



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 24 ]

PERTH: FRIDAY, 7th MARCH

[ 1969

AT a meeting of the Executive Council held in the Executive Council Chamber at Perth on the 19th day of February, 1969, the following Order in Council was authorised to be issued:—

Inspection of Machinery Act, 1921-1958.

### ORDER IN COUNCIL.

Mines 1541/67.

WHEREAS it is enacted by section 82 of the Inspection of Machinery Act, 1921-1958, that the Governor may from time to time, by Order in Council, make regulations for any of the matters specified in that section: Now, therefore, His Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Act hereby makes the regulations set out in the schedule hereunder.

#### Schedule.

#### Regulations.

Principal regulations.

1. In these regulations the regulations made under the provisions of the Inspection of Machinery Act, 1921, reprinted pursuant to the Reprinting of Regulations Act, 1954, as published in the *Government Gazette* of the 7th February, 1967 and as subsequently amended by notices published in the *Government Gazette*, are referred to as the principal regulations.

2. The principal regulations under the heading, "REGULATIONS RELATING TO WINDING ENGINES." are amended, as to paragraph (d) of regulation 1.—

- (a) by adding after the word, "brakes" in line three, the words, "or multispring applied unit brakes"; and
- (b) by substituting for the words, "or electricity" in lines four and five, the words, "electric or hydraulic power".

3. The principal regulations under the heading, "REGULATIONS RELATING TO THE CONDUCT OF EXAMINATIONS, QUALIFICATIONS OR APPLICANTS, AND THE GRANTING OF CERTIFICATES TO ENGINE DRIVERS, CRANE AND HOIST DRIVERS, and BOILER ATTENDANTS." are amended, as to regulation 17, by adding after the word, "brakes" where it occurs—

- (a) in line five of subregulation (3);
- (b) in line eleven of subregulation (3);
- (c) in line nine of paragraph (d) of subregulation (5); and
- (d) in line nine of subparagraph (i) of paragraph (e) of subregulation (5),

the words, "or multispring applied unit brakes", in each case.

## HEALTH ACT, 1911-1968.

Department of Public Health,  
Perth, 20th February, 1969.

P.H.D. 124/68.

HIS Excellency the Governor in Executive Council, acting under the provisions of the Health Act, 1911-1968, has been pleased to make the model by-laws set out in the schedule hereunder.

W. S. DAVIDSON,  
Commissioner of Public Health.

## Schedule.

## Model By-laws Series "A".

Principal  
by-laws.

1. In these by-laws the Model By-laws Series "A" published in the *Government Gazette* on the 8th April, 1927, and reprinted in the *Government Gazette* on the 9th August, 1956, pursuant to the Reprinting of Regulations Act, 1954, with all amendments up to and including the 18th May, 1955, and amended from time to time thereafter, are referred to as the principal by-laws.

Part IX  
amended.

2. The commencing paragraph of Part IX of the principal by-laws is amended by adding after the item "Section U.—Poultry Processing Establishments," being the last item in that paragraph, the following item—

Section V.—Poultry Farming Employing the Caged System of Poultry Housing.

Part IX  
S.V. added.

3. The principal by-laws are amended by adding after Section U of Part IX a section as follows:—

Section V.—Poultry Farming Employing the Caged System of Poultry Housing.

1. For the purpose of this section of these by-laws "caged system of poultry housing" means any method of poultry farming in which series of nesting boxes, cages or similar devices are used to confine laying hens for intensive laying or the rearing and fattening of poultry.

2. No person shall, after the coming into operation of this section, establish a poultry farm employing the caged system of poultry housing on any premises unless—

- (a) any buildings used for housing poultry are not less than 100 feet from a street or thoroughfare, dwelling house, dairy or premises wherein food is prepared for sale and not less than 20 feet from boundaries of land not in the same ownership or possession;
- (b) any building used for the caged system of poultry housing is erected on a site where the highest known water table is at least 2 feet 6 inches below natural ground level.

3. The occupier of a poultry farm which uses the caged system of poultry housing shall dispose of all poultry carcasses by one of the following methods—

- (a) incineration of the carcasses in an incinerator approved by the local authority;
- (b) burial of the carcasses; or
- (c) by some other means approved by the local authority.

## HOSPITALS ACT, 1927-1955.

WHEREAS it is provided in the Hospitals Act, 1927-1955, that a Board may of its own motion by resolution adopt the whole or any portion of by-laws formulated under the provisions of subsection (1) of section 37 of that Act by the Governor for the guidance of Boards in respect of all or any of the matters regarding which Boards may make by-laws; and whereas model by-laws have been formulated in accordance with regulations made under that Act, which regulations have, pursuant to the Reprinting of Regulations Act, 1954, been reprinted with amendments to and including that published in the *Government Gazette* on the 29th February, 1952, and published in the *Government Gazette* on the 2nd February, 1960, and thereafter amended from time to time by notices published in the *Government Gazette*: Now, therefore the Board of Management of the Derby Nursing Home doth hereby resolve and determine that the said model by-laws, with the exception of by-law 16 be adopted.

Resolved at a meeting of the Derby Nursing Home Board of Management this 20th day of February, 1969.

JACK HUTCHINSON,  
Chairman.  
A. MACLIVER,  
Secretary.

## HOSPITALS ACT, 1927-1955.

WHEREAS by section 22 of the Hospitals Act, 1927-1955, a Board in respect of any public hospital under its control may from time to time make by-laws not inconsistent with that Act as to any of the matters specified in subsection (1) of that section; and whereas the Board of Management of the Derby Nursing Home is a Board within the meaning and for the purposes of the said Act; and whereas it is deemed expedient to make the by-law set forth in the schedule hereunder in respect of the Derby Nursing Home: Now, therefore the Board of Management of the Derby Nursing Home doth hereby make the by-law set forth in the schedule hereunder.

Passed at a meeting of the Derby Nursing Home Board of Management this 20th day of February, 1969.

JACK HUTCHINSON,  
Chairman.  
A. MACLIVER,  
Secretary.

## Schedule.

16. The fees payable for hospital service granted in or by the hospital shall be at the following rates:—

	Patients Receiving Intensive Nursing Care—per day. \$	Other Patients— per day. \$
(i) Pensioners without other income ...	6.71	3.71
(ii) Other Patients:		
Single Room ... ..	8.60	5.60
2-3 Bed Ward ... ..	8.00	5.00
4-6 Bed Ward ... ..	7.40	4.40
Other Beds ... ..	6.71	3.71

## TRAFFIC ACT, 1919-1968.

Police Department,  
Perth, 19th February, 1969.

Police T. 2066/65.

HIS Excellency the Governor in Executive Council acting pursuant to the powers conferred by the Traffic Act, 1919-1968, has been pleased to make the regulations set out in the schedule hereunder.

R. T. NAPIER,  
Commissioner of Police.

Schedule.  
Regulations.

- Principal regulations. 1. In these regulations the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and amended from time to time thereafter by notices so published are referred to as the principal regulations.
- Reg. 1704 added. 2. The principal regulations are amended by adding after regulation 1703, the following regulation:—
1704. (1) A person shall not drive stock across a road—
- (a) during the hours of darkness;
  - (b) at any other time in the South-West Land division and the Esperance and Lake Grace districts unless during the whole of the period for which the stock is crossing the road, warning signs are placed at points on the road at a distance of not less than two hundred or more than four hundred yards in both directions from the place at which the stock is crossing the road.
- (2) A person shall not drive stock along a road—
- (a) during the hours of darkness;
  - (b) at any other time in the South-West Land division and the Esperance and Lake Grace districts unless, during the whole of the period for which the stock is on the road, warning signs are placed on the road or displayed on a vehicle or by a person so that one sign is placed or displayed not less than three hundred yards or more than one mile in advance of the stock, and one sign is placed or displayed not less than three hundred yards or more than one mile to the rear of the stock, in each case to face traffic approaching the stock.
- (3) A warning sign required to be placed or displayed pursuant to this regulation shall—
- (a) be not less than three feet in length or less than one foot in height;
  - (b) have inscribed on it, in block letters not less than five inches in height,
    - (i) if the sign is one required pursuant to sub-regulation (1) of this regulation,—  
“STOCK CROSSING ROAD IN NEXT  $\frac{1}{4}$  MILE”; or
    - (ii) if the sign is one required pursuant to sub-regulation (2) of this regulation,—  
“STOCK ON ROAD IN NEXT MILE”;
  - (c) be placed so as to be clearly legible to the driver of a vehicle that is being driven past the sign and towards the stock in relation to which the sign is so placed or displayed.
- (4) A person shall not—
- (a) place a sign of a description referred to in sub-regulation (3) of this regulation upon a road more than thirty minutes before he commences to drive stock across or along the road, as the case requires;
  - (b) fail to remove such a sign within thirty minutes of his ceasing to drive stock across or along a road, as the case requires.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the City of Melville.

By-laws for Carrying into Effect Some of the Purposes Mentioned in the Second Schedule to the Town Planning and Development Act, 1928-1947.

L.G. 809/60.

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 12th day of November, 1968, to repeal and submit for confirmation by the Governor, the following by-laws:—

The By-laws of the City of Melville (formerly Melville Road Board) passed at an ordinary meeting of the Melville Road Board on the 13th day of December, 1960 (and published in the *Government Gazette* on the 8th day of June, 1961, and the "erratum notice" appearing in the *Government Gazette* on the 16th November, 1961).

For carrying into effect some of the purposes mentioned in the Second Schedule to the Town Planning and Development Act, 1928-1947 (Home Occupations).

The whole of the by-law.

Dated this 31st day of December, 1968.  
The Common Seal of the City of Melville was hereto affixed in the presence of—

[L.S.]

R. F. CARROLL,  
Mayor,  
J. E. ELLIS,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the City of Melville.

By-laws Relating to the Prohibition of Obstructions of Streets, Ways and Footpaths.

L.G. 143/66.

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 17th day of December, 1968, to make and submit for confirmation by the Governor the following by-laws. The by-law relating to Street and Footpath Obstruction, as published in the *Government Gazette* on 16th June, 1966, is repealed.

1. No person shall drive any vehicle upon or otherwise use any street in a manner causing, or likely to cause, damage or injury or erosion to the shoulders, kerbs or edges of the made portion of the street.

2. No person shall pack or unpack or cause to be packed or unpacked any goods, wares or merchandise or any articles of any description on any part of a street.

3. No person shall allow any coal, shavings, hay, straw, paper or other material during the progress of any work or during the loading or unloading or packing or unpacking of any goods to be blown about or upon any street.

4. No person shall, on any street, scatter or throw down any handbill, ticket, placard or notice or on any street give out or distribute to passers by any handbill, ticket, placard or notice, without first having obtained permission in writing from the Council so to do.

5. No person shall, except for the purpose of delivering the same, permit goods or merchandise, including coal, charcoal, firewood, soil, fertilisers and building material to remain in a street, way, footpath, or other public place, nor in the case of goods or merchandise being delivered, shall he permit the goods or merchandise to remain in a street, way, footpath or other public place for a longer period than is necessary for delivering the goods or merchandise into the place of delivery.

6. No person shall deposit any rubbish, vegetable substance, garden clippings, or any offensive, noxious or dangerous substance, or any bottles, utensils, glasses, cans or any litter in any street, way, footpath or other public place.

7. (1) No person shall, without first having obtained permission in writing from the Council so to do, deposit any boat in any street, way, footpath or other public place for a period in excess of thirty minutes.

(2) In the event of a boat having been deposited as aforesaid for a period in excess of thirty minutes the Council may cause it to be removed and may recover from the person responsible for the deposit in a court of competent jurisdiction the expense incurred in the removal of the boat.

8. No person shall transport or carry on any street any sand, ash, dust, sawdust or any substance which gives off dust or fumes, unless the vehicle or container in which the same is carried is sufficiently covered to prevent such substance or part thereof, or the fumes therefrom, from blowing from or escaping from such vehicle or container.

9. No person shall carry any article upon any footpath to the danger or obstruction of other persons using that footpath.

10. No person shall, without first having obtained permission in writing from the Council so to do, play football, cricket or any other game of any kind whatsoever or perform any gymnastic exercise on any street.

11. Any person who contravenes these by-laws is guilty of an offence, and is liable to a penalty of \$100 and, in addition, to a daily penalty of \$10 for each day during which the offence continues.

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Dated this 31st day of December, 1968.

The Common Seal of the City of Melville was  
hereto affixed in the presence of—

[L.S.]

R. F. CARROLL,  
Mayor.  
J. E. ELLIS,  
Town Clerk.

Recommended—

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L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the City of South Perth.

## By-law No. 1.

By-law Relating to Classification of Districts.

L.G. 668/67B.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of December, 1968, to make and submit for confirmation by the Governor the following amendments to By-law No. 1:—

1. That clause 1 (n) be amended by adding after the words "Diagram 2721" the following:  
; Lot 133 of Canning Location 37 Kelsall Crescent.
2. That clause 3 (I) be amended by adding after the words "charitable institution" the words "or an institution or body approved by the Council".

Dated this 13th day of January, 1969.

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

[L.S.]

J. G. BURNETT,  
Mayor,  
J. HARRINGTON,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Dardanup.

By-laws Relating to Roads under Construction.

L.G. 74/69.

IN pursuance of the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th November, 1968, to make and submit for confirmation to the Governor the following by-laws:—

Interpretation:

"Council" shall mean the Council of the Shire of Dardanup.

"Roads under construction" shall mean any part of any highway, road, street or pedestrian or carriageway open to or used by the public within the Shire of Dardanup which is in the course of repair construction or re-construction.

"Cattle" shall mean horses, mares, fillies, foals, geldings, colts, camels, bulls, bullocks, cows, heifers, steers, calves, asses, mules, sheep, lambs, goats, swine and any livestock.

1. Owners and persons having charge thereof shall not allow cattle to be driven on or be on any road under construction otherwise than in compliance with the terms of the written permit issued by the Council.
2. Any person may apply in writing to the Council for a permit to allow cattle to be driven over or be on a road under construction and the Council may grant such permit upon any terms and conditions which it sees fit.

3. Any person offending against any of the provisions of these by-laws shall be liable on conviction to a penalty not exceeding \$100 and in addition the Court may order payment of the cost of any damage incurred by the Council.

Dated this 25th day of November, 1968.

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

[L.S.]

W. H. RATCLIFFE, J.P.,  
President.  
R. PEDDIE,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.  
The Municipality of the Shire of Denmark.  
By-laws Relating to Commonages.

L.G. 59/59.

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 21st day of November, 1968, to make and submit for confirmation by the Governor the following by-laws:—

The By-laws of the Shire of Denmark published in the *Government Gazette* of the 1st December, 1950, are hereby amended in the following manner.

Delete Clause 6 and insert:

Any person desiring a depasturing permit shall pay to the Council for each year or part thereof the fees specified hereunder:—

Horses and Cattle—\$2.00 per head.

Sheep—50c per head.

Clause 7—is altered by deletion of the amount of £10 and substituting an amount of \$100.

Delete Clause 9.

Delete Clause 11 and insert:

The Ranger will receive his instruction from the Shire Clerk and fees due to him for services rendered will be arranged by negotiations with the Council.

Second Schedule:

Delete Reserves 16974, 20930, 12232, 17735, 12664 from this Schedule.

Dated this 7th day of January, 1969.

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

[L.S.]

H. S. THORNE,  
President.  
G. H. McCUTCHEON,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.



## LOCAL GOVERNMENT ACT, 1960-1968.

## The Municipality of the Shire of Dardanup.

## By-laws Relating to Fencing.

L.G. 75/69.

IN pursuance of the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 22nd day of October, 1968, to make and submit for confirmation to the Governor the following by-laws:—

1. (a) In this by-law, unless the context otherwise requires, the term "fence" means a fence abutting a road, or a fence on a boundary line, and where the context so admits includes a wall.

(b) In this by-law the term "rural land" means land used for agricultural and grazing purposes.

2. No person shall erect a fence of corrugated iron without the written consent of the Council, which consent the Council may, in its discretion, grant or refuse on such terms and conditions as it deems fit.

3. No person shall erect a fence which is dangerous, and except in a rural zone, no person shall erect a fence of barbed wire.

4. When so required by the Council, prior to commencing to erect, alter, extend or enlarge a fence on land abutting surveyed roads in the district of the Shire of Dardanup each person shall cause to be submitted to the Council for its approval a copy of the specifications and a plan showing clearly the fence proposed to be erected, or the amendment, alteration, extension or enlargement proposed to be made.

5. The owner of land on which a fence is erected shall maintain the fence in good condition and in such manner as to prevent it from becoming dilapidated, unsightly or prejudicial to the property in or the inhabitants of the neighbourhood.

6. The owner of any land upon which a fence has been erected otherwise than in accordance with these by-laws shall, upon 28 days' notice being given to him by the Council, take down and remove the fence.

7. A fence constructed in accordance with the specifications set out in the Schedules hereto, or a fence agreed to by adjoining owners and approved by the Council, is hereby prescribed as a sufficient fence for the purpose of the Dividing Fences Act, 1961, within the district of the Shire of Dardanup.

8. Any person who shall commit a breach of any of these by-laws or shall be guilty of an offence under these by-laws, shall be liable to a maximum penalty of one hundred dollars (\$100) and in addition a maximum daily penalty of eight dollars (\$8) for each day during which the offence continues.

## First Schedule.

## Residential Areas.

Across a frontage and for a distance of 30 feet from the street alignment along a side boundary, unless special approval is obtained from the Council to erect a fence at a greater height, a fence shall not exceed 4 feet in height and shall be constituted of brick, concrete, masonry, wrought iron, tubular steel, link mesh, timber sheeted with pickets, palings, boarding, asbestos or other material approved by the Council. Thereafter along the side boundary and along the rear boundary the fence shall be constructed as follows:—

First posts and rear corner posts shall not be less than 5 in. x 5 in. x 7 ft. and intermediate posts shall not be less than 5 in. x 3 in. x 7 ft. all spaced at not more than 9 ft. centres.

All posts shall have tops with 1½ in. weathering and shall be sunk at least 2 ft. into the ground.

Corner posts shall be strutted two ways with 4 in. x 2 in. soles and 3 in. x 2 in. struts.

Intermediate posts shall be double yankee strutted with 6 in. x 18 in. struts.

Posts shall be checked for not less than two rows of rails.

Rails shall not be less than 4 in. x 2 in. each spanning 2 bays of fencing with joints staggered.

The fence shall be covered with not less than 3 in. x  $\frac{3}{4}$  in. x 6 ft. sawn pickets or palings, cut square on top.

All pickets or palings shall be placed not more than 3 in. apart and shall be double nailed to each rail.

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### Second Schedule.

#### Rural Areas.

The dividing boundary fencing shall be constructed of sawn, split or round wooden, steel or reinforced concrete posts set not less than 18 in. in the ground and not less than 48 in. out of the ground. Posts shall be placed not more than 12 ft. apart unless droppers, of a type approved by the Council, are used with a wooden post fence and then the wooden posts may be placed at not more than 30 ft. centres with droppers every 10 ft. Strainers shall be placed 3 ft. in the ground, suitably and securely strutted at all corners, gateways and fence angle lines, but not exceeding 10 chn. apart except where an all steel post fence is erected and then the strainers shall be not more than 8 chn. apart. All gates to be of a type which can be swung, or alternatively gates made of wire to at least the same standard as the fencing.

The retaining material of the fence shall be of sheep-proof type, consisting of ringlock, mesh or rabbit netting or such other product as the Council may from time to time approve, or alternatively 6 plain (not less than 10 gauge) or barbed galvanised wires, securely fastened or threaded to wooden posts. If steel posts are used, 7 plain or barbed galvanised wires may be used.

At least two wires, either or alternatively plain or barbed, shall be fitted. All wire shall be wrapped around strainer posts and strained tight. Where fences are on the road boundaries, barbed wires must be placed on the property side of the posts.

The fencing design and construction shall be in accordance with accepted good farming practices.

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Dated this 18th day of October, 1968.

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

[L.S.]

W. H. RATCLIFFE,  
President.

R. PEDDIE,  
Shire Clerk.

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Recommended—

L. A. LOGAN,  
Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 75/68A.

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 28th day of February, 1967, to make and submit for confirmation by the Governor the following By-law:—

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

Hamersley	Portion of Swan Location K1 and being Lot 1 on Diagram 25588 and being the whole of the land comprised in Certificate of Title Volume 1244 Folio 616 situated at the corner of Wanneroo Road and Halley Road.	An Hotel.
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Dated the 28th day of February, 1967.

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,  
President.  
L. P. KNUCKEY,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Wickopin.

Amendment of By-Laws for the Management of Halls and Other Buildings under the Control of the Council.

L.G. 43/69.

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 Thirteenth day of September, 1968, to make and submit for confirmation by the Governor the following amendments to the abovementioned By-Laws published in the Government Gazette on the fifteenth day of July, 1927.

1. Delete By-Law Twelve (12)
2. Insert new By-Laws 12, 12A and 12B as follows:—

12. No spirituous liquors, wine, ale, beer, porter, cider or perry shall be brought into or consumed in any building during the term of engagement except where permitted by the Council in Writing. Such permission will only be granted subject to compliance with By-Laws 12A and 12B. and the Licensing Act.

12A. Where intoxicating liquors are provided by the hirer such liquors shall only be served from the rooms or other areas set aside by the Council for that purpose. The Hirer shall be responsible to ensure that no spillage of such liquors onto the floor or other parts of the building shall occur. Accidental spillage of such liquors shall immediately be mopped or otherwise cleaned up by the hirer to the satisfaction of the Clerk or other duly authorised Officer of the Council. Should the hirer fail to comply with the provisions of this By-Law, the Clerk or other duly authorised Officer of the Council shall advise the hirer that he will be required to meet the cost of any extra cleaning necessary, as set out in the Schedule of charges hereunder and may invoke the provisions of By-Law 10 without reference to the Council.

12B. Where a cabaret type of function is being conducted, a patron of such functions shall comply with the provisions of By-Law 12A as though he were the hirer. Should such patron fail to comply with the provisions of By-Law 12A, the Clerk or other duly authorised Officer of the Council shall request such patron to supply his full and correct name and address and to meet the cost of extra cleaning necessary, as set out in the schedule of charges hereunder.

Dated this 13th day of September, 1968.

[L.S.]

A. H. MUTTON,  
President.  
W. I. WEIR,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Wickepin.

Adoption of Draft Model By-Law (Caravan Parks) No. 2.

L.G. 44/69.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the fifteenth day of November, 1968 to adopt the Draft Model By-Laws published in the Government Gazette on the twenty-eighth day of September, 1961 and amended in the Government Gazette of the sixteenth day of January, 1963 as are here set out: Draft Model By-Law (Caravan Parks) No. 2.

Dated this 15th day of November, 1968.

A. H. MUTTON,  
President.  
W. I. WEIR,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Yalgoo.

By-laws Relating to Long Service Leave.

L.G. 1064/68.

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 18th day of December, 1968, to make and submit for confirmation by the Governor the following by-laws:—

1. In the interpretation of these by-laws, the following words shall have the meanings assigned to them hereunder:—

- (a) "Council" means the Yalgoo Shire Council.
- (b) "Employee" means and includes all persons employed in any capacity by the Council, and who are in the regular and full-time employment of the Council.
- (c) "Continuous Service" means service in the employment of the Council during which an employee has not been absent from the service of the Council for a continuous period of more than two working days, has not been absent on long service leave and has not been absent without pay without such leave or absence being granted by the Council; provided that an employee who was employed by the Council on a permanent basis immediately prior to entering compulsory service with the Armed Forces of the Commonwealth of Australia, shall have such service counted as continuous service with the Council, provided the requisite proof is produced.

2. Absence of an employee on account of sickness shall not be deemed to be a break in continuity of service, provided the period of absence shall be certified necessary by a Medical Practitioner and is approved by the Council.

3. An employee dismissed by the Council for neglect of duty or for irregular practices shall not be paid any sum in pursuance of these by-laws.

4. No *pro rata* long service leave shall be granted to an employee who prior to completing any qualifying period of ten (10) years of continuous service resigns his employment with the Council.

5. (a) All present and future employees of the Council shall, after each period of ten (10) years of continuous service as a permanent full-time employee thereof, commencing from the First day of January, One thousand nine hundred and sixty three, be entitled to thirteen (13) weeks long service leave, and no long service leave will be granted to any employee, except where otherwise provided therein, without serving a qualifying period of ten (10) years continuous service being first completed.

(b) Provided however that where an employee of the Council has become entitled to long service leave under the provisions of the Long Service Leave Act, 1958, he shall not be entitled to any further long service leave until the expiration of ten (10) years continuous service with the Council from the date he became entitled to long service leave under the provisions of the Long Service Leave Act, 1958.

6. (a) *Pro rata* entitlements of long service leave shall be the same proportion of thirteen (13) weeks as the length of continuous service of any employee since commencing any qualifying period of service bears to the full qualifying period of ten (10) years continuous service with the Council.

(b) An employee who has completed the initial qualifying period of ten (10) years continuous service with the Council and has taken such long service leave, shall, upon resuming his normal duty with the Council, immediately commence accumulating *pro rata* long service leave. Such *pro rata* long service leave may be taken by an employee who has reached the retiring age of sixty-five (65) years or is retired on the grounds of ill health or is dismissed through

staff retrenchments or being a female retires for the purpose of and actually marries. Then and in such case such employee shall be granted long service leave by the Council, calculated in accordance with by-law 6 (a).

(c) An employee who prior to completion of the initial qualifying period of ten (10) years continuous service with the Council, but who has completed a minimum of five (5) years continuous service with the Council and who has reached the retiring age of sixty-five (65) years or is retired on the grounds of ill health or is dismissed through staff retrenchments or being a female retires for the purpose of and actually marries, then and in such case such employee may be granted *pro rata* long service leave by the Council, calculated in accordance with by-law 6 (a).

(d) The Council shall grant a payment in lieu of *pro rata* long service leave to the personal representatives, or if there be none, to the dependants of an employee who dies after completing the initial qualifying period of continuous service with the Council, taking such long service leave and recommencing duty with the Council. Such payment shall be calculated in accordance with by-law 6 (a).

(e) The Council may grant a payment in lieu of *pro rata* long service leave to the personal representatives, or if there be none, to the dependants of an employee who dies prior to completing the initial qualifying period of continuous service with the Council. Such payment shall be calculated in accordance with by-law 6 (a).

7. (a) Long service leave shall be taken at the convenience of the Council, who will, as far as possible, meet with the wishes of the employee, but the Council may require the employee to take the leave by giving not less than thirteen (13) weeks notice.

(b) Long service leave shall be taken by every employee within twelve (12) months of it becoming due, and if not taken, the employee shall not begin to qualify for further long service until the resumption of duty after taking the long service leave already due to him.

(c) Provided that with the express approval of the Council, an employee may be allowed to accumulate long service leave up to, but not exceeding twenty-six (26) weeks.

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

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

9. (a) Nothing in these by-laws contained or implied shall have the effect or be deemed to have the effect of depriving any employee, during any year in which he shall take long service leave of the whole or any part of the annual leave to which he would ordinarily have been entitled in that year nor any

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

10. Long service leave shall be considered as a special period of recuperation after a lengthy term of Service with a view to fitting the employee for a further term of service to the Council and during such leave no employee

shall undertake any form of employment for hire or reward. Any contravention of these by-laws shall entitle the Council to dismiss the employee from its service and to cease paying or to recover any amount paid in advance on account of long service leave.

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Dated this 18th day of December, 1968.

[L.S.]

L. J. BROAD,  
President.  
S. R. HARDWICKE,  
Acting Shire Clerk.

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Recommended—

L. A. LOGAN,  
Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 19th day of February, 1969.

W. S. LONNIE,  
Clerk of the Council.