

LOCAL GOVERNMENT (No. 6).

No. 124 of 1976.

AN ACT to amend the Local Government Act,
1960-1976.

[Assented to 2nd December, 1976.]

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 *Local Government Act Amendment Act (No. 6), 1976.*

(2) In this Act the Local Government Act, 1960-1976 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Local Government Act, 1960-1976.

Approved for
reprint 9th
August, 1973
and amended
by Acts Nos.
12, 74, 83 and
105 of 1973,
27 and 65 of
1974, 36, 65
and 78 of
1975 and 30
of 1976.

Commence-
ment.

2. This Act shall come into operation on a date to be fixed by proclamation.

Section 533
amended.

3. Section 533 of the principal Act is amended—

(a) as to subsection (2), by deleting the expression “1907”, in line four of paragraph (a), and substituting the expression “1976”;

(b) as to subsection (3)—

(i) by deleting the passage commencing with the word “but” in line eleven of paragraph (e) and ending with the word “simple” in the last line of that paragraph; and

(ii) by adding after paragraph (h) the following passage—

but, notwithstanding anything in this subsection (but subject to subsection (8a) of this section) means, in relation to land of any tenure (other than land to which paragraph (ea), paragraph (eb), paragraph (g) or paragraph (h) of this subsection applies) situate in the metropolitan region, within the district of a municipality that is a town, or within the boundaries of a townsite—the capital sum for which the land would sell in fee simple, whether or not it is owned in fee simple, under such reasonable conditions of sale as a *bona fide* seller would require assuming that any improvements, except merged improvements, had not been made (and in this context—

“merged improvements” means any works in the nature of draining, filling, excavation, grading or levelling of the land, retaining walls or other

structures or works for that purpose, the removal of rocks, stone or soil, and the clearing of timber, scrub or other vegetation;

“metropolitan region” has the same meaning as is from time to time ascribed thereto by the Town Planning and Development Act, 1928) ;

- (c) as to subsection (6), by deleting the expression “1907”, in line five and substituting the expression “1976”; and
- (d) by adding after subsection (8) the following subsection—

(8a) The meaning given to the expression “unimproved value” in relation to any land by subsection (3) of this section as in force immediately before the date of the coming into operation of the Local Government Act Amendment Act (No. 6), 1976 continues to apply to and in relation to that land after that date until the council causes the unimproved value of that land to be re-assessed. .

4. Subsection (1) of section 534 of the principal Act is amended by deleting the expression “1907”, in line six, and substituting the expression “1976”.

Section 534
amended.

5. Section 536 of the principal Act is amended by deleting the expression “1907” in line five and substituting the expression “1976”.

Section 536
amended.
