LOCAL GOVERNMENT ACT AMENDMENT BILL 1974

House of Assembly, 8 August 1974, page 381

Second reading

**The Hon. G. T. VIRGO (Minister of Local Government)** obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1974. Read a first time.

The Hon. G. T. VIRGO: I move:

*That this Bill be now read a second time.*

It is substantially the same as the Bill that failed to pass in the last session of the Parliament, only a few minor technical amendments having been made to it. The Bill makes miscellaneous amendments to the Local Government Act and it can be best explained by reference to its various clauses. I seek leave to have the explanation of the clauses incorporated in Hansard without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clauses 1 and 2 are formal. Clause 3 amends the definition of “ratable property” in the principal Act. The only amendment of substance is that land held by the Crown under a lease will become ratable property under the new provision. At present land held by the Crown under lease ceases to be ratable property for the purposes of the Local Government Act. Clauses 4 and 5 provide for the appointment of a deputy mayor who is empowered to exercise the powers of the mayor in his absence. Clause 6 makes a drafting amendment to the principal Act. Clause 7 makes an important amendment to the principal Act in regard to the time at which ordinary meetings of the council are to commence. The amendment provides that such meetings must always commence in the evening unless the council by unanimous resolution resolves that they should commence at some earlier time in the day. This amendment is of considerable significance because it will enable ordinary working men and women, and men and women involved in carrying on small businesses, to serve as members of the council. Many are now excluded because the times at which the council meets are incompatible with their employment or their business commitments. Secondly, the amendment will enable greater numbers of ratepayers to attend meetings of the council so that more people may become involved in civic affairs.

Clause 8 amends section 157 of the principal Act. The effect of the amendment is to ensure that an employee of a council who serves continuously under a series of councils will be regarded as having been in continuous employment for the purpose of computing long service leave. At present his service is only deemed to be continuous with one earlier period of service in the employment of another council. The amendments also provide that the new provisions relating to superannuation and long service leave will apply to controlling authorities constituted under Part XIX of the principal Act. A machinery amendment is inserted to enable the council to obtain details of the previous employment of any of its employees in the service of other councils so far as that is necessary to compute rights of superannuation and long service leave. Clauses 9, 10, and 11 make drafting amendments to the principal Act. Clauses 12 and 13 provide that a council may insure the spouse of any member or officer of the council while acting in the course of official functions. Clause 14 makes a drafting amendment to the principal Act. Clause 15 provides that a council may, with the consent of the Minister, grant a licence for installing pumps or equipment on or near a public street or road for the purpose of conveying water.

Clause 16 enables a council to grant licences for roadside restaurants and cafes. Clauses 17 and 18 make drafting amendments to the principal Act. Clause 19 empowers a council to borrow money for the purpose of enabling it to provide long service leave and superannuation to its employees. Clause 20 provides that a council shall not convert park lands that have been dedicated as such under the Crown Lands Act into a caravan park unless the Minister of Lands has consented to that conversion. Clause 21 provides that a council may lease park lands of up to 6 hectares and, with the consent of the Minister, may lease a greater area. Clauses 22 and 23 deal with the supply of gas by a council. The present provisions under which the council must itself own the gas works are eliminated. The Peterborough council, for example, supplies natural gas reticulated from the pipeline operated by the pipelines authority. Clause 24 makes a drafting amendment to the principal Act. Clause 25 provides that a hide and skin market, or saleyard, must be licensed if established within a district council district. At present a licence is required only if it is established within a township within the district.

Clause 26 enables a council to maintain and conduct a market and saleyard. Clauses 27 and 28 make consequential amendments to the principal Act. Clause 29 provides that where a council takes action to remove unsightly objects, it may recover the cost of its action from the owner or occupier of the land. Clause 30 makes consequential amendments to the principal Act. Clause 31 makes drafting amendments to the principal Act. Clause 32 provides that a copy of the valuation roll prepared under the Valuation of Land Act will be evidence of the Government assessment. Clause 33 makes a drafting amendment to the principal Act. Clause 34 provides that a council may keep its records on microfilm, and the production of the microfilm record will be sufficient compliance with any requirement to produce the record in legal proceedings. Clause 35 makes a drafting amendment to the principal Act. Clause 36 increases from 10c to $2 the fee that a council may charge for supplying details of unpaid rates and imposts upon property within its area. Clause 37 makes drafting amendments to the principal Act. Clause 38 and the schedule convert references to measurements into metric terms.

Mr. MATHWIN secured the adjournment of the debate