

## ROAD DISTRICTS.

8° Elizabeth II., No. XVI.

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No. 16 of 1959.

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**AN ACT to amend the Road Districts Act, 1919-1956.**

[Assented to 8th October, 1959.]

**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 *Road Districts Act Amendment Act, 1959*.

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(2) In this Act the Road Districts Act, 1919-1956, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Road Districts Act, 1919-1959*.

2. The proviso to section twenty-four of the principal Act is amended—

S. 24  
amended.

(a) by substituting for paragraph (a) the following paragraph—

(a) in the ordinary course of business and in good faith sells goods to the board or to or for any person who has entered into a contract with the board, or does work for the board that is not done pursuant to a written contract; or ;

(b) by adding after the word, “advertisements” being the last word in paragraph (d) of the proviso, the following—

; or

(e) is an officer or member whether appointed by the board or not, of any club or association incorporated or otherwise, that is not formed for the purpose of securing pecuniary profit to the members from the transactions thereof and has for its object the physical recreation or cultural activities of its members or other persons, notwithstanding that the club or association leases or rents any land or building from the board for the object.

(i) In this paragraph, “physical recreation” includes the games of cricket, tennis, football, golf, bowling or other sport, and

(ii) “cultural activities” includes social, religious, charitable, educational, literary, musical,

scientific, agricultural, horticultural or other like activities, and the supply of services or commodities in connection with any of those activities; or

- (f) is or may be entitled to any remuneration payable by a board under the provisions of section thirty-eight or forty of the Bush Fires Act, 1954, but the exception provided under this paragraph continues so long only as the remuneration is not paid to the person or at his request or direction is paid to another person; or
- (g) is insured against personal injury under a policy of insurance effected by the board pursuant to section thirty-seven of the Bush Fires Act, 1954.

S. 36  
amended.

3. Subsection (1) of section thirty-six of the principal Act is amended by adding after the word, "accordingly" being the last word in the subsection, the passage, "until such time as the corporation appoints another person to so represent it in place of that person, or the board is satisfied that the person appointed to represent the corporation no longer does so".

S. 67  
amended.

4. Section sixty-seven of the principal Act is amended by substituting for all the words after the word, "grant" in line four, the words, "to the respective officers referred to in The Fifth Schedule to this Act the fees set out therein".

S. 157  
amended.

5. Subsection (3) of section one hundred and fifty-seven of the principal Act is amended by deleting the proviso thereto.

6. Section two hundred and one of the principal Act is amended by adding after paragraph (64) the following paragraphs—

S. 201  
amended.

- (65) for requiring the owner or occupier of any land within the district to remove within a time specified in a notice given by the board and served on the owner or occupier of the land, refuse, rubbish or other material whatsoever, which in the opinion of the board is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof;
- (66) for regulating the construction and use of verandahs erected over any part of a road or way, for requiring proper maintenance of verandahs and balconies and for requiring the owner of any verandah or balcony, whether erected before or after the coming into operation of the Road Districts Act Amendment Act, 1959, extending over any road or way and which is supported by or on posts or pillars to remove it within the time stipulated in a notice to remove it, given and served by the board on the owner, and enabling the board in the event of default by the owner, to remove the verandah or balcony and recover the cost thereof from the owner.
- (67) for regulating the establishment, operation and maintenance of motels.

7. Section two hundred and eighteen of the principal Act is amended—

S. 218  
amended.

- (a) by adding after the section designation, "218" the subsection designation, "(1)";
- (b) by adding after the word, "land" in line one of paragraph (8), the words, "or portion of a parcel of land";

- (c) by substituting for the word, "subsections" in line one of paragraph (a) and in line two of paragraph (b) of the proviso following paragraph (8) the word, "paragraphs".
- (d) by substituting for the word, "section" in line two of paragraph (a) and in line three of paragraph (b) of the proviso following paragraph (8) the word, "subsection".
- (e) by adding a subsection after the last proviso as follows—

(2) The Governor may from time to time—

- (a) by subsequent declaration cancel or vary any declaration made by the Governor under paragraph (8) of subsection (1) of this section or any repealed Act which declaration exempts land from being rateable;
- (b) declare that any portion of a parcel of land is exempt from rates.

S. 329  
amended.

8. Subsection (3) of section three hundred and twenty-nine of the principal Act is amended by substituting for the passage commencing after the word, "certified" in line three and ending with the word, "statements" being the last word in the subsection, the passage, "the board shall cause copies in writing of the certified statement to be made available at least seven days before the annual meeting of ratepayers, at that meeting and within a reasonable time thereafter, to any ratepayer or creditor of the board who applies for a copy."

9. The Second Schedule to the principal Act is amended by inserting in paragraph (1) of regulation 37 after subparagraph (1) two new subparagraphs as follows—

Second  
Schedule  
amended.

- (1A) providing for the regulation of the construction of buildings to be used as motels;
- (1B) providing for the regulation of the construction of television masts and antennae whether attached to buildings or not.

10. The principal Act is amended by adding after The Fourth Schedule a Schedule as follows—

The Fifth  
Schedule  
added.

THE FIFTH SCHEDULE.

S. 67.

Scale of Fees.

| Officer   | Fee |    |    |
|---|-----|----|----|
|   | £   | s. | d. |
| For a contested election—   |     |    |    |
| (a) Returning Officer, where the total number of electors registered on the electoral roll— |     |    |    |
| (i) does not exceed 2,000 ....  | 5   | 5  | 0  |
| (ii) exceeds 2,000 but does not exceed 5,000 ....   | 7   | 7  | 0  |
| (iii) exceeds 5,000 ....  | 11  | 11 | 0  |
| (b) Deputy Returning Officer ....   | 5   | 5  | 0  |
| (c) Presiding Officer (per hour) ....   | 10  | 0  |    |
| (d) Poll Clerk (per hour) ....  | 7   | 6  |    |
| For an uncontested election—  |     |    |    |
| Returning Officer ....  | 3   | 3  | 0  |