

1957.] *Town Planning and Development* [No. 79.  
(No. 2).

## TOWN PLANNING AND DEVELOPMENT (No. 2).

6° Elizabeth II., No. LXXIX.

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No. 79 of 1957.

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**AN ACT to amend Sections Twenty, Twenty-one and Twenty-six of the Town Planning and Development Act, 1928-1956.**

[Assented to 23rd December, 1957.]

**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 *Town Planning and Development Act Amendment Act (No. 2), 1957.*

Short title  
and citation.

(2) In this Act the Town Planning and Development Act, 1928-1956,

No. 79.] *Town Planning and Development* [1957.  
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Reprinted as  
approved for  
reprint,  
15th May,  
1957.

Act No. 39 of 1928 as reprinted with amendments to and including Act No. 79 of 1956 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Town Planning and Development Act, 1928-1957.

S. 20  
amended.

2. Section twenty of the principal Act is amended—

- (a) by adding after the subsection designation, “(1)”, the paragraph designation, “(a)”;
- (b) by deleting the passage, “lease for any term exceeding ten years,” in lines four and five of subsection (1); and
- (c) by adding to subsection (1) a paragraph as follows:—

(b) After the coming into operation of the Town Planning and Development Act Amendment Act (No. 2), 1957, a person shall not, without the prior approval in writing of the Board, lease any land unless the land consists of the whole of one or more lots or a part only of any house, building or structure.

Provided that such approval shall not be necessary to any instrument of lease wherein a proviso is inserted that no option of purchase of the land comprised in the lease has been granted or taken and that no such option will be granted by the lessor to the lessee or any other person during the term of the said lease and that no consideration in respect of the land has passed between the parties to the lease other than the rental reserved in the lease.

3. Section twenty-one of the principal Act is amended— S. 21  
amended.

(a) by deleting the passage, “for any term exceeding ten years,” in lines one and two of subsection (1); and

(b) by adding before the word, “shall” in line eight of subsection (1), the passage, “or the leased land consists of a part only of any house, building or structure,”.

4. Section twenty-six of the principal Act is amended by deleting the passage, “for any term exceeding twenty-one years” in lines three and four of paragraph (a) of subsection (1). S. 26  
amended.

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