

## HOUSE OF REPRESENTATIVES

## Supplementary Order Paper

Thursday, the 5th Day of October 1978

LOCAL GOVERNMENT AMENDMENT (NO. 4) BILL

*Proposed Amendments*

Hon. Mr HIGHET, in Committee, to move the following amendments:

*Clause 2 (proposed section 274):* To omit from subparagraph (iii) of subsection (1) (b) the words “or has been prohibited under section 31 of that Act; or” in lines 27 and 28, and substitute the words “(not being a detrimental work that has been consented to by the council under section 31 of that Act or under section 38 of the Town and Country Planning Act 1953), or has been prohibited under the said section 31 or the said section 38; or”.

*Clause 4:* To insert in subclause (6), after paragraph (b), the following paragraph:

(ba) By omitting from subsection (3) of section 151 and also from subsection (4) the words “any separately rateable property”, and substituting in each case the words “all separately rateable property”:

## EXPLANATORY NOTE

*Clause 2 (proposed section 274):* Subsection (1) (b) (iii) of the proposed section 274 provides that the council must refuse to approve any scheme plan of subdivision where the subdivision would be a detrimental work within the meaning of the Town and Country Planning Act 1977 or has been prohibited under section 31 of that Act.

But section 31 (and the corresponding section 38 of the Town and Country Planning Act 1953) authorise the council to consent to the carrying out of a detrimental work. This amendment will exclude from the operation of section 274 (1) (b) (iii) a detrimental work that has been consented to by the council.

*Clause 4:* This is a drafting amendment only, intended to make it clear that the rating limitation specified in subsections (3) and (4) of section 151 of the principal Act (which relate to differential rates on farm land, residential land, reserve land, or water catchment land) relates to the total rate produced on all properties of those classes and not to the rate on each individual property.