

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Wednesday, the 22nd Day of September 1954

MUNICIPAL CORPORATIONS BILL

Proposed Amendments

Hon. Sir WILLIAM BODKIN, in Committee, to move the following amendments:

Clause 12: To omit from paragraph (*c*) the words "any district and the inclusion in any other district" in lines 38 and 39, and substitute the words "or addition to any district (whether a borough or town district or not)".

To omit from paragraph (*d*) the words "any district and the inclusion in any other district" in lines 19 and 20 on page 23, and substitute the words "or addition to any district (whether a borough or town district or not)".

Clause 177: To insert in subclause (9), after the words "cloak rooms" in line 36 on page 97, the words "structures, appliances,".

Clause 192: To insert in subclause (8), before the word "district" in line 29 on page 106, the words "land registration".

Clause 221: To omit the words "in its natural state of purity" in lines 8 and 9.

Clause 271: To insert in paragraph (*a*), after the word "district" in line 39, the words "(whether a borough or town district or not)".

Clause 275: To insert in the proviso, after the word "district" in line 37, the words "(whether a borough or town district or not)".

Clause 336: To add the following subclause:

(3) Nothing in section twenty of the Finance Act 1934, No. 2 1934 shall apply with respect to any money to which subsection *one* of this section applies.

Clause 353: To add the following subclauses:

(6) Where any land referred to in subsection *four* of this section is subject to a building line restriction imposed under the Land Subdivision in Counties Act 1946, the Council may by resolution declare the building line restriction to be wholly cancelled, and the building line restriction previously imposed shall cease to have effect:

Provided that where that building line restriction relates to any part of a street having a width of less than sixty-six feet (not being a street that serves only industrial or commercial premises) the Council shall impose a building line restriction in place of that previously imposed requiring that, when new buildings are erected or any buildings are rebuilt or re-erected or are substantially rebuilt or re-erected on land having a frontage

to that part of the street, no part of any such buildings shall stand within a specified distance (being not less than thirty-three feet) of the middle line of the street:

Provided also that in the case of a street not having parallel sides the building line may be fixed in relation to the side line of the street, but at no point shall be less than thirty-three feet from the middle of the street.

(7) As soon as conveniently may be after the passing of a resolution under subsection *six* of this section, the Council shall send a copy of the resolution to the District Land Registrar or the Registrar of Deeds, as the case may require, who shall, without payment of any fee, register the resolution and amend his records accordingly.

Clause 413: To add the following subclause:

(8) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of section twenty-two of the Municipal Corporations Amendment Act 1953 shall not affect the amendment made by subsection two of that section.

See Reprint
of Statutes,
Vol. VIII,
p. 568
1953, No. 92

Sixth Schedule: To omit from clause 11 the word "district", and substitute the words "land district in which the street is situated".

EXPLANATORY NOTE

Clause 12: This clause makes provision for the alteration of boundaries of districts by the inclusion of an area forming part of some other district or the exclusion of some part of the district and adding it to another district. The term "district" is defined in *clause 2* as meaning a borough or town district and the provisions of *clause 12* may therefore be restricted to adjustments of boundaries between districts as so defined. The purpose of this amendment is to make it clear that the clause applies to adjustments of boundaries as between districts of any kind, e.g., as between boroughs and counties.

Clause 177: The purpose of this amendment is to put beyond doubt the power of a Council to install parking meters and their stands in streets.

Clause 192: In view of the definition of the term "district" in *clause 2* this amendment makes it clear that the district referred to in *clause 192* is a land registration district.

Clause 221: This clause as at present worded authorizes a Council to lead any surface water in its natural state of purity into any stream or watercourse. The words "in its natural state of purity" do not appear in the existing legislation (section 226 of the Municipal Corporations Act 1933), and it is proposed that they be omitted from the clause in view of the difficulty likely to be experienced in certain circumstances by some local authorities in ensuring that no impure surface water finds its way into any stream or watercourse.

Clauses 271 and 275: In view of the definition of the term "district" in *clause 2* the amendments to these clauses make it clear that where a Council supplies electricity or gas beyond its district it must obtain the consent of the local authority of the district concerned (whether a borough or town district or not).

Clause 336: The effect of this amendment is that where the Council subdivides and sells or leases land acquired from loan money it need not comply with the provisions of section 20 of the Finance Act 1934, which provides that the Council must apply the proceeds of the sale of any assets acquired from loan money in repayment of the loan and must apply any surplus in such manner as the Local Government Loans Board directs.

Clause 351: The purpose of this amendment is to enable the Council to cancel any building line restriction that had been imposed under the Land Subdivision in Counties Act 1946 on any land before its incorporation in the borough or town district. Where the land has a frontage to a street of a width of less than 66 feet, the Council must replace the cancelled building line restriction with a new building line restriction of not less than 33 feet from the middle line of the street.

Clause 413: The purpose of this amendment is to ensure that the repeal of the Municipal Corporations Amendment Act 1953 will not affect the amendment made by section 22 of that Act to section 4 of the Joint Family Homes Act 1950.

Sixth Schedule: In view of the definition of the term "district" in *clause 2* this amendment makes it clear that the district referred to in clause 11 of the Sixth Schedule is a land district.