

1994—No. 235

LOCAL GOVERNMENT ACT 1993—REGULATION

(Relating to the accreditation of temporary structures)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

GARRY WEST, MP,
Minister for Local Government and Co-operatives.

Commencement

1. This Regulation commences on 1 July 1994.

Amendment

2 The Local Government (Approvals) Regulation 1993 is amended:

- (a) by inserting at the end of clause 16 the following subclause:
 - (2) This clause does not apply to a temporary structure that is accredited under Division 5 of Part 1 of Chapter 7 of the Act.
- (b) by omitting from clause 69 the words “component, process or design” wherever occurring and by inserting instead the words “component, process, design or temporary structure”;
- (c) by inserting after clause 70 (e) the following paragraph:
 - (f) **Use of temporary structures as places of public entertainment.** The use of a temporary structure as a place of public entertainment, or the permission of the use of a temporary structure as a place of public entertainment, if:
 - (i) the installation of the temporary structure on the land on which it is situated is the subject of an approval; and

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- (ii) the temporary structure is accredited under Division 5 of Part 1 of Chapter 7 of the Act; and
- (iii) any conditions to which the accreditation is subject are complied with at all times which the temporary structure is being used as a place of public entertainment; and
- (iv) the provisions of Schedule 2 are complied with at all times while the temporary structure is being used as a place of public entertainment.

EXPLANATORY NOTE

The Local Government Act 1993 provides for the accreditation of components, processes and designs in connection with approvals under that Act for the erection of buildings. The Act has been amended (by the Local Government (Miscellaneous Amendments) Act 1994) to extend the accreditation provisions to temporary structures.

The object of this Regulation is to make corresponding amendments to the relevant provisions of the Local Government (Approvals) Regulation 1993 so as:

- (a) to remove accredited temporary structures from the application of clause 16, which requires a council to have regard to certain matters when considering an application for an approval to install a temporary structure on land; and
- (b) to include temporary structures within the operation of clause 69, which establishes the manner in which an application for accreditation is to be made; and
- (c) to exclude from the requirement for an approval the activities of using accredited temporary structures, and permitting the use of accredited temporary structures, as places of public entertainment so long as their use complies with the conditions of their accreditation and with the fire safety requirements of Schedule 2.
