



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 22]

PERTH: WEDNESDAY 31st, MARCH

[1971

HEALTH ACT, 1911-1970.

Shire of Three Springs.

WHEREAS under the provisions of the Health Act, 1911, as amended, 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 in the *Government Gazette* on 17th July, 1963, and further amended, *inter alia* by notices published in the *Government Gazettes* of 20th March, 1964, 8th January, 1965, 14th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969, and 13th August, 1969; and whereas a local authority may adopt such Model By-laws with or without modification: Now, therefore, the Shire of Three Springs, 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 17th July, 1963, doth hereby resolve and determine that the said amendments published in the *Government Gazettes* on 20th March, 1964, 8th January, 1965, 14th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969, and 13th August, 1969, shall be adopted without modification.

Passed at a meeting of the Three Springs Shire Council held on the 9th day of February, 1971.

[L.S.]

P. L. MILLARD,  
President.  
H. WALSTER,  
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## HOSPITALS ACT, 1927-1969.

Cue District Hospital.

Medical Fund—By-laws.

M5529/56.

WHEREAS by section 23 of the Hospitals Act, 1927-1969, a Board may itself establish and manage a Medical Fund, the object of which shall be to secure for its subscribers medical attendance, hospital treatment or other similar benefits, and may, by by-laws, provide for the regulation and control of such fund; and whereas the Board of Management of the Cue district Hospital has established a Medical Fund and has made by-laws for the control and management thereof as published in the *Government Gazette* on the 19th day of July, 1956, and by amendment published in the *Government Gazette* on the 28th day of September, 1930; and whereas the said Board of Management now deems it expedient to amend the by-laws: Now, therefore, the Board of Management of the Cue District Hospital, acting pursuant to section 23 of the Hospitals Act, 1927-1969, doth hereby amend the by-laws for the control and management of its Medical Fund hereinbefore mentioned by incorporating the amendment set forth in the schedule hereunder:—

## Schedule.

The by-laws of the Cue District Hospital and Medical Fund are amended as under:—

By substituting for by-law 6 the following by-law:—

6. The subscription to be paid by subscribers shall be paid monthly or yearly in advance and shall be as follows with effect from 1st January, 1971:—

For a subscriber with no dependents—\$1.00 per month or \$12.00 per annum.

For a subscriber with dependents—\$2.00 per month or \$24.00 per annum.

For a group subscriber—\$72.00 per annum for six or less adult persons employed, including the employer and his dependents; \$144.00 per annum for more than six but less than thirteen adult persons employed including the employer and his dependents; and \$200.00 per annum, when more than twelve adult persons inclusive of the employer and his dependents are required to be covered for benefits.

Benefits shall be paid on joining in advance up to the 30th June next following the date of joining and thereafter at the abovementioned rates yearly or monthly in advance. Benefits shall commence as provided hereunder:—

- (a) For subscribers paying annual subscriptions, from the date of joining.
- (b) For subscribers paying less than the annual subscription, after a period of three months from the date of joining.

Resolved at a meeting of the Board of Management of the Cue District Hospital on the 15th day of September, 1970.

G. HANSEN,  
Chairman.

W. PHILLIPS,  
Secretary.

LOCAL GOVERNMENT ACT, 1960-1970.

Local Government Department,  
Perth, 23rd March, 1971.

L.G. 137/68.

HIS Excellency the Governor in Executive Council acting pursuant to the powers conferred by the Local Government Act, 1960-1970, has been pleased to make the regulations set forth in the schedule hereto.

R. C. PAUST,  
Secretary for Local Government.

Schedule.

Regulations.

- Citation. 1. These regulations may be cited as the Local Government Act (Valuation of Rateable Property) Regulations, 1971.
- Prescribed form for s. 533 (3b). 2. The prescribed form in which a person may apply to the Council under subsection (3b) of section 533 of the Local Government Act, 1960, is the form set out in the Schedule to these regulations.

Schedule.

Local Government Act, 1960.

Section 533(3a) and (3b).

APPLICATION TO HAVE THE PROVISIONS OF SECTION 8B OF THE LAND TAX ASSESSMENT ACT, 1907 APPLIED FOR THE PURPOSES OF THE LOCAL GOVERNMENT ACT, 1960.

I/We ..... of ..... being the owner/occupier of rateable land within the district of the City/Town/Shire of ..... which land does not exceed half an acre in area and has been rezoned for Multi-residential, Professional, Industrial or Commercial use but occupied as a single residence and that land is valued for assessment purposes under the provisions of paragraph (a) and (b) of subsection (2) of section 533 of the Local Government Act, 1960, and has been exempt from taxation under the provisions of paragraph (f) of subsection (1) of section 10 of the Land Tax Assessment Act, 1907, and the provisions of section 8B of that Act could have been applied, hereby make application to have those last mentioned provisions applied for the purposes of the Local Government Act, 1960.

.....  
Owner/Occupier.

Date:.....

PARTICULARS OF LAND.

Street..... Street No. ....  
Location No. .... Lot No. ....  
Assessment No. ....

## LOCAL GOVERNMENT ACT, 1960-1970.

Local Government Department,  
Perth, 23rd March, 1971.

L.G.D. 429/70.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1970, has been pleased to cause the draft model by-law set out in the schedule hereto to be prepared and published.

R. C. PAUST,  
Secretary for Local Government.

## DRAFT MODEL BY-LAW.

1. This by-law may be cited as Local Government Model By-law (Parking of Commercial Vehicles on Street Verges) No. 20.
2. In this by-law, unless the context otherwise requires—
  - “commercial vehicle” means a vehicle designed for or used for commercial purposes, exceeding a load capacity of one ton and a vehicle designed for or used for industrial purposes;
  - “park” means to permit a vehicle, whether attended or not, to remain stationary and “parking” has a correlative meaning;
  - “street verge” means that portion of a street which lies between the portion of a street that is improved, paved, designed, or ordinarily used for vehicular traffic and the nearest street boundary.
3. No person shall—
  - (a) park a commercial vehicle on a street verge for more than four hours consecutively;
  - (b) park a commercial vehicle on a street verge within 20 feet of where that street meets or intersects any other street; or
  - (c) on a street verge repair, service or clean a commercial vehicle.
4. Any person who contravenes or fails to comply with any provisions of this by-law commits an offence and is liable on conviction to a penalty not exceeding one hundred dollars with a daily penalty during the breach of ten dollars per day.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the City of Perth.

By-law No. 63.

By-law relating to Town Planning Classification or Zoning By-law for Land and/or Buildings in the Victoria Park-Carlisle Area being part of the City of Perth Municipal District.

L.G. 607/68.

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 14th day of December, 1970, to make and submit for confirmation by the Governor the following amendment to By-law No. 63:—

That clause 3 be amended by deleting the words “Class B3—Buildings including boarding or lodging houses where sleeping accommodation is provided for six or more persons provided the same are registered under the Health Act and provided that no stoves or other cooking appliances are

installed or used in any room let to a boarder or lodger therein" and substituting therefor the following:—

Class B3—Lodging Houses as defined in the Health Act, 1911-1970.

Dated this 2nd day of February, 1971.

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

[L.S.]

T. E. WARDLE,  
Lord Mayor.

G. O. EDWARDS,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the City of Perth.

By-law No. 64.

By-law relating to Town Planning Classification or Zoning By-law for Land and/or Buildings in the North Perth-Mount Hawthorn-Wembley-Leederville Area being part of the City of Perth Municipal District.

L.G. 606/68.

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 14th day of December, 1970, to make and submit for confirmation by the Governor the following amendment to By-law No. 64:—

That clause 3 be amended by deleting the words "Class B3—Buildings including boarding or lodging houses where sleeping accommodation is provided for six or more persons provided the same are registered under the Health Act and provided that no stoves or other cooking appliances are installed or used in any room let to a boarder or lodger therein" and substituting therefor the following:—

Class B3—Lodging Houses as defined in the Health Act, 1911-1970.

Dated this 2nd day of February, 1971.

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

[L.S.]

T. E. WARDLE,  
Lord Mayor.

G. O. EDWARDS,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the City of Perth.

The Municipality of the City of Perth By-law relating to Town Planning Classifications or Zoning By-law for Land and/or Buildings in the Central Area being part of the City of Perth Municipal District.

By-law No. 65.

L.G. 608/68B.

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 14th day of December, 1970, to make and submit for confirmation by the Governor the following amendment to By-law No. 65:—

That clause 3 be amended by deleting the words "Class B3—Buildings including boarding or lodging houses where sleeping accommodation is provided for six or more persons provided the same are registered under the Health Act and provided that no stoves or other cooking appliances are installed or used in any room let to a boarder or lodger therein" and substituting therefor the following:—

Class B3—Lodging Houses as defined in the Health Act, 1911-1970.

Dated this 2nd day of February, 1971.

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

[L.S.]

T. E. WARDLE,  
Lord Mayor.  
G. O. EDWARDS,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Albany.

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

L.G. 192/69.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the ninth day of November, 1970, to adopt such of the amendment to the draft model by-laws published in the *Government Gazette* No. 13 of the 9th February, 1970, as are here set out. Amendment to Draft Model By-laws (Holiday Cabins and Chalets) No. 18—The whole of the amendment.

Dated the 21st day of January, 1971.

The Common Seal of the Town of Albany was hereunto affixed pursuant to a resolution of the Albany Town Council in the presence of—

[L.S.]

G. J. FORMBY,  
Mayor.  
F. R. BRAND,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 4—Relating to Fencing.

L.G. 587/64.

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 October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned by-law which was published in the *Government Gazette* of the 4th August, 1965:—

In clause 5, line 4, delete the word "build" and insert in lieu the word "built".

In clause 6 delete the whole of the words and insert in lieu "A person shall not erect on any land belonging to him any fence within twenty feet of the corner of any street or way of a greater height than four feet measured from the level of the footpath or roadway immediately adjoining the same."

In clause 8, line 3, delete the word "or" and in line 4 delete the word "refuse".

In the First Schedule in the first line after "(a)" delete the heading "Dividing fence along front and side boundaries" and insert in lieu "Fences along street boundaries and dividing fences along side boundaries."

In the First Schedule, paragraph (a), delete the word "double" where it appears in the last line and in the second last line of paragraph (b) delete the word "double".

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Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.

D. G. HILL,  
Town Clerk.

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Recommended—

C. STUBBS,  
Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

Municipality of the Town of Cottesloe.

By-law No. 20—Caravans.

L.G. 362/58.

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 records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendments

to the abovementioned By-law which was published in the *Government Gazette* of 3rd August, 1951:—

In Clause 8, line 3 delete the amount “£20” and insert in lieu “\$100” and in line 4 delete the amount “£5” and insert in lieu “\$25”.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.  
D. G. HILL,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 21—Streets and Footways.

L.G. 364/58.

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 records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned by-law which was published in the *Government Gazette* of 20th July, 1955, and the amendment which was published in the *Government Gazette* of the 11th August, 1964.

In clause 3, subclause (2), delete the phrase commencing with the word “provided” in line 3 and ending with the word “Council” being the last word in the paragraph.

In clause 5 delete the phrase commencing with the word “between” in line 2 and ending with the word “midnight” being the last word in the clause.

In clause 11, line 2—after the word “motorcycle” insert the words “motor vehicle”.

By adding immediately after clause 13 the following clause:—

14. Any person committing a breach of any of the provisions of this by-law shall on conviction be liable to a penalty not exceeding one hundred dollars.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.  
D. G. HILL,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.



## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 23—Removal of Refuse, etc.

L.G. 98/60.

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 records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned by-law which appeared in the *Government Gazette* (No. 45) of 31st May, 1960:—

In clause 1, line 2—After the word “of” where it appears for the second time insert the words “the Town of”.

In line 2 of clause 4, delete the words “twenty pounds” and insert in lieu “one hundred dollars”.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.

D. G. HILL,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

Adoption of amendments to Draft Model By-laws for regulating the Construction, Establishment, Operation and Maintenance of Motels.

By-law No. 26—Motels.

L.G. 694/60.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality records having resolved on the 28th day of October, 1970, to adopt the amendments to the Draft Model By-law published in the *Government Gazette* of the 13th June, 1962, the 23rd July, 1962, and the 9th August, 1967, as here set out: Local Government Model By-law (Motels) No. 3—The whole of the amendments.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.

D. G. HILL,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 36—Relating to Crossing Places.

L.G. 282/66.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendment to the abovementioned by-law which was published in the *Government Gazette* of the 27th October, 1966:—

In clause 5 delete the words "or the Clerk" which appear in line 2.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,  
Mayor.

D. G. HILL,  
Town Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Augusta-Margaret River.

By-laws relating to Buildings in specified areas within Augusta Townsite.

L.G. 577/61.

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, 1970, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the following words shall have the meaning set against them hereunder respectively:—

"Approved" means approved by the Building Surveyor of the Council of the Shire of Augusta-Margaret River or approved by the Council itself.

"Council" means the Council of the Shire of Augusta-Margaret River.

"Shire" means the Shire of Augusta-Margaret River.

2. No person shall in those portions of the district of the Shire specified in the schedule hereto construct, alter or add to a building unless in the construction, alteration or addition all walls and party walls are constructed of the following materials:—

- (a) Burnt clay brick, or
- (b) Approved building stone, or
- (c) Fabricated steel faced with an approved fireproofed material, or
- (d) Approved cement masonry product, or
- (e) Brick veneer constructed as required by Uniform Building By-law No. 2609, or

- (f) Any approved combination of the materials enumerated above.  
 (g) Any materials permitted by the Council pursuant to the following by-laws.

3. The Council may in any particular case by resolution permit the use of any materials not mentioned in the previous by-law in the construction of walls or party walls of a building within those portions of the district specified in the schedule hereto if in the opinion of the Council such construction would not prejudicially affect the amenity of the neighbourhood.

4. No person shall construct, add or alter an external return wall of a building used or to be used as a shop or factory within the definition of those terms in the Shops and Factories Act, 1963, as amended within the portion of the Shire specified in the schedule hereto unless such external return wall is of a length of not less than 20 feet.

5. Any person who shall commit a breach of any of these by-laws shall be liable to—

- (a) A maximum penalty of \$200.00, and  
 (b) A maximum daily penalty of \$10.00 for each day during which the offence continues.

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Schedule.

Area No. 1:

Being all that land contained in Augusta Townsite Locations W, X, Y and Z.

Area No. 2:

Being all that land fronting Blackwood Avenue, both sides of the street, to a depth of 200 feet or to the full depth of any building lot of lesser measurement, from Eatt Street on the north to Hardy Street on the south.

Area No. 3:

Being all that land contained in Augusta Townsite Location K and L.

Area No. 4:

Being all that land contained in Augusta Townsite Location H, and the land contained from Lot "L" to the southern boundary of Lot H.

Area No. 5:

Being all that area of land bounded by Allnutt Terrace on the west, Ellis Street on the north, Manning Street on the south and Blackwood Avenue on the east, and the land described as Lot 21 and Lot 264 on the north side of Ellis Street.

Area No. 6:

Being all that land contained in Augusta Townsite Location No. 150.

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Dated this 17th day of December, 1970.

The Common Seal of the Shire of Augusta-Margaret River was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

R. E. NIXON, J.P.,  
 President.

J. D. REIDY-CROFTS,  
 Shire Clerk.

Recommended—

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C. STUBBS,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
 Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

Municipality of the Shire of Bassendean.

By-law Relating to Zoning.

L.G. 237/66A.

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 28th day of October, 1970, to make and submit for confirmation by the Governor a by-law to amend the by-laws relating to zoning as follows:—

## Third Schedule—Business Areas:

Add after paragraph (8) a new paragraph as follows:—

- (a) Lot 3 and Lot 4 Morley Drive being portion of Lots 106, 107 and 108.

## Fourth Schedule—Service Station Areas:

Add—

- Lot 5 Morley Drive being portion of Lots 106, 107 and 108.

Dated this 29th day of October, 1970.

[L.S.]

J. G. PATERSON,  
President.

C. McCREED,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Brookton.

Adoption of Draft Model By-laws relating to Caravan Parks and Camping Grounds No. 2.

L.G. 277/63.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 19th day of November, 1970, to revoke the by-law, Caravan Parks No. 2, published in the *Government Gazette* of the 19th day of June, 1963, and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970, as are here set out: Draft Model By-law (Caravan Parks and Camping Grounds) No. 2—The whole of the by-law.

Dated the 19th day of November, 1970.

[L.S.]

C. H. AUSTIN,  
President.

J. W. HUGHES,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

Shire of Canning.

By-laws Amending By-laws Classifying South, Central, North and West Wards.  
L.G. 294/70.

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 7th December, 1970, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Shire of Canning published in the *Government Gazette* on the 13th February, 1957, as amended from time to time thereafter be amended as follows:—

The Tenth Schedule (Showroom Warehouse) is amended by the addition thereto of the following:—

Portion of Canning Location 2 and being Lots 30 and 31 Burton Street and Lots 34 and 35 Albany Highway on Diagram 20129.

The Eleventh Schedule (Special Zones) is amended by deleting therefrom the following:—

Albany Highway and Burton Street—Portion of Canning Location 2 and being Lots 30, 31, 34 and 35 on Diagram 20129. Tennis Courts for private tennis coaching during hours of daylight only.

Dated the 7th day of December, 1970.

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.]

E. CLARK,  
President.  
N. I. DAWKINS,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Kondinin.

Adoption of Draft Model By-laws relating to Caravan Parks and  
Camping Grounds No. 2.

L.G. 173/67.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 19th day of November, 1970, to revoke the by-law, Caravan Parks No. 2, published in the *Government Gazette* of the 15th May, 1967, and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970, as are here set out: Draft Model By-laws (Caravan Parks and Camping Grounds) No. 2—The whole of the by-laws.

Dated the nineteenth day of November, 1970.

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

[L.S.]

H. G. RAE,  
President.  
B. M. BAKER,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Lake Grace.

L.G. 3066/52.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the above mentioned Municipality hereby records having resolved on the 9th day of December, 1970, to revoke the following By-laws.

Revocation of By-laws relating to—

1. The Cattle Trespass Fencing and Impounding Act, 1882, published in the *Government Gazette* on August 1st, 1930 and amendments thereto published in the *Government Gazette* on March 31st, 1939.
2. Discount on Rates By-law published in the *Government Gazette* on October 31st, 1941.
3. Bottles on Roads by-law published in the *Government Gazette* on August 31st, 1951.

Dated this 4th day of February, 1971.

The Common Seal of the Municipality of the  
Shire of Lake Grace was hereunto affixed  
in the presence of—

[L.S.]

O. R. KIRWAN,  
President.L. W. SMITH,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1969-1970.

The Municipality of the Shire of Lake Grace.

Adoption of Caravan Park and Camping Grounds By-law No. 1.

L.G. 134/69.

IN pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the above mentioned Municipality hereby records having resolved on 9th day of December, 1970, to make and submit for confirmation by the Governor the following by-laws.

Shire of Lake Grace.

Caravan Park and Camping Grounds By-law No. 1.

No dog shall be allowed in the Lake Grace Caravan Park unless it is under control of a person and the dog is on a lead.

The following fees shall be levied for the use of the Lake Grace Caravan Park:—

- \$1.50 per day for one to four persons.
- \$10.00 per week for one to four persons.
- 20c per day per extra person.

Hire of electrical extension cords—deposits—  
 50 ft.—\$5.00,  
 40 ft.—\$4.00,  
 30 ft.—\$3.00, and  
 ten cents per day or fifty cents per week.  
 Irons—Deposits \$5.00.

Dated this third day of February, 1971.

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

[L.S.]

O. R. KIRWAN,  
 President.  
 L. W. SMITH,  
 Shire Clerk.

Recommended—

C. STUBBS,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day  
 of March, 1971.

W. S. LONNIE,  
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Lake Grace.

Adoption of Draft Model By-law relating to Caravan Parks  
 and Camping Grounds No.2.

L.G. 134/69.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of November, 1970 to revoke the By-law Caravan Park No. 2 published in the *Government Gazette* of the 10th April, 1969, and adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of 31st August, 1970, as are here set out: Draft Model By-laws (Caravan Parks and Camping Grounds) No. 2—The whole of the By-law.

Dated this third day of February, 1971.

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

[L.S.]

O. R. KIRWAN,  
 President.  
 L. W. SMITH,  
 Shire Clerk.

Recommended—

C. STUBBS,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
 day of March, 1971.

W. S. LONNIE,  
 Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

## The Municipality of the Shire of Lake Grace.

By-law relating to Care, Control and Management of Public Halls within the District.

L.G. 91/71.

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 ninth day of December, 1970, to make and submit for confirmation by the Governor the following by-law:—

## The Municipality of the Shire of Lake Grace.

By-laws for the Control and Management of the Lake Grace, Newdegate, Lake King and Varley Halls, and Supper Rooms and Kitchens.

## Interpretation

1. In these by-laws—

“Council” means the Lake Grace Shire Council.

“the hall” means and includes the Lake Grace, Newdegate, Lake King and Varley Halls, Supper rooms and Kitchens, and any room or corridor, or stairway, or annexe of such halls or kitchens, and the furniture and equipment therein.

“Clerk” means Shire Clerk, Acting Shire Clerk, or other authorised officer of the Council.

“Committee” means the Management Committees of the Newdegate, Lake King and Varley Halls.

## Application for Hire.

2. Application for the hire of the hall or any portion thereof, shall be made to the Clerk or the Secretary of the Committee not less than 24 hours before the hour at which hiring is desired, and shall state the purpose for which hiring is desired.

3. The name and place of abode of the actual and responsible person or persons hiring the hall, or any portion thereof, shall be given in the application for hiring.

4. The Council reserves and reserve to the Committees the right to refuse to let the hall, any portion thereof, to any applicant for the hiring of the same without assigning any reason for such refusal and may at any time cancel any agreement made for the hiring of the hall, or any portion thereof.

5. In the event of two or more applications being made for the hire of the hall, or any portion thereof, for the same date and hour, the Council or the Committee may without considering priority of application determine to which applicant hire shall be granted.

6. Nothing in these by-laws shall be construed to prevent the long term leasing of the Hall, or any portion thereof, if the Council or Committee so deems expedient on whatever terms the Council or Committee decides.

## Fees and Deposits.

7. Hiring of the hall, supper room portion thereof, or tables, trestles and chairs, shall be at the rates set out in the schedule hereunder except that the Council may resolve to grant use of the hall, or the supper room portion thereof to an organisation free of charge—

(i) on application, for a specific occasion, or

(ii) in circumstances which meet policy requirements as may be set down, by resolution, by the Council.

8. Deposits of ten dollars (\$10.00) shall be paid when a booking is made for tables and chairs if they are to be moved from a hall. The hirer of the Hall or portion used, shall leave in a clean and tidy condition and also all bottles must be removed from the site of the hall, otherwise an extra cleaning charge shall be made as assessed by the Council or the Committee.

9. The Council or the Committee may at any time demand that the hirer shall prior to the term of engagement, deposit an amount estimated to cover any damage that might occur during the term of engagement.



10. In the event of the hiring being cancelled, the hiring fee or deposit may be forfeited at the discretion of the Council or the Committee; and deposit or such portion of any deposit as is not forfeited under this by-law shall be repaid by the Council or the Committee to the hirer.

#### Terms and Conditions.

11. The hirer of the hall, or any portion thereof, shall maintain and keep good order and decent behaviour therein, and shall be solely and entirely responsible for the carrying out of these by-laws, and for any damage done to the hall, fixtures or fittings, and shall pay damages as shall be assessed by the Council or the Committee. Any article of cutlery or crockery ware not accounted for or in broken or cracked condition shall be paid for at current rates of prices.

12. The hirer of the hall, or any portion thereof, shall comply with the provisions of the Health Act or any Act or regulations in force for the time being and applicable to the hiring and use of the buildings. If in the opinion of the Council or the Committee all necessary actions have not been taken to comply with the said Act, or any Acts in force, the Council or the Committee may at any time prior to or during the term of engagement, forbid and prevent the use of the hall or portion thereof. The hirer must accept full responsibility in the event of any dispute arising in connection with the provisions or necessities of this by-law or the non-compliance therewith.

13. In the event of the use of the hall or any portion thereof being forbidden or prevented under the last preceding by-law the hirer shall forfeit the full amount of the hire charge and the Council or the Committee shall not be responsible to the hirer for any loss or damage sustained.

14. No spirituous liquors, wines, ales or spirits shall be brought into or consumed in the hall except when permitted by the Council or the Committee in writing and then only in the terms of the permit.

15. The driving of nails, tacks or screws into any of the woodwork or walls of the hall is strictly forbidden. No internal or external decorations are permitted to be erected without special permission in writing from the Council.

16. No offensive impersonations, or representations of living persons, or anything calculated to produce a disturbance, riot or breach of peace, shall be permitted in the hall.

#### General Behaviour and Conduct.

17. No smoking of tobacco, cigarettes or cigars or other matter shall be permitted within the building, except by permission from the hirer, the Council or the Committee.

18. No person shall, in any part of the hall—

- (a) enter or be allowed to enter whilst intoxicated;
- (b) use profane or improper language;
- (c) be guilty of any misbehaviour whatsoever;
- (d) damage, mark, or deface any wall or other part of the buildings; (any person who does, permits or suffers any such damage shall be liable to pay the cost of all such damages in addition to any penalty imposed by these by-laws);
- (e) Stand, loiter, or cause any obstruction whatsoever in the entrance halls, exits, or passageways. (Any person doing so shall immediately desist, on being requested to do so, by the Clerk, Police Officer, whether in uniform or otherwise, or the Chairman or the Committee).

#### Enforcement and Penalties.

19. The Clerk, Police Officer or the Chairman of the Committee shall be permitted free ingress to the hall or any part thereof, and every facility shall be given them for enforcing these by-laws.

20. Every person who does, permits, or suffers any Act, matter, or thing contrary to any of these by-laws or commits or permits any breach or neglect thereof, shall be liable to a penalty not exceeding \$100 for every such offence.

21. The by-laws of the Lake Grace Roads Board for the management and use of the Agricultural Hall and other building under the control of the Board published in the *Government Gazette* on the 3rd June, 1927, are hereby revoked.

Schedule of Charges.

Hire of Main Hall (with supper room and kitchen).

	10 a.m. to 6 p.m.	6 p.m. to 2 a.m.
	\$	\$
Dances, Socials, Weddings, Private Parties, Travelling Shows	8.00	11.00
Bazaars, fairs, flower shows	6.00	8.00
Local concerts and plays	6.00	6.00
Rehearsals	1.00	1.00
Meetings, other than charitable organisations	1.50	2.50
Meetings, charitable organisations	Nil	Nil
Lectures, film shows, meetings—where there is a charge for admission	8.00	11.00
Where there is no charge for admission	6.00	6.00
Indoor sports	2.00	2.00
Tables and trestles—50c per table and legs, when hired away from hall.		
Chairs—50c per 10 or part thereof, when hired away from hall.		
Extra charge where liquor is to be consumed in the main hall—\$4.00.		
No reduction of main hall hire will be made on the grounds that the supper room and/or kitchen will not be used, or that the full time will not be used.		

For Hire of Supper Room and Kitchen only.

	\$	\$
Dances, Socials, Weddings, Private Parties, Travelling Shows	3.00	4.00
Meetings other than charitable organisations	1.00	1.00
Meetings of charitable organisations	Nil	Nil
Indoor sports	2.00	2.00
Extra charge where liquor is to be consumed in the Supper Room, but not in the Main Hall—\$2.00.		

No reduction of supper room hire will be made on the grounds that the kitchen will not be used or that the full time limit will not be used.

The buildings are not available for hire after 2 p.m.

Hiring for picture rights or dancing classes shall be the subject of a written application to the Council, which will decide the rates to be charged.

Dated this 11th day of February, 1971.

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

[L.S.]

O. R. KIRWAN,  
President.  
L. W. SMITH,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Menzies.

By-laws Relating to Long Service Leave.

L.G. 123/70.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the above Municipality hereby records having resolved on the 18th day of December, 1970, 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 Menzies 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 employ of the Council.
- (c) "Continuous Service" means service on an uninterrupted basis and does not include—
  - (i) any period during which the employee is absent without leave;
  - (ii) absence of the employee on approved leave without pay for an aggregate period exceeding two weeks in any qualifying period unless otherwise directed by the Council.

2. All present and future employees of the Council shall, after each period of 10 years continuous service commencing as from the 1st day of January, 1950 be entitled to thirteen (13) week's long service leave, and the employee shall be entitled to full pay for the said 13 weeks.

3. Long Service Leave shall be taken at the convenience of the Council who will so far as possible meet with the wishes of the employee but the Council may require an employee to take leave by giving not less than three month's notice.

4. Absence on account of sickness shall not be deemed to be a break in continuity of service, providing the period of absence shall not exceed three months in any year, unless otherwise decided by the Council.

5. Employees due to take their Long Service Leave shall be paid their salary or wage for the period thereof at the ordinary rate of pay in the week immediately preceding the taking of the leave. The Council at its discretion may either pay to an employee his wages or salary periodically during long service leave or pay to the employee in advance the sum representing the amount of his wage or salary for the period of his long service leave.

6. An employee who dies or retires at or over the age of sixty years or who irrespective of age is retired by reason of incapacity due to infirmity, illness, accident or other physical or mental defects and who has served in the Council's employ continuously for at least three years immediately prior to such retirement shall be entitled to payment in respect of Long Service Leave accrued *pro rata* to the date of such retirement.

7. In the event of death of an employee who has become due for Long Service Leave in accordance with (2) or (6) above, but who has not taken his long service leave, the Council shall pay to the employee's personal representatives, or if there be none, to his dependants, a sum of money equal to his wages or salary for the period of long service leave to which he is entitled at the date of his death.

8. Long Service Leave shall be considered as a special period of recuperation after a lengthy term of service with a view to fitting the employee for a further term, and during such leave no employee shall undertake any form of employment for hire or reward, unless by special permission of the Council.

Any contravention of this By-law shall entitle the Council to dismiss the employee from its service, and to cease paying or recover any amounts paid in advance on account of long service leave.

Dated the 18th day of December, 1970.  
The Common Seal of the Shire of Menzies was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

S. J. TONKIN,  
President.  
P. D. MacLEAN,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Mt. Marshall.

Adoption of Draft Model By-law relating to Caravan Parks  
and Camping Grounds No. 2.

L.G. 780/65.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the twentieth day of October, 1970 to revoke the By-law, Caravan Parks No. 2, published in the *Government Gazette* of the twentieth of January, 1966 and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970, as are here set out: Draft Model By-law (Caravan Parks and Camping Grounds) No. 2—The whole of the By-law.

Dated the 24th day of December, 1970.

[L.S.]

B. M. GILLETT,  
President.  
C. G. ELLIS,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Murray.

Adoption of Draft Model By-laws relating to Caravan Parks  
and Camping Grounds No. 2.

L.G. 88/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 17th day of September, 1970, to revoke the By-law, Caravan

Parks No. 2, published in the *Government Gazette* of the 28th day of March, 1962, and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970, as are here set out:—Draft Model By-laws (Caravan Parks and Camping Grounds) No. 2—The whole of the By-laws.

Dated the 9th day of February, 1971.

The Common Seal of the Shire of Murray was hereunto affixed in the Presence of—

[L.S.]

H. W. NANCARROW,  
President.  
J. W. SIBBALD,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Northampton.

Adoption of Draft Model By-laws Relating to Holiday Cabins and Chalets No. 18.

L.G. 1044/68.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the above mentioned Municipality hereby records having resolved on the 18th day of December, 1970, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 9th February 1970, as are here set out: The Local Government Model By-laws (Holiday Cabins and Chalets) No. 18—The whole of the by-law amendment.

Dated this 22nd day of January, 1971.

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.  
R. CHARLTON,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by his Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Nungarin.

## General By-laws.

L.G. 3251/52.

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 October, 1970, to repeal General By-laws as published in the *Government Gazette* on the 17th August, 1960, and to make and submit for confirmation by the Governor the following by-laws in lieu thereof.

## By-laws.

## Meetings and Procedures.

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

- (a) "Act" means the Local Government Act, 1960-1970;
- (b) "Council" means the Nungarin Shire Council;
- (c) "President" means the chief elective executive officer of the Council;
- (d) "A member of the Council" is a person elected as a Councillor;
- (e) "Clerk" means the Shire Clerk of the Council.

2. Seven (7) days' notice in writing shall be given by the President, or Clerk acting on the President's behalf, of ordinary meetings, and also of every meeting adjourned for a term exceeding six (6) days.

3. Meetings of the Council shall be of two kinds, "ordinary" and "special". Ordinary meetings are those held regularly in pursuance of these by-laws for the transaction of the general business of the Council, including adjourned meetings, at which incompleated business shall be completed, together with other business considered necessary.

4. Special meetings of the Council are those called for specific purposes under section 172 of the Act, and the notices for such special meetings shall have such special business specified therein, and nothing shall be discussed at any special meeting other than the special business specified on the notice of the meeting.

5. The electors' meeting shall consist of one called under section 171 of the Act, and the Standing Orders so far as the Act allows shall apply to the proceedings, but the provisions of the Act shall be first observed.

6. Ordinary meetings shall be held at the offices of the Council, or at some other convenient place, at 1.30 p.m. on the third Wednesday of each month or on such a day or at such a time as may be appointed from time to time by the resolution of the Council, passed at the previous ordinary meeting of the Council.

7. No business shall be transacted at any ordinary meeting or special meeting unless a quorum, as specified by the Act, shall be present.

8. At all meetings of the Council when there is not a quorum present, such circumstance, together with the names of the members then present, shall be recorded in the minute book.

9. The minute book, prescribed by the Act, shall be kept, in which any item of business transacted by the Council at meetings shall be entered by the Clerk; provided that pasting or permanently affixing the minutes of the meeting of the Council to the leaves of the book shall be equivalent to entry therein. Minutes of both special and ordinary meetings shall be confirmed at the next ordinary meeting of the Council.

10. Each member (including the President) shall have one vote, and in the case of an equality of votes, the question shall pass in the negative.

11. No resolution of any meeting of the Council shall be revoked, rescinded or altered except in the manner provided by section 177 of the Act.

12. The Common Seal of the Council shall be kept in the Council's safe. It shall not be used except by Council resolution.

Standing Orders.

13. The order of business at all ordinary meetings of the Council shall be as follows:—

- (a) Reading of minutes of the last ordinary meeting, also any special meetings, and confirmation thereof; but the minutes may be taken as read, if circulated to members at least three days before the meeting.  
No discussion shall take place upon the minutes of the proceedings, except as to their accuracy or for the rectification of a clerical error.
- (b) Consideration of business arising out of the minutes. The Clerk will briefly describe action taken on each resolution or direction. Questions may be asked by members on the progress of such matters.
- (c) Reports—
  - (1) President: The President shall have the right of directing attention at any meeting to any matter or subject within the jurisdiction or official cognisance of the Council. He shall also report to the Council on any functions he has attended as a representative of the Council.
  - (2) Finance Committee: Recommending payments, adopting financial statements, considering all matters pertaining to rates, and any comment considered necessary on the overall financial position of the Council.
  - (3) Engineer: On all works carried out during the previous month, works programme for the future month, and other matters requested by the Council.
  - (4) Clerk: On all matters which his duties require him to bring before the Council, not mentioned in correspondence, matters of information which require Council attention, and other matters requested by the Council.
  - (5) Health Inspector: On all matters relevant to Health.
  - (6) Traffic Inspector: On all matters relevant to Traffic.
  - (7) Building Surveyor: On all matters relevant to Building.
  - (8) Other Committees: As required by the Council.
- (d) Questions on which notice of motion has been given in accordance with the Act.
- (e) Business arising from general correspondence.
- (f) Business arising from Health correspondence.
- (g) Vermin and Noxious Weeds: Including all matters pertaining to the administration of the Vermin and Noxious Weeds Acts.
- (h) Business arising from Tabled correspondence.
- (i) General Business.

14. Deputations: For a deputation to be received at a Council meeting seven (7) days' prior notice must be given. In an emergency, the President may ask the Council to receive a deputation immediately, and the Council will, by resolution, agree or disagree.

- (a) Deputations will be under the control of the President and shall speak only on the subject matter upon which the Council agreed to receive such deputation. Council members may ask questions, but no discussion involving Council policy will take place in the presence of the deputation.
- (b) Upon the deputation retiring, the Council will proceed immediately to discuss the matter presented, and instruct the Clerk as to what Council decision is to be forwarded to the deputation.

15. All correspondence to the Council shall be addressed to the Clerk and submitted to the Council. No letter addressed to the Council shall be presented or read by a member.

16. Committees:—
- (a) If, in a report of a committee, distinct recommendations are made, the decision of the Council may be taken separately on each recommendation.
  - (b) Any report of a committee or any portion of such report may be amended by the Council in any manner it may think fit, or may be referred back to the committee for further consideration.
  - (c) The recommendation of any committee, when adopted by the Council shall become a resolution of the Council.
17. When the President rises in his place during the progress of a debate, any member then speaking or offering to speak, shall immediately resume his seat and every member shall preserve strict silence so that the President may be heard without interruption, but the member who was speaking may resume when the President takes his seat.
18. A member, when speaking, shall not digress from the subject of debate.
19. In the absence of any member who has placed a notice of motion on the business paper for the meeting, any other member may, at such meeting move the same, or such motion may be deferred until the next ordinary meeting of the Council.
20. No motion shall be discussed unless or until it has been seconded.
21. When a motion has been proposed and seconded, it shall become subject to the control of the Council, and shall not be withdrawn without the consent of the Council.
22. When a motion has been proposed and seconded, any member shall be at liberty to move an amendment thereon, but no such amendment shall be debated unless or until it has been seconded. After an amendment has been moved and seconded, any member desirous of moving a further amendment may give notice of his intention so to do, and may briefly state his proposed amendment and the effect thereof.
23. No motion or amendment shall be debated unless or until it has been reduced to writing, if the President so directs.
24. In submitting a motion or amendment the President shall put the question first in the affirmative and then in the negative.
25. If the amendment has been carried, the question as amended shall itself become the question before the Council, whereupon any further amendment upon such question may be moved.
26. If an amendment, whether upon an original question or amended as aforesaid, has been negatived, then a further amendment may be moved to the question to which such firstmentioned amendment was moved, and so on until there are no further amendments, and the question is then decided by the final vote in the affirmative or in the negative; provided that no more than one motion and one proposed amendment thereof shall be before the Council at any one time.
27. No discussion shall be permitted upon any motion for the adjournment of the Council. If, upon the question being put on any such motion, the same is negatived, the subject then under consideration or the next on the business paper shall be discussed and it shall not be competent for any member to again move for an adjournment until half an hour has elapsed from the time of moving the one that has been negatived.
28. On resuming any discussion that has been adjourned, the mover of such adjournment shall be entitled, if he has not already spoken on the subject under discussion, to speak first.
29. Every such question shall be put categorically and without argument.
30. No discussion shall be permitted respecting any reply or refusal to reply to any question.



31. Members shall on all occasions, when at a meeting, address the President and Clerk and members by their official designation such as President or Clerk or Councillor, as the case may be.

32. The mover of an original motion shall have the right of general reply to all observations which has been made in reference to such motion or to any amendment moved thereon, as well as the right to speak upon every such amendment.

33. Upon a vote being taken, all members present within the Council room, unless disqualified from voting, shall upon the question being put, record their respective votes in the affirmative or negative, as each shall deem desirable. Where a member discloses an interest in a matter, in accordance with the Act, the Clerk shall record particulars of the disclosures made.

34. (a) All questions shall, if not otherwise decided by law, be determined thus: Upon a question being put, those in favour shall say "aye" and those against "No" and the President shall declare whether the "Ayes" or "Noes" have determined the question; or, if the President prefers, he may call for a show of hands for and against the question. The decision of the President shall be final and conclusive unless such decision be immediately challenged by a member who may call for a division.

(b) Where there is only one dissentient, he may request that his name be recorded in the minutes as opposed to the motion, and it shall be so recorded.

35. Upon a division being called for, the question shall be put in the affirmative first and then in the negative, and the President and all members present shall vote by a show of hands, and the names and the votes of the President and members present shall be recorded in the minutes by the Clerk.

36. The President shall be at liberty to put any question as often as may be necessary, to enable him to form his opinion as to the result of voting, and declare the same.

#### Damage to Council Property.

37. No person shall place any placard or other document on, write or print on, or otherwise deface any house or building abutting or contiguous to a public road or on any wall, fence, gate or lamp post, without the consent of the owner or occupier thereof.

38. No person shall make or leave a fire near any road or track or reserve under the jurisdiction of the Council, without taking proper precaution against such fire spreading.

39. No person shall set fire to any standing tree upon or near any road or track, without the permission of the Council.

40. No person shall light a fire, or place any rushes, bushes or other inflammable substance, under, near, or against any bridge or culvert in the district.

41. No person, without having first obtained the permission of the Council, shall break up, cut down, damage or destroy or injure any footpath, gutter, drain, culvert, bridge, road, public way, tree, plant, gate, fence, post, lantern, lamp post, implement, material, building or other property under the control of or owned by the Council.

42. No person shall carelessly, wilfully or wantonly, injure, destroy, carry away, or remove from its place any tree, shrub, or plant, standing in any of the roads, enclosures, public places, of or belonging to, or under the control of the Council, or shall carelessly, wilfully, or wantonly, injure, destroy, carry away or remove out of its place, or ride or drive against any of the tree-guards, fences, or other protection to any such trees, shrubs or plants as aforesaid.

#### De-pasturing of Cattle, etc.

43. No person shall turn loose or suffer any kind of animal belonging to him or under his control, to stray or go about or to be tethered or de-pastured in or upon any road, recreation ground or reserve.

44. Any person owning or in control of any animal found wandering at large on any road, recreation ground or reserve, shall, upon the direction of any Council officer, remove such animal immediately.

Sand, Timber and Gravel etc.

45. No person shall remove any timber, sand, gravel, soil or other material from any land belonging to or in charge of or under the control of the Council, without the written permission of the Council; any person contravening this by-law shall, upon conviction, be also liable to pay the Council the value of the materials removed.

Blasting.

46. No person shall blast any rock, stone or timber, or use explosives for other purposes, in or near any roadway, street, or townsite without obtaining the permission of the Council, and attending to such directions in regard thereto, given in conjunction with such permission, or subsequently given by the Clerk.

Fencing.

47. The Council may require the owner of land within any townsite or prescribed area within the district, to fence the boundary thereof, abutting on any road, right-of-way, or footpath. No fence containing bush posts, barbed wire, or fowl netting will be permitted.

48. The Council may require the owner of land within any townsite or prescribed area within the district, to carry out repairs as prescribed, on any fence abutting on any road, right-of-way or footpath.

Removal of Encroachments, Obstructions and Undergrowth.

49. The Council may direct the removal, within thirty-five (35) days, of any building, fence, or other obstruction or encroachment in or upon any street, road, lane or public place under the control of the Council. In any case of failure to comply with such direction, it shall be lawful for an officer appointed by the Council to remove same at the cost of the person so offending, and to proceed against the offender for a breach of this by-law.

Street Stalls, Collections etc.

50. No person or body of persons shall conduct a street stall, collection, sale or exhibition, without the permission of the Council.

51. Applications must be lodged in writing in time to be considered by the Council.

Appointment of Employees.

52. The Clerk of the Council is hereby authorised, acting for and on behalf of the Council, to employ any casual or weekly servant required by the Council, in connection with any works, but shall report the fact of the employment of any such servant to the Council at its meeting next following such employment and the Council shall be deemed to have ratified the employment of any such servant, and such employment may be continued unless at such meeting the Council by resolution directs that the employment of the servant shall be discontinued.

53. The Authority given by this by-law shall be supplementary to and shall not derogate from the power of the President of the Council under section 186 of the Local Government Act, 1960-1970.

Management and Use of Reserves.

54. These by-laws shall apply to all public reserves, parklands, gardens and recreation grounds under the management or control of the Council and hereinafter called the reserves.

55. Under such conditions and stipulations as shall be determined by the Council, and upon payment of such fees as determined by the Council from time to time, the Council may grant to any responsible person, or association of persons, the exclusive right to use and occupy any reserve or portion of a reserve for the purpose of conducting thereon any games, sports, racing,

trotting, amusements or entertainments but the public shall have the right to enter upon such reserve or portion thereof on payment to the person or association of persons so using and occupying as aforesaid such sum as such person or association of persons shall have determined to be payable for admission to such reserve or portion thereof.

56. No person except the officers or servants of the Council acting in the discharge of their duty, or unless authorised by the person or association of persons to whom an exclusive right has been granted under clause (55) of these by-laws, shall enter a reserve on such days as may be set apart for games, sports, racing, trotting, amusements or entertainments, except through the proper entrance for such purpose and upon payment of the fee chargeable for admission at the time, but on such days as are not set apart as aforesaid, the reserves shall be open to the public free of charge.

57. No person shall bring or take any horse on to the reserves for the purpose of training or exercising such horse without having first obtained from the Council a training or exercising permit nor train or exercise such horse contrary to any restrictions, conditions, or stipulation that such permit may impose upon the holder thereof.

58. No person shall damage or interfere with any property placed or used in or belonging to the reserves, nor break, pull up, damage or injure any tree, shrub or plant, nor commit any nuisance in any reserve, nor stand on or climb or jump over the seats, trees, or fences, or leave in any reserve any bottles, paper, cast-off clothing or any litter or rubbish of any kind.

59. No person, unless authorised by the Council, shall bring into any reserve any horse, cow or other animal, or pasture stock therein.

60. No person shall camp, lodge or tarry overnight or frequent for the purpose of camping or lodging on any reserve, unless authorised by the Council.

61. No person shall drive any vehicle in or through any reserve except on such portions as are reserved or set apart for such purpose and then at a speed not exceeding five miles per hour.

62. No person shall light any fire within a reserve without the written consent of the Council, except in a fireplace or stove provided within a building for the purpose.

63. The Council may, upon application, grant to any sporting club or other responsible association of persons, a permit authorising the serving and consumption of intoxicating liquor at any properly organised social gathering under the control of such club or association, subject to such conditions and restrictions as the Council may see fit to impose on payment of a fee of \$2.

64. Any person found in a state of intoxication in a reserve or behaving in a disorderly manner, or creating or taking part in any disturbance or using any profane, indecent or obscene language or committing any act of indecency or misconducting himself or committing any breach of these by-laws therein may be removed forthwith from the reserve by any officer, servant or member of the Council or any member of the committee of any club or association or other authorised body having the right to use and occupy the reserve at the time, or by any member of the Police Force, without affecting such person's liability to prosecution for an offence against these by-laws.

65. Any person who obtains keys to unlock any locked building on reserves shall sign for such keys and return same to the Council Office as soon as possible

#### Damage or Injury to Roads by Sand Drift.

66. Whenever it appears to the Council that sand or soil is drifting or is likely to drift from lands adjacent to a road so as to damage or injure the road the Council may serve notice requiring the owner or occupier of the said land to refrain from ploughing or otherwise disturbing the surface of the said land within a distance of ten chains from the boundary of the land nearest to the road or to do or refrain from doing any act, whereby the Council considers sand drift from such land on to a road will be prevented.

67. Any notice under this by-law may be served (a) by delivering it to the person upon whom same is to be served personally; or (b) by forwarding it by post in a prepaid letter addressed to him at his last known place of abode or business.

#### Hawking.

68. In these by-laws—

“Council” means the Nungarin Shire Council.

“District” means the Shire of Nungarin.

“Hawker” means a person as defined in section 217 (1) of the Local Government Act, 1960-1970.

“Licensee” means a person to whom a license is granted under these by-laws.

“License” means a hawker’s license issued pursuant to these by-laws; and

“Clerk” means the Shire Clerk of the Council or the person acting for the time being in that capacity.

69. No person shall hawk any goods, wares or merchandise within the district unless he holds a current license.

70. Subject to these by-laws, the Council may issue licenses, and may, at its discretion issue a license for a period less than one year but not less than one month.

71. (1) A license shall be in the form set out in Schedule “A” to these by-laws and the license fees shall be the fees set out in Schedule “B” to these by-laws and such fees shall be paid by the licensee to the Council forthwith upon the issue to him of the license.

(2) No license shall be transferrable.

(3) A license shall be valid for the hawking of goods, wares or merchandise therein described only, and in the case of a license limited to a part of the district shall be valid for that part of the district only.

72. (1) A person requiring to obtain a license shall make application therefor to the Council.

(2) An application for a license shall be made in writing and shall specify—

- (a) the kind of goods, wares or merchandise which the applicant requires to hawk;
- (b) the type of vehicle, conveyance or means of carriage to be employed in hawking;
- (c) the period for which the license is required; and
- (d) if the license requires to be limited to a part of a district, the part of the district to which it is to be limited.

73. (1) The Council shall refuse to issue a license if the aggregate number of licenses authorised by these by-laws has already been issued and shall refuse to issue a license for the hawking of any class of goods if the aggregate number of licenses authorised by these by-laws for that class of goods has already been issued.

(2) The Council may refuse to issue a license or may cancel a license in the event that the applicant or licensee (as the case may be)—

- (a) is an undischarged bankrupt or becomes bankrupt;
- (b) has been convicted or is convicted of an indictable offence;
- (c) has been twice convicted during the preceding five years or is twice convicted in the space of five years of an offence against the by-laws of any local authority relating to hawkers;
- (d) is unable to produce a certificate of his good character signed by two Justices of the Peace; or
- (e) does not conform with the requirements of the Health Act, 1911, or the Model By-laws made under that Act.

(3) Upon the cancellation of a license the holder thereof shall forthwith return the license to the Clerk, and shall forfeit all fees paid in respect of the license.

74. (1) The Council shall issue to every licensee a badge in the form set out in Schedule "C" to these by-laws and the licensee shall pay for such badge a fee of fifty cents.

(2) A licensee shall display his badge while hawking.

(3) No person shall display a hawker's badge unless he is the holder of a current license.

(4) Upon cancellation of a license the holder shall forthwith return his badge to the Clerk and shall forfeit the fee paid in respect thereof.

75. (1) The Council shall not in any financial year concurrently issue more than 4 licenses.

(2) The Council shall issue licenses in the order of priority of application and in case of apparent equality of priority of any applicants shall determine which application shall have greater priority.

76. A hawker while hawking shall—

- (a) carry with him his license and shall produce the same to any officer of the Council or to a Police Officer on demand;
- (b) have his name and the words "Licensed Hawker" legibly and conspicuously displayed on his vehicle, barrow, bag or tray; and
- (c) when selling goods, wares or merchandise by weight, carry and use for that purpose tested and certified scales.

77. No hawker shall—

- (a) hawk in the following streets, roads or areas:—  
Railway Avenue;
- (b) hawk between the hours of sunset and the next sunrise or on any Sunday, or on Christmas Day or Good Friday, without the consent of the Council.
- (c) loiter within a distance of two hundred yards of any shop or permanent place of business which has for sale any goods, wares or merchandise of the kind being hawked by the hawker.
- (d) call his wares or make or cause to be made any outcry, noise or disturbance likely to be a nuisance or annoyance to any person in that vicinity.
- (e) remain stationary in any street or public place for any period longer than shall be necessary for the purpose of serving or treating with any customer or intending customer then offering to buy or treat.

78. Any person committing a breach of these by-laws shall be liable to a penalty not exceeding forty dollars.

Schedule "A".

Shire of Nungarin.

HAWKERS LICENSE.

No.....

..... of ..... is hereby licensed to hawk ..... by the means described in his application dated the ..... within the Shire of Nungarin or the following portion of the Shire of Nungarin ..... during the month of ..... 19....., the year ending on the ..... day of ..... subject to the by-laws relating to hawkers from time to time in force in the said District.

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

.....  
Shire Clerk

## Schedule "B".

## FEES FOR HAWKERS LICENSES.

	In Townsite.		Outside Townsite.	
	Half-Yearly	Yearly	Half-Yearly	Yearly
	\$	\$	\$	\$
For each Class of License	3.00	5.00	2.00	3.00

## Schedule "C".

Shire of Nungarin.

## HAWKER'S BADGE.

No.....  
 Issued To.....  
 Year of Issue.....19.....

.....  
Shire Clerk

## Long Service Leave.

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

- (a) "Council" means the Nungarin Shire Council.  
 (b) "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 10 days without leave of absence being granted by the Council.

80. All employees of the Council, shall, after each period of 10 years continuous service as permanent full-time employees thereof, commencing from the 30th day of June, 1948, be entitled to three months' long service leave. Long service leave is to be taken at the convenience of the Council, which will, as far as possible, meet with the wishes of the employee, but the Council may require the employee to take his leave by giving not less than three months notice.

81. Absence on account of sickness shall not be deemed to be a break in continuity of service, providing the period of absence shall not be longer than three months in any year, unless otherwise decided by the Council.

82. (a) Employees due to take long service leave shall be paid their salary or wage for the period thereof at the rate equivalent to the salary or wage paid in the week immediately preceding the taking of long service leave.

- (b) The Council may, at its discretion, either—  
 (i) pay to an employee his salary or wages periodically during long service leave, or  
 (ii) pay to an employee in advance the sum representing the amount of his salary or wages for the period of his long service leave.

83. Employees shall not be entitled to long service leave until the completion of 10 years' service. After the completion of the first 10 years, employees will be entitled to a *pro rata* payment if they leave the service of the Council before the next period is completed.

84. In the event of resignation, retirement or death of an employee, the Council may pay to such employee (or in the case of death, to his personal representative, or if there be none, to his dependant) a sum of money equal to his salary or wages for the period of long service leave which the Council was empowered under these by-laws to grant to such employee at the date

of his resignation, retirement or death, or if the Council after consideration of all the circumstances, directs that the death of an employee be presumed the Council may authorise the payment to the dependants of the employee a sum equivalent to the amount of salary or wages which would under this by-law have been granted to the employee immediately prior to the date of his death, such date to be determined by the Council.

85. An employee dismissed by the Council, except in the matter of retrenchment, shall not be paid any sum in pursuance of the preceding by-law.

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

#### Footpath Crossings.

87. No person shall construct a vehicle crossing place over any made footpath without first obtaining a permit from the Council.

88. Such permit shall be granted by the Council provided—

- (a) material used is substantially the same as the footpath, that is, a crossing over a concrete footpath shall be concrete, and a crossing over a gravel footpath shall be gravel.
- (b) depth of material and method of construction shall be to the satisfaction of the Council, and capable of carrying the heaviest vehicle likely to use the crossing.

#### Pipelines Under Roads and Footpaths.

89. No person shall put a water pipe or other service pipe or conduit under any road or footpath without a permit from the Council.

90. Any damage done will be made good by the applicant, or by the Council at the applicant's expense.

91. The Council may require, in the permit, an outer or larger pipe or covering through which such water pipe or conduit may be withdrawn for repairs or replacement without further damage to road or pavement.

#### Poisonous Plants.

92. Any owner or occupier of land abutting on roads, streets, or footpaths which have been cleared of poisonous plants by the Council, shall keep such roads, streets or footpaths clear of such poisonous plants.

#### Verandahs.

93. No person shall construct a verandah over the footpath of any street in the townsite of Nungarin, unless it be of the cantilever type with no supporting verandah posts.

#### Prevention of Damage by Agricultural Implements.

94. No person shall drive, draw, impel or cause to be driven, drawn or impelled on or across any road within the Shire of Nungarin, any agricultural implement or machinery, in such a manner that any part other than the wheels if not of a flanged type shall touch the ground. Penalty \$40.

The owner of any agricultural implements or machinery driven, drawn or impelled, on or across any road, and also the driver, or person having control of such agricultural implement or machinery, shall be liable to pay to the Council the cost of repairing any damage caused to any road by the use of such implements or machinery.

## Hall and Sports Pavilion Control and Management.

95. In the construction of these by-laws subject to the context:—

“Council” shall mean the Nungarin Shire Council;

“Clerk” shall mean the Shire Clerk for the time being of the Council, or any person authorised by him to act on his behalf;

“Buildings” means and includes all parts of the Nungarin Hall situated on Lot 133, Nungarin Townsite, and the Sports Pavilion situated on Lot 201, Nungarin Townsite;

“Building Grounds” means Lots 133 and 201, Nungarin Townsite;

“Caretaker” means the caretaker of the buildings duly appointed by the Council.

96. Application for the hire of the buildings or any part thereof shall be made to the Council not less than 48 hours before the actual time required. The application shall state the time and purpose for which the buildings are required. The person making such application shall be the official hirer, and as such shall be responsible for the requirements of these by-laws.

97. The fees and hire charges for the buildings and for the consumption of alcoholic liquor therein shall be as determined by the Council from time to time.

98. In the case of all persons not resident in the district, hire fees shall be paid upon application for the booking.

99. The Council may at any time demand that the hirer shall, prior to the term of engagement, pay the required fees, and this amount shall be forfeited to the Council if the booking is cancelled.

100. The hours for which hire may be effected at day time rates shall be from 9 a.m. to 6 p.m. Night time rates shall be from 6 p.m. onwards.

101. The Council reserves the right to refuse to let the buildings or part thereof to any applicant without assigning any reason for such refusal.

102. The Council may at any time cancel any agreement for hiring the buildings or any portion thereof, in which case any charge or deposit received shall be returned forthwith.

103. In the event of two or more applications for hire being received through the mail on the same day and date, the Council shall determine which applicant shall receive the booking. Applications received at the counter shall be granted in strict order of priority as received.

104. The hirer of the buildings or any part thereof shall comply with the provisions of the Health Act and the by-laws for the control and management of such buildings, and any other Act in force and applicable to such hiring. If, in the opinion of the Council, the Clerk, or the caretaker, all the necessary actions have not been taken to comply with the provisions of the Acts and by-laws mentioned above, the Council or the Clerk may cancel the hirer's term of engagement and prevent the use or continued use of the buildings.

105. In the event of the use of the building or any portion thereof being forbidden or prevented under the last preceding by-law, the hirer shall forfeit the full amount payable for the hire, as if the hire had been duly fulfilled, and the Council shall not be responsible to the hirer for any loss or damage incurred by the hirer.

106. No spirituous liquors, wine, ale, beer or spirits, or any other intoxicating liquor shall be brought into or consumed in the buildings or any part thereof or on grounds, except by special Council permit in writing.

107. The hirer of the buildings or any part thereof shall maintain and keep good order and decent behaviour within the buildings and grounds, and shall be responsible for any damage done to the buildings, fixtures, fittings, furniture, crockeryware, etc., and shall pay such damages as may be assessed by the Council.



108. No person shall in the buildings or grounds—

- (a) enter or be allowed to enter whilst intoxicated;
- (b) use profane or improper language;
- (c) be guilty of any misbehaviour whatsoever.

109. The Clerk, caretaker, or any police officer in uniform or otherwise, shall be permitted to have free ingress to the buildings or any part thereof at all times during the terms of engagements, and shall be given every facility for seeing that these by-laws are duly carried out.

110. No person shall erect any internal or external decorations, place any nails or screws in the woodwork, walls or any part of the buildings, or property, and no advertising matter shall be placed or attached to any wall or fitting without express permission of the Council.

111. No person other than the Clerk or caretaker shall lock or unlock any doors or windows, remove or alter any seating accommodation, turn on or off any lights, with the exception of lights used for concert and stage work. The caretaker shall attend to all these and similar matters upon reasonable request by the hirer.

112. The hirer shall use only that portion of the building which has been hired to him, and shall not use or allow to be used any other part.

113. No vehicle shall be driven in or on building grounds, except—

- (a) to allow persons using the buildings to alight from or enter into such vehicle;
- (b) to unload any requirement of the hirer at the kitchen or stage.

114. No vehicle shall park in or on building grounds, except when used by caterers, orchestra personnel, or other persons necessary to the hire, when such vehicles may be parked in the enclosed area for the duration of the hire.

Penalty.

115. Any person offending against any of the provisions of these by-laws shall be liable on conviction to a penalty not exceeding \$40.

116. Section 263 of the Local Government Act shall apply to all by-laws, that is to say: Nothing in any by-law shall relieve any person from any penalty, punishments, or action to which he would otherwise be liable in respect of anything done by him in breach of any by-law made under this Act; and the Council may sue any person for any damage done to any road, public place, vessel, building, structure, appliance, apparatus, or thing, in addition to recovering the amount of any penalty for the breach of any by-law.

\_\_\_\_\_

Dated this 16th day of December, 1970.

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

[L.S.]

R. H. JOLLY,  
President.

K. J. TILBROOK,  
Shire Clerk.

\_\_\_\_\_

Recommended—

C. STUBBS,  
Minister for Local Government.

\_\_\_\_\_

Approved by His Excellency the Governor in Executive Council this 17th day  
day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Upper Gascoyne.

Adoption of Draft Model By-laws Relating to Caravan Parks  
and Camping Grounds No. 2.

L.G. 675/65.

IN pursuance of the powers conferred upon it by the above mentioned Act the Council of the above mentioned Municipality hereby records having resolved on the 28th day of November 1970, to revoke the By-law, Caravan Parks No. 2, published in the *Government Gazette* of the 10th January, 1966, and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970 as are here set out:—Draft Model By-laws (Caravan Parks and Camping Grounds) No. 2—The whole of the By-laws.

Dated the 14th day of January, 1971.

[L.S.]

NOEL S. SMITH,  
President.P. M. BUTLER,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Wyndham-East Kimberley.

Adoption of Amendments to Draft Model By-laws  
Relating to Holiday Cabins and Chalets.

L.G. 1142/68.

IN pursuance of the powers conferred upon it by the above mentioned Act, the Council of the above mentioned Municipality hereby records having resolved on the 27th day of October, 1970, to adopt the amendments to the Local Government Model By-laws (Holiday Cabins and Chalets) No. 18 which were published in the *Government Gazette* on 9th February, 1970.

Dated this 27th day of October, 1970.

The Common Seal of the Council of the Shire  
of Wyndham-East Kimberley was hereunto  
affixed in the presence of—

[L.S.]

W. L. GRANDISON,  
President.C. T. CASSIDY,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971

W. S. LONNIE,  
Clerk of the Council.

## CEMETERIES ACT, 1897.

## York Public Cemetery—Amendment of By-laws.

L.G. 731/60.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the Shire of York hereby records having resolved on the 12th day of February, 1971, to make and submit for confirmation by the Governor the amendments as here set out to the above by-laws made under the Act and published in the *Government Gazette* on the 7th day of June, 1935 amended on the 2nd day of August, 1935, 27th day of November, 1956, and 27th day of October, 1960.

## Schedule A.

Section (d) to be amended to read:—

If re-opening an ordinary grave:—	\$
For interment of person 10 years of age or over .. . . .	8.00
For each interment of person under 10 years of age .. . . .	6.00
For each interment of still born child .. . . .	4.00

Portion of section (g) to be amended to read:—

For each interment on Sunday or Public Holiday or on Saturday after 10 a.m. (extra) .. . . .	10.00
For each interment on Saturday 8 a.m.-10 a.m. (extra) .. . . .	6.00
Exhumation fee .. . . .	10.00

Dated this 12th day of February, 1971.

The Common Seal of the Shire of York was hereunto affixed this 4th day of March, 1971, in the presence of—

[L.S.]

R. C. T. DAVIES,  
President.  
B. W. LYONS,  
Shire Clerk.

Recommended—

C. STUBBS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of the Council.

## DOG ACT, 1903.

## Shire of Mandurah

## By-Laws for the Control of Dogs.

L.G. 139/59.

IN pursuance of the powers in that behalf contained in the Dog Act, 1903, the Council of the Shire of Mandurah doth hereby make the following bylaws for the control of dogs within the area of the Shire of Mandurah:—

1. In these by-laws the term "Shire Council" means the Council of the Shire of Mandurah.
2. The Shire Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1903.
3. A dog seized by the Police or by an officer authorised by the Shire Council may be placed in a pound.

4. Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Shire Council shall, if the owner or person usually in charge of the dog is known to him, forthwith notify such person that the dog has been impounded.

5. The poundkeeper shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the Shire Council.

6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog, then upon payment of the fees specified in the schedule hereto the dog shall be released to such person.

7. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of the poundkeeper or other officer authorised by the Shire Council the ownership of the dog and his authority to take delivery of it. The poundkeeper or officer may accept such proof as he considers satisfactory and no person shall have any right of action against him or the Shire Council in respect of the delivery of the dog in good faith.

8. If a dog shall not be claimed and the said fees paid within 48 hours of its being seized or if a dog having a collar around its neck with a registration label for the current year affixed thereto shall not be claimed and the said fees paid within 48 hours of the service of a notice upon the registered owner the poundkeeper or other officer authorised by the Shire Council may sell the dog.

9. Upon the sale of a dog the proceeds of sale shall be the property of the Shire Council and may be disposed of in such manner as the Shire Council thinks fit. The owner of a dog sold pursuant to these bylaws shall have no claim against the Shire Council in respect of the proceeds thereof.

10. If within the times mentioned in bylaw 8 hereof or at any time before the destruction of a dog the dog has not been claimed as aforesaid and the said fees paid and if no offer has been received for its purchase the dog may be destroyed.

11. If the Shire Council shall destroy a dog at the request of its owner, whether such dog shall have been seized or impounded or not, the owner shall pay to the Shire Council the fees specified in the schedule hereto.

12. No person shall—

- (a) Unless a poundkeeper or other officer of the Shire Council duly authorised in that regard, release or attempt to release a dog from a pound.
- (b) Destroy, break into, damage or in any way interfere with or render not dogproof any pound.
- (c) Destroy, break into, damage or in any way interfere with or render not dogproof any dog cart, vehicle or container used for the purpose of catching, holding or conveying dogs which have been seized.

13. The owner of a dog shall keep such dog chained or under effective control from sunset to sunrise.

14. The owner of a dog shall prevent that dog from entering or being in any of the following places:—

- (a) A public building.
- (b) A theatre or picture garden.
- (c) A house of worship.
- (d) A shop or other public business premises.

Notwithstanding paragraph (d) dogs may be taken into veterinary or chemists' premises for the express purpose of obtaining veterinary treatment or advice.

15. Except for the purpose of taking part in sheep dog trials or dog shows, the owner of a dog shall prevent that dog from entering or being in any of the following places unless on a leash, not exceeding eight feet in length, held by a person.

- (a) A sportsground.
- (b) An area set aside for public recreation.
- (c) A car park.

- (d) A school.  
 (e) Any Public Swimming Area.  
 (f) Any land vested in or under the control of the Shire Council other than a road.

16. No person shall obstruct or hinder an employee of the Shire Council or member of the Police Force in the performing of anything authorised by the provisions of the Dog Act, 1903, or the regulations made in pursuance of those provisions.

17. The payment of fees in respect of the seizure, care, detention or destruction of a dog shall not relieve the owner of it of liability to a penalty under any of the provisions of these bylaws.

18. Any person who shall commit a breach of these bylaws shall upon conviction be liable to a penalty not exceeding \$10.

19. The whole of the previous bylaws to control dogs as adopted by the Council of the Shire of Mandurah and gazetted on the 22nd May, 1953, and the 3rd May, 1955, are hereby revoked.

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Schedule of Fees.

For the seizure or impounding of a dog—\$2.00.

For the sustenance and maintenance of a dog in a pound per day—\$2.00.

For the destruction of a dog—\$4.00.

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Dated this 7th day of January, 1971.

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

J. D. W. IRELAND,  
 President.

[L.S.]

K. W. DONOHOE,  
 Shire Clerk.

Recommended—

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C. STUBBS,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of March, 1971.

W. S. LONNIE,  
 Clerk of the Council.

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STOCK DISEASES (REGULATIONS) ACT, 1968-1969.

Department of Agriculture,  
 South Perth, 17th March, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the power conferred by the Stock Diseases (Regulations) Act, 1968-1969, has been pleased to make the regulations set out in the Schedule hereunder.

T. C. DUNNE,  
 Director of Agriculture.

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Schedule.

Regulations.

Principal regulations.

1. In these regulations the *Enzootic Diseases Regulations, 1970* published in the *Government Gazette* on the 24th June, 1970, are referred to as the principal regulations.

Fourth Schedule substituted. 2. The principal regulations are amended by substituting for the Fourth Schedule the following schedule:—

Fourth Schedule.

Scale of charges for the inspection of stock specified under regulations 28 and 30 (export and import)—

Cattle—	\$
For a single animal or first animal in a consignment	5.00
For each additional animal	0.25
Cattle intended for immediate slaughter—	
For each animal in a consignment	0.25
Sheep and Goats—	
For each consignment of 1-10 animals	2.00
For each additional animal over 10	0.02
Pigs—	
For a single animal or first animal in a consignment	2.00
For each additional animal	0.20
Poultry (day-old chickens or eggs for hatching purposes)—	
Each consignment of 1-100	1.00
Each consignment of 101-1,000	3.00
Each consignment of more than 1,000	5.00
Fees for biological or bacteriological tests (regulations 28, 30, 44, 61, 77, 78)—	
Minimum charge, per visit	5.00
Tuberculin test, per animal	0.40
Serological tests, each	0.20
Bacteriological tests, per animal	1.00
Fees for vaccination (regulations 28, 72, 75)—	
C.B.P.P. for export, per animal (regulation 28)	0.15
Brucella Strain 19, per animal (regulation 72)	0.20
Brucella non-agglutinogenic strains, per animal (regulation 75)	0.50
Fees for dipping/spraying—	
Kimberley cattle, per animal	0.25
Horses, per animal	1.00
Supervision of dipping of Kimberley cattle for shipment, per animal	0.10
Pullorum testing charges (regulations 107, 109)—	
For 1,000 birds or less per flock	15.00
For each additional 1,000 birds or less	15.00
Scale of charges for hatchery and breeding flock licences (regulations 106, 108)—	
For a hatchery licence—	
Up to 20,000 egg capacity	6.00
Over 20,000 and up to 30,000 egg capacity	8.00
Over 30,000 and up to 40,000 egg capacity	10.00
Over 40,000 egg capacity	15.00
Breeding flock licences	4.00
Diagnostic tests (regulation 25)—	
Serological tests	0.20
Parasitology (pleasure horses, small animals)—	
Worm egg count, per animal	2.00
Larval differentiation, per animal	3.00
External parasite identification, per animal	1.00



## PART II.—PILOT CHEMICAL RATING CERTIFICATE.

4. (1) A person is not eligible to apply for a certificate or for the renewal of a certificate unless he—

- (a) is the holder of a current and valid commercial or senior commercial pilot's licence endorsed with an agricultural rating under the Air Navigation Regulations of the Commonwealth as in force from time to time or any regulations in substitution therefor as so in force; and
- (b) has passed the relevant examination as prescribed in regulation 9 of these regulations.

(2) An applicant for a certificate or for the renewal of a certificate shall—

- (a) submit an application to the Director in the form of Form 1 in the First Schedule; and
- (b) forward the prescribed fee with the application.

(3) The fee for a certificate or its renewal is—

- (a) for the issue of a certificate—two dollars; or
- (b) for the renewal of a certificate—one dollar.

5. The certificate issued to a pilot shall be in the form of Form 2 in the First Schedule.

6. A certificate, unless sooner suspended or cancelled, remains valid until the thirtieth day of June following the date of its issue.

7. (1) The Director may—

- (a) refuse to issue or renew a certificate; or
- (b) vary, suspend or cancel a certificate,

if a pilot commits an offence against the Act or fails to observe these regulations.

(2) Notification of the refusal, variation, suspension or cancellation of a certificate shall be forwarded by the Director to the pilot by registered mail.

(3) On receipt of any notification under subregulation (2) of this regulation the pilot shall, if a current certificate is held, return that certificate to the Director for variation, suspension or cancellation.

8. Any appeal in accordance with the provisions of section 8 of the Act arising from the decision of the Director not to issue or renew a certificate or to vary, suspend or cancel a certificate shall be lodged with the Clerk of the Court of Petty Sessions within two months of the despatch by registered post of such a decision by the Director pursuant to subregulation (2) of regulation 7 of these regulations.

9. (1) Every examination of candidates for qualification for a certificate shall be held at such times and at such places as the Director from time to time determines and notification of each determination and the closing date for entries for the examination shall be advertised in a newspaper circulating generally throughout the State.

(2) A candidate for an examination for qualification for a certificate shall—

- (a) be the holder of a pilot's licence specified in paragraph (a) of subregulation (1) of regulation 4 of these regulations;
- (b) submit to the Director not later than the published closing date for entries an application in writing in the form of Form 3 in the First Schedule; and
- (c) forward with the application a fee of two dollars.

(3) Every examination for qualification for a certificate shall—

- (a) be conducted by three examiners appointed by the Director;
- (b) be based on the information set out in the "Aerial Agriculture—Chemical Rating Manual" produced by Commonwealth and State Authorities on behalf of the Australian Agricultural Council, or such other information as the Director determines and has specified in a public manner;
- (c) be a written examination of 1½ hours' duration; and



(d) embrace questions on the various sections of the Manual or other information referred to in paragraph (b) of this subregulation.

(4) The examiners shall determine from time to time the percentage of marks required to be obtained by a candidate to pass the examination.

#### PART III.—AERIAL SPRAYING.

10. (1) The pilot in command of an aircraft shall not cause or permit aerial spraying with any agricultural chemical to be carried out from the aircraft at any time when, having regard to—

- (a) the equipment used for that purpose;
- (b) the height from which the aerial spraying is carried out;
- (c) the wind speed or direction of the wind at the place where the aerial spraying is carried out;
- (d) the proximity of any susceptible crop to the place at which the aerial spraying is carried out;
- (e) the volatility of the agricultural chemical being used; or
- (f) any other circumstance contributing to, or likely to contribute to, the possibility of spray drift,

or any combination of those circumstances, it could reasonably be expected that that aerial spraying might cause spray drift onto any susceptible crop.

(2) The pilot in command of an aircraft shall not cause or permit that aircraft to carry out aerial spraying with any agricultural chemicals unless each individual spray nozzle is fitted with a positive and effective leak-proof cut-off valve.

11. (1) The records required to be made pursuant to section 12 of the Act shall be made in such a form or forms as is or are approved by the Director.

(2) A person who makes any record pursuant to section 12 of the Act shall cause a legible copy thereof to be sent to the Director not later than the twenty-first day of the month following the month in which the record was so made.

(3) The requirements of subregulation (2) of this regulation are in addition to those provided by subsection (1) of section 13 of the Act.

#### PART IV.—AERIAL SPRAYING OVER HAZARDOUS AREAS.

12. The pilot in command of an aircraft shall not cause or permit aerial spraying to be carried out from the aircraft with any agricultural chemicals prescribed in the Second Schedule within any hazardous area prescribed in the Third Schedule unless—

- (a) he has first obtained the consent in writing of the Director to the carrying out of the aerial spraying; and
- (b) the aerial spraying is carried out in accordance with the conditions, if any, which the Director imposes for the purpose at the time of giving his consent.

13. The pilot in command of an aircraft equipped for aerial spraying shall not transport in that aircraft any of the agricultural chemicals prescribed in the Second Schedule over hazardous areas prescribed in the Third Schedule.

14. A pilot in command of an aircraft which has been carrying any of the agricultural chemicals prescribed in the Second Schedule shall not fly over a hazardous area prescribed in the Third Schedule unless the aircraft's spray tanks and spraying equipment have been emptied and, together with the aircraft, cleansed of the agricultural chemicals.

#### PART V.—PENALTY.

15. Any person who contravenes or fails to comply with any provisions of these regulations or any order, direction or instruction given or made under these regulations commits an offence and is liable on conviction to a penalty of four hundred dollars or imprisonment for six months, or to both such fine and imprisonment.

FIRST SCHEDULE.

Form 1.

Aerial Spraying Control Act, 1966.

The RENEWAL

APPLICATION FOR \* THE ISSUE OF A PILOT CHEMICAL RATING  
THE RENEWAL

CERTIFICATE.

The Director of Agriculture,  
Department of Agriculture,  
Jarrah Road,  
SOUTH PERTH.

I,..... (Surname)..... (Other Names).....  
(BLOCK LETTERS)

of,..... (Postal Address).....  
hereby make application for a Pilot Chemical Rating Certificate for the period  
ending 30th June, 19... in accordance with the provisions of the Aerial  
Spraying Control Act, 1966, and the regulations thereunder, and submit the  
following particulars in answer to the questions hereunder:—

Type and Number of Pilot's License held .....  
Is Pilot's Licence endorsed with an agricultural rating under the Air

Navigation Regulations of the Commonwealth? .....  
Have you passed the prescribed examination for qualification for a Pilot

Chemical Rating Certificate? .....  
If so, state date and place of examination .....  
I enclose herewith the prescribed fee of +

DATE ..... Signature .....

- \* Delete that which is not applicable.
- + The prescribed fees are—
- Upon issue \$2
- Upon Renewal \$1.

Form 2.

Aerial Spraying Control Act, 1966.

PILOT CHEMICAL RATING CERTIFICATE NUMBER.

THIS IS TO CERTIFY THAT .....  
(Name)

of .....  
(Address)

is authorised to act as pilot in command of an aircraft from which aerial  
spraying is carried out from the date hereof to the thirtieth day of June,  
19..... inclusive subject to, and in accordance with the Aerial Spraying Control  
Act, 1966, the Air Navigation Act, 1920, of the Commonwealth as amended  
from time to time and the regulations made under the aforesaid Acts.

.....  
Director of Agriculture.

(Date)

Form 3.

Aerial Spraying Control Act, 1966.

APPLICATION FOR EXAMINATION FOR QUALIFICATION FOR A PILOT  
CHEMICAL RATING CERTIFICATE TO BE HELD ON\*

The Director of Agriculture,  
Department of Agriculture,  
Jarrah Road,  
SOUTH PERTH

(Surname)

(Other Names)

I, .....

(BLOCK LETTERS)

(Postal Address)

of .....  
hereby apply to be examined for qualification for a Pilot Chemical Rating  
Certificate and submit the following particulars in answer to the questions  
hereunder:—

Type and number of Pilot's Licence held .....

Is Pilot's Licence endorsed with an agricultural rating under the Air  
Navigation Regulations of the Commonwealth? .....

I enclose herewith the prescribed fee of \$2.

DATE ..... Signature of Applicant .....

\* Date to be inserted.

SECOND SCHEDULE.

AERIAL SPRAYING CONTROL ACT, 1966.

Agricultural chemicals for the purposes of Part IV of these regulations—

- MCPA
- MCPB
- 2, 4-D
- 2, 4-DB
- 2, 4, 5-T
- Dicamba
- Fenoprop (2, 4, 5-TP)
- 4 CPA
- Picloram

## THIRD SCHEDULE.

## AERIAL SPRAYING CONTROL ACT, 1966.

## Hazardous Areas:

1. All that land bounded by a circular line twelve miles radius from Mount Scott in the Geraldton townsite commencing on the western coast of the State north from Buller River and ending at the Midland Railway line south from Georgina Siding from which point the boundary continues in a straight line to the mouth of the Greenough River.

2. All that land bounded by lines starting from the junction of Ida Street and Anzac Terrace in the Shire of Bassendean, extending east to the southeast corner of Swan Location 3218; thence north to the southeast corner of Swan Location 1339; thence west to the northwest corner of Swan Location 277; thence south to the starting point.

3. The following King District Locations in the Kimberley Division as constituted and defined by section 28 of the Land Act, 1933—

203, 205 to 221 each location inclusive, 227 to 229 each location inclusive, 231 to 247 each location inclusive, 249, 251 to 261 each location inclusive, 263, 264, 267 to 271 each location inclusive, 273, 276 to 283 each location inclusive, 288 to 291 each location inclusive, 293 to 298 each location inclusive, 299, 303, 304, 306, 317 to 319 each location inclusive and 323.

## WESTERN AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT, 1966-1969.

Resolution of the Council dated 17th February, 1971.

The Western Australian Institute of Technology,  
Bentley, 17th February, 1971.

THE Council of the Western Australian Institute of Technology has made the Statute set out in the schedule hereunder.

H. W. PETERS,  
Secretary.

—————  
Schedule.  
—————

Statute 3.

Power to Make By-laws and Rules.

Amending Statute 4.

Clause 3 of Statute 3 is amended—

- (a) by adding after the section number "3." the subsection designation "(i)";
- (b) by adding after the word "Block" being the last word in paragraph (a), the passage "or where it applies only to one branch, or site, on a notice board which the Institute shall provide outside the administrative office of that branch, or site"; and
- (c) by adding at the end of the section subsections as follows:—
  - (2) Where a rule is made by a delegate, a copy of it shall be laid before the Council as soon as practicable after the rule is published.

- (3) If the Council resolves that a rule made by a delegate be revoked in whole or in part, that rule or that part is, from the date of the resolution, of no effect, but without affecting the validity of anything done pursuant to the rule between the date it was published and the date of the resolution.

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The Common Seal of the Western Australian Institute of Technology was hereto affixed on the 17th day of February, 1971, by the direction of the Council in the presence of—

[L.S.]

H. S. WILLIAMS,  
Director.

H. W. PETERS,  
Secretary.

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Approved by His Excellency the Governor in Executive Council, this 17th day of March, 1971.

W. S. LONNIE,  
Clerk of Council.

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FACTORIES AND SHOPS ACT, 1963-1965.

Department of Labour,  
Perth, 19th March, 1971.

HIS Excellency the Governor, in Executive Council, acting pursuant to the provisions of the Factories and Shops Act, 1963-1965, has been pleased to make the regulations set out in the schedule hereunder.

H. A. JONES,  
Secretary for Labour.

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Schedule.

Regulations.

Principal regulations. 1. In these regulations the Factories and Shops (Rostered Extraordinary Trading Hours) Regulations, 1964, published in the *Government Gazette* on the 30th December, 1963, and amended from time to time by regulations so published are referred to as the principal regulations.

Appendix amended. 2. Division 2 of Part XIII of the Appendix to the principal regulations is amended by adding before the passage "19th to 25th April, 1971—" a passage as follows:—

10th and 11th April, 1971—  
Durlacher Service Station, corner Durlacher and Sanford Streets, Geraldton.