

FIRST PRINT

**LOCAL GOVERNMENT (MOVABLE DWELLINGS)
AMENDMENT BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The Land and Environment Court (Movable Dwellings) Amendment Bill 1986 is cognate with this Bill.

The object of this Bill is to repeal the existing provisions of the Local Government Act 1919 dealing specifically with movable dwellings (that is, caravans, tents and the like) and to provide for a new scheme for the regulation of movable dwellings and land used for the placement and keeping of movable dwellings.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 gives effect to the Schedule of amendments.

Clause 4 repeals an enactment (most of whose provisions have not commenced to operate) relating to movable dwellings.

Clause 5 gives effect to the savings and transitional provisions contained in Schedule 2.

Schedule 1 (1) repeals section 288A of the Principal Act.

Schedule 1 (2) inserts a new Division 5B (Caravans, tents and other movable dwellings) into Part X of the Principal Act. The inserted provisions may be summarised as follows:

- (a) proposed section 289E is an interpretation and application provision which, among other things, defines “movable dwelling” and provides that the proposed Division binds the Crown;
- (b) proposed section 289F prohibits (except for certain periods and in certain circumstances) the use of any land for the placement or keeping of movable dwellings unless a licence is in force in respect of the land;
- (c) proposed section 289G enables an ordinance to be made for the control and regulation generally of movable dwellings and land used for the placement or keeping of movable dwellings;
- (d) proposed section 289H provides for the issue by a council of a licence to the occupier of land used for the placement or keeping of movable dwellings;
- (e) proposed section 289I enables a person aggrieved by certain decisions of a council in respect of the person’s licence, or by a council’s failure to issue a licence, to appeal to the Land and Environment Court;
- (f) proposed section 289J provides that Part XI of the Principal Act (Building regulation) shall not, in general, apply to movable dwellings and enables the suspension of other legislative provisions which would otherwise impede the use or development of land in accordance with an ordinance or a licence made or issued under the new provisions.

Schedule 2 enacts certain savings and transitional provisions.
