

**LOCAL GOVERNMENT (REGULATION OF FLATS)
AMENDMENT ACT.**

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 76, 1973.

An Act to extend the time within which applications may be made to convert certain existing buildings into residential flat buildings; to restrict the extent to which buildings so converted may be enlarged, altered, rebuilt or extended; for these and other purposes to amend the Local Government (Regulation of Flats) Act, 1955; and for purposes connected therewith. [Assented to, 20th December, 1973.]

BE

Local Government (Regulation of Flats) Amendment.

No. 76, 1973 **BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Local Government (Regulation of Flats) Amendment Act, 1973".

Commencement. **2.** This Act shall be deemed to have commenced on 13th December, 1973.

Amendment of Act No. 50, 1955. **3.** The Local Government (Regulation of Flats) Act, 1955, is amended—

Sec. 2. (Applications for approval of council to alter and add to existing buildings.)
(a) by omitting from section 2 (1) (a) the words "the expiration of eighteen years from the commencement of this Act" and by inserting instead the matter "1st January, 1979";

New secs. 6 and 7. **(b)** by inserting after section 5 the following sections :—

6. Where—

Building converted pursuant to approval under this Act may not be enlarged beyond certain limits.

(a) before the commencement of the Local Government (Regulation of Flats) Amendment Act, 1973, a building was, or after that commencement a building is, pursuant to an approval under this Act converted or made into a residential flat building; and

(b) an application is made to the council of the area in which the building is situated to make alterations, or alterations and additions, to the building,

the

Local Government (Regulation of Flats) Amendment.

the council shall refuse the application if the alterations, or alterations and additions, would have the effect of increasing the floor plan area of the building to an area greater than the floor plan area that, at the time of that approval, was the maximum floor plan area that could have been approved in respect of the building upon its being converted or made into a residential flat building. No. 76, 1973

7. Where—

- (a) before the commencement of the Local Government (Regulation of Flats) Amendment Act, 1973, a building was, or after that commencement a building is, pursuant to an approval under this Act converted or made into a residential flat building; and Limitation
of use of
building
converted
pursuant to
approval
under this
Act.
- (b) the provisions of—
- (i) subsection (2) of section 309 of the Principal Act;
 - (ii) a planning scheme prescribed under Part XIIA of that Act; or
 - (iii) an interim development order made under that Part of that Act,

that relate to existing buildings and the existing use of buildings apply to and in respect of the building,

those provisions so apply only to the extent that they permit the maintenance and continued use of that building as a residential flat building and the making of alterations, or alterations and additions, to the building within the limits imposed by the operation of this Act.