

MAIN ROADS.

No. 7 of 1966.

AN ACT to amend the Main Roads Act, 1930-1965.*[Assented to 16th September, 1966.]*

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 *Main Roads Act Amendment Act, 1966.*

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Acts,
approved for
reprint 21st
May, 1962 as
amended by
Act No. 69 of
1965, s. 13.

(2) In this Act the Main Roads Act, 1930-1965, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Main Roads Act, 1930-1966.

2. Section six of the principal Act is amended by repealing the interpretation, "local authority" and re-enacting it as follows— S. 6 amended.

"local authority" means the council of a municipality that is a city, town or shire constituted under the Local Government Act, 1960; .

3. Section ten of the principal Act is amended— S. 10 amended.

(a) by deleting the words, "civil engineering" in line two of subsection (1a); and

(b) by deleting the word, "engineering" in line three of subsection (1b).

4. Section sixteen of the principal Act is amended by adding after subsection (4), a subsection as follows— S. 16 amended.

(5) The Commissioner may provide, construct, reconstruct, improve, maintain and supervise all or any of the works and undertakings referred to in paragraphs (a), (b) and (c) of subsection (5) of section fourteen, and in subsection (6) of section fourteen A of the Traffic Act, 1919; and may make such payments as are authorised under paragraphs (c) and (d) of the latter subsection. .

5. The principal Act is amended by adding after section twenty-eight A a section as follows— S. 28B added.

28B. (1) Notwithstanding the provisions of any Act, no person, local authority or agent or instrumentality of the Crown, except the Commissioner, shall place on, over or under a controlled access road or any land acquired, set apart, taken or resumed for a controlled access road, any tower, pole, wire, pipe or other structure or apparatus of any kind, without the prior consent in writing of the Commissioner. Prohibition on erection of structures, etc., on, over or under areas for controlled access road.

(2) The Commissioner may by notice in writing, direct a person, local authority, agent or instrumentality of the Crown who or which has contravened subsection (1) of this section to remove, pull down or take up the tower, pole, wire, structure or apparatus placed on, over or under a controlled access road or land in contravention of that subsection.

(3) Where the person, local authority, agent or instrumentality of the Crown on whom or on which a notice referred to in subsection (2) of this section has been served, fails to comply with the notice within the time specified therein, the Commissioner—

- (a) may remove, pull down or take up the tower, pole, wire, pipe, structure or apparatus specified in the notice; and
- (b) may recover, in a court of competent jurisdiction as a civil debt due to him from the person, local authority, agent or instrumentality of the Crown, the amount of the expenses incurred by him in exercising the power conferred by paragraph (a) of this subsection. .

S. 35
amended.

6. Section thirty-five of the principal Act is amended by deleting the words, "civil engineering" in the last line thereof.
