

**MISCELLANEOUS ACTS (RESIDENTIAL FLAT
BUILDINGS) REPEAL AND AMENDMENT ACT 1986**
No. 132

NEW SOUTH WALES



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**MISCELLANEOUS ACTS (RESIDENTIAL FLAT BUILDINGS)
REPEAL AND AMENDMENT ACT 1986 No. 132**

NEW SOUTH WALES



Act No. 132, 1986

An Act to repeal the Local Government (Regulation of Flats) Act 1940 and amend certain other Acts, consequent on the enactment of the Local Government (Residential Flat Buildings) Amendment Act 1986, and to enact savings and transitional provisions consequent on that enactment.
[Assented to, 4 December 1986]

Miscellaneous Acts (Residential Flat Buildings) Repeal and Amendment 1986

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 "Miscellaneous Acts (Residential Flat Buildings) Repeal and Amendment Act 1986".

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 (2) of the Local Government (Residential Flat Buildings) Amendment Act 1986.

Repeal of Act No. 16, 1940

3. The Local Government (Regulation of Flats) Act 1940 is repealed.

Amendments

4. Each Act specified in Schedule 1 is amended in the manner specified in that Schedule in relation to that Act.

Savings and transitional provisions

5. Schedule 2 has effect.

SCHEDULE 1

(Sec. 4)

AMENDMENTS

Heritage Act 1977 No. 136—

(1) Section 4 (1), definition of "consent authority"—

Omit "the Local Government (Regulation of Flats) Act, 1955,".

(2) (a) Section 56 (g)—

After "Act:", insert "or".

Miscellaneous Acts (Residential Flat Buildings) Repeal and Amendment 1986

SCHEDULE 1—*continued*
 AMENDMENTS—*continued*

(b) Section 56 (h)—

Omit the paragraph.

(3) Section 66—

Omit “, the Local Government (Regulation of Flats) Act, 1955.” .

Local Government (Regulation of Flats) Amendment Act 1983 No. 174—

(1) Section 5—

Omit the section, insert instead:

Repeals

5. On the day appointed and notified under section 2 (2) of the Local Government (Residential Flat Buildings) Amendment Act 1986, each Act specified in Column 1 of Schedule 1 is, to the extent specified opposite that Act in Column 2 of that Schedule, repealed.

(2) (a) Schedule 2, clause 2—

Omit the clause.

(b) Schedule 2, clause 3 (1)—

After “Principal Act” where secondly occurring, insert “and the provisions of the Local Government Act 1919, to which Schedule 1 to the Local Government (Residential Flat Buildings) Amendment Act 1986 applies.” .

Miscellaneous Acts (Planning) Repeal and Amendment Act 1979 No. 205—

Schedule 3, clauses 10 and 11—

Omit the clauses.

SCHEDULE 2

(Sec. 5)

SAVINGS AND TRANSITIONAL PROVISIONS

Continuation of certain amendment

1. The amendment made by section 3 of the Local Government (Regulation of Flats) Act 1940 shall continue in force notwithstanding the repeal of that Act.

Miscellaneous Acts (Residential Flat Buildings) Repeal and Amendment 1986

SCHEDULE 2—*continued*

SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

Effect of certain inconsistencies with Heritage Act 1977

2. To the extent of any inconsistency between Subdivision 2 of Division 3 of Part IV of the Heritage Act 1977 and a provision of the Local Government (Regulation of Flats) Act 1955 the operation of which is, for any purpose, preserved or continued by or under the Local Government (Regulation of Flats) Amendment Act 1983, that Subdivision shall prevail.
