

1953.]

*Industrial Development*  
(*Kwinana Area*).

[No. 3.

**INDUSTRIAL DEVELOPMENT**  
**(KWINANA AREA).**

2° Elizabeth II., No. III.

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No. 3 of 1953.

**AN ACT to amend the Industrial Development**  
**(Kwinana Area) Act, 1952.**

[*Assented to 3rd November, 1953.*]

**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 *Industrial Development (Kwinana Area) Act Amendment Act, 1953.*

Short title  
and citation.

(2) In this Act the Industrial Development (Kwinana Area) Act, 1952,  
Act No. 2 of 1952 as amended by Act No. 37 of 1952,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Industrial Development (Kwinana Area) Act, 1952-1953.

S. 5  
amended.

2. Subsection (1) of section five of the principal Act is amended by adding after the word "industry" in line nine the words "or industry generally,".

S. 5A  
added.

3. The principal Act is amended by adding after section five a section as follows:—

5A. (1) Where land is set apart, taken or resumed under the provisions of subsection (1) of section five of this Act as being required for—

(a) an industry or industry generally the land is thereupon under the administration of the Minister;

(b) any purpose of town planning mentioned in the First Schedule to the Town Planning and Development Act, 1928-1947, the land is thereupon under the administration of the Minister for Lands.

(2) The Governor may from time to time by Order in Council remove land to which this Act applies and which is under the administration of a Minister from the administration of that Minister and place it under the administration of another Minister.

S. 11  
amended.

4. Subsection (2) of section eleven of the principal Act is amended by substituting for all words and figures in lines four and five the following:—

thereafter, by the Governor on the recommendation of the Minister for Lands subject to the provisions of the Oil Refinery Industry (Anglo-Iranian Oil Company Limited) Act, 1952, be reserved, used, developed, leased, sold or otherwise disposed of for an estate in fee simple or otherwise in such manner including public auction, private treaty or by tender and upon such terms and conditions including the reservation of restrictive covenants and for such rentals, price, premium or other consideration or by way of gift as the Governor on the recommendation of the Minister for Lands, approves.

5. The principal Act is amended by adding a section as follows:—

12. Where the Minister is satisfied that a person, who is the—

- (a) registered proprietor of an estate in fee simple;
- (b) purchaser under a contract of sale;
- (c) lessee;
- (d) occupier; or
- (e) user

Minister may exempt land and owner, etc. from limitations, etc. and certain provisions of the Act.

of land to which section six of this Act applies has carried out or fulfilled the terms and conditions upon which the land was leased sold or disposed of to him, or has developed or used the land for the purpose for which he obtained it, the Minister after consultation with the Advisory Committee referred to in paragraph (e) of section six of this Act may by notice under his hand published in the *Gazette* exempt the land from

- (i) the provisions of sections six and eight of this Act; or
- (ii) any conditions limitations or other restrictions created or imposed by the Minister in exercise of the power conferred by the provisions of those sections

and thereupon the provisions of sections six, eight and ten of this Act and the conditions limitations or restrictions cease to apply to the person and the land.