- 15 4. (1) A person who immediately before the commence- Savings. ment of this section was a member of the Local Government Appeals Tribunal appointed as one of the persons referred to in section 342AV (1) (b) of the Local Government Act, 1919, as in force immediately before that commencement shall
20 be deemed to be a member of that Tribunal appointed as one of the persons referred to in section 342AV (1) (a) of that Act, as so in force, and subject to that Act shall continue to be a member of the Tribunal for the balance of the term of office for which he was appointed.
- 25 (2) Where the Chairman of the New South Wales Planning and Environment Commission, or a member or servant of that Commission nominated by him, is a member of a parking advisory committee constituted under section 270D of the the Local Government Act, 1919, as enacted
30 immediately before the commencement of this section, he shall be deemed to have vacated his office on that commencement.

(3)

Local Government (Further Amendment).

(3) Nothing in subsection (2) shall prejudice or affect the continuity of a parking advisory committee constituted under section 270D of the Local Government Act, 1919, and any such committee shall continue notwithstanding the provisions of this Act.

SCHEDULE 1.

Sec. 3.

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919.

(1) (a) Section 270D (2) (a)—

Omit the paragraph.

10 (b) Section 270D (3)—

Omit the subsection, insert instead :—

15 (3) The chairman of the parking advisory committee shall be the member referred to in subsection (2) (e) or, where there are two or more members appointed in accordance with subsection (2) (e), the member appointed in accordance with subsection (2) (e) elected as chairman by the members of the parking advisory committee, or the deputy appointed to act in the place of that member under subsection (4) (a).

20

(c) Section 270D (4) (b)—

Omit "Authority,".

(2) (a) Section 342AV (1) (b)—

Omit the paragraph.

25 (b) Section 342AV (1) (g)—

Omit "and" where secondly occurring.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(c) Section 342AV (1) (h)—

5 Omit "Division.", insert instead "Division;".

(d) Section 342AV (1) (i), (j)—

After section 342AV (1) (h), insert :—

(i) one or more persons—

10 (i) who has or have qualifications
and experience as environmental
planners; and

15 (ii) who is or are included in a panel
of persons having those qualifica-
tions and experience nominated
by the Royal Australian Planning
Institute (New South Wales
Division); and

(j) one or more persons—

20 (i) who in the opinion of the Minister
administering the Environmental
Planning Act, 1976, has or have
qualifications or experience in
determining matters affecting the
environment; and

25 (ii) who shall be nominated for
appointment to the Tribunal by
that Minister.

(e) Section 342AV(4)—

Omit "and (h)", insert instead ", (h) and (i)".

30 (f) Section 342AV (6)—

Omit "or (b)".

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- 5 (g) Section 342AV (7)—
Omit “or (b)”.
- (h) Section 342AV (9)—
Omit “or (b)”.
- (i) Section 342AV (10)—
Omit “or (b)”.
- 10 (3) (a) Section 342AX (1) (a)—
Omit “Act;”, insert instead “Act; or”.
- (b) Section 342AX (1) (b)—
Omit “342BEA (3); or”, insert instead “342BEA
(3)”.
- 15 (c) Section 342AX (1) (c)—
Omit the paragraph.
- (d) Section 342AX (2) (a), (b)—
Omit the paragraphs, insert instead :—
- 20 (a) consist of any one member of the Tribunal
referred to in section 342AV (1) (a); or
- (b) consist of more than one member of the
Tribunal.
- (e) Section 342AX (3)—
Omit the subsection.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(f) Section 342AX (6), (7)—

5 Omit the subsections, insert instead :—

(6) Where a board consists of members of the Tribunal as referred to in subsection (2) (b)—

10 (a) the number of persons shall be as determined by the senior chairman but one of them shall be a person referred to in section 342AV (1) (a);

15 (b) not more than one of them shall be a person referred to in any one (except paragraph (a)) of the paragraphs of section 342AV (1); and

20 (c) if only one of them is a person referred to in section 342AV (1) (a), he shall be the chairman of the board but if more than one of them is a person referred to in section 342AV (1) (a), one of the persons so referred to shall be appointed by the senior chairman to be the chairman of the board.

(g) Section 342AX (8)—

25 Omit the subsection, insert instead :—

30 (8) In appointing the members of a board pursuant to subsection (2) (b) the senior chairman shall have regard to the qualifications of the members to be appointed in relation to the nature of the appeal.

(4) Section 342AY (2)—

Omit “or (b)”.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

5 (5) Section 342AZ (1) (i)—
Omit “or (b)”.

10 (6) Section 342BA (1)—
After “section 342AZ,” insert “or, in the opinion of
the senior chairman, becomes unable by reason of
illness or any other cause to continue with the hearing
or determination of any appeal being dealt with by the
board,”.

15 (7) (a) Section 342BB (3), (4)—
Omit the subsections, insert instead :—

(3) A quorum of a board that consists of
more than one member shall be—

(a) where the number of members of the
board is an even number—one-half of
the number of members; or

20 (b) where the number of members of the
board is not an even number—the
number that is next above one-half of
the number of members of the board.

25 (4) During the absence of the chairman of a
board consisting of more than one member from
any sitting of the board, another member of the
board appointed by the senior chairman to act
as chairman of the board shall preside at that
sitting and shall have all the powers and
authorities of a chairman of the board.

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- 5 (b) Section 342BB (5)—
Omit the subsection.
- (8) Section 342BD (1)—
Omit “or (b)”.
- (9) Section 342BE (2), (3)—
Omit section 342BE (2), insert instead :—
- 10 (2) Regulations may be made with respect to the
practice and procedure relating to appeals to the
Tribunal and the conduct of appeals before a board.
- 15 (3) A reference in subsection (1) or (2) to an
appeal includes a reference to an application for leave
to appeal to the Tribunal made under the
Environmental Planning Act, 1976.
- (10) (a) Section 342BF (1)—
Omit “hearing and determining”, insert instead
“dealing with”.
- 20 (b) Section 342BF (1A), (1B)—
After section 342BF (1), insert :—
- (1A) In dealing with an appeal, a board—
- (a) shall act according to the substantial
merits of the case without regard to
25 legal technicalities and procedures;

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919.—
continued.

5 (b) shall not be bound to observe the rules
of law covering the admission of
evidence; and

(c) may inform itself on any matter as it
thinks fit.

10 (1B) Where an appeal relates to the decision
of a person or body with respect to an application
made to that person or body, a board may permit
an amendment to that application if all parties
to the appeal have in the opinion of the board
15 been afforded a reasonable opportunity to
consider the amendment.

(c) Section 342BF (2) (b)—

Omit “if all the parties to the proceedings
consent,”.

(d) Section 342BF (2) (j)—

20 Omit the paragraph, insert instead :—

(j) except as may be provided by regulations
referred to in section 342BE (2) or by
any direction given by the senior chair-
man under section 342BFA, regulate its
25 own procedure;

(e) Section 342BF (2) (k)—

Omit “appeal;”, insert instead “appeal; or”.

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

- (f) Section 342BF (2) (1)—
5 Omit “subsections (1) and (5), the application
in such manner as it thinks fit; or”, insert instead
“subsection (1), the application in such manner
as it thinks fit.”.
- (g) Section 342BF (2) (m)—
10 Omit the paragraph.
- (h) Section 342BF (2A)—
After section 342BF (2), insert :—
15 (2A) In any proceedings before it a board
shall permit the New South Wales Planning and
Environment Commission and the State Pollution
Control Commission to make submissions to it in
relation to the subject matter of the appeal.
- (i) Section 342BF (3)—
20 Omit “a member of the Tribunal appointed
pursuant to paragraph (a) of subsection (1) of
section 342AV and a member of the Tribunal
appointed pursuant to paragraph (b) of that
subsection”, insert instead “two members of the
25 Tribunal appointed pursuant to section 342AV
(1) (a)”.
- (j) Section 342BF (3)—
Omit “by any two such members”.
- (k) Section 342BF (4), (5)—
Omit the subsections.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENT TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(1) Section 342BF (6)—

5 After “Minister”, insert “or the State Pollution
Control Commission”.

(11) Sections 342BFA, 342BFB—

After section 342BF, insert :—

10 342BFA. (1) The senior chairman may at any time
either generally or in a particular case give directions
as to the procedure to be adopted by a board in
hearing an appeal.

Powers of
senior
chairman
to give
directions
relating to
procedure.

(2) Without limiting the generality of
subsection (1), a direction may—

15 (a) direct that there be no formal hearing of an
appeal specified in the direction or of any
appeals of a class so specified but that each
party may make written submissions to the
board appointed to determine the appeal; or

20 (b) direct that where a formal hearing of an
appeal is to be held cross examination of
witnesses be permitted only by leave of the
board.

25 342BFB. A member of the Tribunal appointed
pursuant to section 342AV (1) (a) may determine any
application for leave to appeal to the Tribunal made
under the Environmental Planning Act, 1976.

Applications
for leave
to appeal.

SCHEDULE

Local Government (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1919—
continued.

(12) Section 342BGA (2)—

5 Omit the subsection, insert instead :—

(2) A reference in subsection (1)—

(a) to an appeal includes a reference to an application made under the Environmental Planning Act, 1976, for leave to appeal; and

10 (b) to a party to an appeal includes a reference to an applicant under the Environmental Planning Act, 1976, for leave to appeal.

(13) Section 342BI (1)—

15 After “board shall”, insert “, if the senior chairman so directs,”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976