

**LAND AND ENVIRONMENT COURT (FURTHER
AMENDMENT) ACT, 1980, No. 153**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 153, 1980.

An Act to amend section 20 of the Land and Environment Court Act, 1979, with respect to the jurisdiction of the Land and Environment Court. [Assented to, 10th December, 1980.]

Land and Environment Court (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 :—

Short title. **1.** This Act may be cited as the "Land and Environment Court (Further Amendment) Act, 1980".

Commence- **2.** (1) Except as provided in subsection (2), this Act shall
ment. commence on the date of assent to this Act.

(2) Section 3 shall be deemed to have commenced on 1st September, 1980.

Amendment **3.** The Land and Environment Court Act, 1979, is amended
of Act No. by omitting section 20 (3) and by inserting instead the following
204, 1979. subsection :—
Sec. 20.
(Class 4—

environ-
mental
planning
and
protection
civil en-
forcement.)

(3) For the purposes of subsection (2), a planning or environmental law is—

(a) Part XI, XII, XIIA or XIIB of the Local Government Act, 1919, the Clean Air Act, 1961, the Clean Waters Act, 1970, the Waste Disposal Act, 1970, the Noise Control Act, 1975, the Heritage Act, 1977, the Environmental Planning and Assessment Act, 1979, or Schedule 3 to the Miscellaneous Acts (Planning) Repeal and Amendment Act, 1979; or

(b) any statutory instrument made or having effect thereunder or made for the purposes thereof, including any deemed environmental planning instrument within the meaning of the Environmental Planning and Assessment Act, 1979,

as respectively in force at any time, whether before, on or after 1st September, 1980.

Land and Environment Court (Further Amendment).

4. (1) The amendment made by this Act applies in relation to acts and omissions occurring, and causes of action arising, before 1st September, 1980, as well as on or after that date.

Savings
and trans-
itional
provisions.

(2) Notwithstanding subsection (1), nothing in this Act affects any proceedings commenced in the Supreme Court before the date of assent to this Act, nor does it have the effect of extending the operation of section 71 of the Land and Environment Court Act, 1979, in such a way as to affect any such proceedings so commenced.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 10th December, 1980.*

Environmental Action Plan (EAP)

1. The EAP shall be developed by the Lead Agency...

2. Notwithstanding subsection (1), nothing in this Act...

3. The EAP shall be revised at least once every year...

4. The Lead Agency shall submit the EAP to the Governor...

A. M. CUTLER

to ensure that (1) procedures to monitor the effectiveness of...

Government House, 1977-1978

Water Pollution Control Act, 1970; Clean Air Act, 1970; Water...

Act, 1975; the Heritage Act, 1975; the Environmental Planning...

Act, 1979, or Schedule 3 to the Miscellaneous Act, 1979...

(Planning) Amendment Act, 1979 or any other Act or regulation...

under the Environmental Planning Act, 1975...

the Environmental Planning Act, 1975...

as provided in the Environmental Planning Act, 1975...

or any other Act or regulation made under the Environmental...

**LAND AND ENVIRONMENT COURT (FURTHER
AMENDMENT) BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend section 20 of the Land and Environment Court Act, 1979, so as to specify, as being within the exclusive jurisdiction of the Land and Environment Court, proceedings in connection with—
 - (i) planning schemes and interim development orders previously made under the Local Government Act, 1919;
 - (ii) Parts XIIA and XII B of the Local Government Act, 1919, as previously in force; and
 - (iii) Schedule 3 to the Miscellaneous Acts (Planning) Repeal and Amendment Act, 1979, which contains savings, transitional and other provisions; and
- (b) to provide that the proposed amendment does not affect any proceedings already commenced in the Supreme Court.

LAND AND ENVIRONMENT COURT (FURTHER
AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament.)

The objects of this Bill are—

(i) to amend section 20 of the Land and Environment Court Act 1979, so as to specify as being within the exclusive jurisdiction of the Land and Environment Court proceedings in connection with—

(A) planning schemes and certain development control provisions made under the Local Government Act 1979

(B) Parts XII and XIII of the Local Government Act 1979, as previously in force; and

(iii) Schedule 3 to the Miscellaneous Acts (Transit) Request and Amendment Act 1979, which contains rules, transitional and other provisions; and

(d) to provide that the proposed amendment does not affect any proceedings already commenced in the Supreme Court.

1980 Act No. 10
**LAND AND ENVIRONMENT COURT (FURTHER
(AMENDMENT) BILL, 1980**

It is 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 Land and Environment Court (Further Amendment) Act, 1980.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall be deemed to have commenced on 1st September, 1980.

No. , 1980.

3. The Land and Environment Court Act, 1979, is amended by omitting section 20 and by inserting in its place the following subsection:—

A BILL FOR

An Act to amend section 20 of the Land and Environment Court Act, 1979, with respect to the jurisdiction of the Land and Environment Court.

MR WALKER—12 November, 1980.

Land and Environment Court (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 :—

5 **1.** This Act may be cited as the "Land and Environment Court (Further Amendment) Act, 1980". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commence-
ment.

 (2) Section 3 shall be deemed to have commenced on 1st
10 September, 1980.

3. The Land and Environment Court Act, 1979, is amended by omitting section 20 (3) and by inserting instead the following subsection :— Amendment
of Act No.
204, 1979.
Sec. 20.
(Class 4—
environ-
mental
planning
and
protection
civil en-
forcement.)

15 (3) For the purposes of subsection (2), a planning or environmental law is—

 (a) Part XI, XII, XIII A or XIII B of the Local Government Act, 1919, the Clean Air Act, 1961, the Clean Waters Act, 1970, the Waste Disposal Act, 1970, the Noise Control Act, 1975, the Heritage Act, 1977, the Environmental Planning and Assessment Act, 1979, or Schedule 3 to the Miscellaneous Acts (Planning) Repeal and Amendment Act, 1979; or

20 (b) any statutory instrument made or having effect thereunder or made for the purposes thereof, including any deemed environmental planning instrument within the meaning of the Environmental Planning and Assessment Act, 1979,
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as respectively in force at any time, whether before, on or after 1st September, 1980.

Land and Environment Court (Further Amendment).

4. (1) The amendment made by this Act applies in relation to acts and omissions occurring, and causes of action arising, before 1st September, 1980, as well as on or after that date.

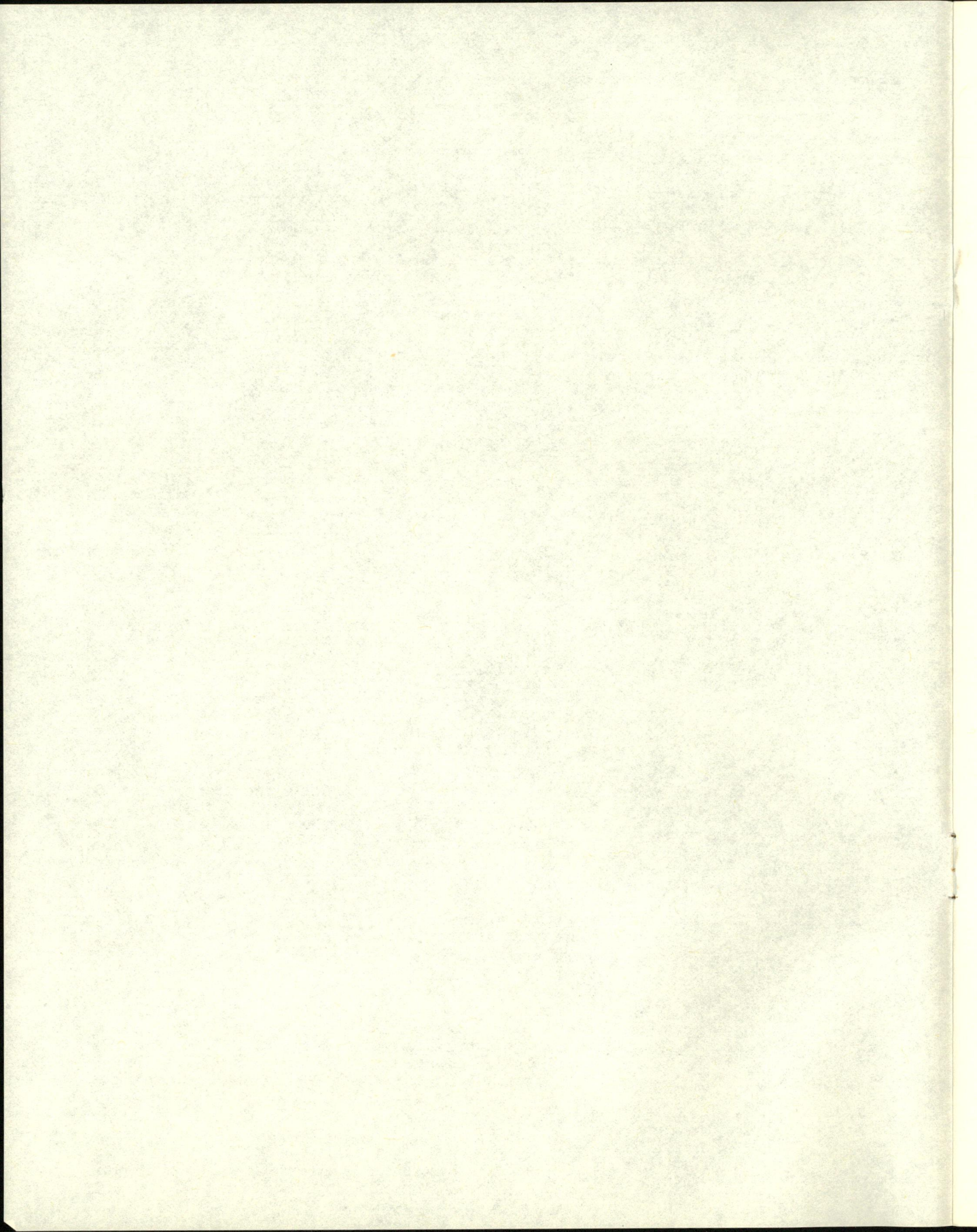
Savings
and trans-
itional
provisions.

(2) Notwithstanding subsection (1), nothing in this Act affects any proceedings commenced in the Supreme Court before the date of assent to this Act, nor does it have the effect of extending the operation of section 71 of the Land and Environment Court Act, 1979, in such a way as to affect any such proceedings so commenced.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)



(166)

THE ACT CONCERNING THE SUPREME COURT AND THE LAND AND ENVIRONMENT COURT

commenced;

Act 1970, in such a way as to affect any such proceedings as the operation of section 21 of the Land and Environment Court the date of assent to this Act, nor does it have the effect of extending or affecting any proceedings commenced in the Supreme Court before

(2) Notwithstanding subsection (1), nothing in this Act

1st September, 1980, as well as on or after that date.

acts and omissions occurring, and causes of action arising, before

4. (1) The amendment made by this Act applies in relation to

Land and Environment Court (Further Amendment).

