



ANNO DUODECIMO

ELIZABETHAE II REGINAE

A.D. 1963

No. 66 of 1963

An Act to amend the Town Planning Act, 1929-1957.

[Assented to 12th December, 1963.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

- Short titles.** 1. (1) This Act may be cited as the "Town Planning Act Amendment Act, 1963".
- (2) The Town Planning Act, 1929-1957, as amended by this Act, may be cited as the "Town Planning Act, 1929-1963".
- (3) The Town Planning Act, 1929-1957, is hereinafter referred to as "the principal Act".
- Incorporation.** 2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.
- Enactment of s. 28a of principal Act.** 3. The following section is inserted in the principal Act after section 28 thereof:—
- Re-consideration of report.** 28a. (1) The committee shall within twelve months from the passing of the Town Planning Act Amendment Act, 1963, call for, receive and consider objections and representations from any person relating to the report of the committee submitted to the Minister pursuant to section 28, or any matters referred to therein.
- (2) The committee may from time to time recommend to the Minister the amendment or variation of the report of the Committee submitted to the Minister pursuant to section 28.

Any recommended amendment or variation so recommended shall be laid before both Houses of Parliament, and shall not be made to the report until such amendment or variation (as the case may be) has lain before both Houses for fourteen sitting days, and either no notice disagreeing with it has been given in either House during that period, or if any such notice has been so given, the same or all such motions if more than one is or are negatived.

(3) The committee may from time to time make recommendations to the Minister as to any regulations concerning any matters referred to in the report of the committee submitted to the Minister pursuant to section 28 as the same may be amended or varied from time to time by the committee and in particular but without limiting the generality of the foregoing as to any regulations which the committee deems necessary for all or any of the following purposes :—

- (a) for defining zones or areas ;
- (b) for regulating restricting controlling or prohibiting either absolutely or subject to any prescribed conditions (including conditions as to the prior consent of the committee)—
 - (i) the development of any land or specified class of land within any area ;
 - (ii) the manner in or purposes for which any land buildings or structures either generally or in specified areas or of specified classes or in any particular case may be used ;
 - (iii) the mode of construction conversion or alteration or siting of buildings or structures either generally or in specified areas or of specified classes or in any particular case.
- (c) for defining any area or areas of land which shall be reserved for acquisition by the appropriate authority for the purposes of recreation controlled access roads or freeways or public utilities ;
- (d) for defining any area or areas of land consent to the subdivision of which shall be subject to specified conditions and prescribing such conditions.

(4) Before making a recommendation under this section the committee shall consult with every council in the area of which any land buildings or structures affected by or referred to in the recommendation is or are situated.

(5) Every recommendation of the committee under this section shall be accompanied by a certificate under the hand of the Chairman of the committee setting forth the names of the councils which have been consulted by the committee under subsection (4) and a statement or statements of any views and comments which have been made by any such councils with respect to the recommendation.

(6) The Governor may make regulations for giving effect to all or any of the recommendations of the committee made under subsection (3) of this section including regulations imposing penalties recoverable summarily and not exceeding one hundred pounds for breach of any regulation.

(7) Any regulations made by the Governor under this section shall come into effect at the following time, namely :—

(a) If no notice of a motion to disallow the regulation has been given in either House of Parliament within fourteen sitting days after the regulation was laid before such House of Parliament the regulation shall take effect upon the expiration of the time when it has lain before both Houses of Parliament for fourteen sitting days :

(b) If any notice of motion to disallow the regulation has been given as aforesaid the regulation shall come into effect if and when such motion or all of such motions if more than one notice has been given is or are negatived.

(8) Subject to subsection (7) of this section, the provisions of the Acts Interpretation Act, 1915-1957, relating to regulations shall apply to regulations made under this section.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.