

TOWN PLANNING AND DEVELOPMENT.

11° GEO. VI., No. XXIX.

No. 29 of 1947.

AN ACT to amend sections six, eighteen and thirty of the Town Planning and Development Act, 1928-1945.

[Assented to 18th November, 1947.]

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

Short title.

1. This Act may be cited as the *Town Planning and Development Act Amendment Act, 1947*, and shall be read as one with the Town Planning and Development Act, 1928 (No. 39 of 1928), as amended by Acts Nos. 16 of 1943, 41 of 1944 and 16 of 1945, hereinafter referred to as the principal Act.

Citation of
principal Act
as amended
by this Act.

2. The principal Act as amended by this Act may be cited as the Town Planning and Development Act, 1928-1947.

Amendment
of s. 6 (1).

3. Section six, subsection (1) of the principal Act is amended by adding after the word "purposes" in line nine the words "and for all or any of the purposes,

provisions, powers or works contained in the First Schedule of this Act.”

4. Section eighteen of the principal Act is amended ^{Amendment} by— _{of s. 18.}

(a) adding after the word “execute” in subsection (2), line ten, the words “and shall cause a copy of the order to be served upon the local authority”;

(b) substituting for subsection (3) the following:—

(3) The local authority may within twenty-eight days of service of the order referred to in the next preceding subsection appeal against the order of the Minister to a Judge, who may confirm, vary or annul the Minister’s order, and make such order as to the costs of the appeal as he shall deem proper, and the decision of the judge shall be final and enforceable as an order or judgment of the Supreme Court;

(c) adding after subsection (3) the following subsection:—

(4) The Governor may make rules relating to the institution, conduct, determination of and all matters touching appeals referred to in the next preceding subsection and until rules be made by the Governor under this subsection the proceedings in those matters shall be as the judge directs and subject to his direction may, as regards the summoning and attendance of witnesses, the production of documents and costs, be regulated by the appropriate Rules of the Supreme Court, the appropriate adaptations and alterations being made.

5. Section thirty, subsection (3) of the principal Act is amended by substituting for the word “nine” in line seven the word “eleven.” ^{Amendment} _{of s. 30 (3).}