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PERTH : WEDNESDAY, 26th JANUARY.

[1955.]

MUNICIPAL CORPORATIONS ACT, 1906-1953.

Municipality of Claremont.

A By-law of the Municipality of Claremont made under Section 180 of the Municipal Corporations Act, 1906-1953, and numbered 127, for Regulating the Granting of Long Service Leave to Employees.
L.G. 641/52.

IN pursuance of the powers conferred by the said Act, the Mayor and Councillors of the Municipality of Claremont order as follows:—

1. In the interpretation of this by-law the following words shall have the meanings assigned to them hereunder:—

- (a) "Council" means the Municipality of Claremont.
- (b) "Employee" means and includes all persons employed in any capacity by the Council, and who are in the regular and full-time employ of the Council.
- (c) "Continuous service" means service in the employment of the Council during which an employee has not been absent from the service of the Council for a continuous period of more than two days or an aggregate period of more than 10 days without leave of absence being granted by the Council, and has not been absent on long service leave and has not been absent, without pay, for a period exceeding four weeks: Provided that an employee who was employed by the Council on a permanent basis immediately prior to entering a continuous full-time service with the Armed Forces of the Commonwealth of Australia, or who was directed by the Manpower Directorate to serve elsewhere between the 3rd day of September, 1939, and the 3rd day of March, 1947, shall have such service counted as continuous service with the Council, provided the requisite proof is produced.

2. All present and future employees of the Council shall, after each period of ten (10) years' continuous service as permanent full-time employees, be entitled to three (3) months' long service leave and no long service leave will be granted to any employee without a qualifying period of ten (10) years being first completed. Provided that if any employee having served the Council for a continuous period of two (2) years is retrenched or retires through ill-health, incapacity, or reaching the retiring age, or, being a female, retires for the purpose of and actually marries, then and in any such case, such employee shall be paid a sum of money equal to his wages or salary for such proportionate part of three (3) months as his completed years of service bear to ten (10) years. All employees who qualify for long service leave on the 17th day of December, 1947, shall be entitled thereto, and all other employees shall be entitled thereto as from the commencing date of their employment with the Council.

3. (a) The Council may grant long service leave to an employee of the Council who has been granted long service leave for ten (10) years' continuous service if before a further period of ten (10) years' continuous service is reached

such employee retires from the Council's service owing to having reached the retiring age of sixty-five (65) years, or is retired on the grounds of ill-health, or dismissed through staff retrenchments, in which case the long service leave may be adjusted *pro rata*.

Provided that no such grant shall be made to an employee of the Council who prior to completing a further period of ten (10) years' continuous service resigns his employment with the Council.

(b) The long service leave which may be granted under this by-law shall be for a period not exceeding one and three-tenths weeks for every completed year of service since the conclusion of the period of service which qualified the employee for his previous long service leave and shall be on full pay.

4. An employee dismissed by the Council for neglect of duty or for irregular practices shall not be paid any sum in pursuance of the preceding by-law.

5. Long service leave shall be taken at the convenience of the Council, who will, as far as possible, meet with the wishes of the employee, but the Council may require the employee to take leave by giving not less than three (3) months' notice. Long service leave shall be taken in the first place in accordance with a roster prepared by the Town Clerk and prepared so far as possible to enable the employees to take long service leave in order of the length of their service with the Council.

6. In the event of the death of an employee who has served a period of at least two (2) years' continuous service, the Council may pay to his personal representatives, or if there be none, to his dependants, a sum of money equal to his wages or salary for the period of long service leave which the Council would have been empowered under these by-laws to grant to such employee at the date of his death, if he had retired after ten (10) years' continuous service, or if the Council after consideration of all the circumstances, direct that the death of an employee be presumed, the Council may authorise the payment to the dependants of the employee a sum equivalent to the amount of wages or salary which would under this by-law have been granted to the employee immediately prior to the date of his death, such date to be determined by the Council.

7. (a) Employees taking long service leave shall be paid their salary or wage for the period thereof at the rate equivalent to the permanent rate of pay excluding conditional margins or higher duty payments, equivalent to the salary or wage paid in the week immediately preceding the taking of long service leave.

(b) The Council shall pay to any employee his salary or wages during his period of long service leave weekly, provided that it may, at its discretion, pay to the employee in advance a sum representing the amount of his salary or wages for the period of his long service leave upon written application being made to the Council for payment in such manner.

8. All annual leave to which an employee is entitled or will become entitled before the expiration of his long service leave shall be taken by the employee in conjunction with his long service leave, but any public holidays which may occur during the taking of his long service leave are not to be paid for over and above the long service leave, but are to form part of such long service leave.

9. Long service leave shall be considered as a special period of recuperation after a lengthy term of service, with a view to fitting the employee for a further term, and during such leave no employee shall undertake any form of employment for hire or reward, unless by special permission of the Council. Any contravention of this subclause shall entitle the Council to dismiss the employee from its service and to cease paying or to recover any amounts paid in advance on account of long service leave.

Passed by resolution of the Municipality of Claremont on the 9th day of November, 1954.

The Common Seal of the Municipality of Claremont was hereunto affixed on the 14th day of December, 1954, by a resolution passed on the 14th day of December, 1954, in the presence of—

[L.S.]

A. W. CROOKS,
Mayor.

T. C. BROWN,
Town Clerk.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

TRAFFIC ACT, 1919-1953.

Nungarin Road Board By-laws.

L.G. 887/52.

THE Nungarin Road Board, under and by virtue of the Order in Council gazetted in the *Government Gazette* of the 23rd April, 1948, page 878, empowering the said Nungarin Road Board to make by-laws prescribing the rules to be observed in respect of any vehicle being driven or used on roads, hereby makes the following by-law:—

Parking by-laws, as gazetted in the *Government Gazette* of the 11th June, 1948, page 1340, and amended on the 1st September, 1950, page 2049, are hereby amended by deleting the paragraph numbered 1A and inserting in its place a new paragraph as follows:—

1A. No person shall allow any vehicle to park on that portion of the South-West side of Railway Avenue, set out in the Schedule below, between the hours of 9 a.m. and 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, and between the hours of 9 a.m. and 12 noon on Saturdays.

Schedule.

- (a) An area between points 100ft. and 296ft. to the North-West of the centre line of Mitchell Terrace.
- (b) An area between points 92ft. and 165ft. to the South-East of the centre line of Mitchell Terrace.
- (c) An area between points 232ft. and 297ft. to the South-East of the centre line of Mitchell Terrace.

Passed by resolution of the Nungarin Road Board at the meeting held on the 14th day of December, 1954.

L. HUTCHISON,
Chairman.

J. C. TOZER,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1951.

Serpentine-Jarradale Road Board.

Amendment to General By-laws.

L.G. 41/52.

THE By-laws made by resolution of the Serpentine-Jarrahdale Road Board on the 15th day of August, 1936, and published in the *Government Gazette* on the 16th day of April, 1937, and amended on 9th September, 1949, and 1st September, 1950, are hereby amended by the following:—

1. Adding thereto after Park Lands, Reserves and Recreation Grounds By-law 72 a new by-law as follows:—

72a. No person over the age of 14 years shall use the children's playground equipment on any of the reserves or other sites under the control of the Board. Minimum penalty—£5.

2. By adding after the word "control" in line six of by-law 66a the words "except by written consent or permission of the Board."

Passed by resolution of the Serpentine-Jarrahdale Road Board on the 13th day of December, 1954.

(Sgd.) D. G. WATKINS,
Chairman.

(Sgd.) J. GLENNIE,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1951.

Manjimup Road Board.
General By-laws Amendment.
Amendment to Schedule B.

L.G. 948/52.

THE General By-laws of the Manjimup Road Board, as published in the *Government Gazette* of the 26th July, 1935, at pages 1464 to 1471, and amended at page 976 in the *Government Gazette* of the 28th May, 1954, are hereby amended by deleting the line as follows:—

Fees for Hawkers' Licenses—Weekly fee, 10s.

Made and passed at a meeting of the Manjimup Road Board held on the 9th day of December, 1954, at Manjimup.

C. I. DOUST,
Chairman.

M. DUNN,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1951.

Manjimup Road Board.

Amendment to By-law relating to Building Regulations.

L.G. 838/52.

THE By-laws of the Manjimup Road Board relating to building regulations, published in the *Government Gazette* on the 2nd July, 1943, at pages 646 to 650, both inclusive, are hereby amended by deleting lines 13 to 18 inclusive in by-law two (2), and inserting in lieu thereof the following prescribed fees.

	£	s.	d.
New buildings of an area of two squares or less	7	6	
New buildings of an area of more than two squares—per square	3	9	
Additions or alterations to buildings where the value of the addition or alteration does not exceed £100	5	0	
Where the value of the alteration or addition exceeds £100— at the rate of 5s. per £100.			
Maximum fee for a dwelling	7	10	0
Maximum fee for a factory or warehouse	30	0	0
Erection of a bungalow, garage, detached room or out buildings, i.e., sheds, kilns, etc., two squares or less	7	6	
Inspection fee for the extension of a license granted for temporary accommodation	1	0	0
Travelling fee for inspection of building for removal from without a townsite of the Manjimup Road District to a townsite of the district for re-erection—1s. 3d. per mile.			

Passed at a meeting of the Manjimup Road Board held on the 9th day of December, 1954.

C. I. DOUST,
Chairman.

M. DUNN,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1951.

South Perth Road Board.

Amendment of Building By-laws.

L.G. 313/54.

BY-LAW number 2, published in the *Government Gazette* of the 9th November, 1951, at pages 3103-3113, and amended as per *Government Gazette* of the 16th October, 1953, at page 2093, is hereby amended as follows:—

(a) Delete from clause 4 (definitions) the existing definition of "out-building."

(b) Insert in lieu thereof the following definition:—

"Outbuilding" means any building on the curtilage of any dwelling, shop, or combined shop and dwelling used as a store-room, detached laundry, or garage, not being a building for the storage of inflammable materials, nor for the housing of any animal or animals, including birds, and not exceeding 15ft. in height.

Passed by the South Perth Road Board at a meeting held on the 15th day of December, 1954.

R. W. KING,
Chairman.

E. J. JOHNSON,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Narembeen Road Board.

Building By-law Amendment.

L.G. 1832/52.

THE Building By-law of the Narembeen Road Board, as published in the *Government Gazette* of the 27th January, 1939, at pages 131 to 136, and amended by notice in the *Government Gazette* of the 9th March, 1951, at page 540, is hereby further amended as follows:—

(a) By deleting paragraph 43 therefrom.

(b) By substituting a new paragraph 43 as follows:—

43. (a) No person shall erect any building or portion of a building within 25ft. of the building line in that part of Churchill Street, Narembeen, from the intersection of Currall Street, Westward to the town boundary, unless the external walls are constructed of brick, stone, cement or concrete.

(b) Subject to the provisions of subparagraph (a) hereof, the Board may authorise the construction of a shop or warehouse having external walls of wood or iron if these are not less than 4ft. from any existing boundaries. If any such shop or warehouse is nearer to existing boundaries than 4ft., the external walls must be of brick, stone, cement or concrete.

Passed at the meeting of the Narembeen Road Board held on this 15th day of December, 1954.

R. PRESTON,
Secretary.

A. W. LATHAM,
Chairman.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

HEAVY TRAFFIC ACT, 1919-1951.

Manjimup Road Board.

Heavy Traffic By-law.

L.G. 947/52.

THE Heavy Traffic By-law of the Manjimup Road Board, as published in the *Government Gazette* of the 22nd August, 1952, at page 1988, is hereby amended by the addition to the list of roads specified as follows:—

Road Number 3329—Dombakup Road.

Passed at a meeting of the Manjimup Road Board held on the 9th day of December, 1954, at Manjimup.

C. I. DOUST,
Chairman.M. DUNN,
Secretary.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 13th day of January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1952.

Capel Road Board.

Amendment of By-laws.

P.H.D. 1303/45, Ex. Co. No. 34.

WHEREAS under the provisions of the Health Act, 1911-1952, a local authority may make or adopt by-laws and may amend, repeal, or alter any by-laws so made or adopted: Now, therefore, the Capel Road Board, being a local health authority, and having adopted the Model By-laws described as Series "A," and published in the *Government Gazette* on the 4th December, 1944, hereby make the following scale of fees as applied to Schedule "D" of Part IX of the said Model By-laws:—

In respect of—	Per Annum.		
	£	s.	d.
Slaughterhouses	4	0	0
Piggeries	2	0	0
Other offensive trades	1	0	0

Passed at a meeting of the Capel Road Board, this 12th day of November, 1954.

N. R. PAYNE,
Chairman.W. WRIGHT,
Secretary.

Approved by His Excellency the Governor in Executive Council, 13th January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1952.

Resolution.

P.H.D. 850/48, Ex. Co. No. 32.

WHEREAS under the provisions of the Health Act, 1911-1952, the Governor may cause to be prepared Model By-laws for all or any of the purposes for which by-laws may be made by a local authority under any of the provisions of the Act; and whereas a local authority may, of its own motion, by resolution, adopt the whole, or any portion of such by-laws, with or without modification; and whereas Model By-laws described as Series "A" have been prepared in accordance with the said Act and published in the *Government Gazette* on the 4th day of December, 1944, and amended from time to time thereafter: Now, therefore, the Fremantle Road Board, being a local authority within the meaning of the Act, doth hereby resolve and determine that the amendments

to the said Model By-laws published in the *Government Gazettes* on the 2nd November, 1951; 16th May, 1952; and 23rd July, 1954, shall be adopted without modification, and doth hereby amend the said adopted by-laws in the following manner:—

Part IX—Offensive Trades.

Section (c)—Piggeries.

Delete by-law 2 and insert a new by-law 2 in lieu thereof as follows:—

2. (a) For the purposes of this section of these by-laws, no premises shall be registered as a piggery unless every portion of the sties and drainage sumps of the piggery are at least 200ft. distant from any street or thoroughfare and from any dwelling house, church, schoolroom, hall, factory, dairy or premises whatsoever wherein food is manufactured, packed or prepared for human consumption and the sties and drainage sumps of the piggery are not less than 100ft. distant from the boundary of any land not in the same occupation, ownership or possession.

(b) No enclosure appurtenant to the sties or grazing area to which pigs have access shall be at a less distance than 100ft. from any boundary of any land not in the same occupation, ownership or possession or at a less distance than 200ft. from any dwelling house, church, schoolroom, hall, factory, dairy or premises whatsoever wherein food is manufactured, packed or prepared for human consumption.

Passed at a meeting of the Fremantle Road Board, this 8th day of September, 1954.

J. H. COOPER,
Chairman.

E. L. EDWARDES,
Secretary.

Approved by His Excellency the Governor in Executive Council, 13th January, 1955.

(Sgd.) R. H. DOIG,
Clerk of the Council.

BULK HANDLING ACT, 1935-1953.

Department of Agriculture,
Perth, 13th January, 1955.

File 352/54, Ex. Co. No. 9.

HIS Excellency the Governor in Executive Council, acting under the provisions of section 26 and section 41 of the Bulk Handling Act, 1935-1953, has been pleased to amend, in the manner set out in the Schedule hereunder, the regulations made under and for the purposes of the Act, and published in the *Government Gazette* on the 29th day of July, 1949, and amended from time to time thereafter.

G. K. BARON HAY,
Director of Agriculture.

Schedule.

The abovementioned regulations (*G.G.* 29/7/49 and *G.G.* 11/12/53) are amended—

- (1) by deleting the figures "1952-1953" in line six of the Schedule and inserting in lieu thereof the figures "1953-1954";
- (2) by deleting the figures and symbols "3s. 3.625d." in line eight of the Schedule and inserting in lieu thereof the figures and symbols "3s. 0.650d."; and
- (3) by deleting the figures and symbols "3s. 3.625d." in line twelve of the Schedule and inserting in lieu thereof the figures and symbols "3s. 0.650d."

Approved by His Excellency the Governor in Executive Council, 13th January, 1955.

R. H. DOIG,
Clerk of the Council.

