

No. , 1922.

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# A BILL

To provide for the pre-planning and re-planning of towns; for the carrying out of the plans; for betterment and compensation; for the constitution and powers of a Town Planning Board; to amend the Local Government Act, 1919, and certain other Acts; and for purposes consequent thereon or incidental thereto.

[MR. , 1922.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

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## PART I.

## PRELIMINARY.

- Short title. **1.** (1) This Act may be cited as the "Town Planning Act, 1922."  
 (2) Subject to the provisions of this Act— **10**  
 (a) this Act shall apply to municipalities and shires, and to lands in the Western Division adjoining municipalities; and  
 (b) the powers and duties conferred and imposed upon a council under this Act shall apply in **15** respect of each area to the council of the area.
- Division into Parts. **2.** This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—PREPARATION AND PROCLAMATION OF TOWN PLANNING SCHEMES. **20**

PART III.—THE TOWN PLANNING BOARD.

PART IV.—CARRYING OUT PROCLAIMED TOWN PLANNING SCHEMES.

PART V.—NEGLECT OF COUNCILS TO PREPARE SCHEMES. **25**

PART VI.—SUPPLEMENTARY.

PART VII.—ORDINANCES.

- Interpretation. **3.** (1) This Act shall be read with the Local Government Act, and expressions which are defined in that Act shall, where used in this Act, have the meanings so **30** defined, except where inconsistent with the context or subject-matter.

(2) In this Act (unless inconsistent with the context or subject-matter)—

"Board" means the Town Planning Board. **35**

"Local

- “Local Government Act” means the Local Government Act, 1919, as amended by any other Act, or any Act hereafter passed repealing and replacing that Act.
- 5 “Proclaimed scheme” means a town planning scheme proclaimed in an ordinance.
- “Scheme” means town planning scheme.

PART II.

10 PREPARATION AND PROCLAMATION OF TOWN PLANNING SCHEMES.

4. A town planning scheme in respect of any area (city, municipality, or shire) shall be a scheme having for its object so to plan the development or reconstruction of the area (and particularly the part thereof directly affected by the scheme) as to secure the healthfulness, amenity, convenience, and commercial advancement of the area, and to improve and develop it to the best advantage.

5. (1) A council may cause a town planning scheme to be prepared in respect of any land within its area.

(2) The council may, subject to this Act, cause land outside but adjoining its area to be included in a town planning scheme.

(3) Where one council proposes to prepare a scheme affecting land which is in the area of another council—

- (a) the councils may take joint action as provided in the Local Government Act; or
- 30 (b) the councils may as provided in the Local Government Act, apply for the constitution of a county district and delegate their powers to the county council; or
- 35 (c) one council may give its consent to the other council's preparing the scheme; may (subject to agreement between the councils) appoint persons

persons to be members of any town planning committee appointed by the other council; and may on the proclamation of the scheme in a town planning ordinance enforce that ordinance so far as its area is affected thereby.

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(4) The Minister may grant permission to any council to include in its town planning scheme land in the Western Division, provided that such land adjoins the council's area.

(5) A scheme shall be prepared in the form of a draft ordinance suitable to be made by the Governor, may include such plans, sections, and specifications as may be necessary, and may be accompanied by an explanatory report.

(6) A scheme may include all lands within the area or specified part of the area affected by it irrespective of ownership.

(7) The powers given to a council by the Local Government Act may be used by the council for the purpose of carrying out this Act.

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What may be provided for. cf. Housing, T.P., &c., Act, 1909 (Eng.), Sched. IV.

**6.** A scheme may provide (with relation both to the present and the future) for—

- (a) roads generally; and particularly the situation, opening, alteration, widening, closing, diverting, raising, lowering, aligning, realigning, grading, regrading, classifying, reclassifying, naming, renaming, repairing, constructing, reconstructing, maintaining, draining, re-draining, sewerage, re-sewerage, parking, beautifying, gardening, and tree planting of roads, the treatment of junctions and intersections of roads, and the laying of sewers, pipes, and wires in roads; and the placing of posts, poles, monuments, fences, gateways, signs, notices, and other objects on roads or land adjacent to roads;
- (b) parks and open spaces generally; and particularly gardens, playgrounds, sports grounds, recreation grounds, drill grounds, aviation grounds, island refuges, public squares, public spaces of any shape, parkways, and public reserves; and fences, railings, monuments, buildings, or works therein;
- (c)

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- 5 (c) public buildings and conveniences generally ;  
and particularly churches, schools, fountains,  
refreshment kiosks, educational and recreational  
institutions, libraries, theatres, places of public  
entertainment, public comfort stations, and the  
like ;
- 10 (d) subdivision of land generally ; and particu-  
larly the size and shape of separate parcels of  
land, the pooling of the lands of several owners  
and the redivision of lands among owners and  
the vesting thereof subject or not subject to  
rights and trusts, and the dealing with or dis-  
posal of lands acquired by the council or by  
15 any public or statutory body or authority,  
classifying, prescribing, and determining regu-  
latory requirements in relation to the situation,  
width, design, method and cost of construction,  
alignment, and marking of any new road,  
20 having regard to the use which is likely to be  
made of the road and to the physical features  
of the land, adjusting or altering the boundaries  
of allotments of land or of roads, effecting  
exchanges of land, cancelling existing sub-  
divisions, and adjusting rights between the  
owners of land affected by any such action ;
- 25 (e) allotting land for buildings and for open spaces ;  
and particularly the classifying of the land in  
districts for various classes of buildings, the  
reclamation of land, and the condemnation of  
land unfit for building ;
- 30 (f) buildings generally ; the special control and  
regulation of building ; and particularly the  
prevention of the erection of ugly buildings  
which may destroy local amenities, the placing  
of new public buildings, the preservation of  
35 buildings of historical interest, harmony in the  
design of buildings, uniformity in height of  
buildings in particular roads, relating the  
height of buildings to the width of the road,  
40 limitation of number of houses per acre, pro-  
hibition of advertisement-boards, or other  
disfigurements,

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- disfigurements, the demolition or alteration of buildings, and the classification of the district; and the regulation of the height, location, purpose, use, dimensions and character of buildings; 5
- (g) opening spaces around public buildings or monuments, railway stations, or the water front;
- (h) conservation of the natural beauties of the area generally; and particularly banks of water-courses, creeks, and rivers, foreshores of tidal waters, lakes, and other inland waters, hill slopes, summits, and valleys; 10
- (i) preservation of objects of historical, artistic, or scientific interest; 15
- (j) probable routes of railways, tramways, and canals, sites for bridges, docks, wharves, jetties, harbours, piers, quarries;
- (k) water supply, sewerage and drainage works, mains, and services; 20
- (l) acquisition and reservation of areas for the growing of timber for the use and benefit of the council and the people of the area;
- (m) sites and facilities for the establishment and operation of public utilities and trading undertakings of the council; 25
- (n) purchase or resumption of land by the council;
- (o) power for the council to alter or remove or require the alteration or removal of any work which obstructs the scheme; 30
- (p) co-operation between the council and the owners of land; and co-operation between owners of land;
- (q) co-operation between the council and the Government of the State or of the Commonwealth and any other council and any public or statutory bodies or authorities; 35
- (r) betterment charges payable by and compensation payable to owners and lessees, and the recovery thereof; 40
- (s) recovery of expenses incurred in giving effect to the scheme; (t)

- (t) extinction or variation of any easement, statutory or otherwise, or any restrictive covenant;
- 5 (u) carrying out the scheme generally; and particularly the time and manner in which, and the persons and authorities by whom, the scheme shall be carried out, and its observance be assured;
- 10 (v) carrying out and supplementing the provisions of this Act for enforcing proclaimed town planning schemes;
- 15 (w) applying with the necessary modifications and adaptations, statutory enactments; and the suspension so far as may be necessary for the proper carrying out of the scheme of any statutory enactments, by-laws, regulations, ordinances, notifications, proclamations, orders, or other provisions, under whatever authority made, which are in operation in the part of the area included in the scheme;
- 20 (x) any matter with respect to which under this Act an agreement relating to a town planning scheme may be made;
- 25 (y) any matter necessary or incidental to town planning;
- (z) limiting the number of apartment, tenement, detached, or other family dwelling-houses to the acre generally or in any particular locality, and the extent to which each subdivision, allotment, or parcel of land is to be built upon;
- 30 (aa) providing for adequate light and air to the windows of each building, and prescribing other requirements so far as is reasonable for the purpose of securing the convenience and the amenity of the area and proper sanitary and hygienic conditions in connection with any buildings therein;
- 35 (bb) making, fixing, altering, and ascertaining building-lines irrespective of the width or alignment of any road, to secure as far as practicable, having regard to the physical features
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cf. Housing,  
T.P., &c.,  
Act, 1909  
(Eng.), s. 55.

*Town Planning.*

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features of the site and the depth of the existing subdivisions, that the distance between the buildings to be erected or buildings likely to be reconstructed, on opposite sides of any road, shall not be less than that fixed by the 5  
scheme ;

- (cc) classification of the area for residential, commercial, industrial, and other purposes respectively, including the provision of special areas for factories or for carrying on industries 10 generally (or particular specified industries), and for warehouses, stores, stables, and other buildings used for commercial and industrial purposes, and fixing the sites for buildings required for any charitable, religious, or public 15 purposes, or for public conveniences ; and prohibiting the carrying on of any trade or manufacture, or the erection of any building in a particular part of the area other than in accordance with the provisions of the scheme ; 20
- (dd) works ancillary to or consequent on the scheme ;
- (ee) power of entry and inspection ;
- (ff) the exercise of the power of the council to acquire land or buildings, or to make any agreement or proposal in respect thereto ; 25
- (gg) recovery of expenses incurred in giving effect to the scheme ;
- (hh) power for the council to raise money by rates or loans or otherwise, for the purposes of the scheme, and to accept and administer lands, 30 moneys, and other gifts for such purposes ;
- (ii) limitation of time for the operation of the scheme.

Public  
notice—  
right of  
appeal.

**7.** (1) When any scheme has been adopted the council may submit it to the Minister with an application 35 for the approval of the Governor.

(2) The Minister shall thereupon give notice by advertisement in the Gazette and a newspaper that such application has been made, and that appeals against the scheme may be lodged with him on or before a stated 40 date.

(3)



(3) On or before the stated date any owner, lessee, or person otherwise interested in land within the boundaries of the scheme may serve a written appeal on the Minister.

5 (4) The Minister shall refer the scheme (together with all appeals, if any, received before the stated date) to the town planning board for inquiry, report, and recommendation.

(5) The council shall be represented at and a party  
10 to such inquiry.

(6) Upon consideration of the report of the board, or if there be no appeals, the Minister may confer with the council upon the scheme and upon the appeals (if any), and may recommend the Governor to approve the  
15 scheme without alteration or with such alterations as he may decide.

8. (1) The Governor, upon approving of any scheme, shall cause it to be proclaimed as an ordinance under the Local Government Act and thereupon it shall,  
20 subject to that Act, have the force of a statutory enactment.

Governor's approval—  
proclamation of scheme in ordinance.

(2) For the purpose of such proclamation any maps, sections, plans, and the like may be abridged or reduced.

25 (3) Upon such proclamation the council shall serve a copy thereof, together with an unabridged or full-sized copy of the plans, sections, and specifications, upon the Registrar-General, who shall file the same in the records of his office.

30 (4) A town planning scheme proclaimed as an ordinance may be amended by a subsequent scheme and ordinance prepared and proclaimed in the manner provided by or under this Act.

(5) The Governor may, on the application of the  
35 council, by proclamation repeal any such scheme so proclaimed if he consider that, under the special circumstances of the case, the scheme should be repealed, or may correct any slip or error in any such scheme.

## PART III.

## THE TOWN PLANNING BOARD.

Constitution  
of board.

9. (1) There shall be a town planning board for the purposes of this Act.
- (2) There shall be three permanent members of the board appointed by the Governor. 5
- (3) The Minister may from time to time appoint temporary members of the board to act in relation to any specified town planning scheme, or for the hearing of any specified appeal. 10
- (4) The permanent members of the board shall be appointed subject to the provisions of this Act for a term of three years, and shall be eligible for reappointment.
- (5) In case of the resignation of a permanent member the Governor may make an appointment for the remainder of the unexpired term. 15
- (6) The members of the board shall be paid by fees fixed by the Minister.
- (7) In case of the illness or other incapacity or absence from the State or of any vacancy in the office of any member of the board, the Minister may appoint some person to be a member of the board only during such illness, incapacity, or absence, or until such vacancy is filled. 20
- (8) The acts or proceedings of the board shall not be invalid by reason only of— 25
- (a) any vacancy in the membership of the board; or
  - (b) any defect in the appointment of any member.
- (9) The board shall be a body corporate with perpetual succession and a common seal, and shall be capable of suing and being sued, and of doing and suffering all such other acts and things as may be necessary or convenient for carrying out the purposes of this Act. 30
- (10) A majority of the members for the time being of the board shall constitute a quorum. 35
- (11) Any meeting of the board at which a quorum is present shall be competent to transact business.
- (12) The board may each year elect one of the permanent members to be the chairman. 40
- (13)

(13) In the absence of the chairman from any meeting, the board may elect any member to be chairman during such absence.

(14) The chairman shall preside at the meetings of the board, and shall have a deliberative vote, and in case of an equality of votes, a casting vote.

(15) The board may—

- (a) exercise the powers of entry upon land conferred by the Local Government Act on councils;
- 10 (b) call and examine witnesses; and
- (c) have such other powers, duties, and authorities as are conferred or imposed by this Act, or as may be prescribed by ordinance.

(16) The provisions of the Royal Commissioners Evidence Act, 1901, shall, mutatis mutandis, apply to the board for the purposes of this Act.

**10.** The town planning board shall—

Duties of board.

- (a) hear and report to the Minister upon appeals against town planning schemes;
- 20 (b) hear and give decisions upon appeals against the decisions of councils under the Local Government Act in relation to applications for approval to the opening of new roads, applications for approval to the subdivision of land, and applications for approval to build;
- 25 (c) report to the Minister upon any matter relating to town planning or the housing of the people which the Minister may refer to the board for report;
- 30 (d) prepare a report upon its operations each year to be included in the report laid before Parliament by the Local Government Department.

## PART IV.

CARRYING OUT PROCLAIMED TOWN PLANNING  
SCHEMES.

Giving effect  
to town  
planning  
ordinances.

**11.** (1) The council may carry out any proclaimed town planning scheme either— 5

- (a) by purchase of land and subsequent action in pursuance of the scheme; or
- (b) by resumption of land and subsequent action in pursuance of the scheme; or
- (c) by the realignment method and subsequent action in pursuance of the scheme; or 10
- (d) by enforcing any duty laid by the scheme upon any owner or lessee, or public body, or authority, including the State Government, and any municipal or shire council; or 15
- (e) by enforcing any agreement included in the scheme, or made subsequent to the scheme, and relating thereto; or
- (f) by exercising, in accordance with the scheme, its powers under this Act and the Local Government Act, to regulate the opening of new roads, and the subdivision of land, and the erection of buildings; or 20
- (g) by any other method specifically provided in the scheme; or 25
- (h) by the exercise of any power conferred upon the council by or under this or any other Act; or
- (i) by any combination of two or more of these methods. 30

(2) After the proclamation of any town planning scheme no person shall place on any land to which such scheme applies any work or building, or any addition to or improvement in any work or building except in accordance with such scheme. 35

Power to  
enforce  
ordinance.

cf. Housing,  
T.P., &c.,  
Act, 1909  
(Eng.), s. 57.

**12.** (1) The council in accordance with the provisions of any proclaimed town planning scheme may, after giving the prescribed notice—

- (a) remove, pull down, or alter any building or other work in the area included in the scheme 40  
which

5 which is such as to contravene the scheme, or  
 to contravene this Act, or in the erection or  
 carrying out of which any provision made by  
 or under this Act or the Local Government  
 Act has not been complied with; or  
 10 (b) execute any work which it is the duty of any  
 person to execute under the scheme in any case  
 where it appears to the council that delay in  
 the execution of the work would prejudice the  
 efficient operation of the scheme.

(2) Any expenses incurred by the council under  
 this section may be recovered in any court of competent  
 jurisdiction from the persons in default.

15 **13.** (1) Subject to this Act, any person whose pro-  
 perty is within the area, or part thereof, covered by a  
 proclaimed town planning scheme, and is injuriously  
 affected by the proclamation of the scheme shall, if he  
 makes a claim for the purpose within three months after  
 the proclamation of the scheme, be entitled to obtain  
 20 compensation in respect thereof from the council.

Compensation for  
 injurious effect of  
 making of  
 order.  
 cf. Housing,  
 T.P., &c.,  
 Act, 1909  
 (Eng.), s. 58.

(2) A person shall not be entitled to obtain  
 compensation under this section on account of any  
 building erected on or contract made or other thing  
 done with respect to land included in a proclaimed town  
 25 planning scheme after the time at which notice of the  
 proposal to prepare the scheme was given by the council  
 or (if such notice was not given) after the time when the  
 scheme was provisionally adopted by the council as  
 prescribed by ordinance :

30 Provided that this subsection shall not apply as respects  
 any work done before the proclamation of the scheme  
 for the purpose of finishing a building begun, or of  
 carrying out a contract entered into, before the aforesaid  
 time.

35 (3) Any question as to whether any property is  
 injuriously affected within the meaning of this Part,  
 and as to the amount of the sum which is to be paid as  
 compensation therefor, shall be determined by arbitration  
 under the Arbitration Act, 1902, unless the parties agree  
 40 upon some other method of determination.

Settlement  
 of compensa-  
 tion.  
 cf. Housing,  
 T.P., &c.,  
 Act, 1909  
 (Eng.),  
 s. 58 (4).

(4)

Limitation of compensation.  
cf. Housing, T.P., &c., Act, 1909 (Eng.), s. 59 (1).

Property not injuriously affected.  
cf. Housing, T.P., &c., Act, 1909 (Eng.), s. 59 (2).

cf. clause 16 of Nairobi T.P. Bill, 1918.

Compensation on amendment or revocation of scheme.  
cf. Housing, T.P., &c., Act) 1909 (Eng.), s. 58 (6).

Recovery of compensation.  
cf. Housing, T.P., &c., Act, 1909 (Eng.), s. 58 (5).

Compensation subject to agreements, &c.

(4) Where property is alleged to be injuriously affected by reason of any provisions contained in a proclaimed town planning scheme, compensation shall not be paid in respect thereof, if or so far as the provisions are such as are contained in this or any other Act or would have been enforceable if they had been contained in ordinances or regulations or by-laws made under this or any other Act. 5

(5) Property shall not be deemed to be injuriously affected by reason of the making in a proclaimed town planning scheme of any provisions which, with a view to securing the amenity of the area included in the scheme, or any part thereof, prescribe the space about buildings or limit the number of buildings to be erected, or prescribe the height or character of buildings, and which the council, having regard to the nature and situation of the land affected by the provisions, considers reasonable for the purpose. 10 15

(6) Where in any proclaimed scheme the boundaries of any separate parcel of land are readjusted, compensation shall be payable in respect of such readjustment only in a case where the value of the parcel has in fact been decreased thereby. 20

**14.** Where any proclaimed town planning scheme is amended or revoked under this Act, any person who has incurred expenditure for the purpose of complying with the scheme shall be entitled to receive from the council compensation in accordance with this Part in so far as any such expenditure is rendered abortive by reason of the amendment or repeal of the proclaimed scheme. 25 30

**15.** (1) Any amount due from the council under this Part, as compensation to a person aggrieved, may be recovered as a debt before any court of competent jurisdiction. 35

(2) The provisions of this Part as to compensation shall be subject to any special provisions respecting compensation which may be included in any agreement with the claimant or his predecessor in title incorporated in the proclaimed town planning scheme or made subsequent thereto. 40

(3)

(3) Subject to this Act the provisions of this Part as to compensation shall not apply to any proclaimed town planning scheme or to part of the scheme, so far as such scheme or part relates only to the realignment of roads.

Compensation for realignment. For compensation on realignment, see Local Govt. Act.

**16.** (1) In any case where it is expressly provided that compensation may be claimed under this Act, such claim may, by agreement between the council and the person claiming such compensation, be referred to arbitration under the Arbitration Act, 1902.

Arbitration re compensation.

(2) Failing such agreement within one month after notice of the claim is served on the council either party may refer the claim to a district court judge having jurisdiction in the locality in which the subject matter of the claim is situated, such judge shall act as sole arbitrator, and the claim shall be deemed to be submitted to him under the said Act.

(3) Such judge may hear and determine the matter and make such order with respect to the claim and the costs of the case as having regard to the circumstances of the case and to the public interest he may think just.

**17.** (1) Where any town planning scheme is proclaimed, the council may, within such time not exceeding five years after such proclamation as is specified in such scheme, require the Valuer-General for reasonable payment to report whether any ratable land covered by the scheme has been increased in value by the proclamation of the scheme, and, if so, to supply a list of such lands and such increases.

Betterment, cf. Housing, T.P., &c., Act, 1909 (Eng.), s. 58 (4).

(2) Such increase shall be called betterment.

(3) Notice of valuation of betterment shall be given in the same manner as notice of valuation of land (whether under the Local Government Act or under the Valuation of Land Act, 1916), and the provisions of any such Act for the time being in operation in the area relating to appeals against valuations of land shall, mutatis mutandis, apply to valuations of betterment.

(4) Before making a betterment rate it shall not be necessary to publish estimates or notices.

**18.**

Betterment  
rate.

**18.** (1) Subject to this Act the council may make and levy a betterment local rate in respect of the betterment of any such land aforesaid.

(2) A local rate under this Act may be made, levied, and recovered in accordance with the provisions of the Local Government Act relating to the making, levying, and recovery of rates (but without any right to demand or any duty to take a poll). **5**

(3) Such rate shall be levied for a term of years fixed by the council when first making such rate; and such term of years shall be stated on the rate notice. **10**

(4) The amount of the rate on each separate parcel of land shall be such as to return to the council by equal yearly instalments spread over the aforesaid term of years a sum equal to one-half of the betterment on such separate parcel. **15**

(5) The amount of the betterment shall be subject to any special agreements relating thereto embodied in any town planning scheme.

(6) The proceeds of any betterment rate shall be paid into the appropriate fund, and applied—

- (a) to the loan repayment account of that fund, if the council in carrying out the proclaimed scheme partly or wholly by means of borrowed money; or **25**
- (b) to the carrying out of the proclaimed scheme, in any other case.

## PART V.

### NEGLECT OF COUNCILS TO PREPARE SCHEMES.

Reserve  
power of  
Governor.

**19.** (1) The board may report to the Minister respecting any locality where in its opinion a town planning scheme is necessary. **30**

(2) The Minister may lay the report before the council whose area is affected thereby.

(3)



(3) If, within three months thereafter the council has not—

- (a) directed the preparation of a scheme; and
- (b) appointed a town planning committee; and
- 5 (c) advised the Minister in writing of the action taken,

the Governor may by proclamation direct the board to prepare a scheme.

10 (4) Thereupon the board shall, in relation to the council's area and to the administration of this Act, and for the purposes of such scheme and of any consequent ordinance, be charged with the duties of the council, and may exercise the powers and functions of the council.

15 (5) The expenditure of the board in the exercise of its powers and duties under this Part shall be defrayed in the first instance from consolidated revenue, but shall be repaid thereto by the council, subject to any remission which the Minister is hereby empowered to allow.

20 (6) The Minister may recover the amount of such expenses (less any such remission) as a debt.

(7) The Governor may by proclamation repeal any proclamation under this section, but such repeal shall not operate to repeal any action previously taken 25 by the board; and any such action shall be deemed to be action taken by the council.

PART VI.

SUPPLEMENTARY.

30 **20.** Where the title to any land contains covenants, Covenants, and such covenants are contrary to any requirement by or under this Act, such covenants shall be void to the extent that they are so contrary.

**21.** (1) The powers of a council under the Local Government Act may be used for the carrying out and 35 enforcement of this Act, as though this Act were Act. incorporated therein.

Disputes.

(2) Any failure of councils to agree in relation to matters affected by the provisions of this Act, or any failure of a council to consent to any request lawfully made by another council in pursuance of this Act, may be referred by either council to the Minister for decision, in accordance with the provisions of the Local Government Act relating to the settlement of disputes between councils. 5

## PART VII.

## ORDINANCES.

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Ordinances.

**22.** Ordinances may be made under the Local Government Act for carrying this Act into effect, and in particular for and with respect to—

- (a) the manner of preparing and the details to be specified in maps, sections, specifications, and estimates of town planning schemes; 15
- (b) the procedure to be adopted in the preparation of town planning schemes, in relation to objections and protests against such schemes, inquiries respecting such schemes, and the obtaining of the Governor's approval to such schemes; 0
- (c) the appointment by the council of a town planning committee, with power to include therein a proportion of persons who though not members of the council have some professional or special qualification needed or serviceable in connection with town planning; 25
- (d) the inclusion in a town planning committee of representatives nominated by statutory bodies any of whose works or lands come within the area or part of the area proposed to be dealt with in any scheme; 30
- (e) the application of the Royal Commissioners Evidence Act, 1901, to town planning committees, and the powers and duties of such committees; 35
- (f)

- 5 (f) empowering councils to make provisional agreements with owners and lessees of land affected by a scheme, and with public and statutory bodies and authorities in relation to the scheme ;
- 10 (g) requiring councils, statutory bodies, and companies, or persons carrying on business or exercising rights by virtue of any general or special Act of Parliament to assist any council which is engaged in the preparation of a town planning scheme by the supply of information, plans, and statistics, and by the granting of facilities for inspection and investigation ;
- 15 (h) the giving of notice by the council to persons interested in land included in a town planning scheme, and the hearing of objections thereto before submission of the scheme for the Governor's approval ;
- 20 (i) the form, time, and manner of giving notices and advertisements ;
- (j) the carrying out or enforcing the observance of the provisions of proclaimed schemes ;
- 25 (k) the notices to be given to persons interested as to the proclamation of schemes ;
- (l) conferring upon any person the right (subject to the payment of a fee of one shilling) to inspect a full size copy of the plans and sections forming part of a proclaimed scheme ;
- 30 (m) inquiries and reports as to the beginning and the progress and completion of works and other action under any proclaimed scheme ;
- 35 (n) a set of general provisions which shall take effect as part of every town planning scheme except so far as provision is made by the scheme for the variation or exclusion of any of those provisions ; cf. Housing, T.P., &c., Act, 1909 (Eng.), s. 55.
- 40 (o) separate sets of general provisions, adapted for areas of any special character, which shall take effect as part of every town planning scheme for an area of the special character to which such provisions are adapted except so far as provision is made by the scheme for the variation or exclusion of any of those provisions ; Ibid. s. 55.
- (p)

- (p) hearing and deciding objections or suggestions by persons interested in regard to any town planning schemes ;
  - (q) securing co-operation with owners of land as to matters dealt with in this Act ; **5**
  - (r) the manner of preparing town planning schemes ;
  - (s) the demolition of buildings on land included in a proclaimed scheme ;
  - (t) publication of notices in connection with town **10** planning schemes ;
  - (u) co-operation with any government, and with any public, private, or statutory body, in matters dealt with in this Act ;
  - (v) conditions necessary to be laid down for town **15** planning competitions ; and
  - (w) generally for the purpose of carrying out this Act.
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