

TOWN PLANNING AND DEVELOPMENT.

No. 25 of 1967.

AN ACT to amend section twenty of, and to add section twenty B to, the Town Planning and Development Act, 1928-1965.

[Assented to 27th October, 1967.]

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Town Planning and Development Act Amendment Act, 1967.*

Reprinted as
approved
for reprint
26th June,
1962 and
amended by
Acts Nos. 45
of 1962 and
98 of 1965.

(2) In this Act the Town Planning and Development Act, 1928-1965, 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, 1928-1967.

2. Subsection (1) of section twenty of the principal Act is amended by substituting for the word, "A" in line one the passage, "Subject to section twenty B of this Act, a".

S. 20
amended.

3. The principal Act is amended by adding after section twenty A a section as follows—

S. 20B
added.

20B. (1) Where an agreement to sell any portion of a lot has been entered into without the approval of the Board to the subdivision of the land comprising that lot having been first obtained, as required by subsection (1) of section twenty of this Act, the agreement shall be deemed not to have been entered into in contravention of that subsection, if—

Savings of
certain
agreements.

(a) the agreement is made after the coming into operation of the Town Planning and Development Act Amendment Act, 1967;

(b) the agreement is entered into subject to the approval of the Board to the subdivision of the land being obtained; and

(c) an application for the approval of the Board to the subdivision is made within a period of three months after the date of the agreement,

and nothing in that subsection renders the agreement illegal or void by reason only that the agreement was entered into before the approval of the Board to the subdivision was obtained.

(2) Without prejudice to the operation of paragraph (b) of subsection (1) of section twenty of this Act, the agreement referred to in subsection (1) of this section has no effect,

unless and until the Board gives its approval to the subdivision so referred to, within a period of six months after the date of the agreement or within such further period as is stipulated in that agreement, or in a subsequent agreement, in writing made by all the parties to the first mentioned agreement, or when the subsequent agreement is made after the death of any of those parties, by the surviving party or parties and the legal personal representative of any deceased party. .
