



Government Gazette

OF

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No. 39]

PERTH: WEDNESDAY, 23rd APRIL

[1969

HEALTH ACT, 1911-1968.

City of Nedlands.

WHEREAS under the provisions of the Health Act, 1911, as amended, a local authority may make or adopt by-laws, or may alter, amend or repeal any by-laws so made or adopted. Now, therefore, the City of Nedlands, being a local authority within the meaning of the Act and having adopted the Model By-Laws described as Series "A" as reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 17th July, 1963, doth hereby resolve and determine that the amendments as published in the *Government Gazette* on the 28th November, 1968, shall also be adopted without modification.

Passed at a meeting of the City of Nedlands held on the 6th day of March, 1969.

J. CHAS. SMITH,
Mayor.

T. C. BROWN,
Town Clerk.

Approved by His Excellency the Governor in Executive Council, this 2nd day of April, 1969.

W. S. LONNIE,
Clerk of the Council.

TRAFFIC ACT, 1919-1968.

Police Department,
Perth, 2nd April, 1969.

Police T 63/3137.

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 hereto.

A. L. M. WEDD,
Acting Commissioner of Police.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Vehicle Standards Regulations, 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. 206 amended. 2. Regulation 206 of the principal regulations is amended—
- (a) by substituting for the subregulation designation, "(4)" in line one of subregulation (1), the subregulation designation, "(3)"; and
- (b) by adding a subregulation as follows:—
- (4) A motor vehicle (other than a motor cycle) and a motor cycle with side car attached, first registered on or after the 1st January, 1970 shall have the lamps required pursuant to subregulations (1) or (2) of this regulation, so fitted that, when the headlamps required by these regulations are lighted, the former lamps will also be lighted or, if alight, remain lighted. .

TRAFFIC ACT, 1919-1968.

Police Department,
Perth, 2nd April, 1969.

Police 65/2066.

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.

A. L. M. WEDD,
Acting 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. 1001 amended. 2. Regulation 1001 of the principal regulations is amended by adding, after subregulation (7), the following subregulation:—
- (8) Notwithstanding the existence of speed zones that permit higher speeds, a person, being obliged by regulations made under the Act to display, on a motor vehicle driven by him, plates, issued by the Commissioner of Police, bearing the letter "P", in red on a white ground, shall not drive any motor vehicle at a speed exceeding 45 miles per hour. .

TRAFFIC ACT, 1919-1968.

Police Department,
Perth, 2nd April, 1969.

Police 64/393.

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.

A. L. M. WEDD,
Acting Commissioner of Police.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Traffic (Drivers' Licenses) Regulations, 1964, published in the *Government Gazette* on the 28th February, 1964 and subsequently amended by notices so published are referred to as the principal regulations.

Reg. 7A added. 2. The principal regulations are amended by adding after regulation 7, a regulation as follows:—

7A. (1) Subject to subregulation (2) of this regulation, a person who has held a driver's license under the Act, for a period of, or for periods amounting in the aggregate to, less than one year shall not, on or after the 1st May, 1969, drive a motor vehicle, unless a plate, issued by the Commissioner of Police, bearing the letter "P", in red on a white ground, is displayed on the front and on the rear of the vehicle, so as to be readily visible, in the one case, from the front and, in the other from the rear.

Penalty: Fifty dollars.

(2) Subregulation (1) of this regulation does not apply to a person—

(a) who, being the holder of a driver's license under the Act, has been authorised, under the law in force in another State or in a Territory of the Commonwealth or in some other country, for a period of, or for periods amounting in the aggregate to, one year or more, to drive a motor vehicle; or

(b) whose only authority to drive a motor vehicle in the State is that conferred by section 35 or 36 of the Act;

but where, on the hearing of a complaint of an offence against subregulation (1) of this regulation, the defendant sets up that he is a person mentioned in this subregulation, the proof of that fact lies upon him.

(3) A person who, not being a person required by this regulation to do so, displays on a motor vehicle driven by him a plate such as is mentioned in subregulation (1) of this regulation commits an offence.

Penalty: Twenty dollars.

(4) The Commissioner of Police shall issue plates such as are mentioned in subregulation (1) of this regulation free of charge.

Reg. 8 remade. 3. Regulation 8 of the principal regulations is revoked and remade as follows:—

8. The several regulations or parts of regulations, designated in the Schedule to these regulations are those prescribed for the purposes of section 25B of the Act.

Schedules substituted. 4. The First and Second Schedule to the principal regulations are deleted and the following schedule is substituted:—

Schedule.	
Road Traffic Code Regulation.	Nature of Offence
502(5)	Overtaking by driving to the right of center of a carriageway when that side is not free from oncoming traffic.
502(6)	Racing with another vehicle.
504	Passing a vehicle travelling in opposite direction, on wrong side.
505(2)	Preventing a vehicle overtaking.
510	Driving on wrong carriageway of a road divided by a median strip.
602	Failing to give way to a vehicle on the right.
603(1)	Failing to give way when turning right across the path of an oncoming vehicle.
1001	Exceeding the speed limit (applicable only where the excess is greater than 15 m.p.h.).

RIGHTS IN WATER AND IRRIGATION ACT, 1914-1964.

Department of Public Works,
Perth, 10th April, 1969.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made pursuant to the provisions of the Rights in Water and Irrigation Act, 1914-1964, by the Minister for Water Supply, Sewerage and Drainage (acting as the Irrigation Board for the Ord Irrigation District) set forth in the schedule hereunder.

J. M. STAPLETON,
Acting Under Secretary for Works.

Schedule.

By-Laws.

- Principal by-laws. 1. In these by-laws the by-laws for the Ord Irrigation District published in the *Government Gazette* on the 18th July, 1963, and thereafter amended by notices so published, are referred to as the principal by-laws.
- By-law 3 amended. 2. By-law 3 of the principal by-laws is amended by adding after the interpretation, "District" in paragraph (a), an interpretation as follows:—
"fauna" means the vertebrate fauna which is wild by nature and is ordinarily to be found in a condition of natural liberty in the whole or a part or parts of the State and which is indigenous or introduced and includes any kind, species, sex and individual member of the fauna and also includes terrestrial or marine mammals, birds and reptiles; .
- By-law 6 amended and heading substituted. 3. The principal by-laws are amended—
(a) by substituting for the heading, "Native Flora." preceding by-law 6, the heading, "Native Flora and Fauna." ;
(b) by adding after the by-law designation "6." the sub-by-law designation, "(1)"; and
(c) by adding to by-law 6, a sub-by-law as follows—
(2) The shooting, trapping or taking of fauna on any land reserved for or vested in the Minister within half-a-mile of any reservoir and within the District, is prohibited. .

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Waroona.

Draft Model By-Laws Relating to Caravan Parks (No. 2).

L.G. 116/69.

PURSUANT to the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of January, 1969, to adopt such of the Draft Model by-laws relating to Caravan Parks (No. 2) as published in the *Government Gazette* of the 28th day of September, 1961, and as amended in the *Government Gazette* of the 16th day of January, 1963 as here set out: Draft Model By-Laws (Caravan Parks) No. 2.—The whole of the by-laws.

Dated the 20th February, 1969.

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

[L.S.]

J. H. ISEPPI,
President.
M. D. GASTON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of April, 1969.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Kalgoorlie.

By-Laws Relating to Fencing.

L.G. 131/69.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Kalgoorlie Shire Council hereby records having resolved on the 17th day of January, 1969 to make and submit for confirmation of the Governor, the following by-laws:—

1. These by-laws are made for the general control of fences within the boundaries of the townsite of the Municipality of the Shire of Kalgoorlie.

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

“Council” means the Council of the Municipality of the Shire of Kalgoorlie;

“Dangerous fence” means any fence or wall certified by the inspector to be dangerous by reason of its faulty design, construction, deterioration of constituent materials, damage by termites, change in ground level, or other cause subsequent to construction;

“Dividing fence” means any fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary;

“Fence” means any fence or wall and includes a retaining wall;

“Residential area” means any area which is set apart in the Shire of Kalgoorlie as a residential site;

“Inspector” means the building Inspector to the Municipality of the Shire of Kalgoorlie, or an officer appointed by the Council.

3. A person shall not commence to erect, proceed with the erection rebuild, reconstruct, or alter any fence pergola or hood attached to any gateway or fence if it is situated within 30 feet of a street alignment and exceeds four feet in height unless and until he had lodged with the Council two copies of the

plan and specification of the proposed fence or the proposed rebuilding, reconstruction, or alteration, and the Council has approved a copy of the plan and specifications.

4. A person shall not commence to erect, proceed with the erection, rebuild, reconstruct, or alter any fence exceeding 6 feet in height on the boundary of an allotment unless and until he has lodged with the Council two copies of the plan and specification of the proposed fence or the proposed rebuilding, reconstruction, or alteration, and the Council has approved a copy of the plan and specifications.

5. A person shall not erect a fence exceeding four feet in height on any frontage of an allotment which is situated at the intersection of two or more streets within a distance of 30 feet from the point of intersection of the lines obtained by producing the streets alignments fronting the allotment provided however that on an allotment being lawfully used for industrial purposes the Council may permit a link mesh fence to be erected to a greater height than four feet if the Council is satisfied that any such fence would not materially affect the visibility of drivers of vehicles approaching the intersection.

6. A person shall not erect or affix or allow to remain on any fence bounding an allotment owned or occupied by him in a residential or business area any barbed or other wire with spiked or jagged projections nor shall any persons erect or affix or allow to remain on any fence bounding an allotment owned or occupied by him in an industrial area any barbed or other wire with spiked or jagged projections unless the wire is carried on posts bent back into the allotment from the boundary at an angle of 45 degrees, nor unless the bottom row of wire is set back 6 inches from the face of the fence and is not nearer than 7 feet to the ground.

7. A person shall not affix to or allow to remain upon any fence on an allotment owned or occupied by him in a residential or business area any broken glass nor shall a person affix to or allow to remain upon any fence which is erected upon an allotment owned or occupied by him and which abuts on to any street or public place any broken glass.

8. A person shall not construct any fence with second hand galvanised iron or other second hand material unless he shall previously have obtained the written consent of the Council which consent the Council may in its absolute discretion refuse to grant upon such terms and conditions as it deems fit.

9. A person shall not construct any fence with any material other than brick, concrete, masonry, wrought iron, tubular steel, link mesh, timber sheathed with pickets, palings, boarding, asbestos or other material approved by the Council.

10. The owner and occupier of each allotment within the Municipality of the Shire of Kalgoorlie shall maintain all fences erected thereon in good condition and so as to prevent them from becoming dilapidated, dangerous, unsightly, or prejudicial to the property in, or the inhabitants of the neighbourhood.

11. A fence constructed in accordance with the specifications set out in the schedule hereto is hereby prescribed to be a sufficient fence for the purposes of the Dividing Fences Act 1961.

12. Any person who does anything in contravention of any of the provisions of this By Law or who fails to carry out any duty or requirement imposed upon him by this By Law commits an offence and shall be liable on conviction to a maximum penalty of \$100 and in addition to a maximum daily penalty of \$10 per day during which the offence continues.

Schedule

Across a frontage and for a distance of 30 feet from the street alignment along a side boundary except in clause 3 hereof a fence shall not exceed 4 feet in height and shall be constituted of the materials permitted by clause 9 hereof. 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 be sunk at least 2 feet into the ground.
 Corner posts shall be strutted two ways with 4 in. x 2 in. soles and 3 in. x 2 in. in struts.
 Intermediate posts shall be double yankee strutted with 6 in. x 1 in. x 18 in. struts.
 Posts shall be checked for not less than 2 rows of nails.
 Rails shall be not less than 3 in. x 2 in. each rail 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. saw pickets or pailings.
 All pickets or pailings shall be placed not more than 3 in. apart and shall be double nailed to each rail.

The Common Seal of the Municipality was hereby affixed this 14th day of March, 1969, in the presence of—

C. P. DAWS, J.P.,
 President.

A. E. RASMUSSEN,
 Shire Clerk.

[L.S.]

Recommended—

L. A. LOGAN,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of April, 1969.

W. S. LONNIE,
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Gnowangerup.

By-law Relating to Sick Leave.

L.G. 114/69.

IN pursuance of the powers conferred on it by the abovementioned Act and of all the powers enabling it, the Council of the above Municipality hereby resolved on the 17th day of December, 1968, to make and submit for confirmation by the Governor the following by-law:—

That the employces of the Gnowangerup Shire Council shall be permitted to accumulate sick leave to a maximum accumulation of six months' sick leave.

Dated this 12th day of February, 1969.

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

[L.S.]

J. V. McDONALD,
 President.

B. F. HARRIS,
 Shire Clerk.

Recommended—

L. A. LOGAN,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of April, 1969.

W. S. LONNIE,
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Canning.

By-laws Relating to Crossing Places.

L.G. 168/69.

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 10th day of February, 1969, to make and submit for confirmation by the Governor the following by-laws:—

1. Unless a standard crossing place exists from the street to the land, the owner (or his representative, agent or contractor) of the said land who makes application for a building licence to erect a new building, a garage or a carport, shall at the time of the issue to him of the building licence, make application to the Council for the construction of a crossing place from the street to the said land, and shall pay to the Council the estimated cost of the crossing place less one-half of the costs, as estimated by the Council, of the construction of a standard crossing place.
2. The Council shall from time to time by resolution determine the specifications of a standard crossing place and estimate the cost of its construction.
3. The Council shall as soon as it is practicable so to do construct the crossing place the subject of the said application.

Dated the 10th day of February, 1969.

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

[L.S.]

N. CLARK,
President.

NOEL DAWKINS,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of April, 1969.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Northampton.

By-laws Relating to Prohibition and Storage of Petrol, Kerosene, Fuel Oil, and other Inflammable Liquids.

L.G. 321/68.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Shire of Northampton hereby records having resolved on the 14th day of February 1969, to make and submit for confirmation by the Governor the following by-law:—

1. A person shall not store petrol, Kerosene, fuel oil, and other inflammable liquids in any quantity exceeding 50 gallons in a surface tank or container except within the area zoned for that purpose.

2. Where prior to the operation of these by-laws a person or firm has operated a site for storage of petrol, kerosene, fuel oil, and other inflammable liquids, and not situated within the area zoned for that purpose, the owner or firm concerned must remove such storage of petrol, kerosene, fuel oil, and other inflammable liquids before the 30th day of September, 1969.

Dated this 14th day of March 1969.
The Common Seal of the Municipality of the
Shire of Northampton was duly affixed
hereto in the presence of—

[L.S.]

ERN E. TEAKLE,
President.
N. CHARLTON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day
of April, 1969.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Northampton.

Draft Model By-laws Relating to Storage of Inflammable Liquids.

L.G. 321/68.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 14th day of February, 1969, to amend the resolution of the Council made on the 10th day of May, 1968, adopting the Draft Model By-laws (Storage of Inflammable Liquid), which adoption was published in the *Government Gazette* of the 24th day of July, 1968, as follows:—

Delete Subsection (4) of By-law 10.

Dated this 14th day of March, 1969.

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

[L.S.]

ERN E. TEAKLE,
President.
N. CHARLTON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by his Excellency the Governor in Executive Council this 2nd
day of April, 1969.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Mundaring.

By-laws for the Management and use of the Mundaring Hall.

L.G. 188/59.

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 twelfth day of December, 1968 to amend and submit for confirmation by the Governor the following by-laws:—

The By-laws published in the *Government Gazette* of the 3rd February, 1939 and amended by notices in the *Government Gazettes* of 7th January, 1949 and 24th September, 1954 and 26th September, 1968 are hereby amended by deleting therefrom the schedule of hire charges and inserting in lieu thereof the following clause:—

Charges to be made for the hire of the Hall shall be as determined from time to time by the Council.

Dated this 13th day of March, 1969.

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

[L.S.]

K. A. PUSTKUCHEN,
President.

T. F. STRIBLING,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of April, 1969.

W. S. LONNIE,
Clerk of the Council.

ERRATUM.

LOCAL GOVERNMENT ACT, 1960-1968.

The Municipality of the Shire of Gingin.

Adoption of Draft Model By-laws (Holiday Cabins and Chalets) No. 18.

L.G. 1036/68.

IN *Government Gazette* (No. 30) of 24th March, 1969, page 993, under the above heading—"Add to by-law 5 (a) (iii) the following proviso:—", should read "Add to by-law 5 (d) (iii) the following proviso:—".

AGRICULTURAL PRODUCTS ACT, 1929-1968.

Department of Agriculture,

South Perth, 2nd April, 1969.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Agricultural Products Act, 1929-1968, has been pleased to make the regulations set forth in the schedule hereunder.

T. C. DUNNE,
Director of Agriculture.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Agricultural Products (Apple and Pear Grading) Regulations, 1968, published in the *Government Gazette* on the 26th February, 1968 and subsequently amended by a notice so published, are referred to as the principal regulations.

Reg. 6A added.

2. The principal regulations are amended by adding after regulation 6, a regulation as follows:—

6A. A person exposing apples or pears of the grade, Cookers, for sale by retail, shall display with the fruit a readily visible sign or label to enable the fruit to be identified by a purchaser as being of that grade.

EDUCATION ACT, 1928-1968.

Education Department,

Perth, 14th April, 1969.

THE Minister for Education, acting pursuant to the provisions of the Education Act, 1928-1968, has been pleased to make the regulations set forth in the Schedule hereunder.

H. W. DETTMAN,
Director-General of Education.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Education Act Regulations, 1960 as reprinted in the *Government Gazette* on the 21st February, 1968 and as subsequently amended by notices published in the *Government Gazette* are referred to as the principal regulations.
- Heading added. (Amendment No. 56.) 2. The principal regulations are amended by adding before regulation 103, the heading "Division 7.—Quarters and Accommodation."
- Reg. 109 amended. (Amendment No. 57.) 3. Regulation 109 of the principal regulations is amended by substituting for the words "but shall not include a" in the last line of subregulation (2), the words "and on any".
- Reg. 132 amended. (Amendment No. 58.) 4. Regulation 132 of the principal regulations is amended by adding after subregulation (1) the following subregulations:—
(1a) Subject to subregulations (1b) and (1c) of this regulation where—
(a) a person is appointed to the Department as a teacher and that person was, prior to his being so appointed, employed in the service of the Commonwealth; and
(b) that employment was continuous with his service as a teacher under these regulations,
that person shall be entitled in addition to any long service leave to which he becomes entitled under any other provisions of these regulations, to long service leave equivalent to the *pro rata* portion of long service leave to which the person would have been entitled up to the date of his appointment to the Department, calculated in accordance with the provisions that applied to his previous employment, but in calculating that period of *pro rata* long service leave, any long service leave taken or any benefit granted in lieu of any such long service leave during that employment shall be deducted from any long service leave to which he may become entitled under these regulations.
(1b) For the purposes of subregulation (1a) of this regulation the previous employment of an officer in the service of the Commonwealth shall be deemed to be continuous with his service as a teacher, if the period between the date when the person ceased that previous employment and the date of his commencing employment as a teacher does not exceed four weeks, or such further period as the Minister determines.
(1c) Nothing in subregulation (1a) of this regulation confers or shall be deemed to confer on any person previously employed by the Commonwealth—
(a) any entitlement to a complete period of long service leave that accrued in his favour to the date on which he commenced employment as a teacher;
(b) the right to proceed on any period of long service leave without the special approval of the Minister, until the officer has served a period of not less than three years continuous service as a teacher.
- Reg. 133 amended. (Amendment No. 59.) 5. Regulation 133 of the principal regulations is amended by revoking subregulation (6).
- Reg. 199 amended. (Amendment No. 60.) 6. Regulation 199 of the principal regulations is amended by substituting for the word "ten" in line two of paragraph (d) of subregulation (1) the word, "twenty-one".