

**LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT  
BILL 1988**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to clarify certain provisions of the Local Government Act 1919 that—

- (a) waive the necessity for council approval to a subdivision effected by a lease for a term that, including any renewal by the exercise of an option, would not exceed 5 years; and
- (b) exclude such a lease from a class of instruments that the Registrar-General may, in certain circumstances, refuse to register.

---

**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments to the Local Government Act 1919.

**SCHEDULE 1—AMENDMENTS**

**Schedule 1 (1)** proposes an amendment of the definition of "Subdivision" in the Principal Act by clarifying an exception which excludes the subdivision of land by a lease of which the term (including any renewal by exercise of an option) does not exceed 5 years. The definition is relevant to the operation of sections 323 and 327 of the Principal Act, the effect of those provisions being to prohibit a subdivision of land without council approval. The result of the proposed amendment would be to enable an excepted lease to take effect without council approval even if it effects a subdivision.

*Local Government (Subdivisions) Amendment 1988*

---

**Schedule 1 (2)** proposes an amendment of section 327<sup>AA</sup> of the Principal Act which enables the Registrar-General to refuse to register instruments effecting certain dispositions of land. The amendment clarifies an exception which excludes a disposition of land by a lease of which the term (including any renewal by exercise of an option) does not exceed 5 years.

---