

New South Wales

Better Regulation, Fair Trading and Other Legislation Amendment Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) amend various Acts and regulations administered by the Minister for Better Regulation and Fair Trading, and
- (b) amend the *Liquor Act 2007* to continue provisions allowing local councils to encourage the use of outdoor space for dining and performances and repeal a related regulation.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendments relating to websites

Schedule 1 makes amendments to the following Acts to allow certain documents currently required to be published on a particular website to also be published by appropriate electronic means—

- (a) Biofuels Act 2007,
- (b) Charitable Fundraising Act 1991,
- (c) Community Gaming Act 2018,
- (d) Co-operative Housing and Starr-Bowkett Societies Act 1998,

- (e) Fair Trading Act 1987,
- (f) Funeral Funds Act 1979,
- (g) Pawnbrokers and Second-hand Dealers Act 1996.

Schedule 2 Amendments updating references to technology

Schedule 2 makes amendments to the following Acts and regulation to update references to outdated technologies, for example, videotape and computer diskettes—

- (a) Biofuels Act 2007,
- (b) Conveyancers Licensing Regulation 2021,
- (c) Co-operative Housing and Starr-Bowkett Societies Act 1998,
- (d) Fair Trading Act 1987,
- (e) Holiday Parks (Long-term Casual Occupation) Act 2002,
- (f) Pawnbrokers and Second-hand Dealers Act 1996,
- (g) Residential Tenancies Act 2010.

Schedule 3 Amendments relating to business days

Schedule 3 makes amendments to the following Acts and regulations to standardise the definition of *business day*—

- (a) Conveyancers Licensing Act 2003,
- (b) Co-operative Housing and Starr-Bowkett Societies Act 1998,
- (c) Motor Dealers and Repairers Act 2013,
- (d) Property and Stock Agents Act 2002,
- (e) Residential Tenancies Act 2010,
- (f) Residential Tenancies Regulation 2019,
- (g) Retirement Villages Act 1999,
- (h) Retirement Villages Regulation 2017,
- (i) Tow Truck Industry Regulation 2020.

Schedule 4 Amendments relating to public notice requirements

Schedule 4 makes amendments to the following Acts to remove outdated public notice requirements and update public notice requirements to be technology-neutral—

- (a) Funeral Funds Act 1979,
- (b) Property and Stock Agents Act 2002,
- (c) Storage Liens Act 1935.

Schedule 5 Amendments relating to electronic record keeping and sharing

Schedule 5 makes amendments to the following Acts and regulation to provide for electronic record keeping and sharing of documents—

- (a) Agricultural Tenancies Act 1990,
- (b) Associations Incorporation Act 2009,
- (c) Co-operative Housing and Starr-Bowkett Societies Act 1998,

- (d) Funeral Funds Act 1979,
- (e) Funeral Funds Regulation 2016.

Schedule 6 Amendments relating to service of documents

Schedule 6 makes amendments to the following Acts to allow for the service of documents by electronic means—

- (a) Agricultural Tenancies Act 1990,
- (b) Associations Incorporation Act 2009,
- (c) Biofuels Act 2007,
- (d) Charitable Fundraising Act 1991,
- (e) Coal Mine Subsidence Compensation Act 2017,
- (f) Community Gaming Act 2018,
- (g) Conveyancers Licensing Act 2003,
- (h) Co-operative Housing and Starr-Bowkett Societies Act 1998,
- (i) Fair Trading Act 1987,
- (j) Funeral Funds Act 1979,
- (k) Holiday Parks (Long-term Casual Occupation) Act 2002,
- (1) Motor Dealers and Repairers Act 2013,
- (m) Paintball Act 2018,
- (n) Pawnbrokers and Second-hand Dealers Act 1996,
- (o) Property and Stock Agents Act 2002,
- (p) Residential (Land Lease) Communities Act 2013,
- (q) Residential Tenancies Act 2010,
- (r) Retirement Villages Act 1999,
- (s) Storage Liens Act 1935,
- (t) Tow Truck Industry Act 1998,
- (u) Uncollected Goods Act 1995.

Schedule 7 Miscellaneous amendments

Schedule 7 makes miscellaneous minor amendments to the following Acts and regulations—

- (a) Associations Incorporation Act 2009,
- (b) Associations Incorporation Regulation 2022,
- (c) Biofuels Act 2007,
- (d) Biofuels Regulation 2022,
- (e) Co-operative Housing and Starr-Bowkett Societies Act 1998,
- (f) Funeral Funds Act 1979,
- (g) Motor Dealers and Repairers Amendment Act 2023,
- (h) Property and Stock Agents Act 2002,
- (i) Tow Truck Industry Act 1998.

Schedule 8 Amendments and repeal relating to outdoor space for dining and performance

Schedule 8.1[1] inserts proposed Part 12 into the *Liquor Act 2007* to continue provisions allowing local councils to encourage the use of outdoor space for dining and performances. The proposed part is in substantially the same form as provisions previously included in the *Liquor Act 2007* on a temporary basis as a COVID-19 related measure to encourage outdoor dining and performance.

Schedule 8.1[2] makes amendments of a savings and transitional nature consequent on the insertion of proposed Part 12.

Schedule 8.2 provides for the repeal of the *Liquor Amendment (Savings and Transitional Arrangements) Regulation 2023* consequent on the insertion of proposed Part 12.



New South Wales

Better Regulation, Fair Trading and Other Legislation Amendment Bill 2024

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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Clerk of the Legislative Assembly

Legislative Assembly



New South Wales

Better Regulation, Fair Trading and Other Legislation Amendment Bill 2024

No , 2024

A Bill for

An Act to amend various Acts and regulations administered by the Minister for Better Regulation and Fair Trading; and for other purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Clerk of the Parliaments

Legislative Council

The	The Legislature of New South Wales enacts—	
1	Name of Act	2
	This Act is the Better Regulation, Fair Trading and Other Legislation Amendment Act 2024.	3 4
2	Commencement	5
	This Act commences on the date of assent to this Act.	6

Sch	nedule 1	Amendments relating to websites	1
1.1	Biofuels	Act 2007 No 23	2
		Registration of primary wholesalers, volume fuel retailers and other of service stations	3 4
	Omit section	on 10(2). Insert instead—	5
	(2)	The Secretary must make publicly available, on a NSW Government website or by other appropriate electronic means, a register containing the names and contact details of persons who are registered as volume fuel retailers.	6 7 8
1.2	Charitab	le Fundraising Act 1991 No 69	9
[1]	Section 25	S Notice of decision and reasons for decision	10
	Omit section	on 25S(2). Insert instead—	11
	(2)	The Secretary must make publicly available, on a NSW Government website or by other appropriate electronic means—	12 13
		(a) notice of a decision to accept an undertaking, and	14
		(b) the reasons for the decision.	15
[2]	Section 25V Withdrawal or variation of undertaking		
	Omit section	on 25V(3). Insert instead—	17
	(3)	The Secretary must make notice of the withdrawal or variation of an undertaking publicly available on a NSW Government website or by other appropriate electronic means.	18 19 20
1.3	Commur	nity Gaming Act 2018 No 60	21
[1]	Section 38	Notice of decision and reasons for decision	22
	Omit section	on 38(2). Insert instead—	23
	(2)	The Secretary must make publicly available, on a NSW Government website or by other appropriate electronic means—	24 25
		(a) notice of a decision to accept an undertaking, and	26
		(b) the reasons for the decision.	27
[2]	Section 41 Withdrawal or variation of undertaking		
	Omit section	on 41(3). Insert instead—	29
	(3)	The Secretary must make notice of the withdrawal or variation of an undertaking publicly available on a NSW Government website or by other appropriate electronic means.	30 31 32
1.4	Co-opera	ative Housing and Starr-Bowkett Societies Act 1998 No 11	33
	Sections 6	6(3)(b), 68(5)(b) and 69(5)(b)	34
	Omit "that,	in the opinion of the Registrar, is appropriate" wherever occurring.	35
	Insert inste	ad ", or by other electronic means, appropriate in the Registrar's opinion".	36

Fair Trading Act 1987 No 68	1
Section 86B Register of undertakings	2
Omit "available, free of charge, on a NSW Government website" from section 86B(3).	3
Insert instead "publicly available, free of charge, on a NSW Government website or by other appropriate electronic means".	4 5
Funeral Funds Act 1979 No 106	6
Section 49I Access to annual returns	7
Insert "or by other appropriate electronic means" after "website" in section 49I(2).	8
Pawnbrokers and Second-hand Dealers Act 1996 No 13	9
Section 4A Exemptions	10
Omit "Secretary is to publish details of exemptions granted under this section on a publicly accessible website" from section $4A(3)$.	11 12
Insert instead "Secretary must make details of the exemption publicly available on a NSW Government website or by other appropriate electronic means".	13 14
	Section 86B Register of undertakings Omit "available, free of charge, on a NSW Government website" from section 86B(3). Insert instead "publicly available, free of charge, on a NSW Government website or by other appropriate electronic means". Funeral Funds Act 1979 No 106 Section 49I Access to annual returns Insert "or by other appropriate electronic means" after "website" in section 49I(2). Pawnbrokers and Second-hand Dealers Act 1996 No 13 Section 4A Exemptions Omit "Secretary is to publish details of exemptions granted under this section on a publicly accessible website" from section 4A(3). Insert instead "Secretary must make details of the exemption publicly available on a NSW

Sch	nedule 2 Amendments updating references to technology	1
2.1	Biofuels Act 2007 No 23	2
[1]	Schedule 2 Constitution and procedure of Expert Panel	3
	Insert "or other electronic means" after "telephone" in clause 13, heading.	4
[2]	Schedule 2, clause 13(2)	5
	Omit "telephone, closed-circuit television or other means,".	6
	Insert instead "telephone or other electronic means,".	7
2.2	Conveyancers Licensing Regulation 2021	8
[1]	Section 18 Electronic records	9
	Omit "on a computer disk or magnetic tape, or by other electronic means," from section 18(4)(f).	10 11
	Insert instead "by electronic means".	12
[2]	Section 18(4)(g)	13
	Omit "or disk".	14
2.3	Co-operative Housing and Starr-Bowkett Societies Act 1998 No 11	15
[1]	Section 201 Rules	16
	Omit "printed".	17
[2]	Schedule 1 General interpretative provisions	18
	Omit clause 13(1), definitions of <i>document</i> and <i>printed</i> .	19
2.4	Fair Trading Act 1987 No 68	20
[1]	Section 19 Powers of entry	21
	Omit ", videotape" from section 19(3)(e).	22
[2]	Section 80 Evidence as to publication	23
	Omit ", post office box number or newspaper office reply number" from section 80(1)(b).	24
	Insert instead "or post office box number".	25
[3]	Section 83 Evidence of standards etc	26
	Omit "printed".	27
2.5	Holiday Parks (Long-term Casual Occupation) Act 2002 No 88	28
[1]	Schedule 1 Terms that are taken to be in every occupation agreement	29
	Omit "or over the telephone" from clause 31(2).	30
	Insert instead ", over the telephone or by other electronic means".	31
[2]	Schedule 1, clause 42(2)(c)	32
	Omit "or faxed".	33

[3]	Schedule 1, clause 42(2)(e)	1
	Insert at the end of clause 42(2)(d)—	2
	, or	3
	(e) emailed to an email address specified by the park owner or the park manager for the service of documents of that kind.	4 5
2.6	Pawnbrokers and Second-hand Dealers Act 1996 No 13	6
	Section 17 Production of records	7
	Omit "on to computer diskette or reduced to some other portable form" from section 17(5)(b).	8 9
	Insert instead "electronically or reduced to a portable form".	10
2.7	Residential Tenancies Act 2010 No 42	11
[1]	Section 3 Definitions	12
	Omit section 3(1), definition of <i>record</i> .	13
[2]	Schedule 1 Membership and procedure of Rental Bond Board	14
	Omit "etc" from clause 13, heading.	15
	Insert instead "or other electronic means".	16
[3]	Schedule 1, clause 13(2)	17
	Omit "telephone, closed-circuit television or other means,".	18
	Insert instead "telephone or other electronic means,".	19

Sch	nedule 3	Amendments relating to business days	1
3.1	Conveyar	ncers Licensing Act 2003 No 3	2
	Section 3 D	efinitions	3
	Omit the def	inition of business day. Insert in alphabetical order— business day means a day that is not— (a) a Saturday or Sunday, or	4 5 6
		(b) a public holiday or bank holiday throughout the State. <i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	7 8 9
3.2	Co-operat	tive Housing and Starr-Bowkett Societies Act 1998 No 11	10
[1]	Schedule 1	General interpretative provisions	11
	Omit clause	13(1), definition of <i>business day</i> . Insert in alphabetical order— <i>business day</i> means a day that is not— (a) a Saturday or Sunday, or (b) a public holiday or bank holiday throughout the State. <i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	12 13 14 15 16 17
[2]	Schedule 1,	clause 35(3)	18
	Omit "in the next busines	place in which the thing is to be or may be done, the thing may be done on the s day in the place".	19 20
	Insert instead	d ", the thing may be done on the next business day".	21
3.3	Motor Dea	alers and Repairers Act 2013 No 107	22
	Section 4 D	efinitions	23
	Omit section	 4(1), definition of business day. Insert in alphabetical order—business day means a day that is not— (a) a Saturday or Sunday, or (b) a public holiday or bank holiday throughout the State. public holiday means a day appointed under the Public Holidays Act 2010 or another Act as a public holiday. 	24 25 26 27 28 29
3.4	Property a	and Stock Agents Act 2002 No 66	30
	Section 3 D	efinitions	31
		business day means a day that is not— (a) a Saturday or Sunday, or (b) a public holiday or bank holiday throughout the State.	32 33 34 35
		<i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	36 37

3.5	Residential Tenancies Act 2010 No 42	1
[1]	Section 3 Definitions	2
	Insert in alphabetical order in section 3(1)—	3
	business day means a day that is not—	4
	(a) a Saturday or Sunday, or	5
	(b) a public holiday or bank holiday throughout the State.	6
	<i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	7 8
[2]	Section 162 Deposit of rental bonds	9
	Omit "working days" wherever occurring in section 162(3) and (4).	10
	Insert instead "business days".	11
3.6	Residential Tenancies Regulation 2019	12
[1]	Clause 3 Definitions	13
	Omit clause 3(1), definition of <i>business day</i> .	14
[2]	Schedule 1 Standard Form Agreement	15
	Omit "working days" wherever occurring in Schedule 1, matter relating to Rental bond , note.	16 17
	Insert instead "business days".	18
3.7	Retirement Villages Act 1999 No 81	19
[1]	Section 4 Definitions	20
	Insert in alphabetical order in section 4(1)—	21
	business day means a day that is not—	22
	(a) a Saturday or Sunday, or	23
	(b) a public holiday or bank holiday throughout the State.	24
	<i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	25 26
[2]	Section 201 Service of documents	27
	Omit "working day" from section 201(3). Insert instead "business day".	28
3.8	Retirement Villages Regulation 2017	29
[1]	Schedule 3A Rules of Conduct for Operators of Retirement Villages	30
	Omit clause 3(1), definition of working day.	31
[2]	Schedule 3A, clauses 11(3), 23 and 27(3)(a)	32
	Omit "working days" wherever occurring in clause 11(3), 23 and 27(3)(a).	33
	Insert instead "business days".	34

3.9	Tow Truck Industry Regulation 2020	1
[1]	Clause 3 Definitions	2
	Insert in alphabetical order in clause 3(1)—	
	business day means a day that is not—	4
	(a) a Saturday or Sunday, or	5
	(b) a public holiday or bank holiday throughout the State.	6
	<i>public holiday</i> means a day appointed under the <i>Public Holidays Act 2010</i> or another Act as a public holiday.	7 8
[2]	Clause 44 Definitions	9
	Omit the definition of <i>husiness day</i>	10

Sch	nedule 4	Amendments relating to public notice requirements	1 2
4.1	Funeral I	Funds Act 1979 No 106	3
	Section 32	Schemes for transfer or amalgamation	4
	Omit section	on 32(3)(b). Insert instead—	5
		(b) give notice of the application in a way directed by the Secretary,	6
4.2	Property	and Stock Agents Act 2002 No 66	7
	Section 17	6 Advertisements	8
	Omit section	on 176(2). Insert instead—	9
	(2)	The Secretary must make the notice publicly available—	10
		(a) on a NSW Government website, or	11
		(b) by other electronic means appropriate to bring the notice to the attention of persons likely to be affected by the notice.	12 13
4.3	Storage	Liens Act 1935 No 19	14
[1]	Section 4	Charges covered by lien	15
	Omit ", and	d for notice and advertisement of sale," from section 4(c).	16
[2]	Section 6 I	Power to sell goods	17
	Omit section	on 6(5) and (5A). Insert instead—	18
	(5)	The storer may sell the goods if the charges are not paid on or before the day mentioned in the notice	19 20

Schedule 5		Amendments relating to electronic record keeping and sharing	1 2
5.1	Agricultura	al Tenancies Act 1990 No 64	3
	Section 13 A	ccounts	4
	Omit "inspect	at all reasonable times, after giving reasonable notice," from section 13(b).	5
	Insert instead	"receive, on request and within a reasonable period, a copy of".	6
5.2	Associatio	ns Incorporation Act 2009 No 7	7
[1]	Section 29 R	egister of committee members	8
	Insert after se	ction 29(2)—	9
	(2A) T	The register may be kept in physical or electronic form.	10
[2]	Section 29(3)		11
	Omit "The reg	gister". Insert instead "If the register is kept in physical form, the register".	12
[3]	Section 29(5)	,	13
	Omit the subs	ection.	14
[4]	Section 31 D	isclosure of interests	15
	Omit "at all re	easonable hours" from section 31(3).	16
[5]	Section 31(4)		17
	Omit the subs	ection. Insert instead—	18
	(4) 7	The book must be kept—	19
	((a) if the register of committee members is kept in physical form—in physical form at the same location as the register, or	20 21
	((b) if the register of committee members is kept in electronic form—in electronic form.	22 23
5.3	Co-operati	ve Housing and Starr-Bowkett Societies Act 1998 No 11	24
[1]	Section 112 I	Notice of meeting	25
	Omit section	112(3).	26
[2]	Section 112(5)	27
	Omit ", or a s	pecial general meeting, or to display notice of an annual general meeting".	28
	Insert instead	"or a special general meeting".	29
[3]	Section 116 I	Minutes	30
	Omit section	116(2). Insert instead—	31
	s	f a member requests a copy of the minutes of a meeting of the members, the ociety must give the person a copy within 21 days of the request, free of charge.	32 33 34
	N	Maximum penalty—20 penalty units.	35

[4]	Section 12	0 Inspection	1
	Omit section	on 120(1) and (2). Insert instead—	2
	(1)	A society must make the following publicly available, free of charge, in hard copy at the society's registered office or on a website maintained by the society—	3 4 5
		(a) the rules of the society,	6
		(b) the last accounts of the society and the auditor's report on the accounts,	7
		(c) the last directors' report under section 134.	8
[5]	Section 13	9 Nomination of auditors	9
	Omit section	on 139(4). Insert instead—	10
	(4)	If the society receives notice of nomination of a person or firm as auditor, the society must give a copy of the notice of nomination to—	11 12
		(a) the person or firm nominated, and	13
		(b) each auditor of the society.	14
		Maximum penalty—20 penalty units.	15
	(5)	The copy of the notice of nomination must be given—	16
		(a) not less than 7 days before the meeting or adjourned meeting at which the person or firm is proposed to be appointed, or	17 18
		(b) when notice of the meeting or adjourned meeting is given.	19
[6]	Section 14	0 Removal and resignation of auditors	20
		layed by the society in a conspicuous place at the registered office and each other e society until the day of the meeting at which the resolution is to be considered" in 140(3).	21 22 23
	Insert inste	ad "given to members at or before the meeting at which the special resolution sidered".	24 25
[7]	Section 14	0(4) and (4A)	26
	Omit section	on 140(4). Insert instead—	27
	(4)	The society must comply with a request from the auditor that the representations be read out at the meeting.	28 29
		Maximum penalty—20 penalty units.	30
	(4A)	Subsection (4) does not affect any right of—	31
		(a) the auditor to be heard orally at the meeting, or	32
		(b) if the auditor is a firm—a member of the firm to be heard orally at the meeting on the firm's behalf.	33 34
5.4	Funeral F	Funds Act 1979 No 106	35
[1]	Section 27	Documents to be available for inspection by contributors etc	36
	Omit "shall, at all reasonable hours when its office is open for business, produce for inspection by any contributor or person having a pecuniary interest in the fund".		
		ad "must make the following publicly available, free of charge, in hard copy at	39

[2]	Section 88 Omit the section. Insert instead—						
	88	Inspection of documents					
		(1)	The Secretary may make a return or document lodged with the Secretary under section 24 publicly available on a NSW Government website or by other appropriate electronic means.	2 5			
		(2)	A person with an interest in a return or document that has not been made publicly available may request a copy of the return or document from the Secretary.	, 8			
		(3)	On payment by the person of any fee prescribed by the regulations, the Secretary must give the person a copy of the return or document.	10 11			
5.5	Fun	eral l	Funds Regulation 2016	12			
[1]	Schedule 4 Fees						
	Omit the matter relating to Part 1, item 10.						
[2]	Sche	edule 4	4, Part 1, item 11	15			
	Omi	t "88 (1	b)". Insert instead "88(3)".	16			
[3]	Schedule 4, Part 1, item 11						
	Omi	t ", cer	tified to be a true copy".	18			

Schedule 6			F	Amendments relating to service of documents				
6.1	Agricultural Tenancies Act 1990 No 64							
	Sect	ion 28			3			
	Omi	t the se	ction.	Insert instead—	4			
	28	Serv	ice of	documents	5			
		(1)		ocument that is authorised or required by this Act or the regulations to be ed on a person may be served by the following methods—	6 7			
			(a)	for an individual—by personal delivery to the person,	8			
			(b)	by leaving the document at the residential or business address of the person last known to the person serving the document,	9 10			
			(c)	by post to the address specified by the person for the service of documents of that kind,	11 12			
			(d)	for an individual who has not specified an address for service by post—by post to the residential or business address of the person last known to the person serving the document,	13 14 15			
			(e)	for a corporation—by post to the registered or other office of the corporation or by leaving the document at the office with a person apparently over the age of 16 years,	16 17 18			
			(f)	by email to an email address specified by the person for the service of documents of that kind,	19 20			
			(g)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	21 22			
			(h)	by another method authorised by the regulations for the service of documents of that kind.	23 24			
		(2)		hing in this section affects the operation of a provision of a law or of the s of a court authorising a document to be served on a person by another hod.	25 26 27			
		(3)) In thi	is section—				
			serv	<i>e</i> includes give or send.	29			
6.2	Ass	ociat	ions	Incorporation Act 2009 No 7	30			
[1]	Sect	ions 1	1(6), 6	61A(3), 74(4), 76(5) and 80(4)	31			
	Omi	t the su	bsecti	ions.	32			
[2]	Sect	ion 10	1 Ser	vice of documents	33			
	Omit	t sectio	n 101	(1). Insert instead—	34			
		(1)		ocument that is authorised or required by this Act or the regulations to be ed on a person may be served by the following methods—	35 36			
			(a)	for an association—	37			
				(i) by personal delivery to the address specified by the association for the service of documents of that kind, or	38 39			
				(ii) by personal delivery to the association's public officer or to 2	40 41			

				(iii)	by post to the official address or another office of the association or by leaving it at the office with a person apparently over the age of 16 years,	1 2 3	
			(b)	for an	n individual—by personal delivery to the person,	4	
			(c)		ost to the address specified by the person for the service of ments of that kind,	5	
			(d)	by po	n individual who has not specified an address for service by post— ost to the residential or business address of the person last known to person serving the document,	7 8 9	
			(e)	corpo	corporation—by post to the registered or other office of the pration or by leaving the document at the office with a person rently over the age of 16 years,	10 11 12	
			(f)		mail to an email address specified by the person for the service of ments of that kind,	13 14	
			(g)		ther electronic means to an address or location specified by the on for the service of documents of that kind,	15 16	
			(h)		nother method authorised by the regulations for the service of ments of that kind,	17 18	
			(i)	by an	nother method as the Secretary may direct.	19	
6.3	Bio	fuels <i>i</i>	Act 2	007 N	No 23	20	
[1]	Sect	ion 31	A			21	
	Insert after section 31—						
	31A S	Servi	ice of	docun	nents	23	
		(1)			t that is authorised or required by this Act or the regulations to be person may be served by the following methods—	24 25	
			(a)	for an	n individual—by personal delivery to the person,	26	
			(b)		ost to the address specified by the person for the service of ments of that kind,	27 28	
			(c)	by po	n individual who has not specified an address for service by post— ost to the residential or business address of the person last known to person serving the document,	29 30 31	
			(d)	corpo	corporation—by post to the registered or other office of the oration or by leaving the document at the office with a person rently over the age of 16 years,	32 33 34	
			(e)		mail to an email address specified by the person for the service of ments of that kind,	35 36	
			(f)		ther electronic means to an address or location specified by the on for the service of documents of that kind,	37 38	
			(g)		nother method authorised by the regulations for the service of ments of that kind.	39 40	
		(2)		of a c	this section affects the operation of a provision of a law or of the ourt authorising a document to be served on a person by another	41 42 43	
		(3)	In thi	s secti	on—	44	
			corvo	includ	les give or send	15	

[2]	Schedule 2 Cons	titution and procedure of Expert Panel	1			
	Omit "personally, purpose" from cla	by post or by email to an email address provided by the member for that use 5(1)(e).	2			
6.4	Charitable Fur	ndraising Act 1991 No 69	4			
	Section 54 Service	ce of documents	5			
	Insert after section	1 54(1)(e)—	6			
	(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	7 8			
6.5	Coal Mine Sub	osidence Compensation Act 2017 No 37	9			
[1]	Section 58 Service	ce of documents	10			
	Insert after section	1 58(1)(e)—	11			
	(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	12 13			
[2]	Section 58(2)(c1)		14			
	Insert after section	1 58(2)(c)—	15			
	(c1)	by other electronic means to an address or location specified by the Chief Executive or the Secretary for the service of documents of that kind,	16 17 18			
6.6	Community Gaming Act 2018 No 60					
	Section 48 Service	ce of documents	20			
	Insert after section	1 48(1)(e)—	21			
	(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	22 23			
6.7	Conveyancers	s Licensing Act 2003 No 3	24			
[1]	Section 167 Service of notices and directions					
	Insert after section	ı 167(2)(e)—	26			
	(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind, or	27 28			
[2]	Section 167(3)(d	1)	29			
	Insert after section	1 167(3)(d)—	30			
	(d1)	by other electronic means to an address or location specified by the corporation for the service of documents of that kind, or	31 32			
6.8	Co-operative I	Housing and Starr-Bowkett Societies Act 1998 No 11	33			
[1]	Section 112 Notic	ce of meeting	34			
	Omit "personally	or by post" wherever occurring in section 112(1)(a) and (b).	35			
[2]	Section 115 Spec	cial resolutions	36			
	Omit "personally	or by post" from section 115(3).	37			

[3]	Section 153 Application for registration of merger or transfer of engagements between societies of the same type							
					the ordinary course of post, reach each member who is entitled to ution not later than" from section 153(4).	3		
	Inser	t inste	ad "at le	ast".		5		
[4]	Sche	dule '	1 Genera	al int	erpretative provisions	6		
	Omit	claus	es 36 and	d 37.	Insert instead—	7		
	36	Serv	rice of d	ocun	nents	8		
		(1)			t that is authorised or required by this Act or the regulations to be person may be served by the following methods—	9 10		
			(a)	for a	n individual—by personal delivery to the person,	11		
					ost to the address specified by the person for the service of ments of that kind,	12 13		
			1	by po	n individual who has not specified an address for service by post— ost to the residential or business address of the person last known the person serving the document,	14 15 16		
				corpo	corporation—by post to the registered or other office of the oration or by leaving the document at the office with a person rently over the age of 16 years,	17 18 19		
					nail to an email address specified by the person for the service of ments of that kind,	20 21		
					ther electronic means to an address or location specified by the on for the service of documents of that kind,	22 23		
			(g)	by andocu	nother method authorised by the regulations for the service of ments of that kind.	24 25		
		(2)		of a c	this clause affects the operation of a provision of a law or of the ourt authorising a document to be served on a person by another	26 27 28		
		(3)	In this	claus	se—	29		
			serve i	nclud	des give or send.	30		
6.9	Fair	Trac	ling Ac	t 19	87 No 68	31		
[1]	Secti	ion 88	Service	of r	notices etc	32		
	Insert after section 88(1)(a)(v)—							
			(va)	by other electronic means to an address or location specified by the person for the service of notices or directions of that kind, or	34 35		
[2]	Secti	ion 88	3(1)(b)(iv	a)		36		
	Inser	t after	section	88(1)	(b)(iv)—	37		
	Insert after section 88(1)(b)(iv)— (iva) by other electronic means to an address or location specified by the body corporate for the service of notices or directions of that kind, or							

6.10	Fun	eral F	und	s Act 1979 No 106	1			
[1]	Secti	ion 25	A Ann	ual report to be provided to contributors	2			
	Omit section 25A(2).							
[2]	Secti	ion 87			4			
	Omit	the se	ction.	Insert instead—	5			
	87 Service of documents							
		(1)		A document that is authorised or required by this Act or the regulations to be served on a person may be served by the following methods—				
			(a)	for an individual—by personal delivery to the person,	9			
			(b)	by post to the address specified by the person for the service of documents of that kind,	10 11			
			(c)	for an individual who has not specified an address for service by post—by post to the residential or business address of the person last known to the person serving the document,	12 13 14			
			(d)	for a corporation—by post to the registered or other office of the corporation or by leaving the document at the office with a person apparently over the age of 16 years,	15 16 17			
			(e)	by email to an email address specified by the person for the service of documents of that kind,	18 19			
			(f)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	20 21			
			(g)	by another method authorised by the regulations for the service of documents of that kind.	22 23			
		(2)		ing in this section affects the operation of a provision of a law or of the of a court authorising a document to be served on a person by another od.	24 25 26			
		(3)	In th	is section—	27			
			serve	e includes give or send.	28			
6.11	Holi	day F	Parks	(Long-term Casual Occupation) Act 2002 No 88	29			
[1]	Secti	ion 23	Recei	ipts for occupation fees and charges	30			
	Omit	"post"	' from	section 23(2). Insert instead "give".	31			
[2]	Secti	ion 47	Servi	ce of documents	32			
	Inser	t after	section	n 47(1)(c1)—	33			
			(c2)	by other electronic means to an address or location specified by the occupant for the service of documents of that kind, or	34 35			
[3]	Secti	ion 47	(2)(c2)		36			
	Inser	t after	section	n 47(2)(c1)—	37			
			(c2)	by other electronic means to an address or location specified by the park owner or park manager for the service of documents of that kind, or	38 39			
[4]	Secti	ion 47	(3)		40			
	Inser	t after	section	n 47(2)—	41			

		(3)		ing in this section affects the operation of a provision of a law or of the of a court authorising a document to be served on a person by another od.	1 2 3			
[5]	Secti	ion 47	(5)		4			
	Inser	t after	section	n 47(4)—	5			
		(5)	In this	s section—	6			
			serve	includes give or send.	7			
6.12	Mot	or De	alers	and Repairers Act 2013 No 107	8			
	Secti	ion 18	5 Servi	ice of documents	g			
	Inser	t after	section	185(1)(e)—	10			
			(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	11 12			
6.13	Pair	ntball	Act 2	2018 No 44	13			
	Secti	ion 72	Servic	ce of documents	14			
	Inser	t after	section	n 72(1)(e)—	15			
			(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	16 17			
6.14	Paw	nbro	kers a	and Second-hand Dealers Act 1996 No 13	18			
[1]	Secti	ion 31	A Notic	ce as to proceeds of sale	19			
	Omit	"send	by pos	st to the last known address of' from section 31A(1).	20			
	Inser	t instea	ad "giv	e".	21			
[2]	Section 42A							
	Insert after section 42—							
	42A	Serv	ice of o	documents	24			
		(1)	serve	cument that is authorised or required by this Act or the regulations to be d on a person may be served by the following methods—	25 26			
				for an individual—by personal delivery to the person,	27			
			(b)	by post to the address specified by the person for the service of documents of that kind,	28 29			
			(c)	for an individual who has not specified an address for service by post—by post to the residential or business address of the person last known to the person serving the document,	30 31 32			
			(d)	for a corporation—by post to the registered or other office of the corporation or by leaving the document at the office with a person apparently over the age of 16 years,	33 34 35			
			(e)	by email to an email address specified by the person for the service of documents of that kind,	36 37			
			(f)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	38 39			

		(g)	by another method authorised by the regulations for the service of documents of that kind.	1
	(2)		ing in this section affects the operation of a provision of a law or of the of a court authorising a document to be served on a person by another od.	3 2 5
	(3)		s section— includes give or send.	6
[3]	Section 43	Regul	ations	8
	Omit sectio	n 43(1))(h).	9
6.15	Property	and S	Stock Agents Act 2002 No 66	10
[1]	Section 36	Revie	w of commission and fees	11
	Omit "perso	onally	or by post" from section 36(1).	12
[2]	Section 18	3 Acco	ounts examiner to report on accounts	13
	Omit "by po	ost" fro	om section 183(2).	14
[3]	Section 22	5 Serv	ice of notices	15
	Insert after	section	n 225(2)(e)—	16
		(e1)	by other electronic means to an address or location specified by the person for the service of notices or directions of that kind, or	17 18
[4]	Section 22	5(3)(d1	1)	19
	Insert after	section	n 225(3)(d)—	20
		(d1)	by other electronic means to an address or location specified by the corporation for the service of notices or directions of that kind, or	21 22
6.16	Resident	ial (La	and Lease) Communities Act 2013 No 97	23
[1]	Section 18	4 Serv	ice of notices and documents	24
	Insert "sent	" befor	re "to an email address" in section 184(1)(e).	25
[2]	Section 18	4(1)(e1	1)	26
	Insert after	section	184(1)(e)—	27
		(e1)	if the person has agreed to notices or documents being given by other electronic means—sent to an electronic address or location provided by the person, or	28 29 30
[3]	Section 18	4(2)(c)		31
	Omit "subse	ection	(1)(e)". Insert instead "subsection (1)(e) or (e1)".	32
[4]	Section 18	4(2)(c)		33
	Omit "by en	nail".		34

6.17	Residential Te	enand	cies Act 2010 No 42	1
[1]	Section 36 Rent	receip	ts	2
			lential premises or send it by email to an email address specified by e of documents of that kind" from section 36(2).	3 4
	Insert instead "giv	e the	receipt to the tenant".	5
[2]	Section 223 Serv	ice of	notices and other documents	6
	Insert after section	n 223(1)(a)(v)—	7
		(va)	sending it by other electronic means to an address or location specified by the person for the service of documents of that kind, or	8 9 10
[3]	Section 223(1)(b)	(iia)		11
	Insert after section	n 223(1)(b)(ii)—	12
		(iia)	sending it by other electronic means to an address or location specified by the corporation for the service of documents of that kind, or	13 14 15
[4]	Section 223(1)(c)	(iia)		16
	Insert after section	n 223(1)(c)(ii)—	17
		(iia)	sending it by other electronic means to an address or location specified by the agency for the service of documents of that kind, or	18 19 20
[5]	Schedule 1 Mem	bersh	ip and procedure of Rental Bond Board	21
	Omit "personally	or by j	post" from clause 5(1)(e).	22
6.18	Retirement Vi	llage	s Act 1999 No 81	23
[1]	Section 20 Copie	s of c	ertain documents to be available	24
	Omit "(or, if reque	ested t	o do so, send by post)" from section 20(3).	25
[2]	Section 20(3)			26
	Omit "or send".			27
[3]	Section 201 Serv	ice of	documents	28
	Insert after section	n 201(1)(b1)—	29
	(b2)		ther electronic means to an address or location specified by the ent for the service of documents of that kind, or	30 31
[4]	Section 201(2)(b2	2)		32
	Insert after section	n 201(2)(b1)—	33
	(b2)		ther electronic means to an address or location specified by the ator for the service of documents of that kind, or	34 35
6.19	Storage Liens	Act	1935 No 19	36
[1]	Sections 5(3), 6(3	3) and	7(2)	37
	Omit the subsection	ons.		38

[2]	Sect	ion 7	Notice	es ·	1		
	Omit	t "but s	such p	rovisions have" from section 7(1).	2		
	Inser	t inste	ad "bu	at section 5, 6 or 10A has".	3		
[3]	Sect	ion 7(1)		4		
	Omit	"that	such p	provisions have". Insert instead "that the section has".	5		
[4]	Sect	ion 10	Α		6		
	Inser	t after	section	n 10—	7		
	10A	Serv	ice of	documents	8		
		(1)		ocument that is authorised or required by this Act or the regulations to be ed on a person may be served by the following methods—	9 10		
			(a)	for an individual—by personal delivery to the person,	11		
			(b)	by post to the address specified by the person for the service of documents of that kind,	12 13		
			(c)	for an individual who has not specified an address for service by post—by post to the residential or business address of the person last known to the person serving the document,	14 15 16		
			(d)	for a corporation—by post to the registered or other office of the corporation or by leaving the document at the office with a person apparently over the age of 16 years,	17 18 19		
			(e)	by email to an email address specified by the person for the service of documents of that kind,	20 21		
			(f)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	22 23		
			(g)	by another method authorised by the regulations for the service of documents of that kind.	24 25		
		(2)		ning in this section affects the operation of a provision of a law or of the s of a court authorising a document to be served on a person by another nod.	26 27 28		
		(3)	In th	is section—	29		
			serve	e includes give or send.	30		
6.20) Tow	/ Tru	ck Ind	dustry Act 1998 No 111	31		
	Sect	ion 10	2 Serv	vice of documents	32		
	Inser	t after	section	n 102(1)(e)—	33		
			(e1)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	34 35		
6.21	Unc	ollec	ted G	Goods Act 1995 No 68	36		
	Sect	ion 27	,		37		
	Omit the section. Insert instead—						

serve includes give or send.

27

Serv	ice of	documents	1			
(1)	A document that is authorised or required by this Act or the regulations to be served on a person may be served by the following methods—					
	(a)	for an individual—by personal delivery to the person,	4			
	(b)	by post to the address specified by the person for the service of documents of that kind,	5 6			
	(c)	for an individual who has not specified an address for service by post—by post to the residential or business address of the person last known to the person serving the document,	7 8 9			
	(d)	for a corporation—by post to the registered or other office of the corporation or by leaving the document at the office with a person apparently over the age of 16 years,	10 11 12			
	(e)	by email to an email address specified by the person for the service of documents of that kind,	13 14			
	(f)	by other electronic means to an address or location specified by the person for the service of documents of that kind,	15 16			
	(g)	by another method authorised by the regulations for the service of documents of that kind.	17 18			
(2)	Nothing in this section affects the operation of a provision of a law or of the rules of a court authorising a document to be served on a person by another method.					
(3)	In this section—					

23

Scr	nedule 7	Miscellaneous amendments	1
7.1	Associat	ions Incorporation Act 2009 No 7	2
[1]	Section 6	Application for registration	3
	Omit section	on 6(4). Insert instead—	4
	(4)	An association's proposed official address must be an address within New South Wales, other than a post office box, at which documents can be served on the association by post.	5 6 7
[2]	Section 13	Notification of change of official address	8
	Omit section	on 13(3). Insert instead—	9
	(3)	The new address must be an address within New South Wales, other than a post office box, at which documents can be served on the association by post.	10 11
[3]	Section 29	Register of committee members	12
	Omit "date	of birth and residential address," from section 29(2)(a).	13
[4]	Section 34	Public officer	14
	Omit "and	date of birth" from section 34(6)(a).	15
[5]	Section 34	(6)(b) and (7)	16
	Omit the pr	rovisions.	17
[6]	Section 38	Voting generally	18
	Omit "posta	al or electronic" from section 38(1)(b).	19
	Insert instead	ad "postal, electronic or combined".	20
[7]	Section 38	(2)	21
	Omit "posta	al or electronic".	22
[8]	Section 39	Voting on special resolutions	23
	Omit "posta	al or electronic" from section 39(1)(b).	24
	Insert instead	ad "postal, electronic or combined".	25
[9]	Section 39	(3)	26
	Omit "post	al or electronic".	27
[10]	Section 72	Application for cancellation	28
	Omit section	on 72(4).	29
[11]	Section 77	Distribution of assets	30
	Omit "wind	ding up" wherever occurring in section 77(2)(a) and (b).	31
	Insert instead	ad "finalisation".	32
[12]	Schedule 1	1 Matters to be addressed in association's constitution	33
	Omit "Post	ral and electronic" from clause 11, heading.	34
	Insert instea	ad "Postal, electronic and combined".	35

[13]			I, clause 11		1
				sert instead ", electronic or combined".	2
[14]				relating to association's assets, rights and liabilities	3
	Omit	", tna	t is verified by	y statutory declaration" from clause 3(1).	4
7.2	Ass	ociat	ions Incor	poration Regulation 2022	5
[1]	Secti	ion 5 <i>i</i>	Application of	of Corporations legislation to associations	6
	Omit	"post	al or electroni	ic" wherever occurring in section 5(c).	7
	Inser	t inste	ad "postal, ele	ectronic or combined".	8
[2]	Section 11, heading				9
	Omit	"post	al or electroi	nic". Insert instead "postal, electronic or combined".	10
[3]	Secti	ion 11			11
	Omit	"post	al or electroni	ic". Insert instead "postal, electronic or combined".	12
[4]	Sche	dule 2	2, heading		13
	Omit	"post	al or electroi	nic". Insert instead "postal, electronic or combined".	14
[5]	Sche	dule 2	2, section 5A		15
	Inser	t after	section 5—		16
	5A	Com	bined postal	l and electronic voting	17
		(1)	This section electronical	n applies to a ballot to be conducted both by postal voting and ly.	18 19
		(2)	specified in	ng officer must give each member entitled to vote the items sections 4(2) and 5(3) at least 14 days, or 21 days for a proposed lution, before the date fixed for the closing of the ballot.	20 21 22
		(3)		is a secret ballot, the returning officer must ensure the identity of cannot be ascertained from the electronic ballot paper.	23 24
		(4)	The membe	er may choose to vote by post or electronically.	25
		(5)	If the memb	per chooses to vote by post, section 4(3)–(5) apply.	26
		(6)	If the memb	per chooses to vote electronically, section 5(5) and (6) apply.	27
[6]	Schedule 2, section 7(1)			28	
	Inser	t "or b	oth," after "e	lectronic voting,".	29
[7]	Schedule 2, section 7(1)(a)				30
	Omit	"cond	lucted by". In	sert instead "involving".	31
[8]	Schedule 2, section 7(1)(c)(iii)			32	
	Insert at the end of section7(1)(c)(ii)—			33	
				, or	34
			(iii)	for a combined postal and electronic ballot—counting the postal votes that are not rejected and reviewing the information and reports about the electronic ballot.	35 36 37

[9]	Schedule 2, section 8(b)	1
	Omit "postal ballot". Insert instead "ballot involving postal votes".	2
[10]	Schedule 2, section 8(c)	3
	Omit "an electronic ballot". Insert instead "a ballot involving electronic votes".	4
[11]	Schedule 3 Model constitution	5
	Omit "Postal or electronic" from clause 35, heading.	6
	Insert instead "Postal, electronic or combined".	7
[12]	Schedule 3, clause 35(1)	8
	Omit "postal or electronic". Insert instead "postal, electronic or combined".	9
7.3	Biofuels Act 2007 No 23	10
	Section 30 Regulations	11
	Insert after section 30(2)—	12
	(3) A regulation may apply, adopt or incorporate a publication as in force at a particular time or as in force from time to time.	13 14
7.4	Biofuels Regulation 2022	15
[1]	Section 4 Definition of "biofuel sustainability standard"—the Act, s 3	16
	Omit "(Version 3.0)" from section 4(a).	17
[2]	Section 4(a)	18
	Omit "in November 2016".	19
	Insert instead ", as in force from time to time".	20
[3]	Section 4(b)	21
	Omit the paragraph. Insert instead—	22
	(b) ISO 13065, Sustainability criteria for bioenergy, as in force from time to time.	23 24
7.5	Co-operative Housing and Starr-Bowkett Societies Act 1998 No 11	25
[1]	Sections 50(7) and 184(3)	26
	Omit the subsections.	27
[2]	Section 79 Fines payable by members	28
	Omit section 79(3)(b). Insert instead—	29
	(b) the member has been given a reasonable opportunity to do one of the following, at the member's choice, for the purpose of showing cause why the fine should not be imposed—	30 31 32
	(i) appear before the board in person, with or without witnesses,	33
	(ii) appear before the board by electronic means, with or without witnesses,	34 35
	(iii) send the board a written statement.	36

[3]	Section 204 Entries	1	
	Omit "statutory declaration of the secretary".	2	
	Insert instead "the secretary of the body".	3	
[4]	Schedule 1 General interpretative provisions	4	
	Omit clause 13(1), definition of statutory declaration.	5	
[5]	Schedule 1, clause 28(9)	6	
	Omit the subclause.	7	
7.6	Funeral Funds Act 1979 No 106	8	
	Section 27 Documents to be available for inspection by contributors etc	9	
	Omit section 27(e).	10	
7.7	Motor Dealers and Repairers Amendment Act 2023 No 28	11	
[1]	Schedule 1 Amendment of Motor Dealers and Repairers Act 2013 No 107		
	Omit "a judgment or order of a court" from Schedule 1[56], proposed section 169(3)(a1).	13	
	Insert instead "a judgment, order or other decision of a court or tribunal".	14	
[2]	Schedule 1[56]	15	
	Omit "judgment or order" wherever occurring in proposed section 169(3)(a1)(i) and (ii).	16	
	Insert instead "judgment, order or other decision".	17	
7.8	Property and Stock Agents Act 2002 No 66		
	Section 192 Disciplinary action	19	
	Insert ", either permanently or for a specified period" after "licensee" in section 192(1)(i).	20	
7.9	Tow Truck Industry Act 1998 No 111	21	
	Section 34 The Secretary may require further information in relation to application	22	
	Omit "verified by statutory declaration," from section 34(1)(a)	23	

Schedule 8		le 8	Amendments and repeal relating to outdoor space for dining and performance		
8.1	Liqu	uor A	ct 2007 No 90	3	
[1]	Part 12				
	Insert after Part 11—				
	Part 12		Outdoor dining and performance		
	164 Purp		ose		
		(1)	The purpose of this part is to allow local councils to encourage the temporary use of outdoor space for dining and performance.	8	
		(2)	This part operates in addition to the <i>Roads Act 1993</i> , Part 9, Division 1, which also provides for the use of roads for food or drink premises.	10 11	
		(3)	However, to the extent of any inconsistency between this part and the <i>Roads Act 1993</i> , Part 9, Division 1, this part prevails.	12 13	
	165	Defir	itions	14	
			In this part—	15	
			area, for a local council, means the area for which the local council is constituted.	16 17	
			classified road has the same meaning as in the Roads Act 1993.	18	
			footway has the same meaning as in the Roads Act 1993.	19	
			local council means a council under the Local Government Act 1993.	20	
			public open space has the same meaning as in the Roads Act 1993.	21	
	Transport for NS Act 1988.		roads authority has the same meaning as in the Roads Act 1993.		
			<i>Transport for NSW</i> has the same meaning as in the <i>Transport Administration Act 1988</i> .	23 24	
			unclassified road has the same meaning as in the Roads Act 1993.	25	
	166	Loca	l councils may allow use of outdoor space for dining and performance	26	
		(1)	A local council may decide, by notice published on the local council's website—	27 28	
			(a) to temporarily allow the use of a footway or public open space associated with the following to be used as an outdoor dining area, an extension of foyer space or a performance space—	29 30 31	
			(i) licensed premises or other lawful food and drink premises,	32	
			(ii) entertainment, arts or cultural venues, or	33	
			(b) to temporarily allow parking spaces within the local council's area to be	34	
			used as an outdoor dining area, an extension of foyer space or a performance space, or	35 36	
			(c) to temporarily close an unclassified road for which the local council is the roads authority for use as an outdoor dining area, an extension of foyer space or a performance space, or	37 38 39	
			(d) to temporarily close a classified road, with the concurrence of Transport for NSW, for use as an outdoor dining area, an extension of foyer space or a performance space, or	40 41 42	

	(e)	to temporarily vary a development consent or a development consent condition to allow outdoor performance.	1 2
(2)	prem exem	ocal council allows the use of footways, public open space, roads or other isses for a purpose mentioned in subsection (1), the use is taken to be upt development for the purposes of <i>State Environmental Planning Policy mpt and Complying Development Codes</i>) 2008.	3 4 5 6
(3)		cal council may make a decision referred to in subsection (1) only if the cil has—	7 8
	(a)	given the Minister at least 7 days notice that the council wants to allow outdoor dining and performance and invited the Minister to respond to the proposal, and	9 10 11
	(b)	given 7 days notice of its intention to make the decision—	12
	` ,	(i) by publishing a notice about the proposed decision on the council's website, and	13 14
		(ii) to the following persons—	15
		(A) if the proposed decision relates to licensed premises—the Authority and the Commissioner of Police,	16 17
		(B) if the proposed decision relates to an unclassified road for which the council is the roads authority—the Commissioner of Police and Transport for NSW,	18 19 20
		(C) if the proposed decision relates to a classified road—the Commissioner of Police and Transport for NSW, and Transport for NSW has agreed to the road closure.	21 22 23
(4)	A de	cision referred to in subsection (1)—	24
,	(a)	has effect subject to a provision of an Act, regulation or other instrument that provides for noise attenuation for licensed premises or other premises, and	25 26 27
	(b)	has effect for the <i>Roads Act 1993</i> , sections 126 and 127 as if it were an approval granted under that Act, section 125, and	28 29
	(c)	has effect despite any provision of the <i>Roads Act 1993</i> , the <i>Transport Administration Act 1988</i> or another Act, or a regulation or instrument made under an Act, that requires local councils to submit traffic management plans or consult with local traffic committees.	30 31 32 33
Schedule 1	Savir	ngs and transitional provisions	34
		of the schedule, with appropriate part and clause numbering—	35
Part		vision consequent on enactment of Better	36
		gulation, Fair Trading and Other Legislation	37
	Am	endment Act 2024	38
Appli	icatio	n of Part 12	39
(1)		hing done or omitted to be done during the relevant period that would	40
		been validly done or omitted to be done had Part 12, as inserted by the	41
	been	er Regulation, Fair Trading and Other Legislation Amendment Act 2024, in force is taken to have been, and always to have been, validly done or ted to be done.	42 43 44
(2)	In thi	is clause—	45
(-)		ant period means the period—	46

[2]

	 (a) starting on 11 December 2023, and (b) ending on the date of assent to the Better Regulation, Fair Trading and Other Legislation Amendment Act 2024. 	1 2 3	
8.2	Amendment of Liquor Regulation 2018		
	Section 132B Outdoor dining and performances		
	Omit the section.	6	