

CONCURRENCE COPY

LOCAL GOVERNMENT (FOOTWAY RESTAURANTS) AMENDMENT BILL, 1978

EXPLANATORY NOTE

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

The Liquor (Footway Restaurants) Amendment Bill, 1978, is cognate with this Bill.

The object of this Bill is to enable a council or, on the failure or refusal of a council, the Minister, to grant to a person who conducts or proposes to conduct a restaurant a lease or licence, solely for the purposes of the restaurant, of an area of public footway adjacent to the restaurant and to authorise the erection of structures, solely for the purposes of the restaurant, in relation to the area.

CONFIDENTIAL COPY

LOCAL GOVERNMENT (DUTY RESTRICTIONS) AMENDMENT BILL, 1978

EXPLANATORY NOTE

This explanatory note is set out in the Bill as introduced into Parliament.

The Local Government (Duty Restrictions) Amendment Bill, 1978, is cognate with this Bill.

The object of this Bill is to enable a council to exercise a power to refuse to grant a licence to a person who is not a member of the council. The Bill also provides for the power to refuse to grant a licence to a person who is not a member of the council to be exercised in relation to the grant of a licence to a person who is not a member of the council.

**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

**An Act to amend the Local Government Act, 1919, to enable
the conduct of restaurants on adjacent public footways.**

[MR HAIGH—1 March, 1978.]

Local Government (Footway Restaurants) Amendment.

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 :—

5 **1.** This Act may be cited as the "Local Government Short title. (Footway Restaurants) Amendment Act, 1978".

2. The Local Government Act, 1919, is amended by inserting after Division 3 of Part XXIV the following Division :—

Amendment
of Act No.
41, 1919,
Pt. XXIV,
Div. 3A.

DIVISION 3A.—Restaurants on footways.

10 520A. (1) In this Division—
"Commission" means the New South Wales Planning and Environment Commission constituted under the New South Wales Planning and Environment Commission Act, 1974;

Interpre-
tation:
Pt. XXIV,
Div. 3A.

15 "restaurant" means premises in which food is regularly supplied on sale to the public for consumption on the premises and includes premises in which such supply is proposed.

20 (2) In this Division, a reference to a footway is a reference to a footway in a public road vested in fee-simple in the council.

25 520B. (1) Subject to this section, the council may grant to a person who conducts or proposes to conduct a restaurant a lease of or a licence in respect of such area of the footway adjacent to the restaurant as the council determines for use solely for the conduct of the restaurant.

Granting of
lease or
licence of
footway for
restaurant
purposes.

Local Government (Footway Restaurants) Amendment.

(2) A lease or licence granted under subsection (1) shall be—

5 (a) for, or for such periods as the council determines during, a continuous term not exceeding 7 years; and

(b) except as provided by paragraph (a), on such terms and subject to such conditions as the council determines.

10 (3) The council shall not grant a lease or licence under subsection (1) except with the approval of the Minister given after consideration of a report and recommendation by the Commission.

520c. (1) The council may, on such terms and subject to such conditions as it determines— Erection of structures.

15 (a) authorise a person to whom a lease or licence under section 520B (1) is granted to erect and maintain structures, during the occupation of the person pursuant to the lease or licence, in, on, over, under
20 or through the area of footway subject to the lease or licence for use solely for the conduct of the restaurant in respect of which the lease or licence is granted; or

25 (b) exercise, at the request and cost of a person referred to in paragraph (a), any power which that person may be authorised to exercise under that paragraph.

(2) The council may, in respect of the footway or any other part of the public road adjacent to an area of footway subject to a lease or licence granted under section 520B (1), erect and maintain such structures as, in its opinion,
30 are necessary to promote or preserve public safety or health.

Local Government (Footway Restaurants) Amendment.

520D. (1) Where a person referred to in section 520B (1) has requested the council, in writing, to grant him a lease or licence under section 520B (1) and the council has refused the request or the council has not, within 90 days after the date of the request, granted such a lease or licence to him, the Minister may, after—

Granting of lease, etc., by Minister.

(a) consideration of a report and recommendation by the Commission;

(b) consultation with the Minister administering Part IX; and

(c) consideration of any representations made to him by the council,

exercise and perform the powers, authorities, duties and functions of the council under section 520B and, if he thinks fit, section 520c.

(2) A lease or licence granted by the Minister under subsection (1) shall be deemed to have been granted by the council in accordance with section 520B.

520E. Where an area of footway subject to a lease or licence granted under this Division is used otherwise than, or ceases to be used, solely for the conduct of a restaurant in conjunction with the use of the adjacent premises as a restaurant, the lease or licence shall, notwithstanding any term or condition of the lease or licence, determine forthwith.

Determination of lease or licence.

520F. (1) Notwithstanding anything contained in this or any other Act or any law to the contrary—

Effect of operation of contrary laws.

(a) the occupation of an area of footway in accordance with a lease or licence granted under this Division; and

(b) the erection of a structure in, on, over, under or through such an area or an adjacent area under section 520c or by the Minister pursuant to section 520D (1),

is lawful.

Local Government (Footway Restaurants) Amendment.

5 (2) Where the occupation of an area of footway or
the erection of a structure in respect of such an area is lawful
under subsection (1), the council, the Minister, the person to
whom the lease of or licence in respect of that area is granted
and the servants, agents and invitees of that person, shall, in
10 respect of the use and occupation of that area solely for the
purposes of the conduct of a restaurant, be freed and dis-
charged from all penalties, suits, prosecutions and liabilities
which by law the council, the Minister, that person or those
servants, agents and invitees, would, but for this Division, be
15 liable as causing an obstruction of a public place or as
offending against any provision of this or any other Act or
against any other law, being a provision or law relating to the
use or occupation of a footway.

15 (3) Section 10 does not apply to this Division.

20 520G. Except as may be provided in a lease or licence granted under this Division, nothing in this Division deroga-
tes from or otherwise affects any power, authority, duty or function conferred or imposed on the council by or under
this Act. Other powers, etc., not affected.

Local Government (Municipalities) Amendment

(2) Where the occupation of an area of roadway or the erection of a structure in respect of which an area is treated under subsection (1), the council, the Minister, the person to whom the lease of or licence in respect of that area is granted and the relevant agents and invitees of that person, shall, in respect of the use and occupation of that area solely for the purpose of the conduct of a restaurant, be treated and charged as if, in relation to that area, the provisions and liabilities which by law the council, the Minister, that person or those relevant agents and invitees would, but for this Division, be liable in causing an obstruction of a public place or as offending against any provision of this or any other Act or against any other law being a provision or law relating to the use or occupation of a roadway.

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(3) Section 10 does not apply to this Division.

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29(2) Except as may be provided in a lease or licence other than a lease or licence granted under the Division, no person shall, in the exercise of any power, authority, duty or function conferred or imposed on the council by or under this Act

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**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978**

EXPLANATORY NOTE

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

The Liquor (Footway Restaurants) Amendment Bill, 1978, is cognate with this Bill.

The object of this Bill is to enable a council or, on the failure or refusal of a council, the Minister, to grant to a person who conducts or proposes to conduct a restaurant a lease or licence, solely for the purposes of the restaurant, of an area of public footway adjacent to the restaurant and to authorise the erection of structures, solely for the purposes of the restaurant, in relation to the area.

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PH.D. THESIS

BY

ROBERT M. HAYES

1955

CHICAGO, ILLINOIS

UNIVERSITY OF CHICAGO PRESS

**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

An Act to amend the Local Government Act, 1919, to enable
the conduct of restaurants on adjacent public footways.

[MR HAIGH—1 *March*, 1978.]

Local Government (Footway Restaurants) Amendment.

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 :—

5 1. This Act may be cited as the "Local Government Short title. (Footway Restaurants) Amendment Act, 1978".

2. The Local Government Act, 1919, is amended by inserting after Division 3 of Part XXIV the following Division :—

Amendment
of Act No.
41, 1919.
Pt. XXIV,
Div. 3A.

DIVISION 3A.—*Restaurants on footways.*

10 520A. (1) In this Division—

"Commission" means the New South Wales Planning and Environment Commission constituted under the New South Wales Planning and Environment Commission Act, 1974;

Interpre-
tation:
Pt. XXIV,
Div. 3A.

15 "restaurant" means premises in which food is regularly supplied on sale to the public for consumption on the premises and includes premises in which such supply is proposed.

20 (2) In this Division, a reference to a footway is a reference to a footway in a public road vested in fee-simple in the council.

25 520B. (1) Subject to this section, the council may grant to a person who conducts or proposes to conduct a restaurant a lease of or a licence in respect of such area of the footway adjacent to the restaurant as the council determines for use solely for the conduct of the restaurant.

Granting of
lease or
licence of
footway for
restaurant
purposes.

Local Government (Footway Restaurants) Amendment.

(2) A lease or licence granted under subsection (1) shall be—

- 5
- (a) for, or for such periods as the council determines during, a continuous term not exceeding 7 years; and
 - (b) except as provided by paragraph (a), on such terms and subject to such conditions as the council determines.

10 (3) The council shall not grant a lease or licence under subsection (1) except with the approval of the Minister given after consideration of a report and recommendation by the Commission.

520c. (1) The council may, on such terms and subject to such conditions as it determines— Erection of structures.

- 15
- (a) authorise a person to whom a lease or licence under section 520B (1) is granted to erect and maintain structures, during the occupation of the person pursuant to the lease or licence, in, on, over, under or through the area of footway subject to the lease or licence for use solely for the conduct of the restaurant in respect of which the lease or licence is granted; or
 - (b) exercise, at the request and cost of a person referred to in paragraph (a), any power which that person may be authorised to exercise under that paragraph.
- 20
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(2) The council may, in respect of the footway or any other part of the public road adjacent to an area of footway subject to a lease or licence granted under section 520B (1), erect and maintain such structures as, in its opinion, are necessary to promote or preserve public safety or health.

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Local Government (Footway Restaurants) Amendment.

5 520D. (1) Where a person referred to in section 520B (1) has requested the council, in writing, to grant him a lease or licence under section 520B (1) and the council has refused the request or the council has not, within 90 days after the date of the request, granted such a lease or licence to him, the Minister may, after—

Granting of lease, etc., by Minister.

- (a) consideration of a report and recommendation by the Commission;
- 10 (b) consultation with the Minister administering Part IX; and
- (c) consideration of any representations made to him by the council,

15 exercise and perform the powers, authorities, duties and functions of the council under section 520B and, if he thinks fit, section 520C.

(2) A lease or licence granted by the Minister under subsection (1) shall be deemed to have been granted by the council in accordance with section 520B.

20 520E. Where an area of footway subject to a lease or licence granted under this Division is used otherwise than, or ceases to be used, solely for the conduct of a restaurant in conjunction with the use of the adjacent premises as a restaurant, the lease or licence shall, notwithstanding any term or condition of the lease or licence, determine forthwith.

Determination of lease or licence.

25 520F. (1) Notwithstanding anything contained in this or any other Act or any law to the contrary—

Effect of operation of contrary laws.

- (a) the occupation of an area of footway in accordance with a lease or licence granted under this Division; and
- 30 (b) the erection of a structure in, on, over, under or through such an area or an adjacent area under section 520C or by the Minister pursuant to section 520D (1),

is lawful.

Local Government (Footway Restaurants) Amendment.

5 (2) Where the occupation of an area of footway or
the erection of a structure in respect of such an area is lawful
under subsection (1), the council, the Minister, the person to
whom the lease of or licence in respect of that area is granted
and the servants, agents and invitees of that person, shall, in
respect of the use and occupation of that area solely for the
purposes of the conduct of a restaurant, be freed and dis-
charged from all penalties, suits, prosecutions and liabilities
10 which by law the council, the Minister, that person or those
servants, agents and invitees, would, but for this Division, be
liable as causing an obstruction of a public place or as
offending against any provision of this or any other Act or
against any other law, being a provision or law relating to the
use or occupation of a footway.

15 (3) Section 10 does not apply to this Division.

20 520G. Except as may be provided in a lease or licence granted under this Division, nothing in this Division derogates from or otherwise affects any power, authority, duty or function conferred or imposed on the council by or under this Act. ^{Other powers, etc., not affected.}

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

[8c]

**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978**

EXPLANATORY NOTE

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

The Liquor (Footway Restaurants) Amendment Bill, 1978, is cognate with this Bill.

The object of this Bill is to enable a council or, on the failure or refusal of a council, the Minister, to grant to a person who conducts or proposes to conduct a restaurant a lease or licence, solely for the purposes of the restaurant, of an area of public footway adjacent to the restaurant and to authorise the erection of structures, solely for the purposes of the restaurant, in relation to the area.

LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978

EXPLANATORY NOTE

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

The Local Government (Footway Restaurants) Amendment Bill, 1978, is cognate with
the Bill.

The object of the Bill is to enable a council, in the event of the failure or refusal of a
council, the Minister to grant to a person who wishes to conduct a business to conduct a
business a licence to occupy a footway in front of a restaurant or an area of
public footway adjacent to the restaurant and to regulate the location of structures,
signs and the parking of the restaurant's vehicles on the area.

**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

An Act to amend the Local Government Act, 1919, to enable
the conduct of restaurants on adjacent public footways.

[MR HAIGH—1 March, 1978.]

Local Government (Footway Restaurants) Amendment.

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 :—

5 **1.** This Act may be cited as the "Local Government Short title. (Footway Restaurants) Amendment Act, 1978".

2. The Local Government Act, 1919, is amended by inserting after Division 3 of Part XXIV the following Division :—
Amendment of Act No. 41, 1919, Pt. XXIV, Div. 3A.

DIVISION 3A.—Restaurants on footways.

10 520A. (1) In this Division—
"Commission" means the New South Wales Planning and Environment Commission constituted under the New South Wales Planning and Environment Commission Act, 1974;
Interpretation: Pt. XXIV, Div. 3A.

15 "restaurant" means premises in which food is regularly supplied on sale to the public for consumption on the premises and includes premises in which such supply is proposed.

20 (2) In this Division, a reference to a footway is a reference to a footway in a public road vested in fee-simple in the council.

25 520B. (1) Subject to this section, the council may grant to a person who conducts or proposes to conduct a restaurant a lease of or a licence in respect of such area of the footway adjacent to the restaurant as the council determines for use solely for the conduct of the restaurant.
Granting of lease or licence of footway for restaurant purposes.

Local Government (Footway Restaurants) Amendment.

(2) A lease or licence granted under subsection (1) shall be—

- 5
- (a) for, or for such periods as the council determines during, a continuous term not exceeding 7 years; and
 - (b) except as provided by paragraph (a), on such terms and subject to such conditions as the council determines.

10 (3) The council shall not grant a lease or licence under subsection (1) except with the approval of the Minister given after consideration of a report and recommendation by the Commission.

520c. (1) The council may, on such terms and subject to such conditions as it determines— Erection of structures.

- 15
- (a) authorise a person to whom a lease or licence under section 520B (1) is granted to erect and maintain structures, during the occupation of the person pursuant to the lease or licence, in, on, over, under or through the area of footway subject to the lease or licence for use solely for the conduct of the restaurant in respect of which the lease or licence is granted; or
 - (b) exercise, at the request and cost of a person referred to in paragraph (a), any power which that person may be authorised to exercise under that paragraph.
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(2) The council may, in respect of the footway or any other part of the public road adjacent to an area of footway subject to a lease or licence granted under section 520B (1), erect and maintain such structures as, in its opinion, are necessary to promote or preserve public safety or health.

30

Local Government (Footway Restaurants) Amendment.

520D. (1) Where a person referred to in section 520B (1) has requested the council, in writing, to grant him a lease or licence under section 520B (1) and the council has refused the request or the council has not, within 90 days after the date of the request, granted such a lease or licence to him, the Minister may, after—

Granting of
lease, etc.,
by Minister.

- (a) consideration of a report and recommendation by the Commission;
- (b) consultation with the Minister administering Part IX; and
- (c) consideration of any representations made to him by the council,

exercise and perform the powers, authorities, duties and functions of the council under section 520B and, if he thinks fit, section 520C.

(2) A lease or licence granted by the Minister under subsection (1) shall be deemed to have been granted by the council in accordance with section 520B.

520E. Where an area of footway subject to a lease or licence granted under this Division is used otherwise than, or ceases to be used, solely for the conduct of a restaurant in conjunction with the use of the adjacent premises as a restaurant, the lease or licence shall, notwithstanding any term or condition of the lease or licence, determine forthwith.

Determina-
tion of
lease or
licence.

520F. (1) Notwithstanding anything contained in this or any other Act or any law to the contrary—

Effect of
operation
of contrary
laws.

- (a) the occupation of an area of footway in accordance with a lease or licence granted under this Division; and
- (b) the erection of a structure in, on, over, under or through such an area or an adjacent area under section 520C or by the Minister pursuant to section 520D (1),

is lawful.

Local Government (Footway Restaurants) Amendment.

5 (2) Where the occupation of an area of footway or
the erection of a structure in respect of such an area is lawful
under subsection (1), the council, the Minister, the person to
whom the lease of or licence in respect of that area is granted
and the servants, agents and invitees of that person, shall, in
respect of the use and occupation of that area solely for the
purposes of the conduct of a restaurant, be freed and dis-
charged from all penalties, suits, prosecutions and liabilities
10 which by law the council, the Minister, that person or those
servants, agents and invitees, would, but for this Division, be
liable as causing an obstruction of a public place or as
offending against any provision of this or any other Act or
against any other law, being a provision or law relating to the
use or occupation of a footway.

15 (3) Section 10 does not apply to this Division.

20 520G. Except as may be provided in a lease or licence granted under this Division, nothing in this Division derogates from or otherwise affects any power, authority, duty or function conferred or imposed on the council by or under this Act. Other powers, etc., not affected.

Local Government (General Administration) Ordinance

(2) Where the Commission or any member thereof is satisfied that the creation of a new local authority is necessary in the interest of the people of the area, it may, subject to the approval of the Council, recommend the Government to create such a new local authority in the area, and the Government may, in pursuance of such recommendation, create such a new local authority in the area, and the Commission or any member thereof may, in pursuance of such recommendation, exercise the powers conferred on it by this Ordinance in relation to the new local authority.

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Section 19 does not apply to this Division

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Section 19 does not apply to this Division in the case of Income Tax, Land Revenue, and the Division of the District, but it applies to other divisions of the District, and the Commission or any member thereof may, in pursuance of such recommendation, exercise the powers conferred on it by this Ordinance in relation to the new local authority.

20

BY AUTHORITY

SECRETARY TO GOVERNMENT, GENERAL ADMINISTRATION, NEW DELHI

**LOCAL GOVERNMENT (FOOTWAY RESTAURANTS)
AMENDMENT ACT, 1978, No. 35**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 35, 1978.

An Act to amend the Local Government Act, 1919, to enable
the conduct of restaurants on adjacent public footways.

[Assented to, 28th March, 1978.]

Local Government (Footway Restaurants) Amendment.

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 (Footway Restaurants) Amendment Act, 1978".

Amendment of Act No. 41, 1919, Pt. XXIV, Div. 3A. **2.** The Local Government Act, 1919, is amended by inserting after Division 3 of Part XXIV the following Division :—

DIVISION 3A.—*Restaurants on footways.*

Interpretation:
Pt. XXIV,
Div. 3A.

520A. (1) In this Division—

“Commission” means the New South Wales Planning and Environment Commission constituted under the New South Wales Planning and Environment Commission Act, 1974;

“restaurant” means premises in which food is regularly supplied on sale to the public for consumption on the premises and includes premises in which such supply is proposed.

(2) In this Division, a reference to a footway is a reference to a footway in a public road vested in fee-simple in the council.

Granting of lease or licence of footway for restaurant purposes.

520B. (1) Subject to this section, the council may grant to a person who conducts or proposes to conduct a restaurant a lease of or a licence in respect of such area of the footway adjacent to the restaurant as the council determines for use solely for the conduct of the restaurant.

Local Government (Footway Restaurants) Amendment.

(2) A lease or licence granted under subsection (1) shall be—

- (a) for, or for such periods as the council determines during, a continuous term not exceeding 7 years; and
- (b) except as provided by paragraph (a), on such terms and subject to such conditions as the council determines.

(3) The council shall not grant a lease or licence under subsection (1) except with the approval of the Minister given after consideration of a report and recommendation by the Commission.

520c. (1) The council may, on such terms and subject to such conditions as it determines— Erection of structures.

- (a) authorise a person to whom a lease or licence under section 520B (1) is granted to erect and maintain structures, during the occupation of the person pursuant to the lease or licence, in, on, over, under or through the area of footway subject to the lease or licence for use solely for the conduct of the restaurant in respect of which the lease or licence is granted; or
- (b) exercise, at the request and cost of a person referred to in paragraph (a), any power which that person may be authorised to exercise under that paragraph.

(2) The council may, in respect of the footway or any other part of the public road adjacent to an area of footway subject to a lease or licence granted under section 520B (1), erect and maintain such structures as, in its opinion, are necessary to promote or preserve public safety or health.

Local Government (Footway Restaurants) Amendment.

Granting of
lease, etc.,
by Minister.

520D. (1) Where a person referred to in section 520B (1) has requested the council, in writing, to grant him a lease or licence under section 520B (1) and the council has refused the request or the council has not, within 90 days after the date of the request, granted such a lease or licence to him, the Minister may, after—

- (a) consideration of a report and recommendation by the Commission;
- (b) consultation with the Minister administering Part IX; and
- (c) consideration of any representations made to him by the council,

exercise and perform the powers, authorities, duties and functions of the council under section 520B and, if he thinks fit, section 520C.

(2) A lease or licence granted by the Minister under subsection (1) shall be deemed to have been granted by the council in accordance with section 520B.

Determina-
tion of
lease or
licence.

520E. Where an area of footway subject to a lease or licence granted under this Division is used otherwise than, or ceases to be used, solely for the conduct of a restaurant in conjunction with the use of the adjacent premises as a restaurant, the lease or licence shall, notwithstanding any term or condition of the lease or licence, determine forthwith.

Effect of
operation
of contrary
laws.

520F. (1) Notwithstanding anything contained in this or any other Act or any law to the contrary—

- (a) the occupation of an area of footway in accordance with a lease or licence granted under this Division; and
- (b) the erection of a structure in, on, over, under or through such an area or an adjacent area under section 520C or by the Minister pursuant to section 520D (1),

is lawful.

Local Government (Footway Restaurants) Amendment.

(2) Where the occupation of an area of footway or the erection of a structure in respect of such an area is lawful under subsection (1), the council, the Minister, the person to whom the lease of or licence in respect of that area is granted and the servants, agents and invitees of that person, shall, in respect of the use and occupation of that area solely for the purposes of the conduct of a restaurant, be freed and discharged from all penalties, suits, prosecutions and liabilities which by law the council, the Minister, that person or those servants, agents and invitees, would, but for this Division, be liable as causing an obstruction of a public place or as offending against any provision of this or any other Act or against any other law, being a provision or law relating to the use or occupation of a footway.

(3) Section 10 does not apply to this Division.

520G. Except as may be provided in a lease or licence granted under this Division, nothing in this Division derogates from or otherwise affects any power, authority, duty or function conferred or imposed on the council by or under this Act. Other powers, etc., not affected.

In the name and on behalf of Her Majesty I assent to this Act.

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 28th March, 1978.*

Local Government (County Reorganisation) Amendment

(1) For the purpose of an Act relating to the structure of a council in respect of which an order is made under section 11 of the Local Government Act 1972, the person to whom the order is made shall be deemed to be the person to whom the order is made and the order shall be deemed to be made in respect of the council and not in respect of the person to whom the order is made.

(2) Where an order is made under section 11 of the Local Government Act 1972 in respect of a council, the order shall be deemed to be made in respect of the council and not in respect of the person to whom the order is made.

(3) Where an order is made under section 11 of the Local Government Act 1972 in respect of a council, the order shall be deemed to be made in respect of the council and not in respect of the person to whom the order is made.

(4) Nothing in this section shall apply to this Act.

11. (1) Where an order is made under section 11 of the Local Government Act 1972 in respect of a council, the order shall be deemed to be made in respect of the council and not in respect of the person to whom the order is made.

(2) Where an order is made under section 11 of the Local Government Act 1972 in respect of a council, the order shall be deemed to be made in respect of the council and not in respect of the person to whom the order is made.

in the name and in full of the Minister of the Environment

E. J. W. STREET
 The Director General
 The Environment, the Governor

Government House
 21st May 1978



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v
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