



New South Wales

Statute Law Revision (Local Government) Act 1995 No 11

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New South Wales

Statute Law Revision (Local Government) Act 1995 No 11

Act No 11, 1995

An Act to amend certain Acts and to repeal certain other Acts and a regulation as a consequence of the enactment of the *Local Government Act 1993*; and for other purposes. [Assented to 9 June 1995]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Statute Law Revision (Local Government) Act 1995*.

2 Commencement

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by this section.
- (2) The amendments to the *Local Government Act 1919* in Schedule 1, and section 3 in its application to those amendments, are taken to have commenced on 1 January 1995.

3 Amendment of Acts

Each Act specified in Schedule 1 is amended as set out in that Schedule.

4 Repeals

Each Act and the instrument specified in Schedule 2 is repealed.

Schedule 1 Amendment of Acts

(Section 3)

1.1 Aboriginal Land Rights Act 1983 No 42

[1] Section 43 Exemption of Aboriginal lands from the payment of rates

Omit section 43 (1) (a). Insert instead:

(a) the *Local Government Act 1993*,

[2] Section 44 Proceedings for non-payment of certain rates for Aboriginal lands barred

Omit section 44 (a). Insert instead:

(a) the *Local Government Act 1993*,

1.2 Albury-Wodonga Development Act 1974 No 47

[1] Section 4 Definitions

Omit the definitions of *council* and *local government area* from section 4 (1).

Insert instead in alphabetical order:

council has the same meaning as it has in the *Local Government Act 1993*.

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 15 Corporation to comply with building standards

Omit “any ordinance made pursuant to Part 11 of the *Local Government Act 1919*” from section 15 (1).

Insert instead “the *Building Code of Australia*, as adopted by the *Local Government (Approvals) Regulation 1993*, any other requirements of that Regulation and any other applicable regulations made for the purposes of Chapter 7 of the *Local Government Act 1993*”.

[3] Section 20 Council functions may be transferred to the Corporation

Section 20 (1)

Insert “under the *Local Government Act 1993*” after “functions”.

[4] Section 20 (1)

Omit “Division 4 of Part 7”.

Insert instead “Part 12 of Chapter 15”.

[5] Section 20 (1)

Omit “under the”. Insert instead “or the”.

[6] Section 20 (8)

Insert “the *Local Government Act 1993* or” before “the *Local Government Act 1919*”.

[7] Section 36 Misuse of information

Omit section 36 (6) (d). Insert instead:

- (d) if the person is a councillor or an employee of a council,

[8] Section 37 Disclosure of interest

Omit “statutory body within the meaning of the *Local Government Act 1919*” from section 37 (12) (a).

Insert instead “any statutory body or any other body prescribed by the regulations to be a statutory body for the purposes of this paragraph”.

1.3 Anti-Discrimination Act 1977 No 48

[1] Section 4 Definitions

Omit the definition of *council* from section 4 (1).

Insert instead:

council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 49ZU Application of Part

Omit section 49ZU (1) (b). Insert instead:

(b) 1 January 1992—employees of a council,

1.4 Area Health Services Act 1986 No 50

[1] Section 3 Definitions

Omit the definition of *local government area* from section 3 (1).

Insert instead:

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Schedule 3 Description of areas of area health services

Omit “Shire” and “Municipality” wherever occurring (except in relation to Sutherland Shire).

1.5 Balranald Irrigation Act 1902 No 78

Section 2 Repeal, saving and operation

Omit “*Local Government Act 1919*” from section 2 (5).
Insert instead “*Local Government Act 1993*”.

1.6 Bennelong Point (Parking Station) Act 1985 No 189

[1] Section 2 Definitions

Omit “Part 11 of the *Local Government Act 1919*” from section 2 (2) (b).
Insert instead “the *Local Government Act 1993*”.

[2] Section 8 Application of certain legislation

Omit section 8 (1). Insert instead:

- (1) Except as otherwise provided by this Act or the regulations, the following do not apply to the carrying out of the scheduled works or the approval of the Minister to the carrying out of those works:
 - (a) the *Environmental Planning and Assessment Act 1979* or an instrument in force under that Act,
 - (b) the *Local Government Act 1993*, or an instrument in force under that Act, in relation to buildings,
 - (c) the *Roads Act 1993* or an instrument in force under that Act.

1.7 Bicentennial Park Trust Act 1987 No 29

Section 16 Carrying out of plan of management

Omit “*Local Government Act 1919*” from section 16 (2).
Insert instead “*Local Government Act 1993*”.

1.8 Boxing and Wrestling Control Act 1986 No 11

Section 62A Application of Part and definitions

Omit the definition of *public entertainment* from section 62A (2).
Insert instead:

public entertainment means:

- (a) entertainment to which admission may ordinarily be gained by members of the public on payment of money, or other consideration, as the price or condition of admission, or
- (b) the entertainment of
 - (i) patrons of any premises licensed under the *Liquor Act 1982* or registered under the *Registered Clubs Act 1976*, or
 - (ii) the public or a section of the public at a building or temporary structure subject to an approval, in force under Part 1 of Chapter 7 of the *Local Government Act 1993*, for use as a place of public entertainment (within the meaning of that Act),

1.9 Building and Construction Industry Long Service Payments Act 1986 No 19

[1] Section 3 Definitions

Omit paragraph (b) of the definition of *worker* from section 3 (1).
Insert instead:

- (b) with a council or a county council within the meaning of the *Local Government Act 1993*,

[2] Section 33 Definitions

Omit “Part 11 of the *Local Government Act 1919*” from the definition of ***building*** in section 33 (1).
Insert instead “the *Local Government Act 1993*”.

[3] Section 33 (1)

Omit “Part 11 of the *Local Government Act 1919*” from the definition of ***erection***.
Insert instead “the *Local Government Act 1993*”.

[4] Section 34 Buildings in respect of which long service levy payable

Section 34 (1) (a)

Omit “pursuant to Division 4 of Part 11 of the *Local Government Act 1919*”.
Insert instead “under Part 1 of Chapter 7 of the *Local Government Act 1993*”.

[5] Section 34 (1) (b) (i)

Omit “a local government area”. Insert instead “an area”.

[6] Section 34 (1) (b) (iii)

Omit “Part 11 of the *Local Government Act 1919*”.
Insert instead “the *Local Government Act 1993*”.

[7] Section 34 (3) (a)

Omit “pursuant to Division 4 of Part 11 of the *Local Government Act 1919*”.
Insert instead “under Part 1 of Chapter 7 of the *Local Government Act 1993*”.

[8] Section 37 Person liable to pay long service levy

Omit “pursuant to Division 4 of Part 11 of the *Local Government Act 1919*” from section 37 (1) (a).

Insert instead “under Part 1 of Chapter 7 of the *Local Government Act 1993*”.

1.10 Building Services Corporation Act 1989 No 147

[1] Section 3 Definitions

Omit “an unregistrable movable dwelling within the meaning of *Ordinance No 71* (the Caravan Parks and Movable Dwellings Ordinance) made under the *Local Government Act 1919*” from the definition of *kit home* in section 3 (1).

Insert instead “a moveable dwelling (within the meaning of the *Local Government Act 1993*) that is not capable of being registered under the *Traffic Act 1909*”.

[2] Section 29 Definitions

Omit paragraph (b) of the definition of *owner-builder work* in section 29 (1). Insert instead:

- (b) that is of a kind that, if carried out in an area within the meaning of the *Local Government Act 1993*, requires approval under Part 1 of Chapter 7 of that Act,

[3] Section 49 Definitions

Omit “Ordinance” from paragraph (d) of the definition of *defective kit home* in section 49 (1).

Insert instead “a regulation”.

[4] Section 92 When comprehensive protection applies

Omit section 92 (1) (c). Insert instead:

- (c) the work is of a kind that requires approval under Part 1 of Chapter 7 of the *Local Government Act 1993*, and

[5] Section 135 Proceedings for certain offences under other Acts

Omit “*Local Government Act 1919*” from section 135 (f).
Insert instead “*Local Government Act 1993*”.

1.11 Bush Fires Act 1949 No 31

[1] Section 6 Definitions

Omit the definitions of *Area* and *Council*.
Insert instead in alphabetical order:

Area has the same meaning as it has in the *Local Government Act 1993*.

Council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 7 Bush fire danger period

Omit “he has been so authorised under section 530A of the *Local Government Act 1919*, the mayor or deputy-mayor or the president or deputy-president” from section 7 (2).

Insert instead “the mayor or deputy mayor has a delegation to do so under section 377 of the *Local Government Act 1993*, the mayor or deputy mayor”.

[3] Section 7 (2B)

Omit “authorised”. Insert instead “who has such a delegation”.

[4] Section 10 Requirements to be complied with by persons lighting certain classes of fires

Omit “he has been so authorised under section 530A of the *Local Government Act 1919* the mayor or deputy-mayor or the president or deputy-president” from section 10 (5A).

Insert instead “the mayor or deputy mayor has a delegation to do so under section 377 of the *Local Government Act 1993*, the mayor or deputy mayor”.

[5] Section 10 (5B)

Omit “authorised as mentioned”.

Insert instead “who has a delegation referred to”.

[6] Section 14 Fire hazard reduction work in default of compliance with notice

Omit “servants, agents or workmen” wherever occurring.

Insert instead “employees or agents”.

[7] Section 14 (1A)

Omit “*Local Government Act 1919*”.

Insert instead “*Local Government Act 1993*”.

[8] Section 17 Emergency fire controllers and deputy emergency fire controllers

Section 17 (3)

Omit “or president” wherever occurring.

[9] Section 17 (4) (a) and (d)

Omit “or president” wherever occurring.

[10] Section 17 (4) (b) and (e)

Omit “or presidents” wherever occurring.

[11] Section 23 Captains not to be employees of councils

Omit “a servant”. Insert instead “an employee”.

[12] Section 33 Determination of contributions of councils

Omit “general rate” wherever occurring from section 33 (2).
Insert instead “ordinary rate”.

[13] Section 53 Consolidated fund of councils

Omit “shall be deemed to be a general purpose within the meaning of section 107 (2) of the *Local Government Act 1919*” from section 53 (1).

Insert instead “are purposes to which the consolidated fund of a council may be applied under section 409 of the *Local Government Act 1993*”.

[14] Section 53 (2)

Omit section 53 (2). Insert instead:

- (2) For the purposes of section 495 of the *Local Government Act 1993*, any work relating to the prevention and suppression of bush and other fires is work in respect of which a council may make a special rate.

[15] Section 56A Evidence

Omit “president or town or shire clerk” from section 56A (b).
Insert instead “general manager of the council”.

[16] Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Limited powers—prescribed areas

(Section 411)

Cities of:

Armidale	Holroyd
Bankstown	Hurstville
Bathurst	Lake Macquarie
Blacktown	Lismore
Blue Mountains	Liverpool
Campbelltown	Maitland
Canterbury	Newcastle
Coffs Harbour	Parramatta
Dubbo	Penrith
Fairfield	Queanbeyan
Gosford	Randwick
Goulburn	Ryde
Grafton	Shoalhaven
Greater Cessnock	South Sydney
Greater Lithgow	Sydney
Greater Taree	Willoughby
Hawkesbury	Wollongong

Areas of:

Ashfield	Botany
Auburn	Brewarrina
Ballina	Burwood
Balranald	Byron
Barraba	Camden
Baulkham Hills	Casino
Bega Valley	Concord
Bellingen	Coolah
Blayney	Cooma-Monaro
Bombala	Coonabarabran

Schedule 1 Amendment of Acts

Coonamble	Nambucca
Copmanhurst	Narrabri
Cowra	Narromine
Crookwell	North Sydney
Deniliquin	Nundle
Drummoyne	Nymboida
Dumaresq	Oberon
Dungog	Port Stephens
Eurobodalla	Quirindi
Evans	Richmond River
Forbes	Rockdale
Gilgandra	Rylstone
Glen Innes	Scone
Gloucester	Severn
Great Lakes	Shellharbour
Gunnedah	Singleton
Gunning	Snowy River
Guyra	Strathfield
Hastings	Sutherland Shire
Hay	Tallaganda
Hornsby	Tenterfield
Hunter's Hill	Tumut
Inverell	Tweed
Kempsey	Ulmarra
Kiama	Uralla
Kogarah	Urana
Ku-ring-gai	Wakool
Kyogle	Walcha
Lane Cove	Walgett
Leeton	Warren
Leichhardt	Warringah
Lockhart	Waverley
Macleay	Weddin
Manly	Wingecarribee
Marrickville	Wollondilly
Merriwa	Woollahra
Moree Plains	Wyang
Mosman	Yallaroi
Mulwaree	Yarrowlumla
Murrurundi	Yass
Muswellbrook	

1.12 Business Franchise Licences (Tobacco) Act 1987 No 93

Section 69 Disclosure of information

Omit section 69 (2) (g). Insert instead:

- (g) a council within the meaning of the *Local Government Act 1993*, or

1.13 Casino Control Act 1992 No 15

Section 90 Application of certain provisions of the Local Government Act 1993

Omit section 90 (1). Insert instead:

- (1) For the purposes of Parts 1 and 2 of Chapter 7 of the *Local Government Act 1993*:
 - (a) a casino is to be considered to be a place of public entertainment, and
 - (b) the conduct of operations in a casino is to be considered to be use as a place of public entertainment.

1.14 Catchment Management Act 1989 No 235

[1] Section 30 Carrying out of corporate plan

Omit “*Local Government Act 1919*” from section 30 (2).
Insert instead “*Local Government Act 1993*”.

[2] Schedule 2 Urban area

Omit paragraphs (a)–(c). Insert instead:

- (a) the City of Bankstown, Blacktown, Blue Mountains, Campbelltown, Canterbury, Fairfield, Gosford, Hawkesbury, Holroyd, Hurstville, Lake Macquarie, Liverpool, Newcastle, Parramatta, Penrith, Randwick, Ryde, Shoalhaven, South Sydney, Sydney, Willoughby or Wollongong, or
- (b) the local government area of Ashfield, Auburn, Baulkham Hills, Botany, Burwood, Camden, Concord, Drummoyne, Hornsby, Hunter's Hill, Kiama, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Manly, Marrickville, Mosman, North Sydney, Rockdale, Shellharbour, Strathfield, Sutherland Shire, Warringah, Waverley, Wingecarribee, Wollondilly, Woollahra or Wyong.

1.15 Centennial Park and Moore Park Trust Act 1983 No 145

Section 12D Certain Acts not affected

Omit "*Local Government Act 1919*".

Insert instead "*Local Government Act 1993*".

1.16 Chipping Norton Lake Authority Act 1977 No 38

Section 10 Certain work and structures require consent of Authority

Omit section 10 (6). Insert instead:

- (6) An appeal against a decision of the Authority under this section or against any neglect or delay by the Authority in giving a decision under this section lies to the Land and Environment Court in the same way as an appeal lies under section 176 of the *Local Government Act 1993*.

1.17 City of Sydney Act 1988 No 48

[1] Section 14 Definitions

Omit “town clerk” wherever occurring from section 14 (3) (b).
Insert instead “general manager”.

[2] Section 15

Omit the section. Insert instead:

15 Right to be enrolled as an elector

- (1) A person is entitled to be enrolled as an elector for the City of Sydney if the person is:
 - (a) an owner, ratepaying lessee or occupier of rateable land in the City of Sydney, or
 - (b) a resident of the City of Sydney.
- (2) Sections 269–271 of the Principal Act do not apply to the City of Sydney.

[3] Section 16 Provisions relating to right to be enrolled as an elector

Omit “have the requisite qualification of an elector” from section 16 (1).
Insert instead “be entitled to be enrolled as an elector”.

[4] Section 16 (4)

Omit section 16 (4). Insert instead:

- (4) If a person is entitled to be enrolled as an elector because the person is a resident of the City of Sydney, the person is taken not to be entitled to be enrolled as an elector in any other capacity.

[5] Section 17

Omit the section. Insert instead:

17 Roll of electors

In the application of Division 2 of Part 6 of Chapter 10 of the Principal Act to an election for the City of Sydney:

- (a) a reference in that Division to the non-residential roll or the roll of occupiers and ratepaying lessees is to be read as a reference to the roll prepared by the general manager of the City of Sydney under section 19 of persons entitled under section 15 (1) (a) to be electors, and
- (b) a reference in that Division to persons entitled to be enrolled as electors because they are residents of an area is to be read as a reference to persons entitled under section 15 (1) (b) to be electors.

[6] Section 18 List of electors for compulsory enrolment on non-residential roll

Section 18 (1), (4), (6) and (7)

Omit “town clerk” wherever occurring.
Insert instead “general manager”.

[7] Section 18 (1)

Omit “clerk, have the requisite qualifications under section 15 (1) (a) to be electors”.
Insert instead “general manager, are entitled under section 15 (1) (a) to be enrolled as electors”.

[8] Section 18 (2)

Omit “section 55”. Insert instead “section 266 (2)”.

[9] Section 18 (5)

Omit section 18 (5). Insert instead:

- (5) The general manager must, within 7 days after the claim or objection is lodged, consider it and may allow or disallow it.

[10] Section 18 (6) (a)

Omit “town clerk’s”. Insert instead “general manager’s”.

[11] Section 18 (7)

Insert “by the regulations for the purposes of section 303 (3) of the Principal Act” after “in the manner prescribed”.

[12] Section 18 (8)

Omit the subsection.

[13] Section 19 Non-residential roll

Section 19 (1)

Omit “town clerk”. Insert instead “general manager”.

[14] Section 19 (1)

Omit “who had, on that date, the requisite qualifications under section 15 (1) (a) to be electors”.

Insert instead “who were, on that date, entitled under section 15 (1) (a) to be enrolled as electors”.

[15] Section 19 (4)

Omit “Section 65A of the Principal Act (Non-residential roll) does not”.

Insert instead “Sections 299 and 300 of the Principal Act do not”.

[16] Section 19 (5)

Omit section 19 (5). Insert instead:

- (5) In this section, *closing date*, for an election, has the same meaning as it has for an election under the Principal Act.

[17] Section 20 Voting by electors not enrolled

Omit the section.

[18] Section 21 Voting where secretary of corporation enrolled as elector

Section 21 (1) (a)

Omit “has the requisite qualification of an elector”.

Insert instead “is entitled to be enrolled as an elector for the City of Sydney”.

[19] Section 21 (1) (b)

Omit “town clerk”. Insert instead “general manager”.

[20] Section 21 (2) (c)

Omit “does not have a requisite qualification of an elector”.

Insert instead “is not entitled to be enrolled as an elector”.

[21] Section 22 Compulsory voting at elections and constitutional referendums

Section 22 (1)

Omit section 22 (1). Insert instead:

- (1) A person who is entitled to vote at an election of councillors, or at a constitutional referendum, for the City of Sydney, must record his or her vote at the election or the constitutional referendum unless the person has sufficient reason not to vote.

Maximum penalty: 1 penalty unit.

[22] Section 22 (2)

Omit “sections 74B–74F of the Principal Act (Compulsory voting)”.
Insert instead “Division 4 of Part 6 of Chapter 10 (except section 312) of the Principal Act”.

[23] Section 22 (2) (a) and (3)

Omit section 22 (2) (a) and (3).

[24] Section 22 (2) (b) and (c)

Omit “those sections” wherever occurring.
Insert instead “those provisions”.

[25] Schedule 1 The Planning Committee

Clause 2 (1)

Omit clause 2 (1). Insert instead:

- (1) An ordinary election of elected members is to be held:
 - (a) at the same time as the election of the Lord Mayor by the councillors under section 290 (1) (a) of the Principal Act, or
 - (b) at a meeting of the City Council held within 3 weeks of the election of the Lord Mayor by electors of the City of Sydney under section 289 of the Principal Act.

[26] Schedule 1, clause 6

Omit “general fund”. Insert instead “consolidated fund”.

[27] Schedule 1, clause 7 (a)

Omit clause 7 (a). Insert instead:

- (a) a casual vacancy occurs under the Principal Act in the civic office of the member, or

[28] Schedule 1, clause 8 (1) (g)

Omit clause 8 (1) (g). Insert instead:

(g) becomes a mentally incapacitated person, or

[29] Schedule 1, clause 16

Omit clause 16. Insert instead:

16 Application of Local Government (Meetings) Regulation 1993

Part 1 of Chapter 4 and Division 2 of Part 2 of Chapter 12 of the Principal Act and the *Local Government (Meetings) Regulation 1993* apply to and in respect of the members of the Planning Committee in the same way as they apply to and in respect of councillors of a council, except in so far as provision is otherwise made by or under this Act.

[30] Schedule 1, clause 18

Omit “town clerk”. Insert instead “general manager”.

[31] Schedule 3 Savings, transitional and other provisions

Omit clauses 2, 3, 9, 23 and 24.

1.18 Clean Air Act 1961 No 69

Section 5 Definitions

Omit the definition of *Local authority* from section 5 (1).
Insert instead:

Local authority means the council of an area within the meaning of the *Local Government Act 1993*.

1.19 Clean Waters Act 1970 No 78

Section 5 Definitions

Omit the definition of *local authority*. Insert instead:

local authority means:

- (a) the council of an area within the meaning of the *Local Government Act 1993*, or
- (b) the Western Lands Commissioner, or
- (c) the Lord Howe Island Board.

1.20 Coal Mines Regulation Act 1982 No 67

[1] Section 123 Certain unenclosed shafts or outlets to be public nuisances

Omit “shall be deemed to be a public nuisance for the purposes of section 288 of the *Local Government Act 1919*”.

Insert instead “is taken to be a public nuisance for the purposes of section 125 of the *Local Government Act 1993*”.

[2] Section 145L Disused and abandoned plants

Omit “section 288 of the *Local Government Act 1919*” from section 145L (3).

Insert instead “section 125 of the *Local Government Act 1993*”.

1.21 Coastal Protection Act 1979 No 13

[1] Section 4 Definitions

Omit the definition of *council* from section 4 (1).

Insert instead:

council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 9 Members

Omit “an alderman or” from section 9 (2) (g).
Insert instead “a”.

1.22 Commons Management Act 1989 No 13

[1] Section 3 Definitions

Omit the definitions of *local authority* and *local government area* from section 3 (1).

Insert instead in alphabetical order:

local authority means a council within the meaning of the *Local Government Act 1993*.

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 7 Power of the Minister to appoint a local authority to manage the affairs of a trust

Omit “*Local Government Act 1919*” from section 7 (11).
Insert instead “*Local Government Act 1993*”.

1.23 Community Land Development Act 1989 No 201

Section 3 Definitions

Omit the definitions of *consent authority*, *public authority* and *public reserve* from section 3 (1).

Insert instead in alphabetical order:

consent authority, in relation to the giving of an approval, a consent or a certificate, means the council that has as a function the giving of the approval, consent or certificate under the *Local Government Act 1919*, the *Environmental Planning and Assessment Act 1979* or Chapter 7 of the *Local Government Act 1993*.

public authority includes a council within the meaning of the *Local Government Act 1993*.

public reserve has the same meaning as it has in the *Local Government Act 1993*.

1.24 Community Land Management Act 1989 No 202

Section 3 Definitions

Omit the definitions of *consent authority*, *public authority* and *public reserve* from section 3 (1).

Insert instead in alphabetical order:

consent authority”, in relation to the giving of an approval, a consent or a certificate, means the council that has as a function the giving of the approval, consent or certificate under the *Local Government Act 1919*, the *Environmental Planning and Assessment Act 1979* or Chapter 7 of the *Local Government Act 1993*.

public authority includes a council within the meaning of the *Local Government Act 1993*.

public reserve has the same meaning as it has in the *Local Government Act 1993*.

1.25 Construction Safety Act 1912 No 38

Section 22 Regulations

Omit section 22 (2) (b1) (i). Insert instead:

- (i) in all areas (within the meaning of the *Local Government Act 1993*) other than those specified in the regulations, or in those areas (or parts of areas) that are specified in the regulations, without first obtaining the approval of the council of the area,

1.26 Conversion of Cemeteries Act 1974 No 17

[1] Section 4 Definitions

Omit the definitions of *area* and *council*.

Insert instead in alphabetical order:

area has the same meaning as it has in the *Local Government Act 1993*.

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 5 Act to have effect notwithstanding Local Government Act 1919

Omit the section.

[3] Schedule 1 Application of Act to land described in Schedule 2

Omit “Council of the Shire of Wellington” from the definition of *council* in clause 2 (2).

Insert instead “Wellington Council”.

1.27 Conveyancing Act 1919 No 6

Section 89 Power of Court to modify or extinguish easements and certain covenants

Omit “municipality or shire” from section 89 (4).

Insert instead “area (within the meaning of the *Local Government Act 1993*)”.

1.28 Crimes Act 1900 No 40

[1] Section 249H Disqualification for office

Omit “for a civic office, within the meaning of the *Local Government Act 1919*”.

Insert instead “from holding civic office for the purposes of the *Local Government Act 1993*”.

[2] Section 525 Stealing or damaging books and other things in public library and other places

Omit “the council of any municipality”.

Insert instead “a council (within the meaning of the *Local Government Act 1993*)”.

[3] Section 526 Term “Public Library”

Omit “municipality”.

Insert instead “the residents of any area (within the meaning of the *Local Government Act 1993*)”.

1.29 Criminal Records Act 1991 No 8

Section 17 Civic office

Omit “section 30 of the *Local Government Act 1919*”.

Insert instead “section 274 or 275 of the *Local Government Act 1993*”.

1.30 Crown Lands (Continued Tenures) Act 1989 No 7

Schedule 3 Transfer restrictions

Omit “as defined in the *Local Government Act 1919*” wherever occurring from paragraph (a) of the definition of **public authority** in clause 2 (3) of Part 1 and clause 2 (3) of Part 2.

Insert instead “within the meaning of the *Local Government Act 1993*”.

1.31 Dairy Industry Act 1979 No 208

[1] Section 6 Saving of certain Acts and other matters

Omit "*Local Government Act 1919*".
Insert instead "*Local Government Act 1993*".

[2] Section 6

Omit ", ordinances" wherever occurring.

1.32 Darling Harbour Authority Act 1984 No 103

[1] Section 3 Definitions

Omit the definition of *owner* from section 3 (1).
Insert instead:

owner has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 23G Protection of scheduled works

Omit "*Local Government Act 1919*" from section 23G (4).
Insert instead "*Local Government Act 1993*".

[3] Section 23J Application of certain legislation

Section 23J (1) (a)

Omit "Parts 11 and". Insert instead "Part".

[4] Section 23J (1) (a1)

Insert after section 23J (1) (a):

(a1) the *Local Government Act 1993* in relation to buildings,

[5] Section 23J (2) and (3)

Omit “*Local Government Act 1919*” wherever occurring.
Insert instead “*Local Government Act 1993*”.

[6] Section 59 Application of certain legislation within Development Area

Section 59 (1) (b) and (3) (b)

Omit “Parts 11 and” wherever occurring Insert instead “Part”.

[7] Section 59 (1) (b1)

Insert after section 59 (1) (b):

(b1) the *Local Government Act 1993* in relation to buildings,

[8] Section 59 (2) (a)

Omit “, municipality or shire”. Insert instead “or an area”.

[9] Section 59 (2) (b)

Omit “*Local Government Act 1919*”.
Insert instead “*Local Government Act 1993*”.

[10] Section 59 (2) (c)

Omit “, municipality or shire”. Insert instead “or an area”.

[11] Section 59 (2) (d)

Omit “*Local Government Act 1919*”.
Insert instead “*Local Government Act 1993*”.

[12] Section 59 (3) (b1)

Insert after section 59 (3) (b):

(b1) the *Local Government Act 1993* in relation to buildings,

[13] Section 61 Misuse of information

Omit “a servant” from section 61 (6) (d).

Insert instead “an employee”.

1.33 Debits Tax Act 1990 No 112

Section 3 Definitions

Omit “*Local Government Act 1919*” wherever occurring from paragraphs (a) (iv) (C) and (a) (vii) (C) of the definition of *excluded debit* in section 3 (1).

Insert instead “*Local Government Act 1993*”.

1.34 Dentists Act 1989 No 139

Section 5 Professional misconduct

Omit “*Local Government Act 1919*” from section 5 (4) (d).

Insert instead “*Local Government Act 1993*”.

1.35 Dog Act 1966 No 2

[1] Section 4 Definitions

Section 4 (1)

Omit the definitions of *Area* and *Council*.

Insert instead in alphabetical order:

Area has the same meaning as it has in the *Local Government Act 1993*.

Council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 4 (1)

Omit the definitions of *Municipality* and *Shire*.

[3] Section 4 (1)

Omit “a servant” from the definition of *Registration clerk*.
Insert instead “an employee”.

[4] Section 5 Liability of owners of dogs

Omit “a municipality or shire” wherever occurring from section 5 (1) (a) and (a1).
Insert instead “the area of a council”.

[5] Section 10 Seizure of dogs

Section 10 (1)

Omit “a municipality or shire”.
Insert instead “the area of a council”.

[6] Section 10 (1)

Omit “a servant”. Insert instead “an employee”.

[7] Section 10 (2)

Omit “servant”. Insert instead “employee”.

[8] Section 11 Procedure after dog is seized

Omit “servant” wherever occurring from section 11 (1) and (5).
Insert instead “employee”.

[9] Section 21A Requirement to state name and address

Omit “A servant” from section 21 A (1).
Insert instead “An employee”.

[10] Section 21A (3)

Omit “servant”. Insert instead “employee”.

[11] Section 23 Powers and duties of council

Omit “The council of a municipality or shire shall”.
Insert instead “Each council must”.

[12] Section 23 (c)

Omit “a servant”. Insert instead “an employee”.

[13] Section 24 Power of entry

Omit “a servant”. Insert instead “an employee”.

[14] Section 26 Council’s receipts and expenditure to be paid to and from its consolidated fund

Omit “general fund” from section 26 (1).
Insert instead “consolidated fund”.

[15] Section 26 (2)

Omit section 26 (2). Insert instead:

- (2) The cost of the administration of this Act incurred by a council must be paid, in accordance with the *Local Government Act 1993*, from the council’s consolidated fund.

[16] Section 27 Regulations

Omit “a servant” from section 27 (1) (b).
Insert instead “an employee”.

1.36 Drainage Act 1939 No 29

[1] Section 4 Definitions

Insert “or any other body prescribed by the regulations for the purposes of this paragraph” after “representing the Crown” in the definition of *Owner*.

[2] Section 4

Omit the definition of *Statutory body representing the Crown*.

[3] Section 5 Certain Acts not affected

Insert “or the *Local Government Act 1993*” after “*Local Government Act 1919*”.

[4] Section 48 Liability of occupier

Omit “the servant, of the Crown, or of any shire or municipal council” from section 48 (4).

Insert instead “an officer or employee of the Crown, or as an employee of any council (within the meaning of the *Local Government Act 1993*)”.

[5] Section 55 Sale of land for rates

Omit section 55 (2). Insert instead:

- (2) Division 5 of Part 2 of Chapter 17 of the *Local Government Act 1993* applies to the sale of land under this section as if the board were a council within the meaning of that Act.
- (3) For the purposes of subsection (2), a reference in those provisions to the general manager or public officer of a council is taken to be a reference to the appropriate officer of the board.

- (4) For the purposes of subsection (2) and the application of section 716 (3) of the *Local Government Act 1993*, land may be sold to the board, a member of the board, a relative of a member of the board, a member of staff of the board or a relative of a member of staff of the board in the case of sale by public auction, but may not be so sold in the case of sale by private treaty.

[6] Section 69 Plans of drainage

Omit “meanings ascribed thereto respectively in the *Local Government Act 1919*” from section 69 (2).

Insert instead “same meanings as they have respectively in the *Local Government Act 1993*”.

[7] Section 79

Insert after section 78:

79 Savings and transitional provisions

Schedule 2 has effect.

[8] Schedule 2

Insert after the Schedule:

Schedule 2 Savings and transitional provisions

1 Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the *Statute Law Revision (Local Government) Act 1995*.
- (2) A provision referred to in subclause (1) may, if the regulations so provide, take effect from the commencement of this Act or from a later date.
- (3) To the extent that a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate:

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of the person existing before the date of publication, or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of publication.

2 Transitional provision for the recovery of rates

- (1) A rate levied in respect of land within a district that has not been paid before the amendment of section 55 by the *Statute Law Revision (Local Government) Act 1995* may be recovered as if the section had not been so amended.
- (2) Proceedings for the recovery of such a rate commenced, but not completed, before that amendment may be completed as if the section had not been so amended.

1.37 Election Funding Act 1981 No 78

[1] Section 9 Eligibility for appointment

Omit section 9 (1) (d). Insert instead:

- (d) is a councillor or mayor of a council, or chairperson or member of a county council, under the *Local Government Act 1993* or is a candidate for election to such an office,

[2] Section 13 Vacation of office

Omit section 13 (1) (i). Insert instead:

- (i) if the member or alternate becomes a councillor or mayor of a council, or the chairperson or a member of a county council, under the *Local Government Act 1993* or is a candidate for election to such an office,

1.38 Electricity Act 1945 (1946 No 13)

[1] Section 7K Building approvals for electricity distributor's equipment

Omit "Part 11 of the *Local Government Act 1919*" from section 7K (1).

Insert instead "Part 1 of Chapter 7 of the *Local Government Act 1993*".

[2] Section 7K (2)

Omit "Part 11 of the *Local Government Act 1919* and of any ordinances".

Insert instead "Part 1 of Chapter 7 of the *Local Government Act 1993* and of any regulations".

[3] Section 37 Regulations

Omit "*Local Government Act 1919* or of any ordinance" from section 37 (2) (rr).

Insert instead "*Local Government Act 1993* or of any regulation".

[4] Section 37 (5)

Omit section 37 (5). Insert instead:

- (5) A regulation under this Act prevails over a regulation made under the *Local Government Act 1993*, to the extent of any inconsistency.

[5] Schedule 7 Electricity distributors

Omit "Shire" and "Municipality" wherever occurring.

[6] Schedule 11 Savings, transitional and other provisions

Omit clause 8 (1). Insert instead:

- (1) Subject to the regulations, the provisions of the *Local Government Act 1993* and the regulations made under that Act relating to defunct county councils do not apply to or in respect of an electricity distributor.

[7] Schedule 11, clause 8 (2)

Omit “*Local Government Act 1919* and the ordinances”.
Insert instead “*Local Government Act 1993* and the regulations”.

1.39 Electricity Commission Act 1950 No 22

[1] Section 3 Definitions

Omit the definition of *Area* from section 3 (1).
Insert instead:

Area has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 6B Disclosure of interest by commissioners

Omit “council or statutory body within the meaning of the *Local Government Act 1919*” from section 6B (3) (a).
Insert instead “council within the meaning of the *Local Government Act 1993* or any statutory body”.

[3] Section 11 Contracts

Omit section 11 (4).

1.40 Environmental Offences and Penalties Act 1989 No 150

Section 24 Appointment of persons to exercise certain functions

Omit “of a county district” from section 24 (1) (b).
Insert instead “within the meaning of the *Local Government Act 1993*”.

**1.41 Environmental Planning and Assessment Act 1979
No 203**

[1] Section 4 Definitions

Omit the definitions of *area*, *council* and *owner* from section 4 (1).
Insert instead in alphabetical order:

area has the same meaning as it has in the *Local Government Act 1993*.

council has the same meaning as it has in the *Local Government Act 1993*.

owner has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 23 Delegation

Omit “servant” from section 23 (1) (e).
Insert instead “employee”.

[3] Section 26 Contents of environmental planning instruments

Omit “*Local Government Act 1919*” from section 26 (c).
Insert instead “*Local Government Act 1993*”.

[4] Section 118 Appointment of environmental planning administrator

Omit “general fund” from section 118 (7).
Insert instead “consolidated fund”.

[5] Section 118 (8) (b)

Omit “servants” wherever occurring. Insert instead “employees”.

[6] Section 137 Charges and fees fixed by regulation

Omit “ordinance,” from section 137 (1).

[7] Section 143 Assessment of loan commitments

Omit “general fund” from section 143 (3).

Insert instead “consolidated fund”.

[8] Section 154 Transfer or amalgamation of land to which an environmental planning instrument applies

Omit “*Local Government Act 1919*” from section 154 (4).

Insert instead “*Local Government Act 1993*”.

1.42 Environmentally Hazardous Chemicals Act 1985 No 14

Section 3 Definitions

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of **public place** in section 3 (1).

Insert instead “*Local Government Act 1993*”.

1.43 Factories, Shops and Industries Act 1962 No 43

[1] Section 4 Definitions

Omit “municipal, shire, or county council” from section 4 (2) (f).

Insert instead “council or a county council within the meaning of the *Local Government Act 1993*”.

[2] Section 9 Definitions

Omit “municipal, shire or county council” from paragraph (a) of the definition of **Local government industry** in section 9 (1).

Insert instead “council or a county council within the meaning of the *Local Government Act 1993*”.

[3] Section 11 Registration of factories

Omit “ordinances made under the *Local Government Act 1919*” from section 11 (3B) (b).

Insert instead “regulations made under the *Local Government Act 1993*”.

[4] Section 11 (36) (b)

Omit “those ordinances”. Insert instead “those regulations”.

[5] Section 89B Exemption of holiday resorts

Omit “the area or a part of the area of a municipality or shire outside the County of Cumberland, the City of Newcastle and the City of Greater Wollongong” from section 89B (1).

Insert instead “all or part of an area (within the meaning of the *Local Government Act 1993*) outside the County of Cumberland, the area of the City of Newcastle and the area of the City of Wollongong”.

[6] Section 89B (2)

Omit “municipality or shire of the”.

1.44 Fair Trading Act 1987 No 68

Schedule 1 Paramount legislation

Omit “*Local Government Act 1919*”.

Insert instead “*Local Government Act 1993*”.

1.45 Farm Produce Act 1983 No 30

Section 55 Regulations

Omit section 55 (2). Insert instead:

- (2) The provisions of any regulation made under this section prevail over the *Local Government Act 1993*, and any regulation made under that Act, to the extent of any inconsistency.

1.46 Film and Computer Game Classification Act 1984 No 155

[1] Section 3 Definitions

Insert in alphabetical order in section 3 (1):

theatre or public hall has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 3 (3)

Omit section 3 (3).

1.47 Fire Brigades Act 1989 No 192

[1] Section 3 Definitions

Omit the definition of *local government area* from section 3 (1). Insert instead:

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 52 How contribution is to be funded

Section 52 (1)

Omit “general fund”. Insert instead “consolidated fund”.

[3] Section 52 (2)

Omit section 52 (2). Insert instead:

- (2) If this Act applies to part only of a local government area, the council is required to pay the required contribution out of the consolidated fund or raise the required amount by a special rate under the *Local Government Act 1993* on the land value of rateable land in the part.

[4] Section 52 (3)

Omit “*Local Government Act 1919* to the contrary, no poll of ratepayers”.

Insert instead “*Local Government Act 1993* to the contrary, no council poll”.

[5] Section 52 (4)

Omit “local rate”. Insert instead “special rate”.

1.48 Fisheries Act 1935 No 58

Section 120 Regulations

Omit “the council of a municipality or shire” from section 120 (2) (x).

Insert instead “a council under the *Local Government Act 1993*”.

1.49 Food Act 1989 No 231

[1] Section 3 Definitions

Omit “*Local Government Act 1919*” from the definition of *council* in section 3 (1).

Insert instead “*Local Government Act 1993*”.

[2] Section 79 Appointment and powers of inspectors

Omit “health surveyor” from section 79 (2).
Insert instead “person”.

[3] Section 80 Control of council appointments

Omit “health surveyor” from section 80 (3).
Insert instead “person”.

1.50 Forestry Act 1916 No 55

[1] Section 11 Powers and duties of the commission

Omit “statutory body, or council, within the meaning of the *Local Government Act 1919*” from section 11 (1A).
Insert instead “statutory body or any other body prescribed by the regulations for the purposes of this section or any council (within the meaning of the *Local Government Act 1993*)”.

[2] Section 25A Flora reserves

Omit “a municipality or shire” from section 25A (5) (f).
Insert instead “an area (within the meaning of the *Local Government Act 1993*)”.

[3] Section 25A (5) (f)

Omit “general fund”. Insert instead “consolidated fund”.

**1.51 Funeral Services Industry (Days of Operation) Act 1990
No 87**

Section 4 Days of operation for burial or cremation services

Omit section 4 (4) (a). Insert instead:

- (a) a council or a county council within the meaning of the *Local Government Act 1993*, or

1.52 Gaming and Betting Act 1912 No 25

Section 3 Definitions

Omit “is in force under Division 4BA of Part 11 of the *Local Government Act 1919*” from the definition of *Street* where secondly occurring in section 3 (1).

Insert instead “to use or permit the use of the building as a place of public entertainment is in force under Part 1 of Chapter 7 of the *Local Government Act 1993*”.

1.53 Gas Act 1986 No 213

[1] Section 3 Definitions

Omit the definition of *local authority* from section 3 (1).

Insert instead:

local authority means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 19 Permission for local authorities to enter certain agreements

Omit section 19 (1) (a). Insert instead:

- (a) establish or acquire an undertaking to supply gas, and supply and install gas fittings and appliances, or to supply liquefied petroleum gas, and supply and install pipes, fittings, apparatus and appliances for use in its consumption or conveyance, or

1.54 Geographical Names Act 1966 No 13

Section 2 Definitions

Omit “local government area, urban area or county district under the *Local Government Act 1919*” from the definition of *Place*.

Insert instead “area (within the meaning of the *Local Government Act 1993*) or area of operations of a county council (within the meaning of that Act)”.

1.55 Government Guarantees Act 1934 No 57

Section 3A Guarantees for industrial purposes

Omit “*Local Government Act 1919*” from section 3A (3).
Insert instead “*Local Government Act 1993*”.

1.56 Health Administration Act 1982 No 135

[1] Section 7 Public sector staff

Omit “*Local Government Act 1919*” from section 7 (3) (c).
Insert instead “*Local Government Act 1993*”.

[2] Section 8 Functions of the Secretary

Omit “*Local Government Act 1919*” from section 8 (2) (f).
Insert instead “*Local Government Act 1993*”.

1.57 Heritage Act 1977 No 136

[1] Section 4 Definitions

Omit the definitions of *area*, *council* and *owner* from section 4 (1).
Insert instead in alphabetical order:

area has the same meaning as it has in the *Local Government Act 1993*.

council has the same meaning as it has in the *Local Government Act 1993*.

owner has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 4 (1)

Omit “any instrument made under that Act” from the definition of *consent authority*.

Insert instead “the *Local Government Act 1993*, any instruments made under those Acts”.

[3] Section 56 Definition

Omit section 56 (a). Insert instead:

- (a) Part 1 of Chapter 7 of the *Local Government Act 1993*,

[4] Section 56 (h)

Insert after section 56 (g):

- (h) any prescribed provision of the *Local Government Act 1993* or any prescribed provision of any instrument made under that Act,

[5] Section 66 Application of Subdivision

Omit “any instrument made under that Act”.

Insert instead “the *Local Government Act 1993*, any instruments made under those Acts”.

[6] Section 76 Appeal to Minister in respect of prescribed applications

Omit “any instrument made under that Act”.

Insert instead “the *Local Government Act 1993*, any instruments made under those Acts”.

[7] Section 123 Definitions

Omit paragraph (b) of the definition of *rating or taxing authority*.
Insert instead:

- (b) a county council established under the *Local Government Act 1993*,

[8] Section 123 Definitions

Omit “the *Local Government Act 1919*,” from the definition of *valuing law*.

[9] Section 126 Application of valuing laws to heritage valuations

Omit section 126 (b) and (c).

[10] Section 137A Conflicting orders void

Omit section 137A (a). Insert instead:

- (a) an order of the kind referred to in Order No 4 in the Table to section 124 of the *Local Government Act 1993*, or

1.58 Housing Act 1912 No 7

[1] Section 4D Housing areas

Omit “municipality” from section 4D (6) (c).

Insert instead “area (within the meaning of the *Local Government Act 1993*)”.

[2] Section 39 Corporation may assist councils to erect houses

Omit “*Local Government Act 1919*, assist the councils of shires and municipalities”.

Insert instead “*Local Government Act 1993*, assist the councils of areas (within the meaning of the *Local Government Act 1993*)”.

[3] Section 40G Miscellaneous powers (cf Act No 65, 1941, s 18)

Omit “ordinances under the *Local Government Act 1919*” from section 40G (e).

Insert instead “regulations under the *Local Government Act 1993*”.

1.59 Housing Act 1976 No 62

[1] Section 4 Definitions

Omit the definition of *council*. Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 15 Dedication of land

Section 15 (3)

Omit “a local government area within the meaning of the *Local Government Act 1919*”.

Insert instead “an area within the meaning of the *Local Government Act 1993*”.

[3] Section 15 (4)

Omit “local government area”.

Insert instead “area within the meaning of the *Local Government Act 1993*”.

[4] Section 15 (4)

Omit “the *Local Government Act 1919*”. Insert instead “that Act”.

[5] Section 19 Exercise of council’s powers by Corporation

Insert “or the *Local Government Act 1993*” after “*Local Government Act 1919*” wherever occurring in section 19 (1) and (3).

[6] Section 19 (3)

Omit “local government area within the meaning of that Act”.

Insert instead “area within the meaning of the *Local Government Act 1993*”.

1.60 Housing Act 1985 No 163

[1] Section 3 Definitions

Omit the definition of *council* from section 3 (1). Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 13 Misuse of information

Omit section 13 (6) (c). Insert instead:

(c) if the person is a councillor or an employee of a council,

1.61 Hunter Valley Flood Mitigation Act 1956 No 10

[1] Section 2 Definitions

Omit the definitions of *Council* and *Local government area* from section 2 (1).

Insert instead in alphabetical order:

Council means a council or a county council within the meaning of the *Local Government Act 1993*.

Local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 3 Certain Acts not affected

Insert “or the *Local Government Act 1993*” after “*Local Government Act 1919*”.

[3] Section 39 Contribution towards cost of works to protect public and local government works

Omit “section 654 of the *Local Government Act 1919*, as amended by subsequent Acts, and for the purpose of this subsection any such difference shall be deemed to be a difference which the parties have agreed to submit to the Minister for Local Government for determination in the manner provided in the said section 654” from section 39 (3).

Insert instead “section 742 of the *Local Government Act 1993* and for the purpose of this subsection any such difference is taken to be a difference submitted to the Minister administering the *Local Government Act 1993* under section 742 of that Act”.

[4] Section 52 Roads rendered incapable of use by Constructing Authority to be repaired or replaced

Omit “*Local Government Act 1919*, as amended by subsequent Acts, where” from section 52 (4).

Insert instead “*Roads Act 1993*, where”.

[5] Section 52 (4)

Omit “*Local Government Act 1919*, as amended by subsequent Acts, in”.

Insert instead “*Roads Act 1993* in”.

1.62 Hunter Water Board (Corporatisation) Act 1991 No 53

Section 16 Area covered by operating licence

Omit section 16 (2) (a). Insert instead:

- (a) a council within the meaning of the *Local Government Act 1993*, or

**1.63 Independent Commission Against Corruption Act 1988
No 35**

[1] Section 3 Definitions

Omit the definition of *local government authority* from section 3 (1).
Insert instead:

local government authority means a council or a county council within the meaning of the *Local Government Act 1993* or any person or body exercising all or any of the functions of such a council or county council.

[2] Schedule 4 Savings, transitional and other provisions

Omit “In this” from clause 1.
Insert instead “In clauses 1–4 of this”.

[3] Schedule 4, clause 5

Insert after clause 4:

Statute Law Revision (Local Government) Act 1995

5 Saving provision

An investigation may be commenced and completed in relation to a reference made in accordance with this Act before the amendment of section 3 by the *Statute Law Revision (Local Government) Act 1995* in respect of an urban committee or a person or body exercising all or any of the functions of such a committee as if that section had not been so amended.

1.64 Industrial Relations Act 1991 No 34

Section 434 Rules to provide conditions for imposing of levies and making of donations or other payments for political objects by organisations

Omit the definition of *public office* from section 434 (4).
Insert instead:

public office means:

- (a) civic office within the meaning of the *Local Government Act 1993*, or
- (b) the office of a member of any public body that has power to raise money, either directly or indirectly, by means of a rate.

1.65 Irrigation Act 1912 No 73

[1] Section 3 Definitions

Insert in alphabetical order:

Local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 11H Agreements for the supply of electricity

Omit “municipality or shire” wherever occurring from section 11H (1) and (2).

Insert instead “local government area”.

[3] Section 20 Certain land exempted from rates

Section 20 (1) , (5) and (6)

Omit “*Local Government Act 1919*” wherever occurring.

Insert instead “*Local Government Act 1993*”.

[4] Section 20 (1)

Omit “ratable”. Insert instead “rateable”.

[5] Section 20 (2) and (3)

Omit “sections 15, 16, 17, 18, 19, and 20 of the *Local Government Act 1919*” wherever occurring.

Insert instead “Part 1 of Chapter 9 of the *Local Government Act 1993*”.

[6] Section 20 (2), (3), (4), (7) and (9) (a)

Omit “municipality or shire” wherever occurring.

Insert instead “local government area”.

[7] Section 20 (2) and (6)

Omit “municipalities and shires” wherever occurring.

Insert instead “local government areas”.

[8] Section 20 (4)

Omit “*Local Government Act 1919* shall apply, namely, section 16 (g) and (h) and section 21 (1) (k), (q) and (r) and (2)”.

Insert instead “*Local Government Act 1993* apply, namely, sections 207, 213 and 737”.

[9] Section 20 (5)

Omit “Local Government Department”.

Insert instead “Department of Local Government and Co-operatives”.

[10] Section 20 (9) (a)

Omit “a general rate and special or local rates”.
Insert instead “an ordinary rate and a special rate”.

[11] Section 20 (9) (a)

Omit “The general rate”. Insert instead “The ordinary rate”.

[12] Section 20 (9) (a)

Omit “the special or local rates”.
Insert instead “the special rate”.

1.66 Justices Act 1902 No 27

Section 19 Justices—capacity to act in certain cases

Omit “an alderman”. Insert instead “a councillor”.

1.67 Lake Illawarra Authority Act 1987 No 285

[1] Section 6 The Authority

Omit “Municipal” from section 6 (4) (b).

[2] Section 17 Vesting of the development area in the Authority

Omit “*Local Government Act 1919*” from section 17 (3) (e).
Insert instead “*Local Government Act 1993*”.

[3] Section 19 Certain land vested in the Authority may become Crown land

Omit “*Local Government Act 1919*” from section 19 (3).
Insert instead “*Local Government Act 1993*”.

[4] Section 20 Return of land to council

Omit “*Local Government Act 1919*” from section 20 (1) (b).
Insert instead “*Local Government Act 1993*”.

[5] Section 22 Staging and financing of development works

Omit “Municipal” from section 22 (2) (b).

**1.68 Land Acquisition (Just Terms Compensation) Act 1991
No 22**

Section 4 Definitions

Omit paragraph (c) of the definition of *authority of the State* from section 4 (1). Insert instead:

- (c) a council or a county council within the meaning of the *Local Government Act 1993*, or

1.69 Land Sales Act 1964 No 12

[1] Fourth Schedule

Omit “(name of city, municipality or shire)”.
Insert instead “(name of local government area)”.

[2] Fourth Schedule

Omit “town/shire clerk’s certificate”.
Insert instead “general manager’s certificate”.

1.70 Land Tax Act 1956 No 27

Section 6 Land tax liability in respect of flood liable land

Omit the definition of *council* from section 6 (1).

Insert instead:

council, in relation to any land, means the council of the area, within the meaning of the *Local Government Act 1993*, in which the land is situated.

1.71 Land Tax Management Act 1956 No 26

[1] Section 3 Definitions

Omit the definition of *Planning instrument* from section 3 (1).

Insert instead:

Planning instrument means an environmental planning instrument, within the meaning of the *Environmental Planning and Assessment Act 1979*, and includes a deemed environmental planning instrument within the meaning of that Act.

[2] Section 9A Postponement of part of land tax attributable to unutilised value

Omit “section 160C of the *Local Government Act 1919*” from section 9A (6).

Insert instead “Division 2 of Part 8 of Chapter 15 of the *Local Government Act 1993*”.

[3] Section 47 Land tax to be first charge on land

Omit “section 602 of the *Local Government Act 1919*” from section 47 (2A).

Insert instead “section 713 of the *Local Government Act 1993*”.

[4] Section 47 (2A)

Omit “section 606”. Insert instead “sections 718 and 719”.

[5] Section 62I Purpose and interpretation of Division

Omit “section 160C of the *Local Government Act 1919*” from section 62I (2).

Insert instead “Division 2 of Part 8 of Chapter 15 of the *Local Government Act 1993*”.

[6] Section 68 Furnishing of valuation and other lists to Chief Commissioner

Omit “*Local Government Act 1919*, as amended by subsequent Acts,”.

Insert instead “*Local Government Act 1993*”.

1.72 Library Act 1939 No 40

[1] Section 2 Definitions

Omit the definitions of *Area*, *Elector* and *Local authority*.

Insert instead in alphabetical order:

Area has the same meaning as it has in the *Local Government Act 1993*.

Elector has the same meaning as it has in the *Local Government Act 1993*.

Local authority means a council within the meaning of the *Local Government Act 1993*.

[2] Section 10A Restrictions on borrowing entitlements and other matters

Omit “, ordinance” from section 10A (1).

1.73 Liquor Act 1982 No 147

[1] Section 4 Definitions

Omit the definitions of *airport*, *local council*, *public hall* and *theatre* from section 4 (1).

Insert instead in alphabetical order:

airport means a public airport established and maintained by a council within the meaning of the *Local Government Act 1993*.

local council, in relation to premises or proposed premises, means the council in whose area (within the meaning of the *Local Government Act 1993*) the premises are, or will be, situated.

public hall means a public hall the subject of an approval in force under Part 1 of Chapter 7 of the *Local Government Act 1993* to use or permit the use of the hall as a place of public entertainment.

theatre means a theatre the subject of an approval in force under Part 1 of Chapter 7 of the *Local Government Act 1993* to use or permit the use of the theatre as a place of public entertainment.

[2] Section 40 Application for conditional grant

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of *approved plan* in section 40 (6).

Insert instead “*Local Government Act 1993*”.

[3] Section 44 Right of objection to application

Omit section 44 (1) (e). Insert instead:

- (e) a person authorised by the local council for the premises,

[4] Section 50 Grant of on-licence (airport)

Omit section 50 (a). Insert instead:

- (a) are situated within an airport, and

[5] Section 67 Summons to show cause against taking of disciplinary action

Omit section 67 (1) (d). Insert instead:

- (d) a person authorised by the local council for the licensed premises,

[6] Section 68 Grounds for complaint

Omit section 68 (1) (g1). Insert instead:

- (g1) that entertainment has been conducted on the licensed premises otherwise than in accordance with the conditions of an approval under Part 1 of Chapter 7 of the *Local Government Act 1993* or the provisions of any regulation made under that Act, or

1.74 Local Government Act 1919 No 41

[1] Section 327 Conditions to be observed before opening new roads or subdivision

Omit “section 56” wherever occurring from section 327 (1) (d) (ii) and (2) (b) (ii).

Insert instead “section 73”.

[2] Section 331A Subdivision of land within the area of operations of a water authority

Omit “section 56” wherever occurring from section 331A (2) and (3).

Insert instead “section 73”.

1.75 Local Government Act 1993 No 30

[1] Section 281 Election of councillors partly by wards, partly by area—method 2

Insert at the end of the section:

- (3) If a person is a candidate for election as a councillor by the electors for a ward, the person must not at the same time be a candidate for election as a councillor by the electors for another ward or a candidate for election as a councillor by all the electors for the area, unless the election is for the mayor as such.

[2] Section 283 Double candidature

Omit section 283 (3).

[3] Section 320 Registration of political parties

Omit “(except in section 66A)” from section 320 (3) (b).

[4] Section 422 Appointment of auditors

Insert “and includes the Auditor-General” after “the Corporations Law” in section 422 (6).

[5] Section 509 Maximum general income for a year

Insert “or 508 (2)” after “section 506” in section 509 (1).

[6] Section 510 Maximum annual charge for domestic waste management services

Insert “or 508 (2)” after “section 507” in section 510 (1).

[7] Section 511 Catching up of shortfall in general income

Insert “or 508 (2)” after “section 506” in section 511 (1).

[8] Section 512 Effect of contravening s 509, 510 or 511

Omit “Section 710” from section 512 (3).
Insert instead “Section 712”.

[9] Schedule 7 Savings, transitional and other provisions consequent on the enactment of this Act

Omit clause 9.

[10] Schedule 8 Savings, transitional and other provisions consequent on the enactment of other Acts

Insert at the end of clause 1 (1):

Statute Law Revision (Local Government) Act 1995

[11] Schedule 8, Part 3

Insert after clause 12:

Part 3 Provisions consequent on the enactment of the Statute Law Revision (Local Government) Act 1995

13 Definitions

In this Part, *repealed Act* means any of the following Acts:

- (a) Local Government (Rates and Charges) Act 1986 No 178,
- (b) Local Government (Rates and Charges) Act 1987 No 233,
- (c) Local Government (Rates and Charges) Amendment Act 1983 No 175,
- (d) Local Government (Rates and Charges) Amendment Act 1984 No 140,

- (e) Local Government (Rates and Charges) Amendment Act 1985 No 169,
- (f) Local Government (Rates and Charges) Amendment Act 1988 No 91,
- (g) Local Government (Rating) Further Amendment Act 1976 No 99,
- (h) Local Government (Rating) Further Amendment Act 1989 No 157.

14 Continuing effect of repealed Acts

- (1) A council or county council may continue to do anything that it could have done under a repealed Act as if the Act had not been repealed.
- (2) A rate or charge levied or made under a repealed Act or under the power conferred by this clause may be recovered as if it had been levied or made under this Act.

15 Validation of registration of political parties

A political party registered by the Electoral Commissioner before the commencement of the amendment to section 320 (3) (b) made by the *Statute Law Revision (Local Government) Act 1995* is taken to have been, and always to have been, validly registered if it could have been registered had that provision as so amended been in force when it was registered.

1.76 Lord Howe Island Act 1953 No 39

[1] Section 19B Enforcement of plan of management

Omit “section 317B (2), (3), (4), (4A) and (4C) of the *Local Government Act 1919*” from section 19B (3).

Insert instead “section 678 (1), (2), (3), (4), (5), (6) and (8) of the *Local Government Act 1993*”.

[2] Section 21 Leases in perpetuity for residence

Omit “referred to in paragraph (a), (b) or (c) of the definition of *eligible pensioner* in section 160AA of the *Local Government Act 1919*” from section 21 (10).

Insert instead “who is a member of a class of persons prescribed by the regulations under the *Local Government Act 1993* for the purposes of the definition of *eligible pensioner* under that Act”.

[3] Section 38 Regulations

Omit “*Local Government Act 1919* as amended by subsequent Acts, and the ordinances thereunder” from section 38 (4) (b).

Insert instead “*Local Government Act 1993*, or the regulations made under that Act”.

1.77 Maritime Services Act 1935 No 47

[1] Section 13TA Erosion or siltation in certain ports

Omit paragraph (d) of the definition of *public authority* from section 13TA (1). Insert instead:

- (d) a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 38 Board may make regulations

Omit “the council of a municipality or shire” from the definition of *wharf* in section 38 (4).

Insert instead “a council within the meaning of the *Local Government Act 1993*”.

1.78 Meat Industry Act 1978 No 54

[1] Section 4 Definitions

Omit the definition of *council* from section 4 (1).

Insert instead:

council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 46 Functions of the Authority

Omit “Minister for Local Government” from section 46 (2) (h).

Insert instead “Minister administering the *Local Government Act 1993*”.

[3] Section 69 Authority may appoint managers of certain council abattoirs

Omit “Section 654 of the *Local Government Act 1919*” from section 69 (5).

Insert instead “Section 742 of the *Local Government Act 1993*”.

1.79 Mine Subsidence Compensation Act 1961 No 22

Section 11 Contributions to be paid by colliery proprietors to Fund

Omit section 11 (1). Insert instead:

- (1) In this section, *land value*, in relation to a colliery holding, is the land value of the colliery holding as determined under the *Valuation of Land Act 1916*.

1.80 Mines Inspection Act 1901 No 75

Section 4 Definitions

Omit “as defined in section 4 of the *Local Government Act 1919*, or by a county council constituted under that Act” from the definition of *Metal* and *mineral* in section 4 (1).

Insert instead “or by a county council, within the meaning of the *Local Government Act 1993*”.

1.81 Mining Act 1992 No 29

[1] Section 82 Certain resumptions, conveyances and transfers not to affect mining lease

Omit “section 604 of the *Local Government Act 1919*”.

Insert instead “section 722 of the *Local Government Act 1993*”.

[2] Dictionary of words and expressions

Omit “*Local Government Act 1919*” from the definition of *council*.

Insert instead “*Local Government Act 1993*”.

[3] Dictionary of words and expressions

Omit the definition of *local government area*. Insert instead:

local government urea has the same meaning as *area* has in the *Local Government Act 1993*.

1.82 Motor Vehicles Taxation Act 1988 No 111

[1] Section 3 Definitions (cf Act No 34, 1949, s 3)

Omit “the council of a city, municipality or shire or a county council” from section 3 (2) (e).

Insert instead “a council or a county council within the meaning of the *Local Government Act 1993*”.

[2] Section 16 Vehicles totally exempt from tax (cf Act No 34, 1949, s 7)

Omit “the council of a city, municipality or shire or by a county council” from section 16 (1) (c).
Insert instead “a council or a county council within the meaning of the *Local Government Act 1993*”.

1.83 Murray Valley Citrus Marketing Act 1989 No 155

Schedule 1 New South Wales production area

Omit “Shire of” wherever occurring.
Insert instead “Local government area of”.

1.84 National Parks and Wildlife Act 1974 No 80

[1] Section 69A Definitions

Omit the definition of *statutory authority* from section 69A (1).
Insert instead:

statutory authority means any of the following:

- (a) a government department,
- (b) an Administrative Office within the meaning of the *Public Sector Management Act 1988*,
- (c) a council or a county council within the meaning of the *Local Government Act 1993*,
- (d) any other body constituted by or under an Act.

[2] Section 91F Notice of making of interim protection order

Omit section 91F (c). Insert instead:

- (c) the council in whose area (within the meaning of the *Local Government Act 1993*) the area of land subject to the order is situated, and

[3] Section 155 Regulations relating to parks

Omit “*Local Government Act 1919*, may take into consideration in exercising its powers, authorities, duties and functions under that Act” from section 155 (2A) (a).

Insert instead “*Local Government Act 1993* may take into consideration in exercising its functions under that Act”.

[4] Section 163 Application of Dog Act 1966

Omit “servant” from section 163 (2).

Insert instead “employee”.

1.85 Navigation Act 1901 No 60

Section 135 Power to make regulations

Omit “city, town, or municipality,” from section 135 (c).

Insert instead “local government area”.

1.86 Noise Control Act 1975 No 35

[1] Section 4 Definitions

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of **public place** in section 4 (1).

Insert instead “*Local Government Act 1993*”.

[2] Section 58 Definition

Omit “servant” from section 58 (b) (ii).

Insert instead “employee”.

1.87 Noxious Weeds Act 1993 No 11

[1] Dictionary of words and expressions

Insert in alphabetical order:

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Dictionary of words and expressions

Insert after paragraph (c) of the definition of *public reserve*:

(c1) any land dedicated as a public reserve under section 49 of the *Local Government Act 1993*, and

(c2) any land conveyed or transferred to, or vested in, a council under section 50 of that Act, and

1.88 Ombudsman Act 1974 No 68

[1] Section 5 Definitions

Omit the definition of *local government authority* from section 5 (1). Insert instead:

local government authority means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 5 (1)

Omit “*Local Government Act 1919*” from paragraph (b 1) of the definition of *responsible Minister*.

Insert instead “*Local Government Act 1993*”.

[3] Section 26A Authority to pay compensation

Omit “section 530A of the *Local Government Act 1919*” from section 26A (4).

Insert instead “section 377 of the *Local Government Act 1993*”.

1.89 Parliamentary Electorates and Elections Act 1912 No 41

[1] Section 31 Persons who are to furnish information

Omit “officers of any municipality or shire”.

Insert instead “employees of any council within the meaning of the *Local Government Act 1993*”.

[2] Section 151B Exhibition of posters

Section 151B (2A) (a) (i)

Omit section 151B (2A) (a) (i). Insert instead:

- (i) the Crown, any instrumentality or agency of the Crown, or any statutory body representing the Crown or any other body prescribed by the regulations as a statutory body representing the Crown, or

[3] Section 151B (3) (b)

Omit “Division 4BA of Part 11 of the *Local Government Act 1919*”.
Insert instead “Part 1 of Chapter 7 of the *Local Government Act 1993* in relation to its use as a place of public entertainment”.

[4] Section 151B (6)

Omit the definition of *local authority*. Insert instead:

local authority means a council or a county council within the meaning of the *Local Government Act 1993*.

[5] Section 151B (6)

Omit the definition of *statutory body representing the Crown*.

1.90 Petroleum (Onshore) Act 1991 No 84

Section 55

Omit the section. Insert instead:

55 Definitions

In this Division:

council has the same meaning as it has in the *Local Government Act 1993*.

local government area has the same meaning as *area* has in the *Local Government Act 1993*.

1.91 Pipelines Act 1967 No 90

[1] Section 3 Definitions

Omit the definition of *public authority* from section 3 (1).
Insert instead:

public authority means:

- (a) a statutory body representing the Crown, or
- (b) a council or a county council within the meaning of the *Local Government Act 1993*,

[2] Section 7 Applicant for permit to serve notices on councils, owners and occupiers

Omit section 7 (a). Insert instead:

- (a) on each council or county council (within the meaning of the *Local Government Act 1993*) in whose area, or area of operations, lands referred to in the application are situated, and

[3] Section 40 Certain provisions of Local Government Act 1993, and Environmental Planning and Assessment Act 1979, not to apply to pipelines

Omit section 40 (1). Insert instead:

- (1) Section 611 of the *Local Government Act 1993* does not apply to or in respect of a pipeline the construction or operation of which is authorised by a licence.
- (1A) Part 1 of Chapter 7 of the *Local Government Act 1993*, and regulations made for the purposes of that Part, do not apply to the construction or operation of a pipeline (not including apparatus or works of a prescribed class or description), the construction or operation of which is authorised by a licence.

1.92 Plant Diseases Act 1924 No 38

Section 26 Offences

Omit “rate book of the council of the municipality or shire” from section 26 (4).

Insert instead “record kept by the council of the area (within the meaning of the *Local Government Act 1993*) under section 602 of that Act”.

1.93 Poisons Act 1966 No 31

Section 5 Exemption from operation of Act

Omit “*Local Government Act 1919*” from section 5 (1) (a).

Insert instead “*Local Government Act 1993*”.

1.94 Police Offences Act 1901 No 5

[1] Section 3 Definitions

Omit the definition of *City Surveyor*. Insert instead:

City Surveyor means the employee of the Council of the City of Sydney designated by the Council as the City Surveyor.

[2] Section 42 Application of this Part

Omit “*Local Government Act 1919*” from section 42 (1).
Insert instead “*Local Government Act 1993*”.

[3] Section 101 Stipendiary Magistrate and Justices may appoint special constables

Omit “a municipality or shire” from section 101 (1A).
Insert instead “an area within the meaning of the *Local Government Act 1993*”.

1.95 Pollution Control Act 1970 No 95

Section 22A Definitions

Omit the definition of *local authority*. Insert instead:

local authority means the council of an area within the meaning of the *Local Government Act 1993*.

1.96 Prices Regulation Act 1948 No 26

Section 3 Definitions

Omit “the council of a city, municipality or shire, or by a county council” from the definition of *public utility undertaking* in section 3 (1).

Insert instead “a council or a county council within the meaning of the *Local Government Act 1993*”.

1.97 Prickly Pear Act 1987 No 202

[1] Section 3 Definitions

Omit the definition of *council* from section 3 (1).

Insert instead:

council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 16 Levying of prickly pear rates by councils

Omit “*Local Government Act 1919*” wherever occurring from section 16 (1) and (2).

Insert instead “*Local Government Act 1993*”.

[3] Section 16 (1)

Omit “or a local rate on the land value or on the improved capital value of rateable land”.

Insert instead “rate on the land value of rateable land”.

1.98 Printing and Newspapers Act 1973 No 46

[1] Section 3 Provisions in respect of certain printed documents

Omit “or any statutory body representing the Crown” from section 3 (4) (d).

Insert instead “, any statutory body representing the Crown or any other body prescribed by the regulations”.

[2] Section 3 (5)

Omit section 3 (5). Insert instead:

- (5) The Governor may make regulations prescribing bodies for the purposes of subsection (4) (d).

1.99 Private Irrigation Districts Act 1973 No 47

[1] Section 4 Definitions

Omit the definition of *public authority* from section 4 (1).

Insert instead:

public authority means:

- (a) a council within the meaning of the *Local Government Act 1993*, or
- (b) a statutory body representing the Crown, or
- (c) any body declared to be a statutory body representing the Crown for the purposes of this Act.

[2] Section 29 Construction of, and other work relating to, supply works and conveying works

Insert “to the *Local Government Act 1993*,” after “*Local Government Act 1919*,” in section 29 (1).

[3] Section 36

Omit the section. Insert instead:

36 Certain works taken to be structures for purposes of the Local Government Act 1993

For the purposes of the application of the following provisions of the *Local Government Act 1993* to works referred to in section 29 (1), those works are taken to be structures:

- (a) section 68, and item 1 of Part A of the Table to that section,
- (b) section 124, and Order No 29 in the Table to that section,
- (c) section 611,
- (d) section 678 (1).

[4] Section 68 Additional works required as a result of subdivision

Omit section 68 (3) and (4). Insert instead:

- (3) All works constructed or to be constructed under subsection (1) are, for the purposes of the application of the following provisions of the *Local Government Act 1993*, taken to be structures:
 - (a) section 68, and item 1 of Part A of the Table to that section,
 - (b) section 124, and Order No 29 in the Table to that section,
 - (c) section 611,
 - (d) section 678 (1).
- (4) All works constructed or to be constructed under subsection (1) must be constructed in accordance with the approval in writing of the Board in respect of location, design, form, dimensions and construction.

1.100 Property, Stock and Business Agents Act 1941 No 28

[1] Section 4 Act not to apply to certain persons or bodies

Omit section 4 (1) (c). Insert instead:

- (c) a council within the meaning of the *Local Government Act 1993*, or

[2] Section 4 (2) (a) (ii)

Omit "*Impounding Act 1898*".
Insert instead "*Impounding Act 1993*".

**1.101 Protection of the Environment Administration Act 1991
No 60**

Section 12 Directions to public authorities

Omit "Mayor or President" from section 12 (3).
Insert instead "mayor".

**1.102 Public Authorities (Financial Arrangements) Act 1987
No 33**

[1] Section 6 Definition of authority

Omit "*Local Government Act 1919*" from the definition of *authority*.
Insert instead "*Local Government Act 1993*".

[2] Section 29 Definitions

Omit "*Local Government Act 1919*" from the definition of *public authority*.
Insert instead "*Local Government Act 1993*".

[3] Section 39 Trustee investment

Omit “*Local Government Act 1919*” from section 39 (5).
Insert instead “*Local Government Act 1993*”.

1.103 Public Health Act 1991 No 10

[1] Section 3 Definitions

Omit “, and also means a health surveyor employed by a local authority” from the definition of *environmental health officer* in section 3 (1).

[2] Section 3 (1)

Omit “*Local Government Act 1919*” from the definition of *local authority*.
Insert instead “*Local Government Act 1993*”.

**1.104 Public Sector Executives Superannuation Act 1989
No 106**

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Additional employers

(Section 3 (1))

Albury City Council
Council of the City of Armidale
Council of the Municipality of Ashfield
Auburn Council
Balranald Shire Council
Bankstown City Council
Barraba Shire Council
Bathurst City Council

Council of the Shire of Baulkham Hills
Bellingen Shire Council
Berrigan Shire Council
Blacktown City Council
Bland Shire Council
Blayney Shire Council
Blue Mountains City Council
Bogan Shire Council
Boorowa Council
Botany Council
Broken Hill City Council
Broken Hill Electricity
Burwood Council
Cabonne Shire Council
Camden Council
Campbelltown City Council
Canterbury City Council
Council of the Shire of Carrathool
Central Tablelands County Council
Central West Electricity
Cessnock City Council
Cobar Shire Council
Coffs Harbour City Council
Council of the Shire of Conargo
Coolamon Shire Council
Cooma-Monaro Shire Council
Coonabarabran Shire Council
Cootamundra Shire Council
Copmanhurst Shire Council
Cowra Shire Council
Crookwell Shire Council
Cudgegong (Abattoir) County Council
Culcairn Shire Council
Drummoyne Council
Dubbo City Council
Dungog Shire Council
Eurobodalla Shire Council

Evans Shire Council
Fairfield City Council
Forbes Shire Council
Glen Innes Municipal Council
Gloucester Shire Council
Gosford City Council
Goulburn City Council
Grafton City Council
Great Lakes Council
Greater Lithgow City Council
Greater Taree City Council
Griffith City Council
Gundagai Shire Council
Gunnedah Shire Council
Guyra Shire Council
Harden Shire Council
Hastings Council
Hay Shire Council
Health Administration Corporation
Holroyd City Council
Council of the Shire of Hornsby
Hume Shire Council
Hunter Water Corporation Limited
Council of the Municipality of Hunter's Hill
Hurstville City Council
Illawarra Electricity
Independent Commission Against Corruption
Inverell Shire Council
Jerilderie Shire Council
Judicial Commission of New South Wales
Junee Shire Council
Kempsey Shire Council
Council of the Municipality of Kiama
Kogarah Municipal Council
Kyogle Council
Lake Macquarie City Council
Lane Cove Municipal Council

Leeton Shire Council
Leichhardt Municipal Council
Local Government Association of New South Wales
Lockhart Shire Council
Lower Clarence County Council
Macleay Council
Council of the City of Maitland
Manilla Shire Council
Manly Council
Marrickville Council
Monaro Electricity
Moree Plains Shire Council
Mosman Municipal Council
Mudgee Shire Council
Mulwaree Shire Council
Murray River Electricity
Murray Shire Council
Murrumbidgee Electricity
Murrumbidgee Shire Council
Muswellbrook Shire Council
Nambucca Shire Council
Namoi Valley Electricity
Narrandera Shire Council
Narromine Shire Council
New England Electricity
New South Wales Treasury Corporation
Newcastle City Council
North Sydney Council
North West Electricity
Northern Riverina Electricity
Northern Rivers Electricity
Nundle Shire Council
Nymboida Shire Council
Oberon Council
Ophir Electricity
Orange City Council
Oxley Electricity

Parkes Shire Council
Parramatta City Council
Parry Shire Council
P-CCC Electricity
Penrith City Council
Pittwater Council
Port Stephens Council
Pricing Tribunal
Prospect Electricity
Queanbeyan City Council
Quirindi Shire Council
Randwick City Council
Rockdale Council
Ryde City Council
Rylstone Shire Council
Scone Shire Council
Shires Association of New South Wales
Shoalhaven City Council
Shortland Electricity
Singleton Shire Council
Snowy River Shire Council
South West Slopes Electricity
Southern Mitchell Electricity
Southern Riverina Electricity
Southern Tablelands Electricity
Strathfield Municipal Council
Sutherland Shire Council
Sydney City Council
Sydney Water Corporation Limited
Tallaganda Shire Council
Tamworth City Council
Technical and Further Education Commission
Temora Shire Council
Tumbarumba Shire Council
Tumut River Electricity
Tumut Shire Council
Tweed Shire Council

Ulan Electricity
Uralla Shire Council
Urana Shire Council
Wagga Wagga City Council
Walcha Council
Walgett Shire Council
Warringah Council
Wellington Council
Western Power
Willoughby City Council
Windouran Shire Council
Wingecarribee Shire Council
Wollondilly Shire Council
Wollongong City Council
Wyang Shire Council
Yarrowlumla Shire Council
Yass Shire Council
Young Shire Council

1.105 Public Servant Housing Authority Act 1975 No 38

Section 4 Definitions

Omit the definition of *council*. Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

1.106 Public Works Act 1912 No 45

[1] Section 34 Conditions precedent to commencing public works

Omit “a municipality or shire has made an application under section three hundred and seventy-three of the *Local Government Act 1919*” from section 34 (3).

Insert instead “an area within the meaning of the *Local Government Act 1993* has made an application under section 57 of that Act”.

[2] Section 34 (3)

Omit “the municipality or shire”.
Insert instead “the council’s area”.

1.107 Real Property Act 1900 No 25

[1] Section 28M Lapsing of caution

Omit “section 604 (3) of the *Local Government Act 1919*” from section 28M (7) (b).
Insert instead “section 726 of the *Local Government Act 1993*”.

[2] Section 45D Application for title by possession

Omit “*Local Government Act 1919*” from section 45D (3) (d).
Insert instead “*Local Government Act 1993*”.

1.108 Recreation Vehicles Act 1983 No 136

[1] Section 4 Definitions

Omit “section 4 of the *Local Government Act 1919*” wherever occurring from the definitions of *area* and *council* in section 4 (1).
Insert instead “the *Local Government Act 1993*”.

[2] Section 9 Functions of authorised officers

Omit “a servant” from section 9 (2).
Insert instead “an employee”.

1.109 Registered Clubs Act 1976 No 31

[1] Section 4 Definitions

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of ***approved plan*** in section 4 (1).
Insert instead “*Local Government Act 1993*”.

[2] Section 4 (1)

Insert in alphabetical order:

council has the same meaning as it has in the *Local Government Act 1993*.

local government area has the same meaning as ***area*** has in the *Local Government Act 1993*.

[3] Section 17 Determination of complaints against registered clubs

Omit “area (within the meaning of the *Local Government Act 1919*)” from section 17 (1AC).
Insert instead “local government area”.

[4] Section 26 Objectors

Omit “city (including the City of Sydney), municipality or shire” from section 26 (2).
Insert instead “local government area”.

[5] Section 26 (2) (b) (i)

Omit section 20 (2) (b) (i). Insert instead:

- (i) within 2 kilometres of the premises or proposed premises of the club, if those premises or proposed premises are situated in a local government area (other than a local government area that was constituted as a shire immediately before 1 July 1993),

[6] Section 70B Orders under Local Government Act 1919

Omit the section.

[7] Section 97 Who may object

Omit “city (including the City of Sydney) municipality or shire” from section 97 (1) (c).

Insert instead “local government area”.

1.110 Residential Tenancies Act 1987 No 26

[1] Section 3 Definitions

Omit the definition of *moveable dwelling* from section 3 (1).

Insert instead in alphabetical order:

moveable dwelling has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 35A Definitions

Omit the definition of *caravan park* from section 35A(1).

Insert instead:

caravan park means a caravan park operating under an approval given under Part 1 of Chapter 7 of the *Local Government Act 1993*.

1.111 Rivers and Foreshores Improvement Act 1948 No 20

Section 2 Definitions

Omit the definition of *Council*. Insert instead:

Council means a council or a county council within the meaning of the *Local Government Act 1993*.

1.112 Road Improvement (Special Funding) Act 1989 No 95

Section 5 Increased revenue subject to statutory trust for road funding

Omit “the council of a city, municipality or shire” from section 5 (2) (e).

Insert instead “a council (within the meaning of the *Local Government Act 1993*)”.

1.113 Rural Lands Protection Act 1989 No 197

[1] Section 3 Definitions

Omit “*Local Government Act 1919*” from the definition of *local authority* in section 3 (1).

Insert instead “*Local Government Act 1993*”.

[2] Section 109 Definitions

Omit the definition of *pound* from section 109 (1).

Insert instead:

pound means a public pound established under the *Impounding Act 1993* or under section 110.

[3] Section 109 (6)

Omit “*Impounding Act 1898* or Part 18 of the *Local Government Act 1919*” from section 109 (6).

Insert instead “*Impounding Act 1993*”.

1.114 Rural Workers Accommodation Act 1969 No 34

Section 3 Definitions

Omit the definition of *Local Government Act* from section 3 (1).

Insert instead:

Local Government Act means the *Local Government Act 1993* and any regulations or other instruments made or issued under that Act.

1.115 School Forest Areas Act 1936 No 20

Section 23 Regulations

Omit “municipal or shire council” from section 23 (2) (g).
Insert instead “council (within the meaning of the *Local Government Act 1993*)”.

1.116 Search Warrants Act 1985 No 37

Section 10 Definitions

Omit all matter relating to the *Local Government Act 1919* from the definition of *search warrant*.

Insert instead:

section 201 of the *Local Government Act 1993*,

1.117 Second-hand Dealers and Collectors Act 1906 No 30

Section 4AA Market indorsements

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of *market* in section 4AA (1).

Insert instead “*Local Government Act 1993*”.

1.118 South-west Tablelands Water Supply Administration Act 1941 No 36

[1] Section 2 Definitions

Omit the definition of *Local Government Act*. Insert instead:

Local Government Act means the *Local Government Act 1993*.

[2] Section 5 Care and management of certain works

Section 5 (2)

Omit “council of the Municipality of Cootamundra”.
Insert instead “Cootamundra Shire Council”.

[3] Section 5 (3)

Omit “Part 14 of the Local Government Act, and the provisions of that Part of that Act, other than the provisions relating to the repayment of the capital debt”.

Insert instead “section 58 of the Local Government Act, and the provisions of that Act (other than section 58 (2))”.

[4] Section 5 (5)

Omit the subsection.

[5] Section 15 Default by council

Omit section 15 (2).

[6] Section 16 Vesting of care and management of works in Administrator

Omit section 16 (3).

1.119 Stamp Duties Act 1920 No 47

[1] Section 78F Exemption from duty—residential leases

Omit “movable dwelling” from section 78F (IA).
Insert instead “moveable dwelling”.

[2] Section 78F (2)

Omit the definition of *lease of a movable dwelling site*.

Insert instead:

lease of a moveable dwelling site means an agreement under which a person has the right to occupy for a term (or a term together with any option period) not exceeding 5 years:

- (a) any land used, or intended to be used, as the site of a moveable dwelling, or
- (b) any moveable dwelling on that site, or
- (c) both the land and any such moveable dwelling.

moveable dwelling has the same meaning as it has in the *Local Government Act 1993*.

[3] Second Schedule Stamp Duties and Exemptions

Omit “shire council or a municipal council” from the matter relating to agreements under seal under the heading “AGREEMENT OR MEMORANDUM OF AN AGREEMENT”.

Insert instead “council (within the meaning of the *Local Government Act 1993*)”.

[4] Schedule 2A First Home Purchase Scheme

Omit clause 22 (5). Insert instead:

- (5) In this clause, *Metropolitan Area* means the following:
 - (a) County of Cumberland,
 - (b) local government area of Wollondilly,
 - (c) City of Wollongong,
 - (d) local government area of Shellharbour,
 - (e) City of Gosford,
 - (f) local government area of Wyong,
 - (g) City of Blue Mountains.

**1.120 State Development and Industries Assistance Act 1966
No 10**

[1] Section 3 Definitions

Omit the definitions of *Area* and *Council* from section 3 (1).
Insert instead in alphabetical order:

Area has the same meaning as it has in the *Local Government Act 1993*.

Council, in relation to a local authority, has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 3 (1)

Omit “Greater” from the definition of *Country industry*.

**1.121 State Emergency and Rescue Management Act 1989
No 165**

Section 3 Definitions

Omit the definition of *local government area*. Insert instead:

local government area means an *area* within the meaning of the *Local Government Act 1993* and includes a combined local government area as referred to in section 27.

1.122 Strata Titles Act 1973 No 68

[1] Section 5 Definitions

Omit “*Local Government Act 1919*” from the definition of *local council* in section 5 (1).

Insert instead “*Local Government Act 1993*”.

[2] Section 27 Dedication of common property

Omit the definition of *public road and public reserve*.

Insert instead in alphabetical order:

public reserve has the same meaning as it has in the *Local Government Act 1993*.

public road has the same meaning as it has in the *Roads Act 1993*.

[3] Section 37 Approval of proposed strata plans and strata plans of subdivision and of conversion of lots into common property

Section 37 (1) (a) (i)

Omit “section 306 of the *Local Government Act 1919*”.

Insert instead “Part 1 of Chapter 7 of the *Local Government Act 1993*”.

[4] Section 37 (1) (b) (iv)

Omit section 37 (1) (b) (iv). Insert instead:

- (iv) the land proposed to be subdivided is not the subject of any outstanding order, requirement or notice of a kind referred to in, or given under, a provision referred to in subsection (1B), and

[5] Section 37 (1) (b) (v)

Omit “under section 317D of the *Local Government Act 1919*”.

Insert instead “of the kind referred to in Order No 4 in the Table to section 124 of the *Local Government Act 1993*”.

[6] Section 37 (1) (b) (v)

Omit “objection to the order has been made under section 317F”.

Insert instead “appeal against the order has been made under section 180”.

[7] Section 37 (1B)

Omit “the provisions”.

Insert instead “the orders under section 124 of the *Local Government Act 1993* and provisions”.

[8] Section 37 (1B) (b)–(e)

Omit section 37 (1B) (b)–(f). Insert instead:

- (b) any order of the kind referred to in Order No 1 in the Table to section 124 of the *Local Government Act 1993*,
- (c) any order of the kind referred to in Order No 3 in the Table to section 124 of the *Local Government Act 1993*,
- (d) any order of the kind referred to in Orders Nos 21, 22, 23, 24 or 25 in the Table to section 124 of the *Local Government Act 1993*,
- (e) provisions of regulations made under the *Local Government Act 1993* that are prescribed for the purposes of this subsection.

[9] Section 66 Statutory restrictions on powers of bodies corporate

Omit “council clerk” from section 66 (5).

Insert instead “general manager”.

[10] Section 89 Definitions

Omit the definition of *area*. Insert instead:

area has the same meaning as it has in the *Local Government Act 1993*.

1.123 Strata Titles (Leasehold) Act 1986 No 219

[1] Section 4 Definitions (1973 Act, s 5)

Omit “*Local Government Act 1919*” from paragraph (a) of the definition of *local council* in section 4 (1).

Insert instead “*Local Government Act 1993*”.

[2] Section 31 Dedication of common property (1973 Act, s 27)

Omit the definition of *public reserve and public road* from section 31 (1).

Insert instead in alphabetical order:

public reserve has the same meaning as it has in the *Local Government Act 1993*.

public road has the same meaning as it has in the *Roads Act 1993*.

[3] Section 66 Approval of proposed strata plans and strata plans of subdivision and conversion of lots into common property (1973 Act, s 37)

Section 66 (1) (a) (i)

Omit “section 306 of the *Local Government Act 1919*”.

Insert instead “Part 1 of Chapter 7 of the *Local Government Act 1993*”.

[4] Section 66 (1) (b) (iv)

Omit section 66 (1) (b) (iv). Insert instead:

- (iv) the land proposed to be subdivided is not the subject of any outstanding order, requirement or notice of a kind referred to in, or given under, a provision referred to in subsection (1A), and

[5] Section 66 (1) (b) (v)

Omit “under section 317D of the *Local Government Act 1919*”.
Insert instead “of the kind referred to in Order No 4 in the Table to section 124 of the *Local Government Act 1993*”.

[6] Section 66 (1) (b) (v)

Omit “objection to the order has been made under section 317F”.
Insert instead “appeal against the order has been made under section 180”.

[7] Section 66 (1) (c) (iv)

Omit section 66 (1) (c) (iv). Insert instead:

- (iv) the land proposed to be subdivided is not the subject of any outstanding order, requirement or notice of a kind referred to in, or given under, a provision referred to in subsection (1A), and

[8] Section 66 (1) (c) (v)

Omit “section 317D of the *Local Government Act 1919*”.
Insert instead “of the kind referred to in Order No 4 in the Table to section 124 of the *Local Government Act 1993*”.

[9] Section 66 (1) (c) (v)

Omit “objection to the order has been made under section 317F”.
Insert instead “appeal against the order has been made under section 180”.

[10] Section 66 (1A)

Omit “the provisions”.
Insert instead “the orders under section 124 of the *Local Government Act 1993* and provisions”.

[11] Section 66 (1A) (b)–(e)

Omit section 66 (1A) (b)–(f). Insert instead:

- (b) any order of the kind referred to in Order No 1 in the Table to section 124 of the *Local Government Act 1993*,
- (c) any order of the kind referred to in Order No 3 in the Table to section 124 of the *Local Government Act 1993*,
- (d) any order of the kind referred to in Orders Nos 21, 22, 23, 24 or 25 in the Table to section 124 of the *Local Government Act 1993*,
- (e) provisions of regulations made under the *Local Government Act 1993* that are prescribed for the purposes of this subsection.

[12] Section 121 Definitions (1973 Act, s 89)

Omit the definition of *area*. Insert instead:

area has the same meaning as it has in the *Local Government Act 1993*.

1.124 Superannuation Administration Act 1991 No 96

Section 3 Definitions

Omit the definition of *local authority* from section 3 (1).

Insert instead:

local authority means a council within the meaning of the *Local Government Act 1993*.

1.125 Survey Co-ordination Act 1949 No 27

Section 2 Definitions

Omit “*Local Government Act 1919*, as amended by subsequent Acts” from the definition of **Council**.

Insert instead “*Local Government Act 1993*”.

1.126 Swimming Pools Act 1992 No 49

[1] Section 4 To which swimming pools does this Act apply?

Omit “movable dwelling”. Insert instead “moveable dwelling”.

[2] Part 2, Division 2, heading

Omit “movable dwellings”. Insert instead “moveable dwellings”.

[3] Section 11 To which swimming pools does this Division apply?

Omit “movable dwelling”. Insert instead “moveable dwelling”.

[4] Section 12 General requirements for outdoor swimming pools

Omit “movable dwelling” from section 12 (a).

Insert instead “moveable dwelling”.

[5] Section 28 Inspectors may exercise certain powers of entry

Omit “movable dwelling” wherever occurring from section 28 (2) and (4).

Insert instead “moveable dwelling”.

[6] Section 32 What happens if other Acts are inconsistent with this Act?

Omit “Part 11 of the *Local Government Act 1919*” from section 32 (2).

Insert instead “Part 1 of Chapter 7 of the *Local Government Act 1993*”.

[7] Dictionary of words and expressions

Omit paragraph (a) of the definition of *area*. Insert instead:

- (a) the area of a council within the meaning of the *Local Government Act 1993*, or

[8] Dictionary of words and expressions

Omit paragraph (a) of the definition of *local authority*.

Insert instead:

- (a) in relation to premises that are situated within an area within the meaning of the *Local Government Act 1993*—the council of that area, or

[9] Dictionary of words and expressions

Omit the definition of *movable dwelling*. Insert instead:

moveable dwelling has the same meaning as it has in the *Local Government Act 1993*.

[10] Dictionary of words and expressions

Omit the definition of *owner of premises*. Insert instead:

owner of premises has the same meaning as *owner* has in relation to land in the *Local Government Act 1993* and, if there are 2 or more owners of the premises, includes any one of the owners.

[11] Dictionary of words and expressions

Omit “movable dwelling” from paragraph (b) of the definition of *residential building*.

Insert instead “moveable dwelling”.

1.127 Sydney Cove Redevelopment Authority Act 1968 No 56

Section 27 Constitution of advisory committees

Omit “servant” from section 27 (3). Insert instead “employee”.

1.128 Sydney Cricket and Sports Ground Act 1978 No 72

[1] Section 4 Definitions

Omit “Part 11 of the *Local Government Act 1919*” from section 4 (2) (b).

Insert instead “the *Local Government Act 1993*”.

[2] Section 16B Application of certain laws to designated land

Insert after section 16B (a):

(a1) the *Local Government Act 1993*,

[3] Section 16B (c)

Omit “either of”. Insert instead “any of”.

1.129 Sydney Electricity Act 1990 No 117

[1] Section 53 Regulations

Omit “*Local Government Act 1919* or of any ordinance” from section 53 (2) (i).

Insert instead “*Local Government Act 1993* or of any regulation”.

[2] Schedule 1 Sydney Electricity District

Omit “Municipality of” wherever occurring (except in relation to Municipality of Canterbury and Municipality of Ryde).

[3] Schedule 1

Omit “Shire of” wherever occurring (except in relation to Shire of Sutherland).

[4] Schedule 1

Omit “Shire of Sutherland” from item 2.
Insert instead “Sutherland Shire”.

[5] Schedule 1

Omit “Municipality of Canterbury” from item 2.
Insert instead “City of Canterbury”.

[6] Schedule 1

Omit “Municipality of Ryde” from item 4.
Insert instead “City of Ryde”.

[7] Schedule 5 Savings, transitional and other provisions

Omit clause 8 (1). Insert instead:

- (1) Subject to the regulations, the provisions of the *Local Government Act 1993* and the regulations made under that Act relating to county councils do not apply to or in respect of Sydney Electricity.

[8] Schedule 5, clause 8 (2)

Omit “*Local Government Act 1919* and the ordinances”.
Insert instead “*Local Government Act 1993* and the regulations”.

1.130 Sydney Harbour Trust Act 1900 (1901 No 1)

[1] Section 3 Definitions

Insert in alphabetical order:

Council has the same meaning as it has in the *Local Government Act 1993*.

Local government area has the same meaning as area has in the *Local Government Act 1993*.

[2] Section 39 Land vested in commissioners free from local government rates

Omit “municipal council”. Insert instead “other council”.

[3] Section 39

Omit “municipality”. Insert instead “other council”.

[4] Section 100 Power to contract with local councils as to streets and roads

Omit “the council of any municipality whose district”.
Insert instead “any other council whose local government area”.

[5] Section 100

Omit “limits of the said city, borough, or municipal district”.
Insert instead “boundaries of the said city or local government area”.

1.131 Sydney Harbour Tunnel (Private Joint Venture) Act 1987 No 49

[1] Section 2 Definitions

Omit the definition of *council* from section 2 (1).

Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 9 Application of other legislation

Omit section 9 (1). Insert instead:

- (1) The provisions of:
 - (a) the *Coastal Protection Act 1979* and any instrument in force under that Act, and
 - (b) the *Local Government Act 1993*, and any instrument in force under that Act, in relation to buildings,

do not apply to or in respect of the tunnelling works.

[3] Section 11 Application of other legislation

Omit section 11 (1). Insert instead:

- (1) The provisions of:
 - (a) the *Coastal Protection Act 1979* and any instrument in force under that Act, and
 - (b) the *Local Government Act 1993*, and any instrument in force under that Act, in relation to buildings,

do not apply to or in respect of the ancillary works.

[4] Section 15 Protection of Sydney Harbour Tunnel from other development

Omit “*Local Government Act 1919*” from section 15 (4).

Insert instead “*Local Government Act 1993*”.

1.132 Sydney Market Authority Act 1968 No 11

[1] Section 3 Definitions

Omit the definition of *council* from section 3 (1).

Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Section 9 Authority may make use of certain employees of the Crown, statutory bodies and councils

Omit “, servants” from section 9 (2).

[3] Section 11 Powers, authorities, duties and functions of the Authority

Omit section 11 (2) (a). Insert instead:

- (a) to carry out those activities in relation to a public market that it would be able to carry out under the *Local Government Act 1993* if it were a council,

1.133 Tobacco Advertising Prohibition Act 1991 No 65

Section 4 Definitions

Omit paragraph (a) of the definition of *authorised officer*.

Insert instead:

- (a) a person authorised as an officer for the purposes of this Act by a council within the meaning of the *Local Government Act 1993*, or

1.134 Tourism New South Wales Act 1984 No 46

Section 3 Definitions

Omit the definition of *council* from section 3 (1).

Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

1.135 Traffic Act 1909 No 5

[1] Section 10ZA Definitions

Omit “Shire” from the definition of *electricity distributor*.

[2] Section 18B Penalty notices for certain offences

Section 18B (6) (a) (iii)

Omit “or a specified ordinance”.

[3] Section 18B (6) (a) (iii)

Omit “, regulations or an ordinance”.
Insert instead “or regulations”.

[4] Section 18B (6) (a) (iv)

Omit “, regulations or ordinance”.
Insert instead “or regulations”.

1.136 Transport Administration Act 1988 No 109

Section 111 Disputes involving transport authorities

Omit “*Local Government Act 1919*” from section 111 (4).
Insert instead “*Local Government Act 1993*”.

1.137 Trustee Act 1925 No 14

Section 14A Authorised investments

Omit “the Council of the City of Sydney or any city, municipal or shire council in New South Wales” from section 14A (2) (e).
Insert instead “a council (within the meaning of the *Local Government Act 1993*)”.

1.138 Unclaimed Money Act 1982 No 174

Section 3 Definitions

Omit “within the meaning of, and any county council constituted under, the *Local Government Act 1919*” from paragraph (g) of the definition of *business* in section 3 (1).

Insert instead “or county council within the meaning of the *Local Government Act 1993*”.

1.139 Valuation of Land Act 1916 No 2

[1] Section 4 Definitions

Omit the definitions of *Council* and *Municipality* from section 4 (1).
Insert instead in alphabetical order:

Council has the same meaning as it has in the *Local Government Act 1993*.

Local government area has the same meaning as *area* has in the *Local Government Act 1993*.

[2] Section 4 (1)

Omit paragraph (c) of the definition of *Supplementary valuation*.

[3] Section 12

Omit the section. Insert instead:

12 Local government areas

- (1) Each local government area is a valuation district for the purposes of this Act.
- (2) Whenever there is any change in the boundaries of a local government area, the same change is taken to have been made in the boundaries of the valuation district that corresponds to that area.

[4] Section 13 Western Division

Omit “municipalities or shires”.
Insert instead “local government areas”.

[5] Section 14A Date at which certain values to be determined

Omit “, ward or riding” from section 14A (1) (b).

[6] Section 47 Rating or taxing authorities

Omit “shire or of a municipality” from section 47 (1).
Insert instead “local government area”.

[7] Section 50 No alteration by rating or taxing authorities except when authorised

Omit “local government inspector of accounts” from section 50 (2).
Insert instead “Departmental representative carrying out an investigation under Part 5 of Chapter 13 of the *Local Government Act 1993*”.

[8] Section 58 Allowances for profitable expenditure—land

Section 58 (2) (f)

Omit “, a statutory body or a statutory body representing the Crown”.

Insert instead “or a public authority constituted by or under an Act, a government department or a statutory body representing the Crown”.

[9] Section 58 (2)

Omit the last sentence of section 58 (2).

[10] Section 58 (5)

Omit section 58 (5).

[11] Section 59 Improved value for purposes of other Acts

Omit the section.

[12] Section 60 Assessed annual value for purposes of other Acts

Omit “the *Local Government Act 1919*,”.

[13] Section 67 Valuation for the purposes of Fire Brigades Act 1989

Omit “municipalities or shires” from section 67 (2).
Insert instead “local government areas”.

[14] Section 67 (2)

Omit “municipality or shire”.
Insert instead “local government area”.

1.140 Waste Disposal Act 1970 No 97

[1] Section 5 Definitions

Omit the definitions of *area* and *council* from section 5 (1).
Insert instead in alphabetical order:

area has the same meaning as it has in the *Local Government Act 1993*.

council means a council or a county council within the meaning of the *Local Government Act 1993*.

[2] Section 21 Delegation

Omit “consent of that council” from section 21 (c).
Insert instead “approval of the council and the general manager”.

[3] Schedule 1

Omit the Schedule. Insert instead:

**Schedule 1 Areas and parts of areas which
constitute the Metropolitan Waste
Disposal Region**

(Section 6)

Cities of Bankstown, Blacktown, Campbelltown, Canterbury, Fairfield, Hawkesbury, Holroyd, Hurstville, Liverpool, Parramatta, Penrith, Randwick, Ryde, South Sydney, Sydney, Willoughby.

Areas of Ashfield, Auburn, Baulkham Hills, Botany, Burwood, Camden, Concord, Drummoyne, Hornsby, Hunter's Hill, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Manly, Marrickville, Mosman, North Sydney, Pittwater, Rockdale, Strathfield, Sutherland Shire, Warringah, Waverley, Woollahra.

1.141 Water Act 1912 No 44

[1] Section 12 Licence

Omit "a municipal council, or shire council" from section 12 (3).
Insert instead "a council within the meaning of the *Local Government Act 1993*".

[2] Section 14 Renewal

Omit "a municipal council, or a shire council" from section 14 (1B).
Insert instead "a council within the meaning of the *Local Government Act 1993*".

[3] Section 26A Act prevails over certain other Acts

Omit "*Local Government Act 1919*".
Insert instead "*Local Government Act 1993*".

[4] Section 26C Construction of work by Crown for councils

Omit “municipal council, shire council or county council”.
Insert instead “council or county council within the meaning of the *Local Government Act 1993*”.

[5] Section 147 Supply of water

Omit “a county council, a municipal council, a shire council” from section 147 (4) (c).
Insert instead “a council or a county council within the meaning of the *Local Government Act 1993*”.

[6] Section 152 Flooding of public roads

Omit “any municipal or shire council” from section 152 (1).
Insert instead “the council (within the meaning of the *Local Government Act 1993*)”.

[7] Section 165 Definitions

Omit “under Part 14 of the *Local Government Act 1919* on behalf of any council, or where a council has been charged with the care and management of a controlled work” from the definition of *occupier* in section 165 (1).
Insert instead “on the application of a council under Division 2 of Part 3 of Chapter 6 of the *Local Government Act 1993*, or a council has been charged with the care and management of a controlled work under that Division”.

1.142 Water Supply Authorities Act 1987 No 140

[1] Section 3 Definitions

Omit the definition of *council* from section 3 (1).
Insert instead:

council has the same meaning as it has in the *Local Government Act 1993*.

[2] Schedule 1 Water supply authorities

Omit “the shire of” wherever occurring from Part 2.

[3] Schedule 3 Broken Hill Water Board

Omit “general rates” wherever occurring from clause 13 (1).
Insert instead “ordinary rates”.

1.143 Western Lands Act 1901 No 70

[1] Section 18D Provisions governing leases

Omit “a local government area within the meaning of the *Local Government Act 1919*” from section 18D (1) (vii).
Insert instead “an area within the meaning of the *Local Government Act 1993*”.

[2] Section 36 Regulations

Omit “*Local Government Act 1919*” from section 36 (3).
Insert instead “*Local Government Act 1993*”.

1.144 Wild Dog Destruction Act 1921 No 17

Section 12 Rate to be imposed

Omit “a municipality, town, or village” from section 12 (1).
Insert instead “an area within the meaning of the *Local Government Act 1993* (other than an area that was constituted as a shire immediately before 1 July 1993), a town or a village”.

1.145 Wilderness Act 1987 No 196

Section 2 Definitions

Omit paragraphs (b) and (c) of the definition of *statutory authority* from section 2 (1).

Insert instead:

- (b) an Administrative Office within the meaning of the *Public Sector Management Act 1988*,
- (c) a council or a county council within the meaning of the *Local Government Act 1993*, and

1.146 Wollongong Sportsground Act 1986 No 174

Section 25 Carrying out of plan of management

Omit “*Local Government Act 1919*” from section 25 (2).

Insert instead “*Local Government Act 1993*”.

1.147 Women’s Legal Status Act 1918 No 50

Section 2 Positions for which there is no sex disqualification

Omit section 2 (b). Insert instead:

- (b) to be elected and to act as Lord Mayor or councillor of the City of Sydney or mayor or councillor of any other area within the meaning of the *Local Government Act 1993*,

1.148 Zoological Parks Board Act 1973 No 34

[1] Section 6 Appointment of members

Omit “the Council of the Municipality of Mosman” from section 6 (2) (f).

Insert instead “Mosman Municipal Council”.

[2] Section 6 (2) (g)

Omit “the Council of the City of Dubbo”.

Insert instead “Dubbo City Council”.

[3] Section 46 Use of certain lands for agriculture under s 7 of Taronga Zoological Park Act 1956 continued

Omit “Notwithstanding anything in Part 12A of the *Local Government Act 1919*”.

Insert instead “Despite any provision of the *Environmental Planning and Assessment Act 1979* or any instrument made under that Act”.

Schedule 2 Repeals

(Section 4)

City of Sydney (Elections) Regulation 1993
Local Government (Amendment) Act 1937 No 10
Local Government (Amendment) Act 1980 No 74
Local Government (Amendment) Act 1983 No 33
Local Government (Amendment) Act 1987 No 150
Local Government (Building and Construction Industry Long Service Payments) Amendment Act 1986 No 20
Local Government (Building Approvals) Amendment Act 1989 No 149
Local Government (Building Certificates) Amendment Act 1986 No 157
Local Government (Building Regulation) Amendment Act 1989 No 80
Local Government (Commons Management) Amendment Act 1989 No 14
Local Government (Covenants) Amendment Act 1986 No 73
Local Government (Disclosure of Interests) Amendment Act 1987 No 126
Local Government (Elections) Amendment Act 1983 No 77
Local Government (Electricity) Amendment Act 1987 No 106
Local Government (Flood Liable Land) Amendment Act 1985 No 99
Local Government (Further Amendment) Act 1952 No 53
Local Government (Hunter Water Board) Amendment Act 1988 No 122
Local Government (Liquor) Amendment Act 1990 No 30
Local Government (Miscellaneous Provisions) Amendment Act 1985 No 209
Local Government (Movable Dwellings) Amendment Act 1991 No 37
Local Government (Noxious Plants) Amendment Act 1937 No 38
Local Government (Penalties) Amendment Act 1986 No 2
Local Government (Pensioners Rates) Amendment Act 1987 No 234
Local Government (Plan Registration) Amendment Act 1986 No 153
Local Government (Public Inquiries) Amendment Act 1990 No 69

Local Government (Purchases) Amendment Act 1983 No 173
Local Government (Rates) Amendment Act 1985 No 33
Local Government (Rates and Charges) Act 1986 No 178
Local Government (Rates and Charges) Act 1987 No 233
Local Government (Rates and Charges) Amendment Act 1983 No 175
Local Government (Rates and Charges) Amendment Act 1984 No 140
Local Government (Rates and Charges) Amendment Act 1985 No 169
Local Government (Rates and Charges) Amendment Act 1988 No 91
Local Government (Rating) Amendment Act 1989 No 122
Local Government (Rating) Further Amendment Act 1976 No 99
Local Government (Rating) Further Amendment Act 1989 No 157
Local Government (Residential Flat Buildings) Amendment Act 1986
No 131
Local Government (Secret Commissions) Amendment Act 1987 No 117
Local Government (Street Drinking) Amendment Act 1990 No 105
Local Government (Subdivision) Amendment Act 1985 No 229
Local Government (Subdivisions) Amendment Act 1988 No 129
Local Government (Sydney Cricket and Sports Ground) Amendment Act
1978 No 65
Local Government (Theatres and Public Halls) Amendment Act 1989 No 10
Local Government (Tourism Commission) Amendment Act 1984 No 49
Local Government (Work on Private Land) Amendment Act 1989 No 210

[Minister's second reading speech made in—
Legislative Assembly on 23 May 1995
Legislative Council on 6 June 1995]