

EXPLANATORY NOTE

Clause 21: These amendments concern a drafting error and achieve consistency of wording in the proposed section 636E (3).

Clause 22: The amendment to the proposed section 641A (2) permits a council to make an advance to the owner of premises in a clean air zone for the cost of installing electric domestic heating.

# Supplementary Order Paper

Thursday, 15 October 1981

## LOCAL GOVERNMENT AMENDMENT BILL

### Proposed Amendments

HON. MR. HIGHT, in Committee, to move the following amendments:

*Clause 21:* To omit from the proposed *section 636E (3)*, at line 17 on page 13, the words "prevention and safety".

To omit from the proposed *section 636H (1)*, at lines 12 and 13 on page 14, the words "prevention and safety".

*Clause 22:* To insert in the proposed *section 641A (2)*, at line 31 on page 22, after the word "may", the words ", subject to such conditions as it may prescribe,".

To omit from the proposed *section 641A (3)*, at lines 18 and 19 on page 23 the words "was aware that the building or alteration for which the building permit was issued", and substitute the words "issued a building permit for the building or alteration in the knowledge that the building or alteration for which the permit was issued or the land on which the building or alteration was situated".

To omit from the proposed *section 641B (b)*, at lines 1 and 2 on page 24, the expression "*section 641A (1)*", and substitute the words "*subsection (1) or subsection (2) of section 641A*".

To omit the proposed *section 641E* (all the words in lines 23 to 28 on page 24).

*New clause 22A:* To insert after *clause 22*, at line 28 on page 23, the following clause:

**22A. Council may advance to owner of premises in clean air zone cost of installing electric domestic heating**—The principal Act is hereby amended by inserting, after section 675 (as enacted by section 2 of the Local Government Amendment Act 1979), the following section:

"675A. (1) The council may make advances to the owner of any residential premises in a clean air zone within the meaning of the Clean Air Act 1972 for the purpose of enabling him to purchase and install in those premises any permanently wired thermostatically controlled electric domestic heating apparatus.

"(2) Nothing in section 221 (1) of this Act shall apply to any advance made under this section."

EXPLANATORY NOTE

Clause 21: These amendments correct a drafting error and achieve consistency of wording in the proposed sections 636B to 636o.

Clause 22: The amendment to the proposed section 641A (2) permits a council to impose conditions in the issuing of a building permit under that provision.

The amendment to the proposed section 641A (3) makes it clear that a council is not under civil liability to any person having an interest in a building to which the section relates on the grounds that it issued a permit in the knowledge that the building or alteration or the land on which it is situated was or was likely to be subject to the specified types of damage. The changes are a reference to the issuing of the permit and a reference to the land on which the building or alteration is situated.

The amendment to the proposed section 641B (b) is consequential upon the amendment to the proposed section 641A (2).

The omission of the proposed section 641E removes an exemption from the proposed sections 641 and 641A of alterations that are not likely to accelerate, worsen, or result in damage to the building or alteration from erosion, subsidence, slippage, or inundation.

New clause 22A: This clause enables a council to make loans to the owner of residential premises in a clean air zone to enable him to purchase and install permanently wired thermostatically controlled domestic heating. Any such loans are to be free of interest.

To omit from the proposed section 641A (3), at lines 18 and 19 on page 23 the words "and substitute the words" issued a building permit for the building or alteration in the knowledge that the building or alteration for which the permit was issued or the land on which the building or alteration was situated".

To omit from the proposed section 641B (b), at lines 1 and 2 on page 24, the expression "section 641A (1)", and substitute the words "subsection (1) of section 641A".

To omit the proposed section 641E, all the words in lines 23 to 28 on page 24.

New clause 22A: To insert after clause 22, at line 28 on page 25, the following clause:

22A. Council may advance to owner of premises in clean air zone cost of installing electric domestic heating.—The principal Act is hereby amended by inserting after section 675 (as enacted by section 2 of the Local Government Amendment Act 1979), the following section:

"675A (1) The council may make advances to the owner of any residential premises in a clean air zone within the meaning of the Clean Air Act 1953 for the purpose of enabling him to purchase and install in those premises any permanently wired thermostatically controlled electric domestic heating apparatus.

(2) Nothing in section 675 (1) of this Act shall apply to any advance made under this section."