

LOCAL GOVERNMENT (SUBDIVISION) AMENDMENT ACT 1985
No. 229

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

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Act No. 229, 1985

An Act to amend section 333 of the Local Government Act 1919 to enable the giving of directions to councils as to certain conditions of approval of subdivisions. [Assented to, 18th December, 1985.]

Local Government (Subdivision) Amendment 1985

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 "Local Government (Subdivision) Amendment Act 1985".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (3) of the Environmental Planning and Assessment (Amendment) Act 1985 in respect of Schedule 4 to that Act.

Amendment of Act No. 41, 1919

3. The Local Government Act 1919 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO SECTION 333 OF THE LOCAL GOVERNMENT
ACT 1919

(1) Section 333 (2)—

After "shall" where thirdly occurring, insert " subject to any direction of the Minister under subsection (3).".

Local Government (Subdivision) Amendment 1985

SCHEDULE 1—*continued*

AMENDMENTS TO SECTION 333 OF THE LOCAL GOVERNMENT
ACT 1919—*continued*

(2) Section 333 (3)–(5)—

After section 333 (2), insert:

(3) The Minister may, generally or in any particular case or class of cases, direct a council as to—

(a) in the case of a condition referred to in subsection (2) requiring the payment of a sum of money—

(i) the means by which or the factors in relation to which the sum may or may not be calculated or determined; and

(ii) the maximum amount of any such sum; and

(b) the particular purposes with respect to public recreation or the improvement and embellishment of public reserves to which money paid as referred to in subsection (2) may or may not be applied.

(4) A council to which a direction is given under subsection (3) shall comply, and is hereby empowered to comply, with the direction in accordance with the terms of the direction.

(5) Notwithstanding the other provisions of this section, a council shall not, in granting approval to the subdivision of land in relation to which a direction under subsection (3) applies, impose a condition which is not in accordance with the terms of the direction.
