



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 12]

PERTH: THURSDAY, 9th FEBRUARY

[1961

HEALTH ACT, 1911-1960.

Department of Public Health,
Perth, 18th January, 1961.

P.H.D. 706/57.

HIS Excellency the Governor in Executive Council, pursuant to the provisions of the Health Act, 1911-1960, has been pleased to make the regulations set out in the schedule hereunder.

W. S. DAVIDSON,
Acting Commissioner of Public Health.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Bacteriolytic Treatment of Sewage Regulations, 1958, published in the *Government Gazette* on the 19th March, 1958, and amended by notice published in the *Government Gazette* on the 21st December, 1959, are referred to as the principal regulations.

Reg. 13B substituted.

2. The principal regulations are amended by substituting for regulation 13B the following regulation:—

13B. A person shall not use in the construction of an apparatus a flushing cistern or closet pan having a capacity of less than eight pints, unless—

- (a) the flush pipe has an internal diameter of not less than one and one-half inches, expanded to one and three-quarter inches at the point of connection to the closet pan; and
- (b) the length of drain between the closet pan and the septic tank serving the closet pan, or between the closet pan and any junction with a drain leading from any other fixture in regular or daily use is—
 - (i) in the case of a flushing cistern designed to operate with a flush not exceeding two pints, not longer than eight feet; or
 - (ii) in the case of a flushing cistern designed to operate with a flush greater than two pints, not longer than ten feet.

HEALTH ACT, 1911-1960.

Department of Public Health,
Perth, 18th January, 1961.

P.H.D. 2058/59.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Health Act, 1911-1960, has been pleased to make the regulations set forth in the schedule hereunder.

W. S. DAVIDSON,
Acting Commissioner of Public Health.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Meat Inspection and Branding Regulations made under the provisions of the Health Act, 1911-1960, as reprinted pursuant to the Reprinting of Regulations Act, 1954, and published as so reprinted in the *Government Gazette* on the 21st March, 1960, are referred to as the principal regulations.
- Schedule B amended. 2. Schedule B to the principal regulations is amended—
- (a) by adding after item "Albany Health District" the item, "Armadale-Kelmscott Health District";
 - (b) by adding after the item, "Claremont Health District" the item, "Cockburn Health District";
 - (c) by substituting for the item, "Collie Health District" the item, "Collie Coalfields Health District";
 - (d) by deleting the item, "Collie Road Health District";
 - (e) by adding after the item, "Dardanup Health District" the item, "Darling Range Health District";
 - (f) by deleting the item, "Fremantle Road Health District";
 - (g) by adding after the item, "Geraldton Health District" the item, "Gosnells Health District";
 - (h) by deleting the item, "Guildford Health District";
 - (i) by adding after the item, "Katanning Health District" the item, "Kwinana Health District";
 - (j) by deleting the item, "Sussex Health District";
 - (k) by substituting for the item, "Swan Road Health District" the item, "Swan-Guildford Health District"; and
 - (l) by adding after the item, "Wagin Health District" the item, "Wanneroo Health District."

HEALTH ACT, 1911-1960.

City of South Perth.

Model Health By-laws—Amendment.

P.H.D. 497/50.

IN pursuance of the powers in that behalf contained in the Health Act, 1911-1960, the Mayor and Councillors of the City of South Perth do hereby order that the Model Health By-laws as adopted by the City of South Perth and as amended from time to time pursuant to the said Act be amended by deleting paragraph (2) of by-law 15B of Part 7 of the said by-laws and inserting in lieu thereof the following:—

(2) Subject to paragraph (3) of this by-law—

- (i) paper used as an inner wrapping or packing for food in accordance with paragraph (1) of this by-law shall be clean and shall not bear any writing or printing thereon;

- (ii) paper used as an outer wrapping or packing for food in accordance with paragraph (1) of this by-law shall be clean and may bear writing or printing on the outside surface only;
- (iii) the paper shall not be impregnated or coloured with any substance which may contaminate food.

Passed by the Council of the City of South Perth at an ordinary meeting of the Council held on the 23rd day of November, 1960.

[L.S.]

W. C. G. THOMAS,
Mayor.

E. J. JOHNSON,
Town Clerk.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

(Sgd.) E. P. FOREMAN,
Acting Clerk of the Council.

HEALTH ACT, 1911-1960.

Cockburn Road Board.

Amendment of By-laws.

P.H.D. 850/48.

WHEREAS under the provisions of the Health Act, 1911-1960, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Cockburn Road Board, being a local authority within the meaning of the Act and having adopted with certain modifications the Model By-laws described as Series "A" made by the Governor pursuant to the said Act and reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Gazette* of the 9th August, 1956, doth hereby amend the said adopted by-laws as published in *Gazette* of 21st March, 1956, in relation to prescribed area under section 112 (a) of the said Act as follows:—

With respect to the schedule appearing and gazetted as aforesaid—

- (a) delete all words therein appearing from and including the word "commencing" down to and including the words "Hamilton Road" where first appearing in the said schedule;
- (b) in lieu of the said words deleted insert after the word and symbols "Roads:—" the following words, "Commencing at the north-east corner of Cockburn Sound Location 10, lot 63, on the corner of Winterfold and Redmond Roads, and then proceeding in an easterly direction along Winterfold Road to its intersection with the Kwinana Controlled Access Highway; thence southerly along the western boundary of such highway to its intersection with Blackwood Avenue; thence westerly along Blackwood Avenue to Hamilton Road:".

Passed at a meeting of Cockburn Road Board the 26th day of October, 1960.

J. H. COOPER,
Chairman.

E. L. EDWARDES,
Secretary.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

HEALTH ACT, 1911-1960.

Mosman Park Road Board.

Amendment of By-laws.

P.H.D. 1026/56.

WHEREAS under the provisions of the Health Act, 1911-1960, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted; and whereas the Mosman Park Road Board, being a local authority within the meaning of the Act, adopted Model By-laws made by the Governor pursuant to section 343 of the Act as reprinted on 9th August, 1956, in accordance with the Reprinting of Regulations Act, 1954: Now, therefore, the Mosman Park Road Board doth hereby resolve that the said adopted by-laws shall be amended, as follows:—

Part 1.—General Sanitary Provisions.

Clause 29, as published in the *Government Gazette* of 28th April, 1960, is amended by adding the following proviso to subparagraph (d):—

Provided that any person who in July each year produces to the Board satisfactory proof that he is currently affiliated with the West Australian National Homing Combine may be permitted to keep up to a maximum of seventy-five (75) pigeons.

Passed at a meeting of the Mosman Park Road Board this 24th day of November, 1960.

E. G. SMITH,
Chairman.
J. A. SMALLMAN,
Secretary.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

BUSH FIRES ACT, 1954-1958.

THE By-laws of the Upper Blackwood Road Board relating to the establishment, maintenance and equipment of Bush Fire Brigades for the road district of Upper Blackwood passed by resolution of the Upper Blackwood Road Board on the 10th day of February, 1940, and published in the *Government Gazette* of the 5th day of June, 1942, on pages 639 and 640, are hereby amended as follows:—

- (a) By substituting for the passage "men over 18" in line 2 of sub-by-law (3) of by-law 7, the words "members of either sex over 15."
- (b) By substituting for the figures "18" in the sixth paragraph of the first schedule, the figures "15."

Passed by resolution of the Upper Blackwood Road Board at a meeting held on the 16th day of November, 1960.

J. R. PURSE,
Chairman.
L. G. AMEY,
Secretary.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Carnarvon.

By-law No. 109—Motels.

L.G. 891/60.

A By-law of the Municipality of Carnarvon made under Section 180 of the Municipal Corporations Act, 1906-1959, and numbered 109, for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

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

Definition.

1. (1) In this by-law "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large for reward, and denominated by the owner or occupier by the use of the word "motel" whether alone or in conjunction with other words.

(2) Without limiting the generality of subclause (1) of this clause, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

(3) "Council" when used in the context shall mean the Carnarvon Municipal Council.

(4) "Municipality" when used in the context shall mean the Municipality of Carnarvon.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with this by-law.

(2) A person shall not use the word "motel" in connection with any premises within the Municipality unless those premises are currently registered as a motel with the Council.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, the Municipal Corporations Act, 1906.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the local authority of the district.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Municipality, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of subclauses (1) and (2) of this clause, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—
- (a) ten residential units;
 - (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing, a dining-room and kitchen for common use;
 - (c) a common laundry;
 - (d) a flat or residence for the manager or person in charge of the motel;
 - (e) parking space as in this by-law provided; and
 - (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—
- (a) a bed-sitting room;
 - (b) a car park;
 - (c) luggage storage space; and
 - (d) an ablution and toilet unit.
- (2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—
- (a) two hundred square feet where the unit is intended to accommodate one person; and
 - (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Municipality.
- (2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.
- (3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—
- (a) a shower cubicle;
 - (b) a hand basin;
 - (c) an air lock and water closet;
- (2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.
- (3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.
- (2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.
- (3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having there-in installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the local authority shall approve of a car park being of a greater distance from any residential unit.

(2) There shall be adequate means of access to and manouevring space at each car park.

(3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by subclause (1) of this clause, be on site parking space in the ratios of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this clause, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets, and bedspreads for each bed;
- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Council.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a Manager or other responsible person to reside at and be in charge of the motel.

(2) A person shall not be the manager of or be in charge of a motel who—

- (a) is an undischarged bankrupt;
- (b) has been convicted of any indictable offence; or
- (c) has been or is convicted more than three times of offences against this by-law or against the Health Act and regulations.

Compliance with Other By-laws.

15. Nothing in this by-law shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Municipal Corporations Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Council and registration, if approved, shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of this by-law.

(2) Where by the Act, or by any of this by-law, any act is directed to be done, or forbidden to be done, or where any authority is given to a local authority, or any officer of a local authority, to direct any act to be done, or to forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by the Carnarvon Municipal Council at an ordinary meeting of the Council held on the 13th day of December, 1960.

[L.S.]

J. MCKENNA,
Mayor.
C. MCCREED,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

City of South Perth.

By-law No. 25—Esplanade Building Line.

PURSUANT to the powers in that behalf contained in the Municipal Corporations Act, 1906, and in the Town Planning and Development Act, 1928, the Council of the City of South Perth hereby makes the following by-law to be numbered 25:—

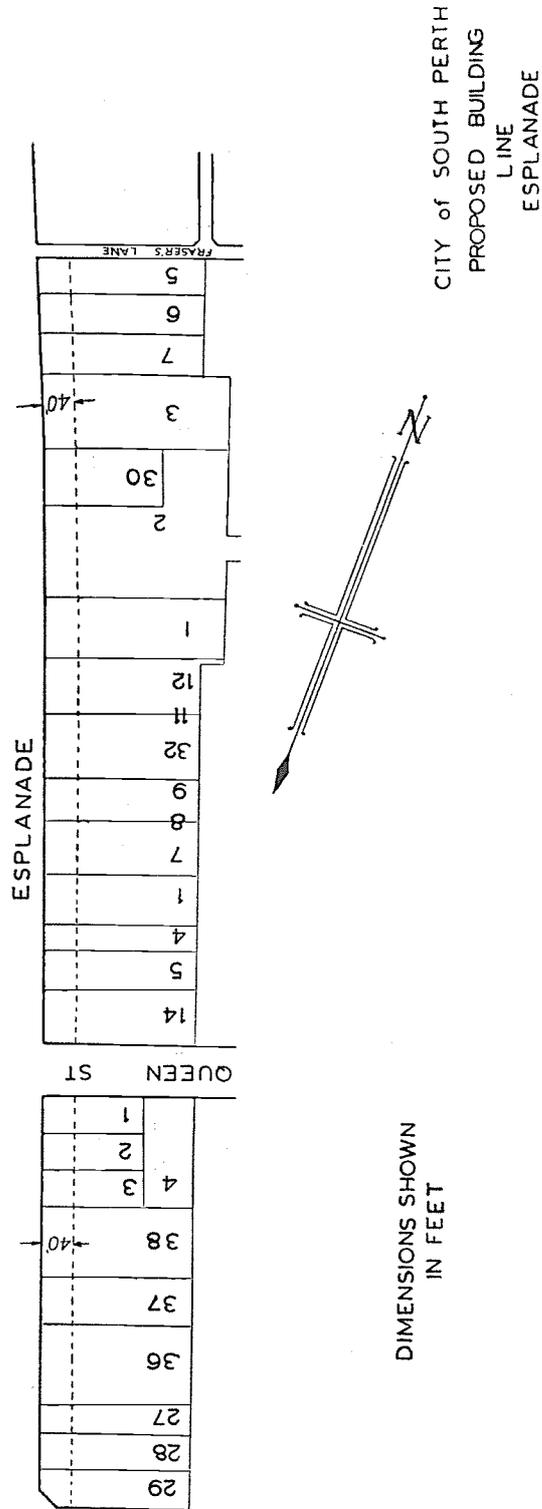
25. (1) A building line is made and fixed as shown on the plan in the schedule hereto at a distance of forty feet on the westerly and southerly side of the Esplanade from the northerly boundary of lot 29, location 70, to the easterly boundary of lot 2, location 2, delineated on such plan.

(2) No building or part of a building shall hereafter be erected closer to the aforesaid road than the building line hereinbefore made and fixed.

(3) The City of South Perth shall be the authority responsible for carrying this by-law into effect and enforcing the observance thereof.

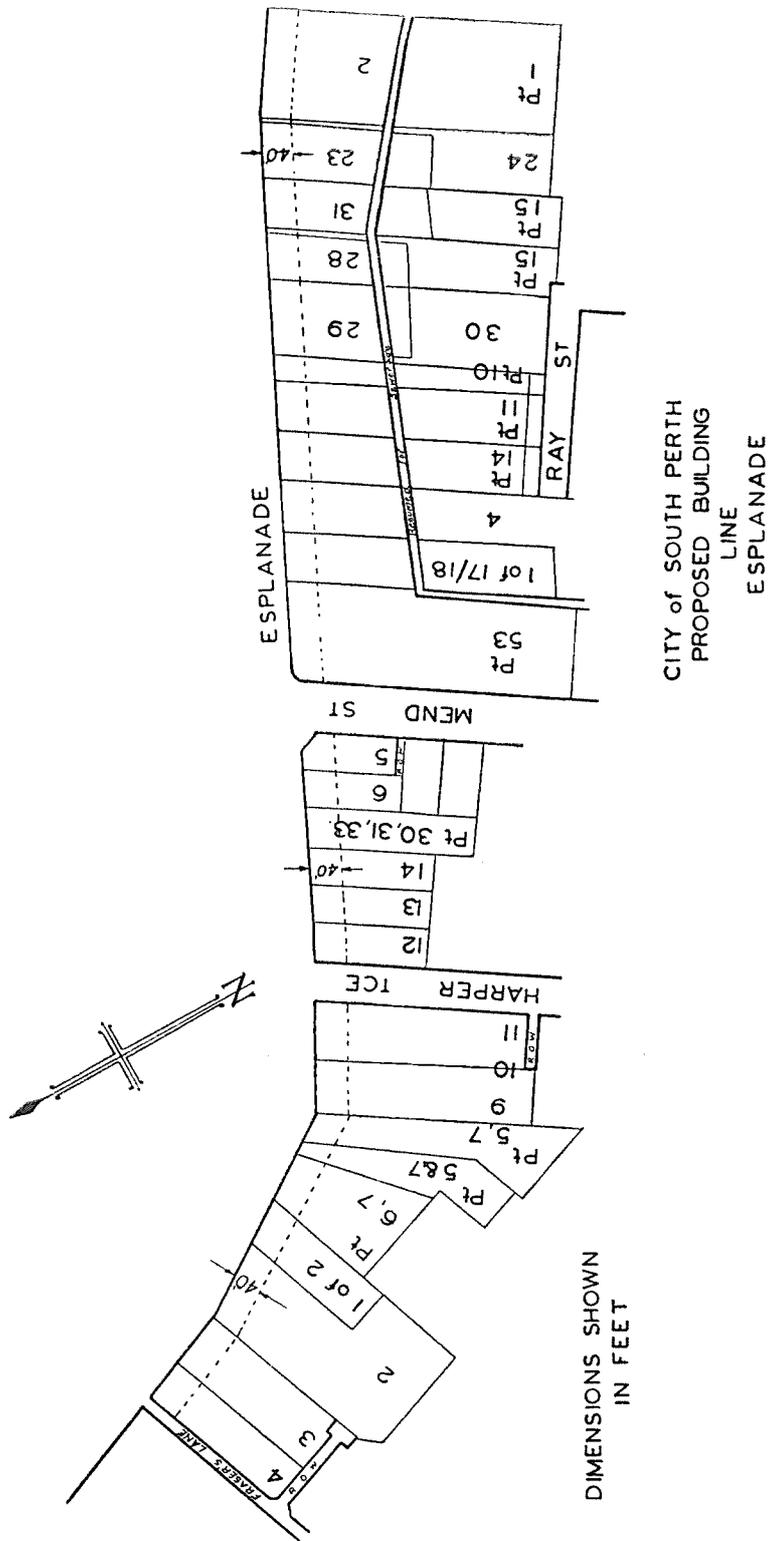
(4) The time limited for making claim for compensation by reason of the operation of this by-law is a period of six months from the first publication of this by-law in the *Government Gazette*.

The Schedule.



DIMENSIONS SHOWN
IN FEET

CITY of SOUTH PERTH
PROPOSED BUILDING
LINE
ESPLANADE



Passed by the Council of the City of South Perth at the ordinary meeting of the Council held on the 28th day of September, 1960.

[L.S.]

W. C. G. THOMAS,
Mayor.
E. J. JOHNSON,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Carnarvon.

By-law No. 110—Removal of Refuse, Etc.

L.G. 890/60.

A By-law of the Municipality of Carnarvon made under Section 180 of the Municipal Corporations Act, 1906, and numbered 110, for Regulating the Removal of Refuse, etc.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, the Carnarvon Municipal Council hereby makes the following by-law:—

1. In this by-law—

“Council” means the Carnarvon Municipal Council;

“Municipality” means the Municipality of Carnarvon;

“Town Clerk” means the Town Clerk or Acting Town Clerk of the Municipality of Carnarvon.

2. If there is on any land within the Municipality any refuse, rubbish or other material of any kind whatsoever which, in the opinion of the Council, is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Council may cause a notice under the hand of the Town Clerk to be served on the owner or occupier of such land requiring such owner or occupier within the time specified in such notice to remove such refuse, rubbish or material from such land.

3. Every owner or occupier of such land upon whom a notice is served under clause 2 of this by-law shall comply with such notice within the time therein specified.

4. Any person committing an offence against this by-law shall on conviction be liable to a penalty not exceeding twenty pounds (£20).

Passed at an ordinary meeting of the Council held on the 13th day of December, 1960.

[L.S.]

J. McKENNA,
Mayor.
C. McCREED,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906-1959.

City of Perth.

By-law No. 40—Signs, Hoardings and Bill-posting—Amendment.

L.G. 10/58.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906-1959, the Lord Mayor and Councillors of the City of Perth hereby order that by-law No. 40 relating to signs, hoardings and bill-posting be amended by deleting paragraphs (b), (c), (d) and (e) of clause 12 and inserting in lieu thereof the following:—

- (b) Shall not exceed eight feet in length, nine and one-third square feet in area and 24 inches in width;
- (c) shall not weigh more than 120 lb.;
- (d) shall not, if it exceeds 12 inches in width, be within four feet six inches or, where it does not exceed 12 inches in width, three feet from the side wall of the building in front of which it is erected measured along the front of such building;
- (e) shall not, if it exceeds 12 inches in width be within nine feet or, where it does not exceed 12 inches in width, six feet of another sign under the verandah.

Passed by the Council of the City of Perth at the ordinary meeting of the Council held on the 21st day of November, 1960.

[L.S.]

H. R. HOWARD,
Lord Mayor.
W. A. McI. GREEN,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Town Planning and Development Act, 1928-1959.

Cockburn Road District.

Amendment to By-laws Classifying the District.

L.G. 455/57.

THE by-laws of the Cockburn Road Board passed at an ordinary meeting of the Cockburn Road Board held on the 23rd day of October, 1957, and published in the *Government Gazette* of the 17th April, 1958, as amended by notice in the *Government Gazette* of the 15th May, 1959, and as further amended by notice in the *Government Gazette* of the 21st April, 1960, and as further amended by notice in the *Government Gazette* of the 17th August, 1960, are hereby further amended as follows:—

1. Schedule 3—Light Industrial. Add new paragraph as follows:—
 4. All that area contained in Cockburn Sound 561, Lots 1, part of original lot 96, 89, 90, 91, 92, parts 1 and 2 of original lot 93, 94, 95, pt. 96, pt. 97, pt. 98, 99, pt. 100, and those portions of lots pt. 104 and pt. 107 and part of Cockburn Sound Location 975, situated east of the eastern alignment of the proposed Kwinana Controlled Access Highway.
2. Schedule 4—General Industry. Add the Symbol "1." prior to the word "All" first appearing in the said schedule. Add new paragraph as follows:—
 2. All that area contained in Cockburn Sound Location 633, Jandakot A.A. 257, Jandakot A.A. 290 and all that portion of Jandakot A.A. 256 which lies north of Fremantle-Armadale Railway Line.
All that area contained in a line commencing at the south-east corner of Cockburn Sound Location 489 and continuing northerly along the eastern boundary of such location for a distance of 1,260 links;

thence in a westerly direction for a distance of 500 links; thence a north-westerly direction for 2,700 links; thence in a westerly direction for a distance of 1,170 links to the western boundary of such location; thence in a southerly direction along the western boundary to the south-west corner of location 489, and thence easterly along the southern boundary of such location to the starting point of such line.

All that area contained in Jandakot A.A. Location 254/5, lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 39, 40, 41, 42, 43, and lots 12 and 13 (parts of original lot 9).

All that area contained in Cockburn Sound Location 410, and all that portion of Cockburn Sound Location 21 contained in Lot 1, Memorial Book XIII, Number 367, comprising 5 acres.

Passed at a meeting of the Cockburn Road Board the 23rd day of November, 1960.

J. H. COOPER,
Chairman.

E. L. EDWARDES,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

TOWN PLANNING AND DEVELOPMENT ACT, 1928.

Perth Road Board—By-law Amending the By-laws of the Perth Road Board Relative to Zoning.

L.G. 588/59.

THE Perth Road Board, under and by virtue of the powers conferred upon it in that behalf by the Road Districts Act, 1919, the Second Schedule thereof, and the Town Planning and Development Act, 1928, doth hereby make and publish the following by-laws:—

The by-laws of the Perth Road Board published in the *Government Gazette* of the 29th day of June, 1960, are hereby amended in the following manner:—

Special Zone—Osborne Ward.

Section 11 of the Fifth Schedule is altered by the addition at the end thereof the following:—

- | | | |
|-------------|---|---|
| 11. Osborne | Portion of Perthshire Location Au and being lot 23 on Diagram 17432 and being the whole of the land comprised in Certificate of Title Volume 1154, folio 834, situated in Lawley Street | Off street parking associated with a supermart. |
|-------------|---|---|

Passed by the Perth Road Board at the ordinary meeting of the Board held on the 6th day of December, 1960.

HERBERT R. ROBINSON,
Chairman.

LLOYD P. KNUCKEY,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919, AND AMENDMENTS.

Cockburn Road Board.

Amendment to By-laws Relating to Building Regulations.

L.G. 32/53.

THE by-laws of the Cockburn Road Board, formerly Fremantle Road Board, relating to building regulations as published in the *Government Gazette* of the 24th December, 1948, at pages 3064 and 3073, under the heading of "Fremantle Road Board" as amended in the *Government Gazette* of the 15th October, 1954, at page 1784, and as further amended in the *Government Gazette* of the 11th May, 1955, at pages 1069 and 1070, and as further amended in the *Government Gazette* of the 28th January, 1960, at page 145, are hereby further amended by deleting the whole of the Second Schedule and inserting in lieu thereof the following:—

Second Schedule.

Schedule—Fees.

Note—In the interpretation of this Schedule—

- (a) the expression "floor area" applied to a building shall mean the aggregate superficial areas of so many horizontal sections thereof as there are floors in the said building. The horizontal section of each floor shall be made at the point of the greatest surface dimensions, inclusive of external walls and of such portions of the party walls as belong to the building, and also of all verandah and balcony floors, covered ways, and light courts;
- (b) the expression "square" applied to the measurement of the area of a building means the area of 100 superficial feet.

SCALE OF FEES.

	£	s.	d.
(1) For application form in every case	1	0	
(2) For a license for a new building and additions to an existing building—			
(a) For each square or portion of a square up to 50 squares (with a minimum fee of £1)	6	0	
(b) For each additional square or portion of a square up to 100 squares	5	0	
(c) For each additional square or portion of a square in excess of 100 squares	4	0	
(3) For a license for alterations to an existing building—			
(a) For each square or portion of a square up to 100 squares (with a minimum fee of £1)	4	0	
(b) For each additional square or portion of a square in excess of 100 squares	2	6	
(c) For cutting an opening in an external, internal or party wall when no other work is undertaken at the same time	15	0	
(4) For a license for the construction of a furnace, chimney shaft, or shaft for ventilation or for any other purpose (in addition to the fee for any other work undertaken at the same time)—			
(a) If the height does not exceed 75 feet	3	0	0
(b) If the height exceeds 75 feet but does not exceed 100 feet	4	0	0
(c) If the height exceeds 100 feet, for every additional 10 feet or portion of 10 feet	12	0	
(5) For a license to carry a flue from an oven, stove, steamboiler, furnace or close fire into an existing flue	1	0	0

	£	s.	d.
(6) For examination and report on preliminary plans—25 per cent. of the fee for a license to carry out the work described in such plans.			
(7) For a license to install a new shop front—			
(a) If no structural alteration is required	1	10	0
(b) If new girders or columns are required, for each foot thereof (with a minimum fee of £3)	1	6	
(8) For a license for a verandah awning over a footway, for each lineal foot measured along the frontage of the building (with a minimum fee of £1)		1	0
(9) For a license to erect a tent, for each week or part of a week	1	0	0
(10) For a license to erect a transmitting wireless mast attached to a building, for each foot		1	0
(11) For survey and report on a dangerous structure	3	0	0
(12) (a) In the case of buildings of reinforced concrete or steel framed construction—			
(i) 6s. per square for the first 50 squares or part thereof, with a minimum of £1.			
(ii) The fee per square shall be reduced by 2d. per square for each additional 50 squares by which the area of the building exceeds 50 squares in area, with a minimum charge of 3s. 6d. per square.			
(b) In the case of buildings of brick or stone in which the floors are carried by internal pillars or columns, the fee shall be two-thirds the amount of the fee calculated under paragraph (a) of this item.			
(c) For the purposes of calculating computation fees, a square means 100 square feet measured over the outside of external walls at each floor level.			
(d) In the case of alterations to existing buildings, the fee shall be assessed over the area covered by such alterations.			
(e) For reinforced concrete or fire-resisting floors, including girders and beams	2	0	0
(f) For reinforced concrete or fire-resisting floors, without girders or beams	1	0	0

Passed by resolution of the Cockburn Road Board at a meeting held on the 14th day of December, 1960.

J. H. COOPER,
Chairman.
E. L. EDWARDES,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Coolgardie Road Board.

Motel By-laws.

L.G. 876/60.

PURSUANT to the powers contained in that behalf in the Road Districts Act, 1919, the Coolgardie Road Board hereby makes the following by-laws for regulating the construction, establishment, operating and maintenance of motels:—

Definition.

1. (1) In these by-laws "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel," whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-by-law (1) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

(3) In these by-laws "the Board" means the Coolgardie Road Board.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, or the Road Districts Act, 1919.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Board, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of not less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-law (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing, a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—
- (a) a bed-sitting room;
 - (b) a car park;
 - (c) luggage storage space; and
 - (d) an ablution and toilet unit.
- (2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—
- (a) two hundred square feet where the unit is intended to accommodate one person; and
 - (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Board.
- (2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.
- (3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—
- (a) a shower cubicle;
 - (b) a hand basin;
 - (c) an air lock and water closet.
- (2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.
- (3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.
- (2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.
- (3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of a greater distance from any residential unit.
- (2) There shall be adequate means of access to and manoeuvring space at each car park.
- (3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this by-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets and bedspreads for each bed;
- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

(2) A person shall not be the manager of or be in charge of a motel who—

- (a) is an undischarged bankrupt;
- (b) has been convicted of any indictable offence; or
- (c) has been or is convicted more than three times of offences against these by-laws or against the Health Act and regulations.

Compliance with Other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board, and registration, if approved, shall operate until the 31st day of December then next following.

(2) Any application for the renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or to forbid any act

to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making the default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by resolution of the Coolgardie Road Board at a meeting held on the 14th day of November, 1960.

J. P. BAKER,
Chairman.
H. E. WILLIAMS,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Esperance Road Board.

By-law Requiring Removal of Refuse, Etc.

L.G. 859/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Esperance Road Board hereby makes the following by-law:—

1. In this by-law—

“Board” means Esperance Road Board;
“District” means Esperance Road District;
“Secretary” means Secretary or Acting Secretary of the Board.

2. If there is on any land within the District any refuse, rubbish or other material of any kind whatsoever which, in the opinion of the Board, is likely to affect adversely the value of adjoining properties or the health, comfort or convenience of the inhabitants thereof, the Board may cause a notice under the hand of the Secretary to be served on the owner or occupier of such land requiring such owner or occupier within the time specified in such notice to remove such refuse, rubbish, or material from such land.

3. Every owner or occupier of land upon whom a notice is served under clause 2 of this by-law shall comply with such notice within the time therein specified.

4. Any person committing an offence against this by-law shall on conviction be liable to a penalty not exceeding twenty pounds.

Passed by resolution of the Esperance Road Board at a meeting held on the 16th day of December, 1960.

GEO. S. LINDSAY,
Commissioner.
R. A. RUSHTON,
Acting Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Albany Road Board.

L.G. 886/60.

By-Laws for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Albany Road Board hereby makes the following by-laws:—

Definition.

1. (1) In these by-laws "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel," whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-by-law (1) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

(3) In these by-laws "Board" shall mean the Albany Road Board.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-Law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, or the Road Districts Act, 1919, as the case may be.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of the Building By-Laws of the Board, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-laws (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—
- (a) a bed-sitting room;
 - (b) a car park;
 - (c) luggage storage space; and
 - (d) an ablution and toilet unit.
- (2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—
- (a) two hundred square feet where the unit is intended to accommodate one person; and
 - (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-Laws of the Board.
- (2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.
- (3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) an ablution unit shall include—
- (a) a shower cubicle;
 - (b) a hand basin;
 - (c) an air lock and water closet.
- (2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.
- (3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.
- (2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.
- (3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of a greater distance from any residential unit.
- (2) There shall be adequate means of access to and manoeuvring space at each car park.
- (3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this By-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets and bedspreads for each bed;
- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gateway shall be erected on the front boundary of any motel unless that sign or gateway shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

- (2) A person shall not be the manager of or be in charge of a motel who—
- (a) is an undischarged bankrupt;
 - (b) has been convicted of any indictable offence; or
 - (c) has been or is convicted more than three times of offences against these by-laws, or against the Health Act and regulations.

Compliance with Other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board, and registration, if approved, shall operate until 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these By-Laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or to forbid

any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

A resolution adopting the foregoing by-laws was passed by the Board on the 16th December, 1960.

B. E. LANGE,
Chairman.
W. E. SIBBALD,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Murray Road Board.

Motel By-laws.

L.G. 889/60.

WHEREAS under the provisions of the Road Districts Act, 1919-1951, the Board of any district is empowered to make or adopt by-laws for any of the purposes mentioned in the said Act, the Murray Road Board doth, in exercise of the powers aforesaid, hereby adopt the Motel By-laws as described and published in the *Government Gazette* on the 6th July, 1960.

By-laws for Regulating the Construction, Establishment,
Operation and Maintenance of Motels.

Definition.

1. (1) In these by-laws "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel," whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-by-law (1) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, and the Road Districts Act, 1919.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such a way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Board, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-laws (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing, a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Units.

6. (1) Any residential unit of a motel shall comprise at least—

- (a) a bed-sitting room;
- (b) a car park;
- (c) luggage storage space; and
- (d) an ablution and toilet unit.

(2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park, shall be—

- (a) two hundred square feet where the unit is intended to accommodate one person; and
- (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Board.

(2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—

- (a) a shower cubicle;
- (b) a hand basin;
- (c) an air lock and water closet.

(2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.

(3) Where it is desired to provide baths in addition to showers, those baths may be installed in common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.
- (2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area at least one hundred square feet and a dining room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.
- (3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of a greater distance from any residential unit.
- (2) There shall be adequate means of access to and manoeuvring space at each car park.
- (3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this by-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.
- (4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—
- (a) one spring bedstead for each person occupying the unit;
 - (b) one mattress for each bedstead;
 - (c) all usual linens, blankets and bedspreads for each bed;
 - (d) one easy chair;
 - (e) one luggage rack;
 - (f) hanging space for clothing; and
 - (g) one table, desk or dresser or any combination of those articles of furniture.
- (2) A common dining-room in any motel shall be provided with the following furniture, at least—
- (a) one seat for each single residential unit and two seats for each double residential unit; and
 - (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.
- (2) A person shall not be the manager of or be in charge of a motel who—
- (a) is an undischarged bankrupt;
 - (b) has been convicted of any indictable offence; or
 - (c) has been or is convicted more than three times of offences against these by-laws or against the Health Act and Regulations.

Compliance with other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board, and registration, if approved, shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by resolution of the Board at a meeting held on the 18th day of August, 1960.

R. J. KIRKHAM,
Chairman.
J. W. SIBBALD,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Esperance Road Board.

By-laws for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 857/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Esperance Road Board hereby makes the following by-laws:—

1. In this by-law—

- (1) "Board" means Esperance Road Board;
- (2) "District" means Esperance Road District;
- (3) "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel" whether alone or in conjunction with other words;
- (4) without limiting the generality of sub-by-law (3) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Esperance Road Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any town planning scheme or zoning by-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, and the Road Districts Act, 1919.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any town planning scheme or zoning by-laws of the Board and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-laws (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria, or restaurant, or in the alternative to the foregoing, a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential units of a motel shall comprise at least—

- (a) a bed-sitting room;
- (b) a car park;
- (c) luggage storage space; and
- (d) an ablution and toilet unit.

(2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park, shall be—

- (a) two hundred square feet where the unit is intended to accommodate one person; and
- (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Board.

(2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—

- (a) a shower cubicle;
- (b) a hand basin;
- (c) an air lock and water closet.

(2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.

(3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.

(2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.

(3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of a greater distance from any residential unit.

(2) There shall be adequate means of access to and manouevring space at each car park.

(3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this by-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linen, blankets and bedspreads for each bed;
- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

- (2) A person shall not be the manager of or be in charge of a motel who—
- (a) is an undischarged bankrupt;
 - (b) has been convicted of any indictable offence; or
 - (c) has been or is convicted more than three times of offences against these by-laws or against the Health Act and regulations.

Compliance with Other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board and registration, if approved, shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or to forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by resolution of the Esperance Road Board at a meeting held on the 16th day of December, 1960.

GEO. S. LINDSAY,
Commissioner.

R. A. RUSHTON,
Acting Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Murray Road Board.

By-law Requiring Removal of Refuse, Etc.

L.G. 892/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Murray Road Board hereby makes the following by-law:—

1. In this by-law—

“Board” means Murray Road Board;

“District” means Murray Road Board District;

“Secretary” means Secretary, Acting Secretary or other authorised officer of the Board.

2. If there is on any land within the District any refuse, rubbish, undergrowth or other material of any kind 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, the Board may cause a notice under the hand of the Secretary to be served on the owner of such land requiring such owner or occupier within the time specified in such notice to remove such refuse, rubbish, undergrowth or material from the land.

3. Every owner or occupier of land upon whom a notice is served under clause 2 of this by-law shall comply with such notice within the time specified therein.

4. Any person who fails to comply with such notice, within the time specified therein, shall commit an offence and shall be liable on conviction to a penalty not exceeding £20.

Passed by resolution of the Murray Road Board at a meeting held on the 17th November, 1960.

R. J. KIRKHAM,
Chairman.

J. W. SIBBALD,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.

DOG ACT, 1903-1960.

Department of Local Government,
Perth, 23rd January, 1961.

L.G. 2401/52.

HIS Excellency the Governor in Executive Council, under the provisions of the Dog Act, 1903-1960, has been pleased to make the regulations set forth in the schedule hereunder.

GEO. S. LINDSAY,
Secretary for Local Government.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the Dog Act Regulations published in the *Government Gazette* on the 12th May, 1939, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Reg. 6 added. 2. The principal regulations are amended by adding after regulation 5 the following regulation:—

6. Where application is made to register a dog of either sex alleged to have been effectively sterilised, the certificate of and signed by a registered veterinary surgeon,

or as the case may be, the statutory declaration, certifying that the dog has been effectively sterilised, required to be produced to the registering officer, shall—

(a) in the case of a certificate, be in the Form No. 1; and

(b) in the case of a statutory declaration, be in the Form No. 2,

in the Appendix to these regulations.

Appendix added.

3. The principal regulations are amended by adding an Appendix as follows:—

Appendix.

Form No. 1.

Reg. 6.

Dog Act, 1903-1960.

CERTIFICATE OF STERILISATION OF DOG BY REGISTERED VETERINARY SURGEON.

I (insert name), of (address), being a registered Veterinary Surgeon practising at (insert address), hereby certify that on the day of 19, I effectively sterilised by (insert castration or spaying, as the case requires) a dog described and distinguished as follows:—

- Sex
Colour or distinguishing marks
Breed
Approximate age
Name of owner
Address of owner
Signature
Date

Form No. 2.

Dog Act, 1903-1960.

STATUTORY DECLARATION OF STERILISATION OF DOG.

I (insert name), of (address), (occupation), do solemnly and sincerely declare as follows:—

- (1) That I am the owner of a dog described as follows:—
Sex
Colour or distinguishing marks
Breed
Approximate age
Name of dog

- (2) That although I am unable to produce a certificate from a registered Veterinary Surgeon to this effect, nevertheless the dog has been effectively sterilised by (insert castration or spaying as the case requires), and that this operation was carried out on or about the day of 19, by (insert the name of the person who performed the operation)

And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at, in the State of Western Australia, before me, this day of 19.

Signature of Declarant.

Signature of Witness.

CEMETERIES ACT, 1897-1957.

Department of Local Government,
Perth, 23rd January, 1961.

L.G. 181/57.

HIS Excellency the Governor in Executive Council, under the provisions of the Cemeteries Act, 1897-1957, has been pleased to make the regulations set out in the schedule hereunder.

GEO. S. LINDSAY,
Secretary for Local Government.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the regulations made under the Cemeteries Act, 1897, published in the *Government Gazette* on the 20th November, 1914, and amended by notices published in the *Government Gazette* on the 12th July, 1957, and the 25th November, 1960, are referred to as the principal regulations.

Reg. 7 added. 2. The principal regulations are amended by adding after regulation 6 a heading and regulation as follows:—

Fees Payable to the Trustees of the Kalgoorlie
Public Cemetery.

7. The fees payable to each Trustee of the Kalgoorlie Public Cemetery shall be a sitting fee of ten shillings and six pence (10s. 6d.) for each ordinary meeting of the Board which he attends.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY ACT, 1960.

Education Department,
Perth, 18th January, 1961.

Ex. Co. No. 87.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Country High School Hostels Authority Act, 1960, has been pleased to make the regulations set forth in the schedule hereunder.

T. L. ROBERTSON,
Director of Education.

Schedule.
Country High School Hostels Authority Act, 1960.
Regulations.

Citation.

1. These regulations may be cited as the Country High School Hostels Authority Act Regulations, 1960.

Interpretation.

2. In these regulations—

“Authority” means the Country High School Hostels Authority established in accordance with the provisions of the Country High School Hostels Authority Act, 1960.

Travelling Expenses of Members.

3. Each member of the Authority is entitled where travelling upon official business of the Authority to—

- (a) reimbursement of travelling expenses on the scale from time to time applicable to senior officers of the Public Service of the State;
- (b) payment of motor car mileage allowance where necessary, the allowance to be in accordance with the scale from time to time applicable to an officer of the Public Service of the State who is required to maintain a motor car for travelling on official business.

EDUCATION ACT, 1928-1960.

Education Department,
Perth, 9th February, 1961.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the schedule hereunder, made by the Minister for Education pursuant to the provisions of section 28 of the Education Act, 1928-1960, and section 11 of the Interpretation Act, 1918-1957.

(Sgd.) T. L. ROBERTSON,
Director of Education.

Schedule.

Regulations.

Principal Regulations. 1. In these regulations the Education Act Regulations, 1960, published in the *Government Gazette* on the 26th July, 1960, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Reg. 3 amended. (Amendment No. 10.)

2. Regulation 3 of the principal regulations is amended—
(a) by substituting for the passage,

PART XIV.—APPEAL BOARD RULES—Regulations 282-295,

the following passage—

PART XIV.—GOVERNMENT SCHOOL TEACHERS' TRIBUNAL—Regulations 282-295B;

(b) by substituting for the passage—

SCHEDULE I—Forms 1 and 2,

the passage,

SCHEDULE I.—FORMS.

Part XIV. substituted. (Amendment No. 11.) 3. The principal regulations are amended by substituting for Part XIV comprising regulations 282 to 295 (both inclusive) the following Part:—

PART XIV.—GOVERNMENT SCHOOL TEACHERS' TRIBUNAL.

282. In this Part of these regulations, unless the context requires otherwise—

“Minister” means the Minister for Education;

“the Act” means the Education Act, 1928, as amended;

“Tribunal” means the Government School Teachers' Tribunal established under the provisions of section 37 of the Act;

“Union” means the State School Teachers' Union of Western Australia (Incorporated).

283. An election of member and deputy member of the Tribunal shall be held as and whenever necessary, provided that the person elected shall be eligible to take his seat on the Tribunal after the seat on the Tribunal for which he has been elected becomes vacant by reason of the expiration of the term of office of the member or as the case may be, deputy member, still holding office at the time when that election is held.

284. (1) The State Chief Electoral Officer, or when prevented from acting his substitute appointed under the Electoral Act, 1907, as amended, shall be the returning officer at any election held in accordance with this part of these regulations.

(2) The returning officer may appoint such officers as he deems necessary to assist in the conduct of an election.

(3) (a) The returning officer shall be paid such fees as are prescribed by regulations made under the Electoral Act, 1907, as amended, for returning officers at parliamentary elections, and the officers employed by him shall, while engaged on the scrutiny and count of votes, be paid for their services the fees prescribed for similar duties by those regulations for presiding officers at parliamentary elections.

(b) Officers employed by the returning officer in the preparation and distribution of voting material shall be paid at the rate prescribed by regulations made under the Electoral Act, 1907, as amended, for presiding officers engaged on the scrutiny and count of votes.

285 (1) (a) For the purpose of the election of a member and deputy member of the Tribunal the returning officer shall fix a day to be the nomination day for such election and shall cause notice thereof in Form No. 3 in Schedule 1 to these regulations to be published in the *Government Gazette*.

(b) The day fixed as nomination day under paragraph (a) of this subregulation shall be a day not less than fourteen days and not more than thirty days after the date of the publication of the notice in the *Government Gazette*.

(2) (a) For the purpose of every subsequent election of a member or deputy member of the Tribunal, the chairman of the Tribunal shall, not less than three months prior to the expiration of the term of office of the member or deputy member, and not later than fourteen days after the occurrence of an extraordinary vacancy in the office of a member or deputy member, as the case may be, direct the returning officer to fix a day to be the last day upon which nominations of candidates for election to the office of member or deputy member will be received.

(b) The returning officer shall cause notice of the vacancy and the day fixed as nomination day to be published in the *Government Gazette*.

(c) The day fixed as nomination day under this subregulation shall be a day not less than twenty-one days and not more than forty-five days after the date of the publication of the notice in the *Government Gazette*.

(3) If no nomination is received at the close of nominations the returning officer may, by notice in the *Government Gazette*, extend the time for receipt of nominations for a period not exceeding fourteen days after the date of the nomination day published in the *Gazette*.

(4) The day upon which each election referred to in this regulation shall be held shall be not less than twenty-one days and not more than forty-five days after the nomination day.

286. (1) A person is not eligible to be nominated as a candidate to be elected for appointment as a member or deputy member of the Tribunal unless at the time of the nomination he is a member of the Union and is duly nominated in accordance with this part of these regulations.

(2) A nomination may be in the Form No. 4 in Schedule 1 to these regulations, but has no effect unless it—

(a) contains the full name of the candidate and the vacancy for which he is nominated;

(b) is signed by at least two persons eligible to vote at the election for which the nomination is made;

- (c) is signed by the candidate consenting to act, if elected; and
- (d) is addressed to the Returning Officer, State Electoral Department, Perth, and is delivered or forwarded to him so as to reach him prior to the hour of twelve o'clock noon on the day fixed for the close of nominations.

287. Any candidate may by notice in writing signed by him and witnessed by a member of the Union, addressed to the returning officer and lodged with him not later than the hour of twelve o'clock noon on the day fixed for the close of nominations, withdraw his consent to his nomination and thereupon that candidate shall be considered as not having been nominated, and the returning officer shall omit the name of that candidate from the ballot paper.

288. (1) Every person who fourteen days prior to the date fixed for the close of nominations is a financial member of the Union is qualified to vote at an election held pursuant to this part of these regulations, and the secretary of the Union shall prepare and furnish the returning officer, so as to reach him not later than the hour of twelve o'clock noon on the day fixed for the close of nominations, with a list certified by the secretary as being true and correct of the names and official addresses of persons who fourteen days prior to that date were financial members of the Union.

(2) For the purposes of this regulation a member shall be deemed financial if he has paid the subscriptions for which he is liable up to the end of the calendar year next preceding the year in which the election is held, or in the case of an election for an extraordinary vacancy if his subscription is not more than three months in arrear.

(3) An election is not invalidated by reason merely that ballot papers have been irregularly forwarded to persons who are not qualified to vote, or have not been sent to persons who are qualified to vote unless in the opinion of the Minister the irregularity or omission has affected the result of the election.

289. Where one candidate only is duly nominated for any vacancy, that candidate shall be duly elected.

290. (1) Where more than one candidate is duly nominated for any vacancy, the returning officer shall, as soon as possible after the close of nominations—

- (a) cause the full names of the candidates, the vacancies for which they have nominated, and the date and hour fixed for the close of the poll to be published in the *Government Gazette*;
- (b) cause ballot papers and counterfoils to be printed in accordance respectively with the Forms Nos. 5 and 6 in Schedule I to these regulations; and the ballot papers shall set out the full names of the candidates arranged in alphabetical order of their surnames;
- (c) send by post or otherwise to each person whose name appears in the list furnished by the secretary of the Union pursuant to subregulation (1) of regulation 288 of these regulations—
 - (i) one ballot paper in the form No. 5 in Schedule I to these regulations initialled by the returning officer or a person authorised in that behalf by the returning officer;

- (ii) one counterfoil in the Form No. 6 in Schedule I to these regulations;
- (iii) one ballot paper envelope; and
- (iv) one envelope addressed to the Returning officer.

(2) Each ballot paper, counterfoil, ballot paper envelope and addressed envelope shall be enclosed by the returning officer in a covering envelope which shall be fastened, addressed and forwarded to the person for whom it is intended.

291. If a voter makes and transmits to the returning officer a statement in writing setting out his full name and his official address, and stating that he has not received his ballot paper, or that the ballot paper received by him has been destroyed and that he has not already voted the returning officer may issue a new ballot paper to that voter.

292. (1) A person to whom a ballot paper and counterfoil is addressed, if desirous of voting, shall record his vote on the ballot paper issued to him in the manner following—

- (a) where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes;
- (b) where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and shall give contingent votes for all the remaining candidates by placing the numerals "2", "3", and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) A voter having marked his ballot paper in accordance with subregulation (1) of this regulation shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;
- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil; and
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll at such election.

293. (1) The returning officer shall place and keep in a locked and sealed ballot-box all envelopes purporting to contain ballot papers received by him up to the close of the poll.

(2) An envelope containing a ballot paper received after the close of the poll shall not be admitted to the scrutiny.

(3) As soon as practicable after the hour fixed for the close of the poll, the returning officer shall in the presence of a scrutineer proceed with the scrutiny and count the votes received, and ascertain and declare the result of the poll.

(4) Subject to these regulations, each election shall be conducted and the candidate to be elected ascertained in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly as far as they can with necessary adaptations be made applicable.

(5) Each candidate at an election shall be entitled to appoint in writing one scrutineer who shall be present when the envelopes containing ballot papers relating to the election are being opened at the commencement of the scrutiny and who may remain during the scrutiny.

(6) (a) Where the right of a person to vote is not established, or the counterfoil is not signed by the voter and by the witness, the returning officer shall replace the counterfoil and the envelope marked "ballot paper" in the outer envelope, endorse that envelope "rejected" and set it aside for safe keeping, together with any other outer envelopes which have been rejected.

(b) A ballot paper shall be informal—

- (i) if it does not bear the initials or signature of the returning officer or a person authorised in that behalf by the returning officer;
- (ii) if the voter has not marked it in accordance with the directions set out therein; or
- (iii) if no mark is indicated on it.

294. (1) At any time before the gazettal of the results of the election as provided in regulation 295B of these regulations, the returning officer may, if he thinks fit, on the written request of any candidate setting forth the reasons for the request, or of his own motion, make a recount of the ballot papers.

(2) If the returning officer refuses a request of a candidate to make a recount of the ballot papers, the candidate may within the period referred to in subregulation (1) of this regulation appeal in writing to the Minister to direct a recount, and the Minister may at his discretion either direct a recount or refuse to direct a recount, and where the Minister directs a recount the returning officer shall make a recount as soon as practicable after being notified of that direction.

295. Any dispute arising out of the conduct of an election shall be referred by the returning officer to the Minister, and the decision of the Minister in that regard shall be final and conclusive.

295A. If on any count two or more candidates have an equal number of votes, the returning officer shall decide by lot which candidate shall be declared defeated, and the other candidate shall thereupon be declared elected.

295B. (1) The returning officer shall prepare a statement showing the result of each election and the name of the candidate elected and the office for which he is elected, and shall forward forthwith to the Minister and to the chairman of the Tribunal a copy of such statement duly certified by him, and shall cause the result of the election to be notified in the *Government Gazette*.

(2) On completion of the scrutiny and count of votes the returning officer shall enclose in one packet all used ballot papers, in another packet all counterfoils, and in a third packet all rejected votes, and shall seal up the several packets, endorse on each packet a description and number of the contents and the date of the poll, and sign the endorsements.

(3) The returning officer shall preserve and hold in custody the sealed packets referred to in subregulation (2) of this regulation together with all other documents used at or in connection with the election until that election may no longer be questioned, when the sealed packets and documents shall be destroyed.

Schedule I amended. (Amendment No. 12.) 4. Schedule I to the principal regulations is amended by adding after Form No. 2 the following forms comprising Forms Nos. 3, 4, 5 and 6:—

Form 3. Reg. 285 (1).
Western Australia.
Education Act, 1928-1960.

NOTICE OF ELECTION.
(Regulation 285.)

NOTICE is hereby given that an election of member and/or deputy member of the Government School Teachers' Tribunal under subsection (7) of section 37 of the Education Act, 1928-1960, will take place at the office of the Chief Electoral Officer, Perth, on the.....day of, 19....., closing at.....o'clock in thenoon on such date.

Nominations of candidates shall be made in accordance with the Education Act Regulations and must be received by the Chief Electoral Officer at his office not later thano'clock in the.....noon on the.....day of.....19.....

.....
Returning Officer.

Form 4. Reg. 286 (2).
Western Australia.
Education Act, 1928-1960.

NOMINATION FORM.
(Regulation 286.)

WE, the undersigned members of the State School Teachers' Union of Western Australia (Incorporated), entitled to vote at the election of a representative of the members of that Union do hereby nominate

- (a)
- (b)

for election as a.....
(here insert member or deputy member)
of the Government School Teachers' Tribunal.

Dated this.....day of.....19.....

School or Branch to which Appointed.	Signatures of Nominators.
.....
.....
.....

(To be signed by at least two persons eligible to vote at the election for which the nomination is made.)

I (a).....
of (b).....the person nominated hereby consents to the above nomination and to act if elected in the capacity abovementioned.

Dated this.....day of.....19.....

Signature.....

Received the above nomination this.....day of.....19..... at.....o'clock in thenoon.

.....
Chief Electoral Officer,
Returning Officer.

- (a) Name in full of nominee in block letters.
- (b) School or Branch of Department to which appointed.

Form 5. Reg. 290 (1).
Western Australia.
Education Act, 1928-1960.

BALLOT PAPER.
(Regulation 290.)

Election of a Candidate as a Member (or Deputy Member)
of the Government School Teachers' Tribunal.

Date of Close of Poll.....

.....
Initials of Returning Officer.

DIRECTIONS FOR VOTING.

(1) Where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes. Where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and he shall give contingent votes for all the remaining candidates by placing the numerals "2", "3" and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) The voter shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;
- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil;
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll.

Full Names of Candidates
(in alphabetical order of surnames).

.....
.....
.....

Form 6. Reg. 290 (1).
Western Australia.
Education Act, 1928-1960.

COUNTERFOIL.
(Regulation 290.)

Election of a Candidate as a Member (or Deputy Member)
of the Government School Teachers' Tribunal.

Date of Close of the Poll.....

Name in Full of Voter.....

School or Branch.....

Usual Signature of Voter.....

Witness to Signature.....

Address of Witness.....