

## LOCAL GOVERNMENT (AMENDMENT) ACT.

### Act No. 25, 1966.

An Act to authorise the leasing of certain lands reserved or zoned under the County of Cumberland Planning Scheme Ordinance and certain other planning schemes relating to land within the County of Cumberland; for this purpose to amend the Local Government Act, 1919, and certain other Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 13th April, 1966.] Elizabeth II,  
No. 25, 1966

**B**E 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 (Amendment) Act, 1966". Short title.

2. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section five hundred and nineteen the following new section :— Amendment  
of Act No.  
41, 1919.  
New sec.  
519A.

519A. (1) This section applies to land reserved or zoned for parks and recreation areas or open space under the County of Cumberland Planning Scheme Ordinance or under a local scheme within the meaning of subsection two of section 342L of this Act, where that land has been acquired by the Cumberland County Council or the State Planning Authority of New South Wales and has been transferred to a council pursuant to that Ordinance or any such local scheme. Lease of  
certain  
land re-  
served or  
zoned  
for parks  
and recrea-  
tion areas  
or for open  
space.

(2)

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(2) The provisions of section five hundred and nineteen of this Act do not apply to or in respect of any lease granted by a council under this section.

(3) Notwithstanding the provisions of the County of Cumberland Planning Scheme Ordinance or any such local scheme, or of any declaration of trust executed by the council in respect of the land, the council may with the approval in writing of the Minister lease any land to which this section applies and which is vested in the council—

- (a) to a body established, or an association of persons associated together, for the purposes of any lawful sport and not conducted for private profit; or
- (b) to any body established, or any association of persons associated together, for the purposes of the physical, mental or cultural welfare of the youth of the community and not conducted for private profit.

(4) At least one month before making an application to the Minister for his approval of a lease of any land to which this section applies to a body or an association referred to in paragraph (a) of subsection three of this section, the council shall cause to be inserted in a newspaper circulating within its area an advertisement—

- (a) inviting applications from any such body or association for a lease of the land specified in the advertisement for improvement and development for the purpose of any lawful sport;
- (b) stating particulars of the area and location of the land in respect of which the applications are invited and the term of the lease which the council, if the Minister approves of the lease, is prepared to grant;
- (c) requiring any such body or association desiring to apply to the council for a lease of the land to submit with its application the following information, namely :—
  - (i) its proposals for the improvement and development of the land;
  - (ii)

- (ii) the amount of money that it is prepared to expend either in a lump sum or annually or both in a lump sum and annually upon the improvement and development of the land; No. 25, 1966  
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  - (iii) the amount of the rental which the body or association is prepared to pay in respect of a lease of the land; and
  - (iv) in the event of a lease of the land being granted to the body or association making the application, the nature of the covenants which it would be prepared to enter into with respect to the use of the land or any part or parts thereof or the use of any sporting facilities to be provided thereon by any person, body or association or class of persons, bodies or associations; and
- (d) stating that objections to the leasing of the land may be lodged with the council within one month after the date of publication of the advertisement.

(5) At least one month before making an application to the Minister for his approval of a lease to which this section applies to a body or association referred to in paragraph (b) of subsection three of this section, the council shall cause to be inserted in a newspaper circulating within its area an advertisement—

- (a) giving notice of its intention to grant, if the Minister approves of the lease, a lease of the land specified in the advertisement to a body or association so specified;
- (b) stating particulars of the area and location of the land intended to be so leased; and
- (c) stating that objections to the leasing of the land may be lodged with the council within one month after the date of publication of the advertisement.

(6) The council shall consider any applications for a lease and any objections received pursuant to an advertisement referred to in subsection four of this section,

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section, and objections received pursuant to an advertisement referred to in subsection five of this section, and when applying under this section for the Minister's approval to any lease shall give details of all applications and any objections received and a statement of the council's consideration thereof.

(7) A lease of any land to which this section applies to a body or association referred to in paragraph (a) of subsection three of this section shall contain covenants requiring the body or association to expend, subject to such conditions as may be specified in the lease, a lump sum or annual sum of money, to be agreed upon between the council and the lessee, or both such a lump sum and annual sum, upon the improvement and development of the land, and may contain covenants with respect to the use of the land leased or any part or parts thereof or the use of any sporting facilities provided thereon by any person, body or association or class of persons, bodies or associations, and such other covenants as may, with the approval of the Minister, be agreed upon between the council and the lessee.

(8) Where a lease granted under this section contains covenants by the lessee for the erection of any buildings or the carrying out of any works on the land demised, those buildings may be erected and those works may be carried out notwithstanding the provisions of the County of Cumberland Planning Scheme Ordinance or of any town or country planning scheme under Part XIII A of this Act, but otherwise subject to the provisions of this Act and the ordinances.

(9) A lease of any land to which this section applies which before the commencement of the Local Government (Amendment) Act, 1966, was granted by the council to any body or association and was approved by the Minister shall be deemed to have been validly granted.