

No. , 1923.

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## A BILL

To empower the councils of municipalities and shires to regulate advertisement hoardings and the display of advertisements; to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[MR. J. C. L. FITZPATRICK;—12 *September*, 1923.]

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**B**E it enacted by the King'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:—

**1.** This Act may be cited as the "Local Government (Advertisement Hoardings) Amendment Act, 1923," and shall come into force on the first day of January, one thousand nine hundred and twenty-four.



Amendment  
of Act No. 41,  
1919.  
s. 510.  
s. 513.

New Part XIA  
inserted.

**2.** The Local Government Act, 1919, as amended by subsequent Acts, is amended as follows:—

- (1) By omitting section five hundred and ten, and by omitting paragraph (q) of section five hundred and thirteen;
- (2) by inserting the following Part next after Part XI:—

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#### PART XIA.

##### ADVERTISEMENT HOARDINGS.

Application  
of Part.

319A. Subject to the provisions of this Act— 10

- (a) this Part shall apply to municipalities and shires; and
- (b) the powers and duties conferred and imposed upon a council under this Part shall apply in respect of each area 15 to the council of the area.

Definitions.

319B. In the construction of this Part—

“Advertisement” shall include any sign, notice, device, or representation in the nature of an advertisement visible from 20 any public place or public reserve, or from any navigable water.

“Hoarding” shall mean and include any structure or natural or artificial object used or to be used for the display of 25 advertisements.

Erection and  
use of  
hoardings.

319c. (1) A hoarding shall not be erected or used unless the approval of the council is obtained therefor beforehand.

Application  
for approval.

(2) Application for the approval of 30 the council shall—

- (a) be made in the prescribed manner and by the owner or lessee of the land on which the hoarding is or is to be erected or a licensee of the hoarding; 35
- (b) be accompanied by such plans and specifications and such other particulars as may be prescribed;
- (c) state the period during which approval to use the hoarding is required; 40
- (d) be accompanied by the prescribed fee.

319D.



319D. In respect of any application for approval to erect or use any structure or object as a hoarding the council shall take into consideration—

Consideration of application.

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- (a) the situation of the hoarding;
- (b) the nature of the locality in which it is situated;
- (c) the size, shape, design and appearance of the hoarding.

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319E. (1) The council shall consider each application and the plans, specifications, and other particulars accompanying it, and may, subject to the provisions of this Act, approve or disapprove subject to conditions or disapprove thereof:

Council may approve or disapprove, &c.

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Provided that the application, plans, specifications, and other particulars may at any time be modified in such manner or respects as the council may approve.

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(2) The council shall give notice to the applicant of its approval or disapproval subject to conditions or disapproval within forty days after service of the application.

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(3) In the case of an approval subject to conditions, or of a disapproval, the reasons therefor shall be indicated in the notice.

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319F. Every approval by the council given under the last preceding section shall fix the period, being not less than one and not exceeding five years, during which the hoarding may be used for the display of advertisements.

Use of hoarding.

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During the period so fixed, and without further or other authority or permission from the council, but subject otherwise to the provisions of this Act and the ordinances made hereunder, the hoarding may be used for the display of advertisements.

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319G. (1) Advertisements shall not be displayed upon any place other than a hoarding for the use of which the approval of the council has been obtained as aforesaid.

Advertisements to be displayed only on an approved hoarding.

(2)



(2) Advertisements shall not be displayed upon any hoarding otherwise than in accordance with the terms and conditions under which the approval of the council for the use of the hoarding has been given. 5

Powers of  
the council.

319H. (1) Subject to the provisions of this Part of this Act, the council may regulate hoardings, advertisements and the display of advertisements.

(2) Notwithstanding the provisions 10  
of section five hundred and thirty of this Act, the power conferred on the council by this Part of this Act to regulate hoardings shall not be deemed to include power to prevent or prohibit. 15

Ordinances.

319K. Ordinances may be made for carrying out the provisions of this Part of this Act, and in particular for and with respect to—

- (a) regulating hoardings, advertisements and the display of advertisements; 20
- (b) excluding certain classes of signs and notices wholly or partially from the operation of this Part of this Act, and regulating such classes of signs and notices; 25
- (c) defining "billposters," and requiring billposters to be licensed (within the metropolitan police district by the Inspector-General of Police, and outside the metropolitan police district by the 30  
councils of shires and municipalities); and regulating and controlling billposters.

Any penalty imposed under any such ordinance relating to any sign or advertisement 35  
may be recovered from the person by or in consequence of whose order, or in whose interest directly or indirectly, the sign or advertisement has been exhibited, as well as from the person by whom it has been exhibited. 40

(3)



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- (3) by inserting in subsection one of section three Sec. 341 (1).  
hundred and forty-one, after paragraph (c),  
the following paragraph :—  
(d) to erect or use any hoarding ;
- 5 (4) by inserting in paragraph (e) of section Sec. 342.  
three hundred and forty-two, after the word  
“building,” the words “or hoarding.”

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Sydney: Alfred James Kent, Government Printer—1933.

[7d.]

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8. The Local Government (Administration) Bill, 1952, is a Bill to amend the Local Government (Administration) Act, 1951, and to provide for the better administration of local government areas, and for purposes connected therewith.

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