



# Government Gazette

OF

## WESTERN AUSTRALIA

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[1963

### HEALTH ACT, 1911-1962. Town of East Fremantle.

P.H.D. 1247/56.

WHEREAS under the Health Act, 1911-1962, the Governor may cause to be prepared Model By-laws for all or any of the purposes of the said Act; and whereas Model By-laws described as Series "A" have been prepared, and amended from time to time, and reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 9th August, 1956, and further amended by notices published in the *Government Gazette* on 10th March, 1959, and 12th December, 1962; and whereas a local authority may adopt such Model By-laws with or without modification: Now, therefore, the Town of East Fremantle, being a local authority within the meaning of the Act, and having adopted the Model By-laws, Series "A," as reprinted in the *Government Gazette* on 9th August, 1956, doth hereby resolve and determine that the amendments published in *Government Gazette* on 12th December, 1962, shall be adopted with the following exceptions and modifications:—

#### PART I.—GENERAL SANITARY PROVISIONS.

1. Delete subparagraph (b) of by-law 15A.
2. Delete the whole of by-law 29A and insert in lieu thereof a new by-law 29A as follows:—

29A. (1) On and after the 1st day of July, 1963, an occupier of premises shall not keep or permit to be kept poultry on any premises occupied by him within the area described in sub-by-law (2) of this by-law except under and in compliance with the following conditions:—

- (a) The occupier is registered with the local authority as a keeper of poultry and the premises are also registered.
- (b) The occupier has provided properly constructed enclosures and facilities for the keeping of poultry and the poultry are kept therein at all times.
- (c) The poultry do not exceed 20 in number.
- (d) The occupier does not keep any poultry within 30 feet of any dwelling house.
- (e) The occupier does not keep any poultry within four (4) feet from the boundary of the adjoining property unless it is in the same occupancy.
- (f) The occupier does not keep any poultry within sixty (60) feet from any street or road except in the case of corner properties when the distance shall be thirty (30) feet.
- (g) All enclosures within which poultry are kept are maintained in a clean condition.

(2) This by-law operates and has effect in the whole of the district of the local authority.

(3) The local authority may cancel or refuse the registration of any occupier in relation to any premises if the occupier is convicted in any court for any offence relating to the keeping of poultry.

3. Delete the whole of by-law 29B and insert in lieu thereof a new by-law 29B as follows:—

29B. (1) On and after the 1st day of July, 1963, an occupier of premises shall not keep or permit to be kept pigeons on any premises occupied by him within the area described in sub-by-law (2) of this by-law, except under and in compliance with the following conditions:—

- (a) The occupier is registered with the local authority as a keeper of pigeons and the premises are also registered.
- (b) Pigeons are confined in a suitable cage not nearer than thirty (30) feet to any dwelling house, and not less than four (4) feet from the side and rear boundaries and not less than sixty (60) feet from any street or road, except in the case of corner properties when the distance shall be thirty (30) feet, provided that registered homing pigeons may be freed for exercise.
- (c) All pigeon cages are provided with a concrete floor trowelled to a smooth finish and laid with a fall of one in fifty to the front, or with tongued and grooved flooring on a timber base, laid with a fall to the front.
- (d) All pigeon cages or lofts within which pigeons are kept are maintained at all times in a clean condition.
- (e) The maximum number of pigeons kept at the one time does not exceed twenty (20) on a subdivided residential lot, except that any person who in January of each year produces to the local authority satisfactory proof that he is currently affiliated with the Pigeon Racing Federation of W.A. (Inc.) or a registered fancier, may be permitted to keep up to a maximum of seventy-five (75) pigeons.

(2) This by-law operates and has effect in the whole of the district of the local authority.

(3) The local authority may cancel or refuse the registration of any occupier in relation to any premises if the occupier is convicted in any court for an offence in relation to the keeping of pigeons.

Passed by the Council of the Town of East Fremantle at a meeting held on the 18th March, 1963.

W. WAUHOP,  
Mayor.  
L. R. LATHAM,  
Town Clerk.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

#### HEALTH ACT, 1911, AND AMENDMENTS.

City of Fremantle.

Health By-law—Removal of House and Trade Refuse.

P.H.D. 1628/56.

WHEREAS under the provisions of the Health Act, 1911, and amendments, a local authority may make by-laws prohibiting the execution or undertaking by any person of the removal of house and trade refuse so long as the local authority continued to remove same (section 112) and may make by-laws for the establishment, use and control of receptacles for the deposit and collection of rubbish and for fixing the charge for the removal of trade or house refuse (section 134); and whereas the City of Fremantle, being the local authority for the Health District of Fremantle, having undertaken the work, doth hereby make the following by-law numbered 231:—

1. Health By-law numbered 202 is hereby repealed.

2. In the construction of this by-law, unless the context otherwise requires:—

“Refuse” is defined to be of four classes:—

- (i) General refuse.
- (ii) Light bulk refuse.
- (iii) Heavy bulk refuse.
- (iv) Swill.

“General refuse” includes all types of dry refuse capable of being contained in an approved container and not exceeding four and a half cubic feet per service.

“Light bulk refuse” shall include paper, cardboard, cartons and general refuse in quantities not capable of being contained in an approved container and/or exceeding four and a half cubic feet per service.

“Heavy bulk refuse” shall include metal wastes and trade wastes not being general refuse or light bulk refuse.

“Swill” shall include pig swill as defined by the Health Act, 1911.

“The Health Act” means the Health Act, 1911, and amendments.

“Approved container” shall mean a metal container for general refuse having the following characteristics:—

- (i) It shall be leak proof.
- (ii) It shall be fitted with a close fitting lid, the lip of which overhangs the top edge of the container by at least two and a half inches.
- (iii) The metal shall not be less than 26 gauge in thickness nor more than 22 gauge in thickness.
- (iv) It shall have a capacity of not less than two cubic feet and not more than four and a half cubic feet.

3. City of Fremantle—

- (i) shall execute and continue the removal of general refuse from premises in the district at least once weekly;
- (ii) may execute and continue the removal of light bulk refuse, heavy bulk refuse and swill as arranged with occupiers.

4. No person (not exempted by the Council under section 112A or by section 114 of the Health Act) shall within the district execute or undertake the removal of refuse from premises, so long as the City of Fremantle executes or continues or is prepared and willing to execute or continue the removal of refuse from premises within the district.

5. At all times the occupier of premises shall—

- (i) provide an approved container or containers for the deposit and collection of general refuse;
- (ii) keep and maintain the container or containers used for the deposit and collection of general refuse in a clean and hygienic condition and free of liquids and decaying matter;
- (iii) deposit all general refuse in an approved container or containers.

6. At all times the occupier of premises requiring light bulk refuse and/or heavy bulk refuse to be removed from premises by the City of Fremantle shall deposit same—

- (i) in heaps and in positions so that same may be easily collected and removed;
- (ii) so that no nuisance shall be created.

7. At all times the occupier of premises requiring swill to be removed from premises shall deposit and retain same in a metal container having the following characteristics:—

- (i) The metal shall be of not less than 26 gauge in thickness nor more than 22 gauge in thickness.

- (ii) The container shall not be of a capacity of more than four and a half cubic feet.
  - (iii) The container shall have a tight fitting lid.
  - (iv) The container shall be fly and insect proof.
8. The fees prescribed under section 112A (3) of the Health Act are—
- (i) three shillings (3s.) per load per vehicle up to a maximum capacity of two tons;
  - (ii) five shillings (5s.) per load per vehicle of a capacity exceeding two tons.
9. The prescribed fees and charges for the collection and disposal of refuse are as follows:—
- (i) The cost of collection and disposal by the City of Fremantle of general refuse of a quantity not exceeding four and a half cubic feet per service per occupier shall be provided for in the general rate imposed on all properties.
  - (ii) A charge of four pounds (£4) per annum shall be levied against all non-rateable properties for the collection and disposal of general refuse of a quantity not exceeding four and a half cubic feet per service.
  - (iii) The charge levied for collection and disposal of light bulk refuse shall be fivepence (5d.) per cubic foot of material removed, provided that a minimum charge of five shillings (5s.) shall be levied for each special service.
  - (iv) The charge levied for collection and disposal of heavy bulk refuse shall be the cost to the Council of the City of Fremantle in carrying out such service provided that a minimum charge of ten shillings (10s.) shall be levied for each special service.
  - (v) The charge levied for collection and disposal of swill shall be sevenpence (7d.) per cubic foot of swill removed, provided that a minimum charge of ten shillings (10s.) per service shall be levied in respect of all licensed hotels and a minimum charge of five shillings (5s.) per service levied in respect of all other premises.

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Passed by the City of Fremantle this 17th day of December, 1962.

The Common Seal of City of Fremantle was hereto affixed this 4th day of January, 1963, pursuant to a resolution passed the 17th day of December, 1962, in the presence of—

[L.S.]

W. FRED SAMSON,  
Mayor.  
N. J. C. McCOMBE,  
Town Clerk.

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Confirmed by the Commissioner of Public Health of the State of Western Australia the 8th day of May, 1963.

W. S. DAVIDSON,  
Commissioner of Public Health.

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Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

HEALTH ACT, 1911, AND AMENDMENTS.  
City of Fremantle.

P.H.D. 1628/56, Pt. 2.

WHEREAS under the provisions of the Health Act, 1911, and amendments, 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 City of Fremantle, being a local authority within the meaning of the Act and having adopted the Model By-laws described as Series "A" and reprinted in the *Government Gazette* on the 9th day of August, 1956, doth hereby amend the said adopted by-laws as follows:—

PART I.—GENERAL SANITARY PROVISIONS.

1. Amend by-law 4A by adding a further subclause (3) as follows:—

(3) Kitchen facilities as follows: At least one sink, which shall be installed in the kitchen, scullery or other room usually used for the purpose of washing domestic dishes and utensils, and which sink shall have the following characteristics:—

- (i) It shall be properly supported so that the height of the top of the front edge of the sink shall be between thirty-four (34) inches and thirty-nine (39) inches above floor level.
- (ii) It will be provided with a drainage board or boards integral with or affixed thereto.
- (iii) The draining board or boards shall have an impervious upper surface which shall be so constructed and installed that water falling thereon shall drain into the sink.
- (iv) It shall be supplied with water from a fixed tap attached to a reticulated water supply.

Passed at a meeting of the City of Fremantle this 18th day of February, 1963.

The Common Seal of the City of Fremantle was hereto affixed this 19th day of February, 1963, pursuant to a resolution passed this 18th day of February, 1963, in the presence of—

[L.S.]

W. FRED. SAMSON,  
Mayor.  
N. J. C. McCOMBE,  
Town Clerk.

Confirmed by the Commissioner of Public Health of the State of Western Australia the 8th day of May, 1963.

W. S. DAVIDSON,  
Commissioner of Public Health.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

PARKS AND RESERVES ACT, 1895-1955.  
National Parks Board of Western Australia.

Department of Lands and Surveys,  
Perth, 8th May, 1963.

Ex. Co. No. 953.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Parks and Reserves Act, 1895-1955, and the Cemeteries Act, 1897-1962, has been pleased to approve of the by-laws made by the National Parks Board of Western Australia for the control and management of the parks and reserves committed to the Board set forth in the schedule hereunder.

F. C. SMITH,  
Under Secretary for Lands.

Schedule.

By-laws made by the National Parks Board of Western Australia under Section 8 of the Parks and Reserves Act, 1895-1955, and the Cemeteries Act, 1897-1962.

## Citation.

1. These by-laws may be cited as the National Parks Board By-laws, 1963, and apply so far as the same are applicable to the parks and reserves placed under the control and management of the Board pursuant to the provisions of the Parks and Reserves Act, 1895 (as amended).

## Revocation.

2. All by-laws made by the National Parks Board of Western Australia under the Parks and Reserves Act, 1895, and its amendments, and the Cemeteries Act, 1897, and its amendments, and in force prior to the commencement of these by-laws, are as from such commencement hereby revoked.

## Interpretation.

3. In these by-laws unless the context requires otherwise—

“authority” means permission to do any act, matter or thing given verbally or in writing by the Board or any person authorised to act on its behalf;

“Board” means the National Parks Board of Western Australia appointed under the Parks and Reserves Act, 1895 (as amended), to control and manage the reserve;

“cage” includes any building, pound, yard, enclosure or area of land in or on which animals, birds or fish are or are intended to be housed, caged or enclosed;

“employee” means any officer, caretaker, guide, gardener, keeper, labourer, workman or other person employed in connection with the control and management of a reserve, and includes any member of the Board;

“gardens” means a reserve, or part of a reserve, which is enclosed by a fence for the purpose of the land so enclosed being utilised for gardens, parks or recreation;

“permission” means the permission of the Board first obtained and expressed in writing;

“reserve” means a park or reserve placed under the control and management of the Board pursuant to the provisions of the Parks and Reserves Act, 1895 (as amended);

“vehicle” includes any vehicle included in that term within the meaning and for the purposes of the Traffic Act, 1919 (as amended).

## Control of Vehicles.

4. A person shall not ride, drive or have any animal or vehicle within the reserve, except at or upon such place or places as the Board provides for that purpose.

## Traffic.

5. (1) Subject to sub-by-law (2) of this by-law, every person who rides or drives an animal or vehicle within the reserve shall observe and comply with such provisions of the Traffic Act, 1919 (as amended), and the regulations made under that Act as are applicable, relating to the riding or driving of an animal or vehicle, and this by-law shall apply and have effect as though the portion of the reserve upon which the animal or vehicle is ridden or driven were a road within the meaning of that Act.

(2) A person shall not ride or drive an animal or vehicle within the reserve at a speed exceeding twenty (20) miles per hour.

## Parking.

6. A person shall not without authority park or cause or permit to be parked within the reserve any animal or vehicle, except on a portion of the reserve that is set apart as a parking area and so designated by suitable notices or signs.

## Class of Vehicle.

7. A person shall not without authority drive into or within the reserve any vehicle, team, cart or wagon (whether laden or not) used for carrying any bricks, stone, earth, timber, iron or other materials, whether of the same or a different kind, or any commodity, produce, wares, merchandise or goods of any kind whatsoever, or any omnibus or other motor vehicle capable of carrying more than seven passengers, hearse, mourning coach, packhorse or other beast of burden.

#### Mooring Boats.

8. A person shall not moor or anchor, or keep or leave moored or anchored or unattended, any boat opposite or near any beach within the reserve, unless the boat is and remains, except as in these by-laws provided otherwise, a distance of not less than one chain below low water mark.

#### Landing Passengers.

9. When for the purpose of embarking or disembarking passengers or crew on or from a boat it is necessary to bring the boat nearer to a beach within the reserve than the distance mentioned in by-law 8 of these by-laws, the embarkation or as the case may be, disembarkation, shall be effected as soon as may be practicable, and thereupon the boat shall be removed to and keep at a distance of not less than one chain below low water mark.

#### Boats on Lakes.

10. (1) A person shall not without authority use, row or propel by any means whatsoever any boat on any lake, river or other waters within the reserve.

(2) A person shall not moor, anchor or leave unattended, or cause to be moored or anchored, on any lake, river or other waters within the reserve, any boat, except at a place set apart by the Board for that purpose.

#### Beaching Boats.

11. (1) A person shall not beach a boat upon the reserve at any place other than a place set apart by the Board for the purpose.

(2) Any boat so beached shall not be moved, handled or interfered with by any unauthorised person, but the Board may at its discretion cause to be removed, or require the owner to remove, at any time any boat wherever placed.

(3) The Board is not responsible for the care of, or liable for any damage to, any boat wherever beached.

#### Abandoned Boats.

12. The Board may take possession of any boat that—

- (a) is beached at a place within the reserve not set apart by the Board for that purpose;
- (b) is drifting unattended, or is sunk; or
- (c) in the opinion of the Board or any employee of the Board, has been abandoned;

and may remove the boat to such place as the Board thinks fit, and the Board at its discretion may sell or otherwise dispose of the boat without any redress to the owner thereof for any loss or inconvenience which he may suffer thereby.

#### Damaging Growth.

13. A person shall not injure, cut, break, deface, pull up, pick, remove or destroy any tree, shrub, plant, flower, seed or grass growing on the reserve, or remove or damage any stake or label therein, or hang or attach any clothing or other article thereto.

#### Injury to Property.

14. A person shall not cut up, damage, disfigure or interfere with the soil, rocks, turf or surface of any gardens, cave, pleasure grounds, and appurtenances in any part of the reserve, or any road or footway across, around or over the same, or any part of the fences, buildings, electrical equipment, machinery, reticulation, rockwork, watercocks or seats around or upon the same, or pollute or interfere with any water therein.

#### Animals, Birds and Fish.

15. A person shall not enter any cage on the reserve, or disturb, interfere with, catch or destroy any animal, bird or fish, or any nest, spawning ground or habitat of any of them within the reserve, or enter any portion of the reserve set apart or enclosed for the sole purpose of breeding or otherwise of animals, birds or fish; but this by-law does not apply to persons who are employees of the Board.

Timber and Firewood.

16. A person shall not without permission cut or remove any tree or sapling, or any part thereof, either living or dead, from any part of the reserve for any purpose whatsoever.

Stone.

17. A person shall not without permission remove any stone, gravel or earth from any part of the reserve.

Rubbish.

18. A person shall not deposit or leave any rubbish, refuse, paper, broken glass or china, or litter of any kind within the reserve, except in receptacles provided for the same, or break any bottles, china or other similar substances therein.

Behaviour.

19. A person shall not misconduct himself, or indulge in any disorderly, riotous or indecent conduct, or use any indecent or improper language, or offend against decency as regards dress on the reserve.

Intoxicating Liquor.

20. A person shall not without authority bring into or consume within the reserve any intoxicating liquor, or enter on the reserve when visibly under the influence of intoxicating liquor, but any such authority may at any time be revoked verbally or in writing by the Board or person who granted it.

Expectorating.

21. A person shall not spit or expectorate upon any path, grass, structure or erection in the reserve.

Betting.

22. A person shall not bet or offer to bet publicly on any part of the reserve.

Bill Posting.

23. A person shall not post, stick, stamp, stencil, paint or otherwise affix any placard, handbill, notice, advertisement or document whatsoever upon any tree, fence, post, gate, wall, flagging, road, path or any place whatever on the reserve, or distribute or give out any placard, handbill, notice, advertisement or document, and a person shall not cause to be done any of those acts.

Shooting and Fires.

24. (1) A person shall not without permission carry or discharge any firearm, or throw or discharge any stone or other missile, or set off any fire balloon, or throw or set fire to any fireworks on any part of the reserve.

(2) A person shall not without permission kindle, light, make or use a fire on any part of the reserve except in fire places provided for that purpose by the Board, and a person who uses a lighted match in any part of the reserve shall not throw away the match unless and until he has effectively extinguished it.

Sails.

25. A person shall not spread or dry any sails or other similar material upon the reserve.

Meetings.

26. A person shall not without authority organise, arrange, advertise or participate in any fete, picnic or concert, or without permission engage in or conduct any public worship, preaching or public speaking of any kind, or in any meeting of like nature on the reserve.

Distribution of Printed Matter.

27. A person shall not without permission distribute (whether free of charge or otherwise), or sell or carry for sale or distribution, or expose for sale or distribution (whether free of charge or otherwise) any printed or written matter on the reserve.

Trespass.

28. A person shall not enter any place on the reserve set apart for trees, flowers or shrubs, or plantations of young trees, or step or walk upon or jump across any plot in the reserve that is set apart for shrubs, plants or flowers, but this by-law does not apply to workmen employed in the reserve.



#### Straying Stock.

29. (1) A person shall not cause, allow or suffer any horse, cattle, sheep, dog, goat, camel, donkey, mule, pig or other animal, or any fowl or other bird, to enter, stray or feed upon the reserve, unless permission is first obtained and such fees paid as the Board may direct.

(2) A person shall not cause, allow or suffer any dog to enter a swimming area on the reserve, or throw sticks or other missiles thereon.

#### Games and Animals.

30. (1) A person shall not without authority play, practise or take part in any game, sport, athletics or gymnastic exercise on the reserve.

(2) A person shall not without permission exercise any horse, dog or other animal for racing, or ride or drive any horse, on any portion of the reserve, except upon a declared highway or road.

#### Sky Signs, etc.

31. A person shall not without permission fly or attempt to fly any sky sign, kite or aerial advertisement on or above any portion of the reserve, or cause the same to be done or attempted.

#### Obstruction and Annoyance.

32. A person shall not in any portion of the reserve wilfully obstruct, disturb, interrupt or annoy any other person in his proper use and enjoyment of the reserve, or wilfully obstruct any employee in the execution of his duty, or insult any employee, or neglect to obey the lawful directions of, or refuse to give his name and address, or give a wrong name or address, to any employee.

#### Trading.

33. A person shall not sell or expose for sale any goods, wares, refreshments, fruits, nuts, confectionery, fish, or other merchandise or things (whether of a like or similar nature or not), or solicit or offer to purchase bottles, on any portion of the reserve, unless permission is first obtained and payment made of such fees as the Board may direct in each case.

#### Levying of Fees.

34. The Board may from time to time at its discretion levy and collect an admission fee, not exceeding three shillings (3s.) for each vehicle or person entering the reserve or any portion or enclosure of the reserve, and may also levy and collect by itself or its agents such charges as it may determine for the use of any tennis court, swimming pool, building or other convenience in the reserve.

#### Camping.

35. Except as provided by and in accordance with by-law 36 of these by-laws, a person shall not camp, lodge or tarry overnight in the reserve or frequent the reserve for the purpose of camping, lodging or tarrying overnight therein.

#### Permits for Camping.

36. (1) In and for the purposes of this by-law, unless the context requires otherwise—

“camp” means any tent, bivouac or temporary shelter of any kind;

“Camp Controller” means the superintendent, caretaker or person in charge of the reserve for the time being;

“camper” means any person (whether he is the holder of a permit for camping or not) occupying a site in a camping area, and includes any person having charge of a camp during the absence of the holder of a camping permit;

“camping” means the occupation by any person of a site in a camping area for a camp or caravan;

“camping area” means any land on the reserve set apart by the Board from time to time for the purpose of accommodating camps for an encampment;

“caravan” means any vehicle adapted or designed for camping, or capable of being used for a dwelling or for sleeping purposes, whether wheels are attached to the vehicle or not;

“family” means a group of relatives not exceeding six.

(2) Notwithstanding the provisions of by-law 35 of these by-laws, camping may be permitted on the reserve in camping areas, but not elsewhere, upon the issue of a permit by the Camp Controller and payment of the appropriate fee in accordance with the following scale:—

	£	s.	d.
(a) Camp Sites:			
Permit for a Camp Site for a camp (not being a caravan) for a period not exceeding 24 hours	5	0	
Any period in excess of 24 hours, but not exceeding 48 hours	10	0	
Any period in excess of 48 hours, for each week or part of a week	15	0	
(b) Caravan Sites:			
Permit for a Caravan Site for a period not exceeding 24 hours	5	0	
Any period in excess of 24 hours, but not exceeding 48 hours	10	0	
Any period in excess of 48 hours, for each week or part of a week	1	0	0

(3) Every permit for camping issued under this by-law shall specify the site in the camping area to be occupied by the person to whom the permit is issued, and in the event of any dispute the decision of the Camp Controller shall be final.

(4) A permit issued under this by-law may upon its expiration be extended for a further period upon payment of the appropriate fee in accordance with the scale set forth in sub-by-law (2) of this by-law subject to the provisions of paragraphs (b) and (d) of sub-by-law (5) of this by-law.

(5) Every permit for camping issued under this by-law shall be issued upon and subject to the following conditions:—

- (a) No structure of any kind of a permanent or semi-permanent nature shall be erected.
- (b) A camper shall not occupy a site on a camping area for a period exceeding three (3) months.
- (c) A camp shall not be erected or established within fifteen (15) feet of any water stand or within thirty (30) feet of any public convenience.
- (d) If requested by the Camp Controller, a camper shall remove his camp from the camping area, or move his camp to another site on any camping area as the Camp Controller may direct.
- (e) The Camp Controller may allot or define the area to be occupied by any camp, either upon the issue or during the currency of a camping permit, and the camper shall confine his camp within the limits so allotted or defined.
- (f) The decision of the Camp Controller shall be final as to the constitution of a family, group or camp and the number of camping permits required in respect thereof.
- (g) A camp shall not be erected or constructed of unsightly materials, or in a manner likely to be offensive or dangerous to persons occupying adjacent camp sites.
- (h) A person suffering from or who contracts any infectious disease shall not be allowed or harboured in any camp.
- (i) A camper shall not sublet any camp, or sell, give or otherwise dispose of any camping permit to any person.
- (j) A camper shall not without the consent of the Camp Controller bring into or keep within the camping area any animal or bird.
- (k) A camper shall not misconduct himself or indulge in any disorderly, riotous or indecent conduct, or use any indecent or improper language, or offend against decency as regards dress, in any camping area.

- (l) A person shall not, without authority, bring into, keep or consume in any camping area any intoxicating liquor, or enter or remain on the camping area when visibly under the influence of liquor.
- (m) A camper must keep the camp site in respect of which a camping permit is issued to him in a clean and sanitary condition at all times, and must deposit all rubbish in the receptacles provided therefor, except that all rubbish capable of destruction by fire shall be burned by the camper in an approved fireplace.
- (n) Every camper shall use only the sanitary conveniences provided, and in no case will improvised conveniences on individual camping sites be permitted.
- (o) A camper shall not cause or permit any damage to trees, shrubs or grass, whether naturally or artificially planted within or about the camping area, and the presence of green timber or foliage on the area the subject of a camping permit shall be prima facie evidence that the holder of that permit has caused or permitted such damage, unless prior to taking over the camp site he has informed the Camp Controller of the damage.
- (p) A camping permit may at any time be cancelled by the Camp Controller if in his opinion—
  - (i) a camper has committed a breach of these by-laws; or
  - (ii) it is desirable that the permit be cancelled,and in any such case the rental in respect of any unexpired term of the permit shall be forfeited to the Board, and no compensation shall be claimed or paid for any loss, damage, or inconvenience suffered by the camper by reason of the cancellation.
- (q) Subject to the right of the Camp Controller and any employee of the Board, or any person acting under their instructions, or any police constable, to enter any camp site at any time, a person shall not enter or remain on a camp site except with the consent of the holder of the camping permit issued in respect of that site.
- (r) A camper shall not light any fire in any camping area, except in such places as are approved by the Camp Controller.
- (s) Except in so far as they may be inconsistent with this by-law, all by-laws made by the Board for the control and management of the reserve shall apply to the camping areas in that reserve.

#### Gardens Open.

37. Gardens shall be open to the public daily, except on such occasions as the Board may determine otherwise.

#### Improper Entry.

38. A person shall not—
- (a) enter or attempt to enter any gardens other than through the gates rightfully opened by an authorised person;
  - (b) be or remain in any gardens after the gates thereto have been closed; or
  - (c) be or remain in any gardens which for the time being are closed to the public.

#### Entry of Children.

39. Children under five years of age shall not be allowed in any gardens unless in the charge of an adult person.

#### Visitors to Caves.

40. A person shall not enter any cave within the reserve, unless he is accompanied by the authorised guide or caretaker.

#### Admission Fees.

41. Every person entering any cave shall pay to the authorised guide or caretaker before so entering, the admission fees approved and fixed by the Board from time to time.

Injuring or Disfiguring Caves.

42. A person shall not break, remove, injure or deface by writing or marking, or damage in any way or remove any rock, stalactite or stalagmite, or injure, damage or disfigure in any way any stairway, ladder, cave gate, railing, seat, fence, building, machinery, lighting appliance, or other structure or improvement, or gardens, or pleasure ground, and appurtenances, in or about any cave within the reserve.

Use of Lights.

43. A person shall not use in any case within the reserve any artificial light or lighting other than that provided by the Board.

Smoking in Caves.

44. A person shall not smoke in any cave within the reserve.

Taking of Photographs.

45. A person shall not take any photograph for commercial purposes in any cave within the reserve, unless permission is first obtained and payment made of such fees as the Board may direct in each case.

Swimming.

46. (1) Notwithstanding any other provision of these by-laws, the Board may set apart areas within the reserve for the purposes of bathing and swimming, and may define any such area from time to time by placing posts at intervals along the river or lake side of the area and posting a notice or notices indicating the purpose for which the area is so set apart.

(2) No boat of any description shall be permitted to enter or remain in any area set apart pursuant to the provisions of sub-by-law (1) of this by-law.

Lost Property.

47. (1) A person shall not frequent any gardens or reserve for the purpose of collecting lost or abandoned articles, and shall not, unless he is an employee of the Board acting in the course of his duty, gather lost or abandoned property.

(2) A person who finds any property of whatever description which is apparently lost or abandoned shall hand that property to the Curator, superintendent, caretaker or person in charge of the gardens or reserve for the time being, or in his absence to the Board, to be returned by him or the Board to the owner on satisfactory proof of ownership, or disposed of as directed by the Board if that property is unclaimed.

Boundaries.

48. In any prosecution under these by-laws, it shall not be necessary for the complainant to prove the boundaries of the reserve, but on the hearing of the complaint the averment contained in the complaint that the offence was committed within the boundaries of the reserve shall be deemed to be proved in the absence of proof to the contrary.

Penalty.

49. Any person offending against any provision of these by-laws shall be liable on conviction to a penalty not exceeding twenty pounds, in addition to being removed immediately from the reserve.

East Perth Cemetery.

50. (1) The provisions of this by-law apply only to Reserve A21054 known as East Perth Cemetery (Disused).

(2) A person who wantonly or wilfully destroys or injures, or causes to be destroyed or injured, any building, vault, monument, tombstone, enclosure, fence, tree, shrub, or other thing affixed to or growing in the reserve, or who wilfully defaces or obliterates, or attempts to deface or obliterate, any monumental device or inscription in the reserve, shall be liable on conviction to a fine not exceeding twenty pounds or to imprisonment for not more than three months, with or without hard labour, and the Board may prosecute for any such offence.

(3) Every person who, whether wantonly or wilfully or not, does or causes to be done any injury as is mentioned in sub-by-law (2) of this by-law, whether convicted of the same or not, shall be liable in damages, which may be recovered by the Board or by the person who has suffered the injury.

(4) A person shall not remove any article from any grave, vault, monument, tombstone, or other erection without permission, and every application for such permission shall be accompanied by the appropriate fee in accordance with the following scale:—

	£	s.	d.
For each tombstone or monument or other ornamentation	1	1	0
For each vault, including tombstone or monument (if any)	5	0	0

(5) The fees payable in respect of exhumation shall be—

	£	s.	d.
For each adult exhumation	1	5	0
For each child exhumation	15	0	0

and those fees shall be payable in advance.

(6) All work in connection with exhumations is to be carried out by the undertaker, and all waste material is to be removed and all excavations filled by the undertaker at his expense, and the ground left in a condition satisfactory to the Board.

(7) Where application is made to the Board for the exhumation of any corpse for the purpose of examination or identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased, or his family, an order from the Governor authorising the Board to permit the exhumation must be lodged with the application.

(8) No wooden fence, railing, cross or other wooden erection shall be allowed to be erected on or around any grave or vault in the reserve without permission.

(9) No trees or shrubs shall be planted on any grave in the reserve, except such as shall be approved by the Board.

(10) Any person taking part in dressing or attending to any grave in the reserve shall comply with the following conditions:—

- (a) No rubbish, soil, sand, or other material removed in dressing a grave shall be placed on any other grave, and, if placed on any adjoining ground, shall be removed immediately the work is completed.
- (b) No sand, soil, or loam shall without permission be taken from any portion of the reserve for the purpose of dressing any grave.
- (c) The dressing of all graves and the wheeling and carting of any material shall be subject to the supervision of the superintendent.
- (d) Work in all cases shall be carried on with due despatch, and only during such hours as the Board may fix.

(11) The Board may decorate graves in the reserve from time to time when desired by the grantee so to do, but if the grantee does not desire the Board to carry out this work, the grantee may either do it himself or employ any person approved of by the Board for that purpose.

(12) No person, except the relatives of the deceased, the Board, or persons authorised by the Board, shall be permitted to decorate any grave in the reserve.

The above by-laws were duly passed at a meeting of the National Parks Board of Western Australia held at Walpole on the 6th day of April, 1963.

A. C. SHEDLEY,  
President.

H. E. BANCROFT,  
Managing Secretary.

## ZOOLOGICAL GARDENS ACT, 1898-1955.

Lands and Surveys Department,  
Perth, 8th May, 1963.

Ex. Co. No. 954.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made by the Acclimatisation Committee pursuant to section nine of the Zoological Gardens Act, 1898-1955, set forth in the schedule hereunder.

F. C. SMITH,  
Under Secretary for Lands.

## Schedule.

## By-laws.

- Principal by-laws. 1. In these by-laws the by-laws made under the Zoological Gardens Act, 1898 (as amended), published in the *Government Gazette* on the 15th September, 1933, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal by-laws.
- By-law 1 amended. 2. By-law 1 of the principal by-laws is amended—
- (a) by adding after the definition, "Animal" a definition as follows:—  
"Authority" means permission to do any act, matter or thing given verbally or in writing by the Committee or any person authorised to act on its behalf;
- (b) by adding after the word, "housed" being the last word in the definition, "Cage" the words, "or intended to be enclosed or housed";
- (c) by substituting for the definition, "Committee" the following definition:—  
"Committee" means the Acclimatisation Committee constituted under section three of the Zoological Gardens Act, 1898-1955;
- (d) by adding after the word, "Perth" being the last word in the definition, "Gardens" the passage, "and such other land as is from time to time vested in or acquired by the Trustees under the Zoological Gardens Act, 1898-1955; and
- (e) by adding after the word, "Committee" in line two of the definition, "Permission" the words, "or person authorised to act on its behalf".
- By-law 1A amended. 3. By-law 1A of the principal by-laws is amended by adding after the word, "being" being the last word in the by-law, the words, "without in each case having obtained prior permission to do so".
- By-law 2 amended. 4. By-law 2 of the principal by-laws is amended by substituting for the word, "permission" in line one, the word "authority".
- By-law 3 amended. 5. By-law 3 of the principal by-laws is amended by adding after the word, "destroyed" in line three, the words, "or obtained in the Gardens".
- By-law 4 amended. 6. By-law 4 of the principal by-laws is amended by adding after the word, "enter" in line one the words, "without authority".
- By-law 9 amended. 7. By-law 9 of the principal by-laws is amended—
- (a) by adding after the word, "dress" being the last word in sub-by-law (1), the words, "in the Gardens"; and
- (b) by substituting for the words, "body below six inches from the neck" in line three of sub-by-law (2) the words, "torso below six inches from the base of the neck".

- By-law 10 amended. 8. By-law 10 of the principal by-laws is amended—
- (a) by substituting for the words, "the permission of the Committee" in line one, the word, "permission"; and
  - (b) by adding after the word, "liquor" being the last word in the by-law, the words, "and such permission may be revoked verbally or in writing at any time by the Committee or person who granted it".
- By-law 12 amended. 9. By-law 12 of the principal by-laws is amended by adding after the word, "shall" in line one, the words, "without authority".
- By-law 13 amended. 10. By-law 13 of the principal by-laws is amended by adding after the word, "shall" in line one, the words, "without authority".
- By-law 14 amended. 11. By-law 14 of the principal by-laws is amended—
- (a) by substituting for the word, "permission" in line one the word, "authority";
  - (b) by adding after the word, "sale" in line two the words, "in the Gardens"; and
  - (c) by adding after the word, "things" being the last word in the by-law, the passage, "whether of the same kind as, or a different kind from those here specified".
- By-law 14A added. 12. The principal by-laws are amended by adding after by-law 14 a by-law and heading as follows:—
- Professional Photography.
- 14A. A person shall not, without authority, engage in or carry on the business of or practise photography for gain or reward within the Gardens.
- By-law 15 amended. 13. By-law 15 of the principal by-laws is amended—
- (a) by substituting for the word, "permission" in line one the word, "authority"; and
  - (b) by adding after the word, "kind" being the last word in the by-law, the words, "in the Gardens".
- By-law 15A added. 14. The principal by-laws are amended by adding after by-law 15 a by-law and heading as follows:—
- Offensive Noises.
- 15A. A person shall not, by the use of any mechanical, wireless or other instrument or thing of whatsoever kind, commit any offensive noise in the Gardens.
- By-law 16 revoked and new by-law substituted. 15. By-law 16 of the principal by-laws is revoked and the following by-law substituted:—
16. A parent or guardian of a child under the age of ten years shall not knowingly allow that child to remain in the Gardens unless that child is in the charge of an adult person at the time he enters the Gardens and while he remains therein.
- By-law 17 amended. 16. By-law 17 of the principal by-laws is amended by adding after the word, "entrances" being the last word in the by-law, the words, "of the Gardens or in that portion".
- By-law 19A amended. 17. By-law 19A of the principal by-laws is amended—
- (a) by adding after the word, "not" in line three of sub-by-law (1) the words, "without authority"; and
  - (b) by deleting the words, "by the hirer" in lines four and five of sub-by-law (2).

By-law 22  
added. 18. The principal by-laws are amended by adding after by-law  
21 a by-law and heading as follows:—

Offence of Failing to Obey Notice or Direction

22. A person shall not disobey or fail to comply with any notice or direction given by the Committee or person authorised to act on its behalf, regulating or prohibiting the use of any portion of the Gardens or any thing in the Gardens.

By-law 23  
added. 19. The principal by-laws are amended by adding a by-law  
and heading as follows:—

Parking.

23. (1) The Committee or any person authorised by the Committee in that behalf may direct and control the parking of any vehicle upon any part of the Gardens and may set aside for the purpose of parking vehicles, any part of the Gardens.

(2) Any such part so set aside may be closed at any time and from time to time to any person for the purpose of parking a vehicle thereon or for any other purpose as the Committee or person authorised by the Committee so to do, may determine.

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The above by-laws were duly passed at a meeting of the Zoological Gardens Acclimatisation Committee held at Walpole on the 6th day of April, 1963.

A. C. SHEDLEY,  
President.

H. E. BANCROFT,  
Managing Secretary.

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TRAFFIC ACT, 1919 (AS AMENDED).

Shire of Harvey.

Heavy Traffic By-laws Repealed.

Police T.O. 58/1268.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the Shire of Harvey hereby records having resolved on the 19th day of February, 1963, to repeal the Heavy Traffic By-laws as printed in the *Government Gazette* of 9th December, 1955, page 2949.

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Passed at a meeting of the Shire of Harvey this 19th day of February, 1963.

[L.S.]

R. L. HESTER,  
President.

J. C. TOZER,  
Shire Clerk.

Recommended—

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(Sgd.) J. F. CRAIG,  
Minister for Traffic.

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Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

(Sgd.) W. S. LONNIE,  
Acting Clerk of the Council.



## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Perth.

By-law No. 76—Relating to Payment of Rates.

L.G. 144/63.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 5th day of March, 1963, to make and submit for confirmation by the Governor the following by-law:—

A general rate imposed by the Council shall be due and payable in accordance with the provisions of subsection (1) of section 550 of the Local Government Act, 1960, provided that if not less than one half of the rate shall be paid within thirty-five days of the day on which the notice of valuation and rate shall be posted the Council will not take proceedings to recover or enforce payment of the balance of the rate until after the first day of January next following.

Dated this 9th day of April, 1963.

The Common Seal of the City of Perth was hereunto affixed in the presence of—

[L.S.]

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

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1962.

The Municipality of the Town of Claremont.

Local Government Model By-laws (Street Lawns and Gardens) No. 11.

L.G. 352/58.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of March, 1963, to adopt without alteration the Draft Model By-laws designated Local Government Model By-laws (Street Lawns and Gardens) No. 11, published in the *Government Gazette* of 7th February, 1963.

By-law 130—Lawns and Gardens in Streets is hereby revoked.

Dated the 29th day of March, 1963.

The Common Seal of the Town of Claremont was hereunto affixed on the 29th day of March, 1963, in the presence of—

[L.S.]

A. W. CROOKS,  
Mayor.D. E. JEFFERYS,  
Town Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

Adoption of Draft Model By-law Relating to (Caravan Parks) No. 2.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of February, 1963, to adopt the amendments to the Draft Model By-laws published in the *Gazette* of the 16th day of January, 1963, as are here set out:—

Local Government Model By-laws (Caravan Parks) No. 2.

The whole of the amendments to the by-law.

Dated the 19th day of April, 1963.

The Common Seal of the Town of Bunbury was affixed hereto in the presence of—

[L.S.]

A. H. WILSON,  
Mayor,A. L. SCOTT,  
Town Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

Adoption of Draft Model By-laws Relating to (Extractive Industries) No. 9.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 29th day of January, 1963, to adopt such Draft Model By-laws published in the *Gazette* of the 8th day of November, 1962, as are here set out:—

Local Government Model By-laws (Extractive Industries) No. 9.

The whole of the by-laws.

Dated the 19th day of April, 1963.

The Common Seal of the Town of Bunbury was affixed hereto in the presence of—

[L.S.]

A. H. WILSON,  
Mayor,A. L. SCOTT,  
Town Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

Adoption of Draft Model By-laws Relating to (Street Lawns and Gardens)  
No. 11.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of March, 1963, to adopt such Draft Model By-laws published in the *Gazette* of the 7th day of February, 1963, as are here set out:—

Local Government Model By-laws (Street Lawns and Gardens) No. 11.  
The whole of the by-laws.

Dated the 19th day of April, 1963.

The Common Seal of the Town of Bunbury  
was affixed hereto in the presence of—

[L.S.]

A. H. WILSON,  
Mayor,  
A. L. SCOTT,  
Town Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th  
day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning—Service Station.

L.G. 47/63.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of March, 1963, to make and submit for confirmation by the Governor the following by-law:—

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

Section 12 of the Fifth Schedule is altered by the addition at the end of the words and figures under the sub-heading "Osborne" of the following:—

Corner of Nollamara Avenue and Carcoola Street, Nollamara—  
Portion of Swan Location 6798 and being Lot 29 on  
Diagram 28661.

Dated this 26th day of March, 1963.

The Common Seal of the Shire of Perth was  
hereunto affixed by authority of a resolution  
of the Council in the presence of—

[L.S.]

M. STARKE,  
Deputy President.  
LLOYD P. KNUCKEY,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th  
day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Prevention of Damage to Footpaths.

L.G. 288/58.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of March, 1963, to make and submit for confirmation by the Governor the following by-laws:—

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

That by-laws 194 to 200 inclusive be deleted and the following new by-laws inserted in their place:—

194. No person shall drive any vehicle over or across a footpath except at a specially constructed crossing place, unless with the permission of the Council and in accordance with these by-laws.

195. No person shall drive a vehicle or permit a vehicle to be driven across a footpath if such vehicle is so heavy or is of such a nature that it causes or is likely to cause damage to the paving of the footpath unless with the permission of the Council and in accordance with these by-laws.

196. Any person who—

- (a) desires to cross a footpath with a vehicle at a place not a specially constructed crossing place; or
- (b) proposes to carry out building or other operations or works necessitating the crossing of a footpath with vehicles which are likely to cause damage to the paving of the footpath whether at a specially constructed crossing place or not;

shall make application in writing to the Council specifying the place or places at which such crossing is to be made and with his application pay to the Council a deposit of twenty pounds (£20).

197. A person who carries out any building or other operations or works necessitating the crossing of a footpath with vehicles which cause or are likely to cause damage to the paving of a footpath shall comply with the following conditions:—

- (a) If the paved portion of the footpath shall be constructed of concrete slabs he shall carefully remove them from the footpath for a width of 16 feet at the proposed crossing and neatly stack them on the adjoining land.
- (b) He shall place in the position from which the slabs have been removed a temporary crossing of 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section, of which the ends shall be chamfered downwards, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true to the level of the original footpath.
- (c) When the necessity no longer exists for such temporary crossing or when called upon to do so by notice in writing from the Council he shall remove the planking, replace the slabs in a proper workmanlike manner to original level and line and shall replace with new slabs of equal quality and size any slabs which have been lost, damaged or broken.
- (d) In the case of a footpath constructed in total or part of bitumen surfaced gravel, gravel, limestone or crushed metal, he shall place in position where the crossing is to be made a temporary crossing 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section, of which the ends shall be chamfered downwards to the existing footpath surface, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true.
- (e) When the necessity no longer exists for such a temporary crossing, or when called upon to do so by notice in writing from the Council he shall remove the planking and clean off the footpath.

198. Any person who desires to trench through or under a constructed footpath shall apply in writing to the Council and lodge with the Council a deposit of five pounds (£5).

199. No person shall trench through or under a footpath without first obtaining the written consent of the Council or otherwise than in accordance with the terms of the written consent of the Council.

200. The person mentioned in by-laws 196, 197, 198 and 199 hereof shall make good all damage caused to the footpath and the kerbing, guttering and paved road during the whole of the time the works are in progress. If any damage shall have occurred and shall not have been made good the Council is authorised to make good such damage and deduct the cost from the deposit. If the cost exceeds the amount of the deposit the applicant or other person aforesaid shall pay to the Council on demand the amount by which the cost exceeds the amount of the deposit held. If no damage has been caused or if the damage has been made good the Council shall repay the deposit or the portion remaining after the costs incurred by the Council have been paid.

Dated this 26th day of March, 1963.

The Common Seal of Shire of Perth was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

M. STARKE,  
Deputy President.  
LLOYD P. KNUCKEY,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Rockingham.

Adoption of Draft Model By-laws Relating to Street Lawns and Gardens.

L.G. 26/58.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of March, 1963, to adopt the Draft Model By-laws published in the *Government Gazette* of the 7th February, 1963, designated "Local Government Model By-laws (Street Lawns and Gardens) No. 11."

The whole of the by-laws.

Dated this 19th day of March, 1963.

The Common Seal of the Municipality of the Shire of Rockingham was affixed hereto in the presence of—

[L.S.]

A. POWELL,  
President.  
D. J. CUTHBERTSON,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Rockingham.

Adoption of Draft Model By-laws Relating to Petrol Pumps.

L.G. 217/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of March, 1963, to adopt the Draft Model By-laws published in the *Government Gazette* of the 16th January, 1963, designated "Local Government Model By-laws (Petrol Pumps) No. 10."

The whole of the by-laws.

Dated this 20th day of March, 1963.

The Common Seal of the Municipality of the Shire of Rockingham was affixed hereto in the presence of—

[L.S.]

A. POWELL,  
President.  
D. J. CUTHBERTSON,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Rockingham.

Adoption of Draft Model By-laws Relating to the Removal and Disposal of Obstructing Animals or Vehicles.

L.G. 218/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of March, 1963, to adopt the Draft Model By-laws published in the *Government Gazette* of the 1st August, 1962, designated "Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7."

The whole of the by-laws.

Dated this 20th day of March, 1963.

The Common Seal of the Municipality of the Shire of Rockingham was affixed hereto in the presence of—

[L.S.]

A. POWELL,  
President.  
D. J. CUTHBERTSON,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Bayswater.

Adoption of Draft Model By-laws Relating to Local Government Model By-laws  
(Street Lawns and Gardens) No. 11.

L.G. 237/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of March, 1963, to adopt the Local Government Model By-laws (Street Lawns and Gardens) No. 11 published in the *Gazette* of the 7th day of February, 1963:—

The whole of the by-law.

Dated this 27th day of March, 1963.

The Common Seal of the Shire of Bayswater  
was hereunto affixed in the presence of—

[L.S.]

C. J. WOTZKO,  
President.  
A. A. PATERSON,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 13th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Bassendean.

By-laws Relating to the Control of Dogs.

L.G. 468/59.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of February, 1963, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Bassendean Shire Council, formerly Bassendean Road Board, passed at an ordinary meeting of the Bassendean Road Board held on the 13th day of May, 1959, and published in the *Government Gazette* of the 23rd day of June, 1959, are hereby amended as follows:—

The Schedule—Fees to the by-law is hereby repealed and re-enacted as follows:—

The Schedule.

FEES.

For the seizure or impounding of a dog ... £1.

Dated this 26th day of February, 1963.

[L.S.]

A. C. FAULKNER, J.P.,  
President.  
R. F. DAWSON,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Kulin.

Adoption of Local Government Draft Model By-laws Relating to (Petrol Pumps)  
No. 10.

L.G. 151/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of March, 1963, to adopt the Draft Model By-laws published in the *Gazette* of 16th January, 1963, viz:—

Local Government Model By-laws (Petrol Pumps) No. 10.  
The whole of the by-laws.

Dated this 12th day of March, 1963.

The Common Seal of the Municipality of the  
Shire of Kulin was duly affixed hereto  
in the presence of—

[L.S.]

H. J. HODGSON,  
President.  
J. F. BOSCHETTI,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day  
of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Donnybrook.

Adoption of Draft Model By-laws Relating to Local Government By-laws  
(Petrol Pumps) No. 10.

L. G. 949/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 20th February, 1963, to adopt the Draft Model By-laws published in the *Government Gazette* of the 16th day of January, 1963, and designated Local Government Model By-law (Petrol Pumps) No. 10:—

The whole of the by-laws.

Dated this 23th day of February, 1963.

The Common Seal of the Shire of Donnybrook  
was hereunto affixed pursuant to a resolu-  
tion of the Council in the presence of—

[L.S.]

H. B. AYERS,  
President.  
D. A. JONES,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th  
day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.



## CEMETERIES ACT, 1897.

## Perenjori Shire Council.

Perenjori and Latham Cemeteries (Reserves 15854 and 21269)—By-laws.

L.G. 826/53.

BY virtue of the Cemeteries Act, 1897, and all other Acts and powers in that behalf thereunto them enabling, the Trustees of the Perenjori and Latham Cemeteries make the following by-laws:—

1. All fees and charges payable to the Council as set forth in Schedule A shall be paid at the times and manner mentioned unless otherwise ordered.

2. The "secretary" as referred to in these by-laws, means the person for the time being employed by the Council as the secretary of the cemetery, and such persons shall, subject to the Council, exercise a general supervision and control over all matters pertaining to the cemetery, and to the carrying out and enforcement of these by-laws, and the direction of such person shall in all cases and for all purposes be presumed to be and to have been the direction of the Council.

3. The "superintendent" as referred to in these by-laws means the person for the time being employed by the Council as the superintendent of the cemetery, and such person shall, subject to the Council, have charge of the general care of the cemetery, and supervision of the erection or placement of interments, the opening, closing and dressing of graves, and such other duties as are mentioned in these by-laws or ordered by the Council.

4. A plan of the cemetery showing the distribution of the land, compartments, sections, situations and number of graves, and a register of all certificates of "Rights of Burial" shall be kept at the office of the Council.

5. Any person desiring to inter any dead body in the cemetery shall make an application in the form contained in Schedule B.

6. All applications for interment shall be made at the office of the Council in such time as to allow at least eight working hours' notice being given to the superintendent at the cemetery prior to the time fixed for burial, otherwise an extra charge shall be made.

7. The Council shall cause all graves to be dug and vaults, brick graves, or graves to be re-opened as and when required.

8. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. Any coffin not complying with this by-law will not be admitted to or be interred in the cemetery.

9. Every grave shall be at least six feet deep at the first interment, and no interment shall be allowed in any grave with a less depth than three feet from the top of the coffin to the original surface of the surrounding ground.

10. In the case of an application for interment in any private vault or grave to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application.

11. If any application be made for an interment in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assign, the written and verified consent of such grantee or assignee shall be produced, together with the "Grant of Right of Burial."

12. Should the grantee be unable to produce the "Grant of Right of Burial" on making application for a grave to be re-opened for the purpose of interment, through having lost same, the said grantee shall make a sworn declaration to this effect, and shall pay the fee for a copy of such "Grant of Right of Burial" as prescribed in Schedule A, before interment takes place.

13. (i) Subject to paragraph (ii) of this by-law, a person shall not bring a dead body into the cemetery unless he, or his representative, has first handed to the secretary for inspection and return a medical certificate of death or a Coroner's order for burial in respect of the body.

(ii) Where an undertaker or his representative for a valid reason is unable to produce a medical certificate or Coroner's order for burial, as required by paragraph (1) of this by-law and he has given to the secretary a written guarantee to produce the certificate or order within three days, he may bring the body into the cemetery.

(iii) A burial shall not be permitted in the cemetery unless the provisions of one of the foregoing paragraphs of this by-law have been complied with.

(iv) Where an undertaker or his representative has given written guarantee as required by paragraph (ii) of this by-law and he has failed to produce the certificate or order within three days, the undertaker's license may be suspended until the certificate or order is produced.

14. No interment shall be allowed on a Sunday, or public holiday, except when it is certified in writing by a medical officer of health, or by a Police Magistrate, or by two Justices of the Peace, that for sanitary or special religious reasons it is necessary or advisable that the burial take place on that day, in which case additional fees shall be charged.

15. The hours for burial shall be as follows: Monday to Friday, 9.30 a.m. to 4.30 p.m.; Saturday, 9.30 a.m. to 12.30 p.m.; and no burial shall be allowed to take place nor any coffin allowed to enter the cemetery at any other hour except by written permission of the Council.

16. The time fixed for any burial shall be the time at which the funeral is to arrive at the cemetery gates, and, if not punctually observed, the undertaker responsible shall be liable to a fine of 10s. 6d.

17. If for any reason the funeral shall, on arrival at the entrance gates of the cemetery, remain there for more than fifteen minutes prior to proceeding to the graveside, the undertaker responsible shall be liable for a fine of 10s. 6d.

18. Every funeral shall enter by the principal entrance, and no vehicle except the hearse and mourning coaches, shall be permitted to enter the cemetery, or stand opposite the entrance gates. Vehicles shall not be allowed to proceed faster than five miles per hour within the cemetery, and shall proceed at and by such roads as directed by the superintendent or other officer of the Council from time to time. Any driver or other person failing or neglecting to observe such directions may be forthwith expelled from the cemetery. No bicycle shall be ridden within the cemetery.

19. If application be made to the Council to exhume any corpse for the purpose of examination of identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or of his family, an order from the Governor or the warrant of a Coroner or of a Justice of the Peace issued in accordance with the law authorising the Council to permit of the exhumation must be attached to the application form.

20. Children under the age of ten years entering the cemetery must be in the charge of some responsible person.

21. Smoking shall not be allowed within the cemetery, nor any fireworks discharged therein.

22. No dogs shall be admitted into the cemetery, and any found there shall be liable to be destroyed.

23. No person shall remove any plant, tree, shrub, flower (other than withered flowers, which are to be placed in the receptacles provided by the Council for same), or any article from any grave without first obtaining a permit from the Council or their representatives.

24. No person shall pluck any tree, plant, shrub or flower growing in any portion of the cemetery.

25. No person shall remove or carry out or attempt to carry out of the cemetery any tree, plant, shrub, flower, earth or other material without the written authority of the Council or their representatives.

26. No person shall promote or advertise or carry on within the cemetery any trade, business, or calling, either by solicitation, distribution or circulars, by cards or otherwise, or by any other system of advertising whatsoever, without the written consent of the Council and any person infringing this by-law shall be expelled from the cemetery.

27. Any person desiring to place or erect, or to alter or add to any monument, tombstone, or enclosure in any part of the cemetery must first obtain the written consent and approval of the Council, and otherwise comply with section 23 of the Act.

28. Every tombstone, monument, or enclosure shall be placed on proper and substantial foundations, which if required by the Council or their officers, shall extend to the bottom of the grave.

29. The materials used in every such erection shall be subject to the approval of the superintendent or other officer appointed by the Council, and any material rejected shall be immediately removed from the cemetery by the contractor for the erection. All refuse or other rubbish remaining after the work is completed shall be immediately removed from the cemetery by the person causing the same.

30. If any work by masons or others be not completed before a Sunday, they shall be required to leave the work in a neat and safe condition, to the satisfaction of the superintendent.

31. All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery. No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any monument or other work except with the written approval of the Council.

32. No catacomb shall be allowed.

33. No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave or vault except by special permission of the Council.

34. No trees or shrubs shall be planted on any grave except such as shall be approved by the superintendent.

35. All workmen, whether employed by the Council or by any other person, shall at all times whilst within the boundaries of the cemetery, be subject to the supervision of the secretary, and shall obey such directions as that officer may find necessary to give; and any workman committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said secretary, shall be removed from the cemetery.

36. Licenses for grave dressing or decorating may be issued by the Council, and licenses to be renewed annually in the month of July.

37. Any person taking part in dressing or attending to any grave shall comply with the following rules:—

- (a) No rubbish, soil, sand, or other material removed in dressing a grave shall be placed on any other grave, and if placed in any adjoining ground shall be removed immediately the work is completed.
- (b) No sand, soil or loam shall be taken from any portion of the cemetery for the purpose of dressing any grave, except with the permission of the secretary.
- (c) The dressing of all graves, and wheeling and carting of any material shall be subject to the supervision of the secretary.
- (d) Work in all cases to be carried on with due despatch, and only during regulation hours.

38. The Council may decorate graves from time to time, when desired by the grantee to do so. If the grantees do not desire the Council to carry out this work, the grantees may either do it themselves or employ any person licensed by the Council for that purpose.

39. No person except the relatives of the deceased, the Council, or those licensed by the Council, shall be permitted to decorate any grave.

40. If for the purpose of re-opening a grave, the Council finds it necessary to remove the edging tiles, plants, shrubs, etc., from off the grave, the person so ordering the re-opening shall pay to the Council the charges laid down in Schedule A.

41. Notwithstanding anything contained in these by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth to erect headstone on the graves of deceased soldiers without the payment of any fees.

42. Free ground may be granted if it is provided to the satisfaction of the Council—

(a) that the deceased was a returned soldier, and that he died as a result of injuries in war and

(b) that the relatives of the deceased are in necessitous circumstances.

Provided that such grant shall be made subject to the condition that only the remains of deceased soldiers shall be interred in the grave.

43. Any person violating the rules of propriety and decorum, or committing any nuisance of trespass, or injuring any tree, shrub, flower border, grave or any erection, or in any way infringing these by-laws shall be expelled from the cemetery.

44. Any person committing any breach of any by-laws or regulations or any other rules, regulations or by-laws lawfully made under the authority of any Act relating to cemeteries, shall for every such offence be liable to a penalty not exceeding five pounds, and in case of a continuing breach, a further sum not exceeding one pound for every day during which such breach continues.

45. Any person committing a breach of any by-law in the cemetery shall, in addition to being liable to a penalty under any by-law, be liable to be forthwith removed from the cemetery by the Council or the superintendent or other employee of the Council, or by any police constable. If such person resists removal, or if and as often as such person so removed shall, unless with the consent of the superintendent, again enter the cemetery within 24 hours of his removal therefrom, he shall be liable to a penalty not exceeding five pounds.

46. Grants of Right of Burial shall be in the form of Schedule C.

The foregoing by-laws, with the accompanying schedules, were presented to a meeting of the Perenjori Shire Council held at Perenjori on the 20th day of March, 1963, and adopted, and the previous by-laws of the Perenjori and Latham Cemeteries were repealed.

[L.S.]

S. T. CANNON,  
Shire President.

N. EVANS,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 8th day of May, 1963.

W. S. LONNIE,  
Acting Clerk of the Council.

Perenjori Shire Council.

Schedule A.

Perenjori and Latham Public Cemeteries.

SCALE OF FEES AND CHARGES PAYABLE TO THE COUNCIL.

On application for an "Order for Burial" the following fees shall be payable in advance:—

(a) In open ground—	£	s.	d.
For interment in grave six feet deep	10	0	0
For interment of any child under seven years of age in grave six feet deep	7	10	0
For interment of any still-born child in ground set aside for such purpose	5	0	0

	£	s.	d.
(b) In private ground, including the issue of a grant of "Right of Burial"—			
Ordinary land for grave, 8 ft. x 4 ft., where directed	2	2	0
Ordinary land for grave, 8 ft. x 8 ft., where directed	4	4	0
Ordinary land for grave (extra), 8 ft. x 1 ft., where directed		10	6
Special land for grave, 8 ft. x 4 ft., selected by applicant, according to position	2	2	0
Special land for grave, 8 ft. x 8 ft., selected by applicant, according to position	4	4	0
Special land for grave, 8 ft. x 12 ft., selected by applicant	6	6	0
Special land for grave (extra), 8 ft. x 1 ft., selected by applicant, according to position		10	6
For interment in grave six feet deep	10	0	0
For interment of any child under the age of seven years in grave six feet deep	7	10	0
If graves are required to be sunk deeper than six feet the following additional charges shall be payable:—			
For the first additional foot	3	0	0
For the second additional foot	4	0	0
For the third additional foot	5	0	0
And so on in proportion for each additional foot			
(c) Re-opening an ordinary grave—as for new interment	10	0	0
(d) Re-opening a brick grave—as for new interment	10	0	0
(e) Extra charges—			
For each interment without due notice, under by-law 6	1	10	0
For each interment in private ground without due notice, under by-law 6	1	10	0
For copy of "Grant of Right of Burial", under by-law 12	2	6	0
For each interment on a Sunday, public holiday, or other than the hours defined in clause 15—additional fee	5	5	0
For late arrival at cemetery gates of funeral, under by-law 16		10	6
For late moving off from entrance gates of funeral, under by-law 17		10	6
For removing tiles, etc., under by-law 40	1	10	0
Re-opening grave for exhumation	10	0	0
Child under seven years	7	10	0
Re-interment in new grave after exhumation	10	0	0
Child under seven years	7	10	0

## Perenjori Shire Council.

## Schedule B.

## Perenjori and Latham Public Cemeteries.

## FORM OF INSTRUCTION FOR GRAVE AND APPLICATION FOR ORDER OF BURIAL.

Answers to the following questions to be supplied at the time of making application.

Date of Application....., 19.....

Name of deceased.....

Age of deceased.....

Late place of residence of deceased.....

Place where death occurred.....

Rank or occupation of deceased.....

Birthplace of deceased.....

Nature of the disease, or supposed cause of death.....

What denominational ground.....

What compartment..... What section.....

No. of grave on plan..... Is it a public grave.....

Is it a private grave.....

Is the ground to be selected by applicant or by trustees.....  
 Size of ground.....  
 Is a grant required, and if so to whom.....  
 If already granted, give number of grant and name of grantee.....  
 Length and width of coffin.....  
 Depth of grave.....  
 Is it the first interment in the grave.....  
 Date of last interment in the grave.....  
 Day of burial.....  
 At what hour, and if usual or extra.....  
 Name of minister or person to officiate at grave.....  
 From where is the funeral to start.....  
 Name of undertaker.....  
 Name in full and signature of person making application.....  
 Occupation..... Address.....  
 Application received this..... day of....., 19.....,  
 at..... o'clock..... m.

Secretary.

No of Burial Order.....No. in Register of Burials.....  
 No. in Denominational Book.....No. of Receipts.....  
 No. of Grant.....

Note.—If a free interment is required, specify the name of the Magistrate signing order and date thereof.

Perenjori Shire Council.  
 Schedule C.  
 Perenjori and Latham Public Cemeteries.  
 GRANT OF RIGHT OF BURIAL.

No.....  
 No. of Application.....  
 No. of Receipt.....  
 No. of Burial Register.....

BY virtue of the Cemeteries Act, 1897, and amendments, the Board of Trustees of the Perenjori and Latham Public Cemeteries, in consideration of the sum of.....paid to them by.....hereinafter called the Grantee, of....., hereby grant to the said Grantee the right of burying bodies in that piece of ground eight feet long..... feet broad, lying within the portion of the said cemetery appropriated for the burial of adherents to the Church, and numbered.....compartment....., section..... on the plan of the cemetery made in pursuance of the said Act.

To hold the same to the said grantee for the period of fifty years from the date hereof for the purpose of burial only.

This grant issued subject to all by-laws and regulations now and hereinafter in force, made, or to be made under the above Act, or any future Act or Acts.

In witness whereof the Common Seal of the said Council was hereto affixed at a meeting of the aforesaid Council held on the.....day of..... 19.....

On behalf of the Perenjori and Latham Cemeteries.

Shire President.

Secretary.

Entered.....

This grant must be produced before the grave can be re-opened.

## LOCAL GOVERNMENT ACT, 1960-1962.

Local Government Department,  
Perth, 13th May, 1963.

L.G.D. 94/63.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1962, has been pleased to cause the draft model by-laws set out in the schedule hereto to be prepared and published.

R. C. PAUST,  
Acting Secretary for Local Government.

Schedule.

## DRAFT MODEL BY-LAWS.

**1. Citation.**—These by-laws may be cited as the Local Government Model By-laws (Storage of Inflammable Liquid), No. 12.

**2. Interpretation.**—(1) In these by-laws, "Uniform Building By-laws" means the uniform general by-laws set out in the First Schedule to the Order in Council, made the 21st June, 1961, and published in the *Government Gazette* on the 23rd June, 1961, and in that schedule designated "Uniform Building By-laws," as amended by uniform general by-laws published from time to time in the *Government Gazette*.

(2) Unless the context otherwise requires, words and expressions used in these by-laws have the same respective meanings as are given them in, and for the purposes of, the Uniform Building By-laws.

**3. Application of Uniform Building By-laws.**—By-laws 452 and 453 of the Uniform Building By-laws shall be read with these by-laws, as though included in, and forming a part of them.

**4. Storage of Inflammable Liquids in Underground Tanks (under 1,000 gals.)**—(1) Subject to sub-by-laws (2) and (3) of this by-law, inflammable liquids may be stored in quantities not exceeding 1,000 gallons, in an underground tank or in underground tanks, if—

- (a) the site for each tank has first been approved by the council, for that purpose;
- (b) each tank is constructed of steel plate of not less than 14 gauge thickness;
- (c) each tank is placed not less than two feet below the lowest floor of any building under which it is situated;
- (d) sand or other filling material approved by the Surveyor is filled in over each tank to the level of the ground or floor, as the case may require;
- (e) each tank is adequately and individually ventilated;
- (f) every opening to a tank at, or near, ground level is fitted with a gas-tight cover cap; and
- (g) the filling pipe of any tank is placed in an approved position within the boundaries of the premises whereon the inflammable liquid is to be stored,

and not otherwise.

(2) Where, in the opinion of the Surveyor, a tank to be installed under the provisions of this by-law need not, by reason of its diminutive size, be constructed of steel plate of 14 gauge thickness, he may authorise its construction of steel plate of a lesser thickness.

(3) Notwithstanding the provisions of paragraph (g) of sub-by-law (1) of this by-law the Surveyor may, if, in his opinion, the circumstances are such as to warrant it, approve of the placing of filling pipes outside the boundaries of the premises whereon the inflammable liquid is to be stored, but only if their being so placed will not occasion the obstruction of traffic while a tank is being filled.

**5. Storage of Inflammable Liquids in Underground Tanks (1,000 gals. and more).**—(1) The provisions of by-law 4 of these by-laws apply to the storage of inflammable liquids in underground tanks in quantities of 1,000 gallons or more, save that the construction of every tank shall be approved by the Surveyor and the provisions of sub-by-law (3) of that by-law do not apply.

(2) Where two or more tanks having an aggregate capacity of 1,000 gallons or more are installed as a battery, the tanks shall be so installed that there is, between any two of them, a thickness of not less than one foot of filling material approved by the Surveyor.

**6. Storage of Inflammable Liquids in Surface Tanks.**—(1) A person shall not store inflammable liquids in any quantity exceeding, in the case of Class A, 50 gallons or, in the case of Class B, 250 gallons, in a surface tank, unless—

- (a) the site for each tank has first been approved by the council; and
- (b) every tank upon, above, or partly above and partly below, the surface of the ground is enclosed by a compound wall of brick, stone or concrete or by an earthen dam approved by the Surveyor.

(2) The height of a compound wall or earthen dam referred to in sub-by-law (1) of this by-law shall be such as will enable the wall or dam to retain therein not less than one-eighth in excess of the total capacity of the inflammable liquid permitted to be stored in the tanks that it encloses; and, in the case of an earthen dam, the height shall, unless the profile of the dam is protected by stone, pitching, concrete facing or other permanent protection approved by the Surveyor, be not less than two feet above the level to which the liquid would rise, if permitted to run free from the tanks therein enclosed.

(3) Any opening made in a compound wall such as is mentioned in sub-by-law (1) of this by-law shall be fitted with a sliding, or inward opening, liquid-tight door of incombustible material and of sufficient strength to resist any pressure that might be brought to bear on it by the escape of the liquid that the wall encloses.

**7. Storage of Inflammable Liquids not in Buildings, etc.**—(1) Except in a building such as is prescribed by by-law 453 of the Uniform Building By-laws or in an underground tank or tanks in a quantity not exceeding 1,000 gallons, pursuant to by-law 4 of these by-laws, a person shall not store or keep inflammable liquid within any distance of a building or a building site, being a distance of less than 150 feet set out in column 1 of the Table to this by-law, in any quantity that exceeds the quantity set out in the corresponding opposite position in column 2 or, as the case may require, column 3 of that Table.

(2) A quantity mentioned in column 2 of the Table to this by-law is a reference to a quantity of inflammable liquid that is not contained in metallic drums, or tins, of 50 gallons, or less, capacity; and a quantity mentioned in column 3 of the Table is a reference to a quantity of inflammable liquid that is so contained:—

The Table.

1	2	3
	gals.	gals
Within 10 feet	400	4,000
Over 10 feet and not over 15 feet	1,000	10,000
Over 15 feet and not over 20 feet	2,000	20,000
Over 20 feet and not over 30 feet	4,000	40,000
Over 30 feet and not over 40 feet	6,000	80,000
Over 40 feet and not over 50 feet	8,000	100,000
Over 50 feet and not over 60 feet	10,000	Unlimited gals.
Over 60 feet and not over 75 feet	15,000	Unlimited gals.
Over 75 feet and not over 100 feet	20,000	Unlimited gals.
Over 100 feet and not over 150 feet	50,000	Unlimited gals.

**8. High Flash Point Oil and Grease.**—A person shall not store or keep lubrication or other oils that will not flash or emit inflammable vapour below a temperature of 150 degrees Fahrenheit, on any site or in any building, in an aggregate quantity exceeding 10,000 gallons, unless the proposed storage site or the building has first been approved by the council for that purpose.

**9. Fuel Oil.**—Every installation of a system for the storage and delivery of fuel oils shall be carried out in conformity with the provisions of S.A.A. Code No. C.B. 5-1957 for Fuel Oil Installations.

**10. Approval of Site.**—(1) A person desiring approval of a site for the storage of inflammable liquids shall make application therefor to the council, submitting a plan in duplicate showing the dimensions of the site and the position and dimensions of all buildings existing on the site, together with details of the buildings or other installations proposed.



(2) One copy of a plan approved by the council under this by-law shall be returned to the applicant and the second copy of the plan shall be retained by the council as a permanent record.

(3) Where a site to be approved under this by-law is within a fire district, under the Fire Brigades Act, the person desiring approval shall also submit the plan to, and obtain the approval of, the Chief Fire Officer.

**11. Clearing of Site.**—The space between the buildings or storage tanks erected under these by-laws within the distances set out in by-law 7 thereof shall be kept completely clear of every kind of material, other than vehicles using the site to bring in, or take away, inflammable liquid.

**12. Fire Extinguishers.**—The person using a site for the storage of inflammable liquids shall provide thereon at least two foam fire extinguishers of 2 gallons capacity, or such other number and type of fire extinction equipment as the Chief Fire Officer may require, and shall maintain all equipment in readiness for use.

**13. Under-brush and Dry Grass Prohibited.**—A person using a site for the storage of inflammable liquid shall keep the site completely free of under-brush, dry grass and other combustible growth of any description.

**14. Cases, Cartons, etc.**—A person using a site for the storage of inflammable liquids shall not keep, or suffer to be kept, thereon any cases or cartons other than those actually in use for packaging; and where a case or carton becomes saturated, or partly saturated, with any inflammable liquid, that person shall cause it to be removed from the site.

**15. Fire Precautions.**—(1) A person shall not smoke, strike any match or make, or use, any naked flame on a site used for the storage of inflammable liquids.

(2) A person using a site for the storage of inflammable liquids, and every person in his employ, shall ensure that any inflammable liquid that is spilled on the site does not flow onto a street or any adjoining site.

(3) Where a site used for the storage of inflammable liquids is of such a sloping nature that spilled liquid might escape from the site, the Surveyor may require the owner to erect an earthen bank sufficient to prevent that escape.

**16.—Open and Empty Containers.**—A person using a site for the storage of inflammable liquids shall not cause or permit any container thereon containing inflammable liquid to remain open, except while the liquid is being put into, or being drawn from, it.

**17.—Ramps.**—A person using a site for the storage of inflammable liquids shall cause any ramps thereon to be kept clean and not suffer them to become saturated or partly saturated with inflammable liquid.

**18. Warning Notices.**—Every person using a site for the storage of inflammable liquids, other than in small quantities pursuant to by-law 19 of these by-laws, shall exhibit thereon at least two separate signs, each bearing in letters, coloured red and of at least six inches in height, the warning: "Danger. Inflammable Liquids. No Smoking, No Matches, No Naked Lights."

**19.—Storage of Small Quantities.**—A person may store quantities not exceeding in the aggregate 50 gallons of Class A inflammable liquid or 250 gallons of Class B inflammable liquid, if the liquid—

(a) is contained in the fuel tanks of vehicles, or in drums, cans, or other containers specially designed to hold inflammable liquid and equipped with light fitting screw-on caps; and

(b) is so stored as not to constitute a fire hazard, but not otherwise.

**20. Offences.**—Every person who does anything prohibited by these by-laws or who fails to carry out any duty or obligation cast upon him by these by-laws commits an offence—Penalty £50.