

**LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT
ACT 1988 No. 129**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Local Government Act 1919 No. 41

SCHEDULE 1—AMENDMENTS

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

LABORATORY OF ORGANIC CHEMISTRY

REPORT OF RESEARCH

BY

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AND

DR. RICHARD B. WOODWARD

CHICAGO, ILLINOIS

1955

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LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT ACT 1988
No. 129

NEW SOUTH WALES



Act No. 129, 1988

An Act to amend the Local Government Act 1919 with respect to cases in which the approval of a council is not required for a subdivision of land effected by a lease; and for other purposes. [Assented to 30 December 1988]

Local Government (Subdivisions) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Local Government (Subdivisions) Amendment Act 1988.

Commencement

2. This Act commences on the date of assent.

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 4 (**Definitions**)—

Definition of “Subdivision,” “subdivide,” and similar expressions—

Omit “not exceeding five years without option of renewal”, insert instead “that, including any period for which the lease could be renewed by the exercise of an option, does not exceed 5 years”.

(2) Section 327AA (**Restriction on disposal of land in a current plan**)—

Section 327AA (2)—

Omit “not exceeding five years without option of renewal”, insert instead “that, including any period for which the lease could be renewed by the exercise of an option, does not exceed 5 years”.

[*Minister's second reading speech made in—
Legislative Assembly on 29 November 1988
Legislative Council on 13 December 1988*]

**LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT
BILL 1988**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to clarify certain provisions of the Local Government Act 1919 that—

- (a) waive the necessity for council approval to a subdivision effected by a lease for a term that, including any renewal by the exercise of an option, would not exceed 5 years; and
- (b) exclude such a lease from a class of instruments that the Registrar-General may, in certain circumstances, refuse to register.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Local Government Act 1919.

SCHEDULE 1—AMENDMENTS

Schedule 1 (1) proposes an amendment of the definition of “Subdivision” in the Principal Act by clarifying an exception which excludes the subdivision of land by a lease of which the term (including any renewal by exercise of an option) does not exceed 5 years. The definition is relevant to the operation of sections 323 and 327 of the Principal Act, the effect of those provisions being to prohibit a subdivision of land without council approval. The result of the proposed amendment would be to enable an excepted lease to take effect without council approval even if it effects a subdivision.

Local Government (Subdivisions) Amendment 1988

Schedule 1 (2) proposes an amendment of section 327^{AA} of the Principal Act which enables the Registrar-General to refuse to register instruments effecting certain dispositions of land. The amendment clarifies an exception which excludes a disposition of land by a lease of which the term (including any renewal by exercise of an option) does not exceed 5 years.

LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT BILL 1988

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

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**LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT
BILL 1988**

NEW SOUTH WALES



No. , 1988

A BILL FOR

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(Sec. 3)

(1) Section 4 (**Definitions**)—

Definition of “Subdivision,” “subdivide,” and similar expressions—

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(2) Section 327^{AA} (**Restriction on disposal of land in a current plan**)—

Section 327^{AA} (2)—

20 Omit “not exceeding five years without option of renewal”, insert instead “that, including any period for which the lease could be renewed by the exercise of an option, does not exceed 5 years”.



