

**MUNICIPAL CORPORATIONS.**

11° and 12° GEO. VI., No. LXXXVI.

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**No. 86 of 1947.****AN ACT to amend the Municipal Corporations Act,  
1906-1946.**

[Assented to 14th January, 1948.]

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

1. This Act may be cited as the *Municipal Corporations Act Amendment Act, 1947*, and shall be read as one with the Municipal Corporations Act, 1906-1946 (Act No. 32 of 1906 as reprinted pursuant to the Amendments Incorporation Act, 1938, in Volume 1 of The Reprinted Acts of the Parliament of Western Australia, 1939, and amended by Acts Nos. 19 of 1939, 41 of 1940, 11 of 1941, 18 of 1943, 59 of 1945 and 12 of 1946), hereinafter referred to as the principal Act.

Short title.

2. The principal Act as amended by this Act may be cited as the Municipal Corporations Act, 1906-1947.

Citation of  
principal Act  
as amended  
by this Act.

Amendment  
of s. 2.

3. Section two of the principal Act is amended by inserting after the words "PART XXIV—BORROWING POWERS, ss. 438-473" the following:—

PART XXIVA, ss. 473A-473F.—AGREEMENTS BETWEEN  
COUNCILS AND THE STATE HOUSING COMMISSION  
FOR THE PROVISION OF ROADS.

Amendment  
of s. 156.

4. Section one hundred and fifty-six of the principal Act is amended by—

(a) substituting for subsection (1) the following:—

cf. s. 478(1).

(1) A council shall hold a general meeting of ratepayers within three months of the thirty-first day of October in each year, and the meeting may lawfully be held after the day of the annual election in any year.

Proviso added  
by No. 18 of  
1943, s. 8.

(b) deleting the proviso to subsection (1).

Amendment  
of s. 180.

5. Section one hundred and eighty of the principal Act is amended by—

Para. (4A)  
ins. rted.

(a) inserting after paragraph (4) the following—

(4A) (a) For the general management of swimming pools and the conduct of visitors thereat.

(b) For the division of such swimming pools so as to provide separate accommodation for the sexes.

(c) For fixing the charges to be made for the use of such swimming pool and for the conveniences provided therein;

Para. (23A)  
in. erted.  
38 of 1919,  
s. 201(43)  
1943 Reprint.

(b) inserting after paragraph (23) the following—

(23A) For regulating the erection and use of petrol pumps for the supply of petrol to the public in or near any street or way and for granting licenses for the erection and use of such petrol pumps, and prescribing fees for such licenses.

Para. (47)  
amended.  
49 of 1938,  
ss. 2 and  
27 (1) and  
Gazette of  
24/2/39 p.  
821

(c) substituting for the words "after a maximum period of ten years from the commencement of this paragraph" in lines six, seven and

eight of paragraph (47) the words "at such time after the twentieth day of February, one thousand nine hundred and fifty-one as the council shall direct."

6. Section two hundred and nineteen A of the principal Act is amended by inserting before the word "loan" in line five of the proviso the words "the ordinary revenue of the council or otherwise out of."

Amendment of s. 219A, added by 59 of 1945, s. 10, 38 of 1949 s. 160(23), 1943 Reprint.

7. Section three hundred and thirty-eight A of the principal Act is amended by—

Amendment of s. 338A, added by 59 of 1945, s. 15. cf. ss. 328 and 451 (7).

(a) inserting after the words "thirty-eight" in line five of subsection (1) the words "and section four hundred and fifty-one."

(b) inserting after the words "thirty-eight" in line eight of subsection (2) the words "or section four hundred and fifty-one."

8. Section three hundred and forty-seven of the principal Act is amended by—

Amendment of s. 347

(a) inserting after the words "wash-houses" in line six of subsection (1) the words "and lavatories, urinals and privies,"

(b) deleting subsection (2) and by adding after subsection (1) the following—

(2) On any land acquired by the council or on any land under its care, control or management the council may provide control and manage swimming pools, whether open-air or enclosed, and may fit up the same from time to time with all conveniences and from time to time enlarge, renew and repair the same:

Provided that the money required for the acquisition of the land, the provision of swimming pools, the fitting up of the same from time to time with all conveniences and the enlargement of the same from time to time shall be expended out of loan moneys raised for the purpose under Part XXIV. of this Act.

(3) A printed copy or abstract of any by-laws made by the council relating to any baths, wash-houses or swimming pools or to any lavatories, urinals or privies shall be put up therein.

Amendment  
of s. 434.

9. Section four hundred and thirty-four of the principal Act is amended by—

24 of 1911,  
ss. 71 and 72  
(4), 1939  
Reprint.

(a) inserting after the word “land” in line thirty-nine of subsection (1) the following—

Fifthly—In or towards the discharge of any charge on the land subsisting pursuant to the provisions of any Act relating to the construction of drains and fittings from and in connection with the land to connect with any sewer.

(b) substituting for the word “Fifthly” in line forty of subsection (1) the word “Sixthly,” and

(c) substituting for the word “Sixthly” in line forty-six of subsection (1) the word “Seventhly.”

Amendment of  
s. 442 (8)  
and (9).

10. Section four hundred and forty-two of the principal Act is amended by—

(a) substituting for the word “urinals” in paragraph (8) line three the words “lavatories, urinals and privies” and

(b) adding after the words “wash-houses” in paragraph (9) the words “and lavatories, urinals and privies.”

Amendment of  
s. 450.

11. Section four hundred and fifty of the principal Act is amended by—

(a) substituting for the words “one month” in line one the words “six weeks,” and

(b) substituting for the words “twenty owners” in line five the words “fifty owners or one tenth of the total number of owners, whichever is the lesser in number.”

12. The principal Act is amended by inserting after the word "fund" in line four of section four hundred and seventy-three the following—

New Part  
XXIVA.

PART XXIVA.—AGREEMENTS BETWEEN COUNCILS AND  
THE STATE HOUSING COMMISSION FOR THE  
PROVISION OF ROADS.

473A. For the purposes of this Part of this Act—

"account" means a separate account recorded by the Council in respect of each agreement.

"advance" means an advance of money by the Commission to a council under an agreement.

"agreement" means any agreement relating to the provision of roads for an area and made between a council and the Commission under this Part of this Act.

"area" means any area of the land dedicated or leased to or purchased or acquired by the Commission for the purposes of the State Housing Act.

"Commission" means The State Housing Commission constituted under the State Housing Act.

"State Housing Act" means the State Housing Act, 1946-1947.

473B. When for any purpose necessary, convenient, ancillary or incidental to the furtherance of the objects or facilitating the operation of the State Housing Act, the provision of roads is required for any area, a council may at its discretion subject to this Part of this Act and to the approval of the Minister enter into agreements with the Commission and having entered into any agreement, shall fulfil the same.

473C. An agreement shall include provision that the council shall record separately in respect of the agreement an account in which there shall be credited to the Commission the amount of the advance made and debit from time to time to the Commission the amount of the general rate payable on the land in

the area until the total of the debits equals the total of the credits when the council's liability for repayment under the agreement shall be discharged.

The council shall also pay annually to the Commission interest at the rate determined in the agreement on the amount of the advance outstanding at the beginning of each financial year.

473D. The provisions of section four hundred and forty-eight, four hundred and forty-nine, four hundred and fifty, four hundred and fifty-one and four hundred and fifty-four of this Act shall not apply to an agreement or anything done in fulfilment thereof.

473E. The provisions of this Part shall apply in respect of agreements made since the thirty-first day of July one thousand nine hundred and forty-seven and any agreement made since that date and anything done in fulfilment thereof is ratified and confirmed:

Provided that agreements shall be deemed to include the provisions of section four hundred and seventy-three C of this Act.