

FIRST PRINT

**LOCAL GOVERNMENT (MOVABLE DWELLINGS)
AMENDMENT BILL 1991**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Residential Tenancies (Movable Dwellings) Amendment Bill 1991.

The object of this Bill is to amend the Local Government Act 1919:

- (a) to enable standards for minor structures associated with movable dwellings to be prescribed, and the erection of such structures approved, otherwise than under Part 11 of that Act; and
- (b) to permit the inspection, by or on behalf of the Minister for Local Government, of land licensed under Division 5B of Part 10 of that Act.

The Bill also makes a minor amendment to the provisions dealing with standards for movable dwellings.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a proclaimed day or days.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

SCHEDULE 1—AMENDMENTS

Meaning of “associated structure”

Schedule 1 (1) amends section 289E to insert a definition of “associated structure”. The expression refers to things like garages, carports and sheds that are erected on the site occupied by a movable dwelling to enhance the amenity of the dwelling.

Standards for movable dwellings and associated structures

Schedule 1 (2) (a) amends section 289G with respect to standards for associated structures. At present, the section allows standards for movable dwellings to be prescribed independently of the building ordinance (Ordinance No. 70) but any minor

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structure associated with the movable dwelling can only be erected in accordance with that ordinance. The amendment will allow standards for such structures to be prescribed together with those for the dwelling itself.

Schedule 1 (2) (b) repeals section 289G (2) (e), the provisions of which are spent, and inserts in its place a provision that allows an ordinance to require a certificate to be obtained from an engineer or other suitably qualified person to attest the fact that a movable dwelling or associated structure meets the prescribed standards.

Schedule 1 (4) makes a consequential amendment.

Inspection of licensed premises

Schedule 1 (3) amends section 289H to empower the Minister or an agent of the Minister to inspect any caravan park or other premises licensed under Division 5B of Part 10 to ascertain whether the provisions of that Part and of any relevant ordinance are being observed.

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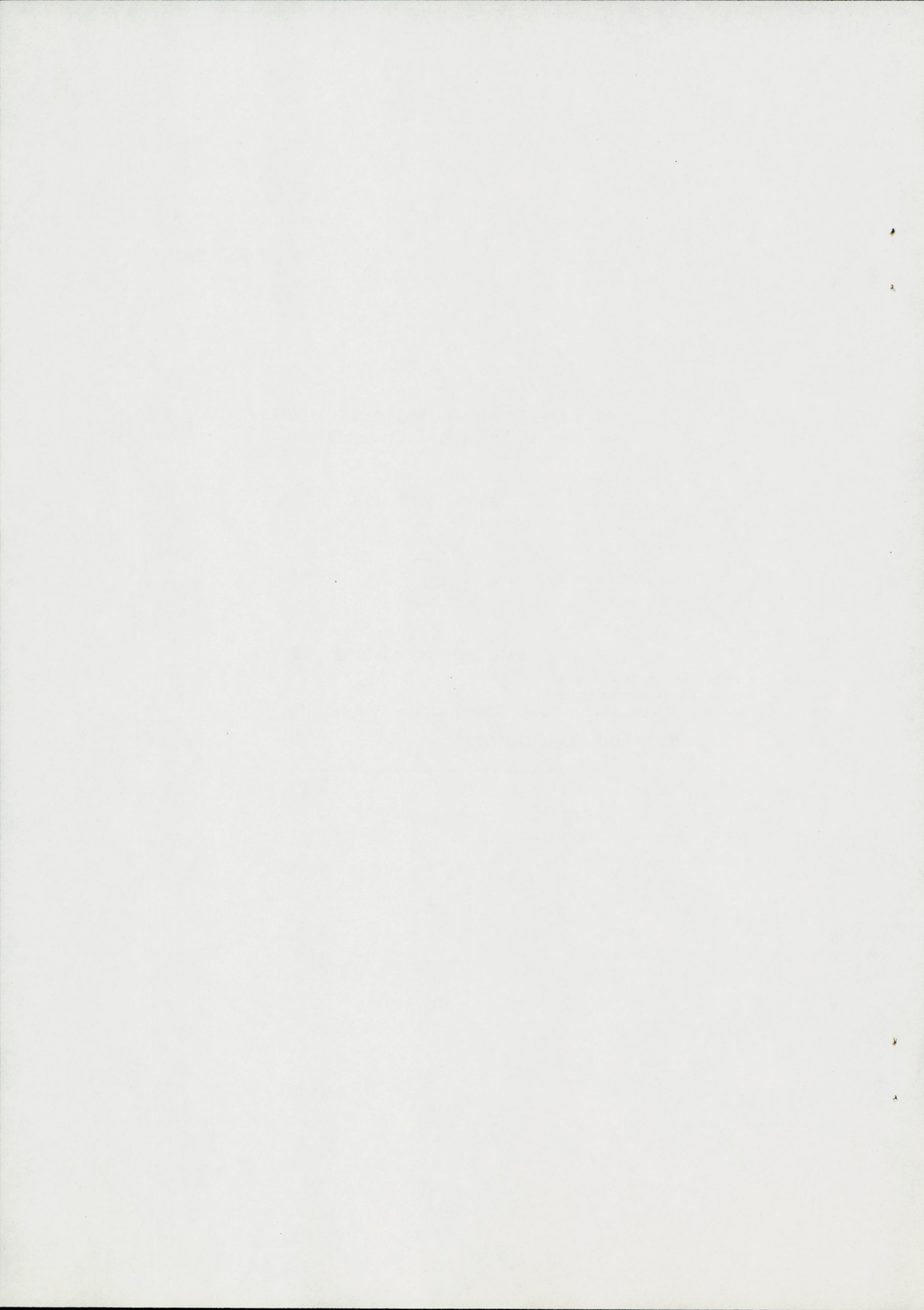
NEW SOUTH WALES



TABLE OF PROVISIONS

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SCHEDULE 1—AMENDMENTS



**LOCAL GOVERNMENT (MOVABLE DWELLINGS)
AMENDMENT BILL 1991**

NEW SOUTH WALES



No. , 1991

A BILL FOR

An Act to amend the Local Government Act 1919 with respect to
movable dwellings and associated structures.

Local Government (Movable Dwellings) Amendment 1991

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Local Government (Movable Dwellings) Amendment Act 1991.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Local Government Act 1919 No. 41

3. The Local Government Act 1919 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 289E (**Interpretation and application**):

Insert in alphabetical order:

“associated structure” means:

(a) a carport, garage, shed, pergola, verandah or other structure designed to enhance the amenity of a movable dwelling and attached to or integrated with, or located on the same site as, the dwelling concerned; or

(b) a separating wall between 2 movable dwellings;

(2) Section 289G (**Standards etc. for movable dwellings and associated structures**):

(a) In section 289G (1) and (2) (a), after “movable dwellings” wherever occurring, insert “and associated structures”.

(b) Omit section 289G (2) (e), insert instead:

(e) requiring compliance of movable dwellings and associated structures with any standards prescribed for the purposes of this Division to be attested by the certificate of a person having appropriate engineering or other qualifications;

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SCHEDULE 1—AMENDMENTS—*continued*

(3) Section 289H (**Licences**):

After section 289H (8), insert:

(9) The Minister may, in person or by any duly appointed agent, inspect any licensed premises (other than any part of the premises used as a dwelling) to ascertain whether the provisions of this Division or any ordinance made for the purposes of this Division are being complied with in relation to the premises.

(4) Section. 289J (**Suspension of certain laws**):

In section 289J (1) and (2) (a), after “movable dwelling” wherever occurring, insert “or an associated structure”.
