

LOCAL GOVERNMENT.

No. 21 of 1968.

AN ACT to amend the Local Government Act, 1960-1967.

[Assented to 16th October, 1968.]

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 Act Amendment Act, 1968.* Short title and citation.

(2) In this Act the Local Government Act, 1960-1967, is referred to as the principal Act. Reprinted as approved for reprint, 3rd May, 1968.

(3) The principal Act as amended by this Act may be cited as the Local Government Act, 1960-1968.

S. 45
amended.

2. Subsection (10) of section forty-five of the principal Act is amended by substituting for the word, "first" in line fifteen, the word "fifteenth".

S. 281
amended.

3. Subsection (1) of section two hundred and eighty-one of the principal Act is amended by deleting the passage, "and within one mile of the land so entered upon" in the last two lines of paragraph (a).

S. 351
amended.

4. Section three hundred and fifty-one of the principal Act is amended by repealing subsection (2) and re-enacting it with amendments as follows—

(2) Where—

(a) for at least twelve months, whether before or after the coming into operation of this Act, the surface or part of the width and length of the surface of a street has been formed in such manner, whether by paving or grading or otherwise, as to justify a reasonable belief in a person having an estate or interest in land abutting or adjacent to the street or portion so formed, that the levels of the street have been permanently established; and

(b) the council had not, before so forming the surface or that part of the width or level of the surface, fixed the levels of the street in accordance with the provisions of this Act,

and the council fixes levels different from those of the street as so formed or by alteration of the surface of the street raises or lowers the level of the street, the council shall make compensation to him for injurious affection, if any, to his estate or interest resulting from the fixing of the levels or the raising or lowering of the level of the street, as the case may be. .

5. Section five hundred and twelve of the principal Act is amended—

S. 512
amended.

- (a) by deleting the word, “and” following paragraph (1); and
- (b) by adding after the word, “value” being the last word in paragraph (m), the following passage—

“ ; and

- (n) may sell to the Metropolitan Water Supply, Sewerage, and Drainage Board established under the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909, any sewers and works connected with sewerage that have been constructed with money borrowed by the council under Division 2 or 3 of Part XXVI of this Act and that are vested in it pursuant to section fifty-three of the Health Act, 1911, upon such terms and conditions as the council and the Board, having regard to the terms and conditions upon which the money was so borrowed, agree upon and of which the Minister approves in writing” .

6. Subsection (4) of section five hundred and twenty-five A of the principal Act is amended by adding after the word, “of” in line four of paragraph (g), the passage, “, and the execution of,” .

S. 525A
amended.

7. Paragraph (b) of subsection (2) of section five hundred and forty-eight of the principal Act is amended—

S. 548
amended.

- (a) by adding after the word, “the” in line eight the word, “maximum”; and
- (b) by substituting for the words, “seven and one-half cents” in line ten, the words. “fifteen cents”.

S. 592
amended.

8. Section five hundred and ninety-two of the principal Act is amended—

(a) by adding immediately after the section number, "592." the subsection designation, "(1)"; and

(b) by adding a subsection as follows—

(2) Without affecting the provisions of subsection (1) of section five hundred and ninety-three and subsection (1) of section five hundred and ninety-four, where, pursuant to subsection (1) of this section, land has ceased to be bound by the noting of a memorial under section five hundred and eighty-four, the council may, with the consent of the Minister, again commence proceedings for sale by advertising the sale under section five hundred and eighty-four, and if the council so commences proceedings the provisions of this Subdivision relating to the advertising of the sale and subsequent proceedings again apply. .

S. 684
amended.

9. Section six hundred and eighty-four of the principal Act is amended by substituting for the expression, "(6)" in line twelve, the expression, "(8)".
