

## LOCAL GOVERNMENT (No. 2).

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No. 99 of 1985.

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**AN ACT to amend the Local Government Act 1960  
and for related purposes.**

[Assented to 4 December 1985.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Local Government Amendment Act (No. 2) 1985*.

Short title  
and principal  
Act.

(2) In this Act the Local Government Act 1960 is referred to as the principal Act.

Reprinted as  
approved  
24 June 1983  
and  
amended by  
Acts Nos. 6  
and 84 of  
1983, 17, 25, 42  
and 79 of 1984  
and 35 of  
1985.

Commence-  
ment.

2. This Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

Section 41  
amended.

3. Section 41 of the principal Act is amended—

(a) in subsection (5), by deleting “subsection (7)” and substituting the following—

“ subsections (7) and (7a) ”;

(b) in paragraph (b) of subsection (7), by deleting “shall” and substituting the following—

“ subject to subsection (7a), shall ”;

and

(c) by inserting after subsection (7) the following subsection—

“ (7a) Where the Minister is satisfied that it is not reasonably practicable for a council to compile a consolidated roll for the purposes of an election he may, by notice in writing given to the council, authorize the use by that council of a residents roll and an owners and occupiers roll for the purposes of that election. ”.

Section 65  
amended.

4. Section 65 of the principal Act is amended in paragraph (e) of subsection (1), by deleting “66 or”.

Section 66  
repealed.

5. Section 66 of the principal Act is repealed.

6. Section 100 of the principal Act is amended by deleting "8 o'clock in the afternoon" and substituting the following—

Section 100  
amended.

" 6 o'clock in the afternoon ".

7. Section 106 of the principal Act is amended by deleting "8 o'clock in the afternoon" and substituting the following—

Section 106  
amended.

" 6 o'clock in the afternoon ".

8. Section 119 of the principal Act is amended in subsection (2), by deleting "8" and substituting the following—

Section 119  
amended.

" 6 ".

9. Section 125 of the principal Act is amended in subsection (1), by deleting "8" and substituting the following—

Section 125  
amended.

" 6 ".

10. Section 129 of the principal Act is amended in subsection (2), by deleting "8" and substituting the following—

Section 129  
amended.

" 6 ".

11. After section 157 of the principal Act the following sections are inserted—

Sections  
157A and  
157B  
inserted.

" 157A. (1) The council of a municipality may, by resolution passed by an absolute majority, delegate to an officer of the municipality the performance of any function of the council or the municipality under this Act other than a function referred to in subsection (6) and, subject to subsection (6) (a), a function is not prevented from being delegated by reason only that it is specifically expressed to be exercisable by resolution of the council.

Delegation.

(2) Without otherwise limiting the application of sections 58 and 59 of the Interpretation Act 1984—

- (a) a delegation under this section shall be expressed to be for a period specified in the delegation or for an indefinite period, as the case may be;
- (b) any amendment or revocation of a delegation under this section shall be by resolution passed by an absolute majority of the council; and

(c) where a delegation is made to—

- (i) the holder or holders for the time being of a specified office or class of office, the delegation shall not cease to have effect by reason only of a change in the person lawfully acting in or performing the functions of that office or any office of that class;

- (ii) a specified person or persons of a specified class, the delegation shall cease to have effect in relation to a person if that person ceases to be an officer of the municipality.

(3) The clerk shall record in a register to be kept for the purpose particulars of every delegation under this section for the time being having effect, and the register shall be made available by the clerk for inspection by electors and ratepayers of the municipality at reasonable times.

(4) The council shall, at least once in each financial year, review every delegation made by it under this section.

(5) A function performed in accordance with a delegation made by a council under this section shall, for the purposes of this Act, be deemed to have been performed by the council.

(6) The council shall not delegate under this section—

- (a) a function that is specifically expressed to be exercisable by resolution passed by an absolute majority of the members of a council;
- (b) a function under Part III, VI or VII;
- (c) the making of any by-law;
- (d) the adoption of the annual budget;
- (e) the making of a declaration under section 533 (4 ha);
- (f) the imposition of any rate on rateable property;
- (g) the decision, under section 548A, to phase in a general valuation or, under section 548B, to phase in a change to rating on the basis of valuations on gross rental value;
- (h) the allowing of a discount under section 550 (2) or the specifying of a percentage to be used in calculating penalties pursuant to section 550A;
- (i) the imposition of a minimum rate under section 552;
- (j) the hearing or determination of any objection;
- (k) the borrowing of any moneys;

- (l) the approval of expenditure of moneys on works, services or operations of a municipality where provision therefor has not been made in the annual budget;
- (m) the acceptance of any tender received upon an invitation required by regulations under section 274;
- (n) the fixing of any fees or charges;
- (o) the fixing of payments of allowances or amounts by way of reimbursement of expenses to members of the council or a committee or to officers or employees of the municipality;
- (p) the assessment of whether or not any amount is payable to or by the municipality by way of compensation or damages, or the assessment of any amount so payable;
- (q) the decision whether or not to do anything requiring the consent or approval of the Governor or the Minister;
- (r) the appointment of auditors;
- (s) the decision whether or not to acquire or dispose of any estate or interest in land;
- (t) any other function prescribed by the regulations.

(7) Nothing in subsection (6) prevents a council from delegating under this section the negotiation of the price or other terms or conditions upon which an estate or interest in land is to be acquired or disposed of but where, in accordance with a delegation under this section, an officer negotiates any such price or other terms or conditions that officer shall, as soon as is reasonably practicable, notify the council thereof.

(8) Where a council would, if this section had not been enacted, have the ability to act through its officers, employees or agents, in a particular matter nothing in this section affects the ability of the council to so act without there being a formal delegation under this section.

157B. (1) An officer shall not, in relation to a particular matter, exercise a function delegated to him under section 157A if he would, were he providing any advice or report to the council in respect of that matter, be required by section 174A (3) to disclose an interest in the matter.

Pecuniary  
interest of  
delegate.

(2) An officer who contravenes subsection (1) commits an offence unless he did not know, and proves that he did not know, at the material time, of the interest.

Penalty: \$2 000.

(3) An officer who, in relation to a particular matter, is prevented by subsection (1) from carrying out a duty delegated to him under section 157A shall, as soon as is practicable, give to the council notice in writing specifying the matter and the duty he is prevented from carrying out in relation thereto, and disclosing the fact that he is prevented from carrying out the duty in relation to that matter by reason of an interest therein.

(4) Where an officer gives to the council a notice under subsection (3) disclosing an interest, the clerk shall record in a book to be kept for the purpose particulars of the disclosure, and the book shall be made available by the clerk for inspection by electors and ratepayers of the municipality at reasonable times. ”.

Section 160  
amended.

12. Section 160 of the principal Act is amended—

- (a) in subsection (2), by deleting “so made” and substituting the following—

“ made under section 159 ”; and

- (b) by inserting after subsection (2) the following subsection—

“ (2aa) Subsection (2) does not apply to a person acting temporarily, for a period not exceeding 3 months, in an office referred to in that subsection. ”.

Section 171  
amended.

13. Section 171 of the principal Act is amended—

- (a) by repealing subsection (2a);

- (b) in subsection (3)—

- (i) by inserting after “meeting” in the first place where it occurs the following—

“ of electors ”; and

- (ii) by deleting “convene the meeting for a day” and substituting the following—

“ appoint a day for the meeting ”;

- (c) by repealing subsection (4) and substituting the following subsection—

“ (4) The clerk shall convene an electors’ meeting by causing notice of—

- (a) the time and day appointed for the meeting;

- (b) the place of the meeting;

(c) where the meeting is a special meeting, the matter to be discussed;

(d) where the meeting is a general meeting, the purpose of the meeting,

to be published in a newspaper circulating in the district, and to be posted on the official notice board of the council, at least 14 days before that appointed for the meeting, and shall cause the notice so posted to be kept posted until the conclusion of the meeting. ”;

(d) in subsection (5), by deleting “, with the consent of the Minister, ”; and

(e) by repealing subsection (8) and substituting the following subsection—

“ (8) Subsection (7) (b) does not apply in relation to an annual general meeting of electors that is held before the receipt by the council of a copy of the auditor’s report on the annual financial statements of the council but where, after that meeting, the council receives a copy of that report—

(a) the clerk shall give notice, in a newspaper circulating in the district, that the report has been received and that it is available for inspection by electors at the office of the council;

(b) the council shall hold a general meeting of electors within 60 days after the receipt of the report; and

(c) the report shall be read at the general meeting of electors held in accordance with paragraph (b). ”.

Section 186  
amended.

14. Section 186 of the principal Act is amended by inserting after “authorized” the following—

“ , other than by reason of a delegation under section 157A, ”.

Section 189  
amended.

15. Section 189 of the principal Act is amended—

(a) by inserting after “clerk” in the first place where it occurs the following—

“ or another officer authorized in that behalf by the council ”; and

(b) by inserting after “clerk” in the second place where it occurs the following—

“ or other officer ”.

Section 242A  
inserted.

16. After section 242 of the principal Act the following section is inserted—

“ 242A. (1) In this section—

“goods, wares or merchandise” includes any stall or other thing, other than a vehicle, used for the purpose of displaying any goods, wares or merchandise;

“perishables” means foodstuffs or flowers of a perishable nature;

“vehicle” means a vehicle described in the First Schedule to the Road Traffic Act 1974.

(2) An officer authorized by a council for the purpose may remove and impound any goods, wares or merchandise that are in a street or other public place in breach of—

(a) any by-laws made under section 242 or 244 (2) (aa) by the council (in this section called “street trading by-laws”); or

Streets and  
other public  
places—  
removal,  
impounding  
and disposal  
or return of  
certain  
goods.

- (b) the conditions on which a licence has been issued by the council under any street trading by-laws (in this section called "street trading conditions").

(3) When any goods, wares or merchandise, other than perishables, have been removed and impounded under subsection (2) the council shall—

- (a) institute a prosecution against the person alleged to have breached any street trading by-laws or any street trading conditions in respect of those goods, wares or merchandise; or
- (b) serve notice on the person referred to in paragraph (a) informing that person that those goods, wares or merchandise may be collected from a place specified in that notice during such hours as are specified therein.

(4) When any perishables are being removed under subsection (2) the officer removing them shall deliver a notice personally to the person from whose charge those perishables are removed informing that person that those perishables may be collected from a place specified in that notice during such hours as are specified therein, but the council may, notwithstanding the delivery of that notice, institute a prosecution against the person alleged to have breached any street trading by-laws or any street trading conditions in respect of those perishables.

(5) When a person is convicted of having breached any street trading by-laws or any street trading conditions in respect of any goods, wares or merchandise, other than

perishables, removed and impounded under subsection (2) the court so convicting him may, in addition to imposing any other penalty on him, order that those goods, wares or merchandise be confiscated.

(6) When a person has been convicted of having breached any street trading by-laws or any street trading conditions in respect of any goods, wares or merchandise removed and impounded under subsection (2) the council concerned may, by action in a court of competent jurisdiction, recover from him—

- (a) if the goods, wares or merchandise are not sold under subsection (8) or (9)—the expenses incurred by that council in removing and impounding those goods, wares or merchandise and in disposing of them if they are disposed of under subsection (9); or
- (b) if the goods, wares or merchandise are sold under subsection (8) or (9)—the amount, if any, by which the expenses incurred by that council in removing, impounding and selling those goods, wares or merchandise exceed the proceeds of that sale.

(7) If a person against whom a prosecution has been instituted under subsection (3)

(a)—

- (a) is not convicted of having breached any street trading by-laws or street trading conditions; or
- (b) is convicted of having breached any street trading by-laws or street trading conditions but the court so convicting him does not order under subsection (5) that the goods, wares or merchandise concerned be confiscated,

the council concerned shall serve notice on that person informing him that the goods, wares or merchandise concerned may be collected from a place specified in that notice during such hours as are specified therein.

(8) If any goods, wares or merchandise—

(a) have been ordered to be confiscated under subsection (5); or

(b) have not been collected pursuant to a notice served under subsection (3) (b) or (7) within a period of 2 months after the service of that notice,

the council concerned may sell those goods, wares or merchandise and, if it does so, shall pay the proceeds of that sale into its municipal fund.

(9) If any perishables have not been collected pursuant to a notice delivered under subsection (4) within a period of 3 days after the delivery of that notice the council concerned may sell or otherwise dispose of those perishables and, if it sells them, shall pay the proceeds of that sale into its municipal fund.

(10) If any goods, wares or merchandise are removed and impounded in good faith under subsection (2) neither the officer who effects that removal and impounding nor the council by which he is authorized for the purpose is liable for any loss of or damage to those goods, wares and merchandise that occurs while—

(a) the officer is taking possession of them or removing them to a place at which they may be impounded; or

(b) they are being unloaded or deposited at a place referred to in paragraph (a),

other than loss or damage which results from the failure of the officer or council to exercise due care.

(11) Where under subsection (2) an officer authorized by a council may remove and impound any goods, wares or merchandise that are being displayed in a vehicle and, because of the size, nature or quantity of goods, wares or merchandise, or for any other reason, it is not convenient to unload and deal with those goods, wares or merchandise at the place at which the breach of any street trading by-laws or street trading conditions is alleged to have occurred, the officer may enter the vehicle for the purpose of removing it to a place at which the goods, wares or merchandise may be unloaded and impounded.

(12) Where a vehicle is removed under subsection (11) the council shall, as soon as practicable after the goods, wares or merchandise are unloaded from the vehicle, allow the person alleged to have committed the breach referred to in that subsection to resume control of the vehicle or, if that person is not present when the goods, wares or merchandise are unloaded or fails to resume control of the vehicle, serve notice on the person who is the holder of the requisite vehicle licence or permit under the Road Traffic Act 1974 in respect of the vehicle, informing him that the vehicle may be collected from a place specified in that notice during such hours as are specified therein.

(13) If any vehicle has not been collected pursuant to a notice served under subsection (12)—

- (a) within a period of 2 months after the service of that notice—the council concerned may refuse to allow the vehicle to be collected until the costs of the custody of the vehicle have been paid to the council;

- (b) within a period of 6 months after the service of that notice—the council concerned may sell the vehicle and, if it does so, shall pay the proceeds of that sale into its municipal fund.

(14) A notice served under subsection (12) shall *inter alia* contain a short statement of the effect of subsection (13).

(15) If any vehicle is removed in good faith under subsection (11), neither the officer who effects the removal nor the council by which he is authorized to remove and impound the goods, wares or merchandise displayed therein or thereon is liable for any loss of or damage to that vehicle that occurs while—

- (a) the officer is entering the vehicle or removing it to a place at which the goods, wares or merchandise may be unloaded and impounded; or
- (b) the goods, wares or merchandise are being unloaded at a place referred to in paragraph (a),

other than loss or damage which results from the failure of the officer or council to exercise due care. ”.

17. After section 244 of the principal Act the following section is inserted—

Section  
244AA  
inserted.

“ 244AA. (1) In this section—

“eating area” means an area in which tables, chairs and other structures are provided for the purpose of the supply of food or drink to the public or the consumption of food or drink by the public; and

Streets and  
other public  
places—use  
as eating  
areas.

“main road” has the same meaning as that term has in section 359.

(2) Without limiting the generality of section 244, a council may so make by-laws—

- (a) for regulating the places in streets and other public places in which persons may set up and conduct eating areas;
- (b) for prescribing the days and times during which persons may conduct business at an eating area in a street or other public place;
- (c) requiring persons setting up or conducting eating areas in streets and other public places to do so under the authority of licences issued by the council;
- (d) prescribing charges to be paid, in addition to any fees payable in respect of licences issued by the council under by-laws made under paragraph (c), by persons to whom those licences are issued; and
- (e) regulating eating areas in streets and other public places generally.

(3) A council may not authorize a person to set up and conduct an eating area in a street or other public place which forms part of a main road unless the council first—

- (a) deposits with the Commissioner of Main Roads a plan and specifications showing clearly the position and area of the proposed eating area and describing it; and
- (b) obtains the approval of the Commissioner of Main Roads to the proposed eating area.

(4) The Commissioner of Main Roads shall, within 21 days of the deposit by the council of the plan and specifications referred to in subsection (3) (a)—

- (a) approve the proposed eating area;
- (b) approve the proposed eating area subject to such conditions as he considers appropriate; or
- (c) refuse to approve the proposed eating area,

and shall forthwith advise the council, in writing, of his decision.

(5) Where the approval of the Commissioner of Main Roads under subsection (4) is given subject to a condition, the council may only authorize the setting up or conduct of the eating area concerned subject to that condition.

(6) Notwithstanding section 190 (7) (d) (i), a by-law made under subsection (2) (c) may impose, for a breach of a by-law so made a maximum penalty of \$1 000 or imprisonment for 6 months. ”.

18. Section 266 of the principal Act is amended in subsection (2), by deleting “Governor directs” and substituting the following—

Section 266 amended.

“ Minister approves ”.

19. Section 266A of the principal Act is amended in paragraph (c) of subsection (2), by deleting “Governor directs” and substituting the following—

Section 266A amended.

“ Minister approves ”.

Section 266B  
amended.

20. Section 266B of the principal Act is amended by deleting "Governor directs" and substituting the following—

“ Minister approves ”.

Section 266C  
substituted.

21. Section 266C of the principal Act is repealed and the following section is substituted—

Publication  
of Ministerial  
approval.

“ 266C. Any approval given by the Minister under section 266 (2), 266A (2) (c) or 266B does not have effect until notice of the giving thereof has been published by the council in a newspaper circulating in the district. ”.

Section 267  
amended.

22. Section 267 of the principal Act is amended—

(a) in subsection (3), by deleting "Governor directs" and substituting the following—

“ Minister approves ”; and

(b) by repealing subsection (4) and substituting the following subsection—

“ (4) Any approval given by the Minister under subsection (3) does not have effect until notice of the giving thereof has been published by the council in a newspaper circulating in the district. ”.

Section 267A  
repealed.

23. (1) Section 267A of the principal Act is repealed.

(2) Nothing in subsection (1) affects the validity of a direction deemed by section 267A of the principal Act to be, and always to have been, validly and effectually made or given.

24. The heading to Part XIX of the principal Act is amended by inserting after "FACILITIES" the following—

Heading to  
Part XIX  
amended.

" AND SERVICES ".

25. Section 446 of the principal Act is amended—

Section 446  
amended.

(a) in paragraph (a)—by inserting after "civic centres," the following—

" theatres, ";

(b) by deleting "and" after paragraph (b);

(c) in paragraph (c), by deleting "desirable." and substituting the following—

" desirable; "; and

(d) by inserting after paragraph (c) the following—

" (d) the operation and management of theatres and the provision and conduct of public entertainment generally. ".

26. Section 480 of the principal Act is amended—

Section 480  
amended.

(a) by repealing subsection (1); and

- (b) in paragraphs (a) and (b) of subsection (2), by deleting “, except where and to the extent he is precluded from doing so by an Order so made,”.

Section 503  
amended.

27. Section 503 of the principal Act is amended in subsection (5)—

(a) in paragraph (a)—

- (i) by deleting “With the consent of the Governor a” and substituting the following—

“ A ”; and

- (ii) by deleting “, and as are approved by the Governor”; and

(b) in paragraph (b)—

- (i) by deleting “and approved”; and

- (ii) by deleting “with the approval of the Governor,”.

Section 511  
amended.

28. Section 511 of the principal Act is amended in paragraph (c) of subsection (1), by deleting “with the consent of the Minister,”.

Section 513  
amended.

29. Section 513 of the principal Act is amended—

- (a) in paragraph (c) of subsection (1), by deleting “to carry” and substituting the following—

“ carry ”;

- (b) by repealing subsection (2) and substituting the following subsection—

“ (2) Nothing in this Act authorizes a council to pay expenses incurred by a member in carrying out a duty or performing an act outside the State unless a resolution expressly authorizing the member to carry out the duty or perform the act has been passed by an absolute majority of the council. ”;

and

- (c) by repealing subsection (4) and substituting the following subsection—

“ (4) Nothing in this Act authorizes a council to pay expenses of the nature mentioned in subsection (1) (ga) incurred in respect of a duty carried out or an act performed outside the State unless such a payment has been authorized by a resolution passed by an absolute majority of the council. ”.

30. After section 513 of the principal Act the following section is inserted—

Section 513A  
inserted.

“ 513A. (1) A council, in accordance with the provisions of this Act, may—

Council may  
organize  
and conduct  
celebrations.

(a) organize and conduct activities; and

(b) carry out works,

connected with the celebration of occasions of national, State or local significance.

(2) Subject to this Act, a council may, by resolution passed by an absolute majority of the council, appoint persons, whether members of the council or not, as a committee and delegate to the committee such of its powers under subsection (1) as are specified in the resolution.

(3) The provisions of section 179 (1) (b), (d), (2), (3) and (4) apply *mutatis mutandis* to a committee constituted under this section.

(4) A committee constituted under this section is authorized, for the purpose of exercising the powers delegated to it, to incur expenditure in accordance with the council's budgets or as directed from time to time by the council, and the council may, in accordance with this Act, meet any expenditure so incurred.

(5) Any money received by a committee constituted under this section in exercising the powers delegated to it shall be so received on behalf of the municipality and shall form part of the appropriate fund of the municipality. ”.

Section 514A  
amended.

31. Section 514A of the principal Act is amended—

(a) in subsection (1), by deleting “Governor given on the recommendation of the”;

(b) by repealing subsections (3) and (4);

(c) in subsection (5), by deleting “Where the proposal is one to which paragraph (a) or (b) of subsection (1) of this section applies the Minister may recommend it to the Governor for approval” and substituting the following—

“ Where a council proposes to exercise a power conferred by subsection (1) and that proposal is one to which paragraph (a) or (b) of that subsection applies, the Minister may approve it ”;

- (d) in subsection (6), by deleting “Where the proposal is one to which paragraph (c) of subsection (1) of this section applies the Minister may recommend it to the Governor for approval” and substituting the following—

“ Where a council proposes to exercise a power conferred by subsection (1) and that proposal is one to which paragraph (c) of that subsection applies, the Minister may approve it ”;

- (e) by repealing subsection (8) and substituting the following subsection—

“ (8) If the Minister approves of the proposal he shall cause notice of the approval to be given to the council and the council shall forthwith publish notice of the approval in a newspaper circulating in its district. ”;

- (f) in subsection (9)—

- (i) by deleting “or” after paragraph (b);
- (ii) by inserting after paragraph (b) the following—

“ (ba) to a State government department, instrumentality or agency or any public statutory body, corporate or unincorporate, established by or under a law of the State; or ”; and

- (iii) in paragraph (c), by deleting “Governor” and substituting the following—

“ Minister ”;

- (g) in subsections (10) and (11), by deleting “Governor” wherever it occurs and substituting the following—

“ Minister ”; and

- (h) in subsection (12), by deleting “submitted by a council pursuant to subsection (3) of this section” and substituting the following—

“ referred to in subsection (5) or (6) ”.

Section 514B  
inserted.

32. After section 514A of the principal Act the following section is inserted—

Provision of  
commercial  
premises for  
letting.

“ 514B. (1) Subject to subsection (2), a council may construct on land acquired by it for the purpose, shops, offices, showrooms, warehouses, factories or similar commercial premises for the purpose of letting on lease and may maintain the premises when so constructed.

(2) A council may only exercise the power to construct premises conferred by subsection (1) if it is satisfied that the construction will be of benefit to its district having regard to whether—

- (a) there is, in the area in which the premises are to be constructed, a demand for the proposed premises;

and

- (b) there is no reasonable prospect of the demand being met if the council does not construct the proposed premises. ”.

33. Section 520 of the principal Act is amended in subsection (2)— Section 520 amended.

(a) by inserting after “municipality” the following—

“ or any other person ”; and

(b) by inserting after “the ratepayer” the following—

“ or other person ”.

34. Section 528 of the principal Act is amended in paragraph (a) of subsection (6), by deleting “five” and substituting the following— Section 528 amended.

“ 10 ”.

35. Section 530 of the principal Act is amended in subparagraph (iv) of paragraph (c)— Section 530 amended.

(a) by inserting after “dental clinics,” the following—

“ doctor’s surgeries, ”; and

(b) by inserting after “ambulance services,” the following—

“ buildings and equipment for the provision of emergency services, ”.

36. Section 575 of the principal Act is amended— Section 575 amended.

(a) by inserting after the section designation “575.” the subsection designation “(1)”;  
and

(b) by inserting the following subsection—

“ (2) Notwithstanding subsection (1), a council may write off rates which have been imposed in respect of

occupied Crown land that is rateable property and payment of which is in arrear where, in the opinion of the council, those rates are irrecoverable. ”.

Section 598  
amended.

37. Section 598 of the principal Act is amended in paragraph (26) of the definition of “works and undertakings”, by deleting “Governor” and substituting the following—

“ Minister ”.

Section 600  
amended.

38. Section 600 of the principal Act is amended in paragraph (c) of subsection (1), by deleting “Governor” and substituting the following—

“ Minister ”.

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