

VICTORIA.



ANNO UNDEVICESIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7975.

An Act to amend the *Town and Country Planning Act* 1961 with respect to the Enforcement of certain Powers Functions and Duties of the Responsible Authority by the Board, and for other purposes.

[13th April, 1970.]

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 Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. (1) This Act may be cited as the *Town and Country Planning (Responsible Authority) Act* 1970.

Principal Act
No. 6849.
Reprinted to
No. 7819.

(2) In this Act the *Town and Country Planning Act* 1961 is called the Principal Act.

No. 6849.
New s. 16.

2. (1) After section 15 of the Principal Act there shall be inserted the following section :—

Special powers
of the Board.

“ 16. (1) Where pursuant to this Act the Board is preparing or has prepared a planning scheme, then, notwithstanding that the Board is not the responsible authority for the enforcement and carrying out of the scheme, the Board may prior to notice of

approval

approval of the scheme being published in the *Government Gazette* exercise any of the powers and perform any of the functions or duties in respect of the enforcement and carrying out of the scheme that the responsible authority for such enforcement and carrying out is entitled to exercise or perform prior to the approval of the scheme.

(2) When in a case referred to in sub-section (1) the Board exercises any such power or performs any such function or duty that the responsible authority is entitled so to exercise or perform, the Board shall in respect of that power function or duty act as and be deemed to be the responsible authority."

3. (1) After paragraph (b) of sub-section (2) of section 2 of the Principal Act there shall be inserted the following paragraph :—

Amendment of
No. 6849 s. 2.
Saving.

"(c) Notwithstanding the re-constitution and incorporation of the Town and Country Planning Board by this Act, the said Board shall be deemed to be the same Board as the Town and Country Planning Board constituted immediately before the commencement of this Act, and no act matter or thing shall be abated or affected by such re-constitution and incorporation ; and anything done or authorized or required to be done by to or in relation to the Board as constituted under the repealed Acts shall be deemed to be done by to or in relation to the Board as constituted and incorporated under this Act, and this Act shall operate and have effect accordingly."

(2) This section shall be deemed to have come into operation on the commencement of the *Town and Country Planning Act 1961*.

4. (1) The Town and Country Planning Board as incorporated under the *Town and Country Planning Act 1961* shall be deemed to be the same body corporate on and after the coming into operation of paragraph (a) of section 3 of the *Town and Country Planning (Amendment) Act 1968* as before such coming into operation notwithstanding the alteration in the constitution thereof as provided in the second named Act.

Saving.

(2) This section shall be deemed to have come into operation on the 15th day of July, 1969.