

WESTERN AUSTRALIA.



ANNO TERTIO

GEORGII QUINTI REGIS,

XLIII.

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No. 62 of 1912.

AN ACT to authorise the Construction of a Road on the shore of Melville Water and Freshwater Bay from the Eastern Boundary of Melville Lot No. 8 to Point Chidley.

[Assented to 30th December, 1912.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Melville Water and Freshwater Bay Road Act, 1912.* Short title.

2. (1.) It shall be lawful for the Minister for Works to construct a road, one chain wide, on the shore of Melville Water and Freshwater Bay from the Eastern boundary of Melville Lot 8 to Point Chidley, as delineated in the plan marked P.W.D. No. 16725, and deposited in the Department of Public Works, Perth; and for such purpose to reclaim the land below high-water mark, and, so far as may be necessary, to remove all jetties and other structures therefrom. Power to construct road.

(2.) The land on which the said road is hereby authorised to be constructed shall, on the commencement of this Act, vest in His Majesty the King, freed and discharged from all rights and claims of the owners of adjacent lands, and all other persons, howsoever arising.

(3.) The Governor may, by Order in Council, declare such road, or any portion thereof, to be a Government Road within the meaning of the Public Works Act, 1902; or may place any portion thereof under the control of the municipal council or the road board of any municipal or road district to which such portion is adjacent.

Surveyor General  
to determine high-  
water mark.

**3.** The Surveyor General shall have power to ascertain and determine the high-water mark for the purposes of this Act, and his determination shall, with the approval of the Minister, be final and conclusive.

No compensation.

**4.** No compensation shall be payable to any person in respect of any injury sustained, or right lost or prejudiced, through the operation of this Act or the exercise of any power thereby conferred.

Construction of road  
not obligatory.

**5.** Nothing in this Act shall be deemed to impose any obligation on the Minister for Works to construct the said road or any portion thereof.

Delegation to local  
authorities of power  
to construct road.

**6.** It shall be lawful for the said Minister to delegate to any municipal council or road board power and authority to construct the said road, or any portion thereof, on such terms and conditions as the said Minister may deem fit.