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OF

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1924.

THE ROAD DISTRICTS ACT, 1919.

General By-laws.

Department of Works and Labour,
P.W. 6693/19. Perth, 20th June, 1924.

HIS Excellency the Governor in Executive Council has been pleased to make and prescribe the following Regulations, numbered 1 to 44 inclusive, and the Schedule, including forms numbered 1 to 100, to apply to all Road Boards in the State except those where the Public Office of the Board is situated North of the 26th parallel, and the Meekatharra Road Board, which are controlled by the North-West Department.

C. A. MUNT,
Under Secretary for Works and Labour.

General By-laws, Forms, etc.

WHEREAS it is enacted by "The Road Districts Act, 1919," that the Governor may make By-laws for giving effect to the said Act and prescribing the forms for use under the said Act: Now, therefore, His Excellency the Governor of the State of Western Australia, acting with the advice of the Executive Council, doth hereby, in exercise of the powers conferred by the said Act and all other powers enabling him in this behalf, make and re-enact the following regulations with additions and amendments, and prescribe the forms in the Schedule hereinafter set forth, and such shall apply to and be carried out by all Road Boards throughout the State of Western Australia, except those where the Public Office of the Board is situated North of the 26th parallel, and the Meekatharra Road Board, which are controlled by the North-West Department.

PART I.

Dealing with Land Subdivision.

(To be administered by the Minister for Lands, *vide* Section 157 of the Act.)

1. (1) Whenever an owner of rateable land subdivides the same into allotments for sale, the plan or diagram to be submitted to the Board under Section 155 shall exhibit distinctly delineated all roads, ways, passages, open spaces, and reserves and all permanent drains, and also all allotments into which the said land is to be divided, marked with distinct numbers, and shall also show the dimensions and areas of such allotments, the name of the estate if so required by the Board, the names of the roads and the width of the roads and ways, also any public street or road adjoining the land under survey.

(2) The plan or diagram submitted for approval to the Board shall be in accordance with Part V. of the Rules and Directions to be observed by Licensed Surveyors practising under "The Transfer of Land Act, 1893."

One copy must be on strong paper of a recognised standard size of 40 inches by 27 inches for plans, and 16½ inches by 12 inches for diagrams, with sufficient space left for binding, to be marked "Original," with particulars of title, and place assigned for name of Road District, signature of Secretary, and the date of resolution approving of subdivision; such copy, if approved, will be returned to person submitting same for lodgment at Titles Office.

One copy must be on tracing cloth of similar size and description marked "Duplicate," to be retained by Board and preserved in their records in a book or file kept for that purpose by the Secretary.

Each plan shall contain the name (if any) proposed to be assigned to the Estate with particulars of Certificate of Title, also the names of roads.

Such names of estate, roads and other particulars shall be taken to be part of the plan of the subdivision and subject to these regulations.

(3) The Board may affix such conditions to the granting of the approval as it may think fit, and particularly for any of the following purposes:—

- (a) Regulating the width and lay-out of roads and ways so that they may be formed, graded, drained and used to the best advantage; to round off or truncate corners.
- (b) Regulating the frontage, depth, and area of allotments.
- (c) Providing drainage reserves.
- (d) Prohibiting the subdivision of swamps and low-lying land for residential purposes.
- (e) Altering the name of the estate.
- (f) Providing for open spaces, the total area of which shall not, without the consent of the owner, exceed five per cent. of the whole area subdivided.
- (g) Securing any other alteration that the Board may consider necessary for public convenience and health, present and prospective.

(4) Any person may, under and subject to Subsection (8) of Section 155, appeal to the Minister against a refusal of a Board to approve of a plan or diagram, or the conditions of approval thereof, or a refusal to approve of a transfer, conveyance, or lease of a portion of an allotment on any plan or diagram of subdivision registered in the Office of Titles, or portion of a Crown Grant certificate of title or conveyance containing less than half an acre in area.

(5) An appeal to the Minister shall be accompanied by the original plan objected to by the Board without any alteration or amendment, together with a third copy of plan in every way similar to duplicate and marked "Triplicate" for retention by Minister.

(6) An approved plan or diagram, or any allotment thereon, shall not be further subdivided or altered without the consent of the Board, and no person shall, without such consent, sell, transfer, buy, or acquire a portion of any allotment on the said plan or diagram.

(7) Any person desirous of having any alteration whatsoever to any plan shall apply in writing to the Board, who will cause any alterations which they may approve of to be entered in their minutes and endorsed on the plan and signed by the Secretary.