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OF

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No. 87.]

PERTH : FRIDAY, 4th SEPTEMBER.

[1957.

AT a meeting of the Executive Council held in the Executive Council Chamber, at Perth, on the 18th day of September, 1957, the following Order in Council was authorised to be issued:—

Municipal Corporations Act, 1906-1956.

ORDER IN COUNCIL.

WHEREAS it is enacted by section 338A of the Municipal Corporations Act, 1906-1956, that the Governor may by Order in Council prescribe uniform general regulations with respect to all or any of the matters in relation to which a Council may make by-laws under section 338 of that Act and *inter alia* that they shall have the force of law in such districts as the Governor may from time to time specify by notice published in the *Government Gazette*, and that where the Governor is satisfied that in relation to a particular district in which the uniform general regulations have the force of law some modifications of the regulations is necessary or expedient to meet particular conditions existing in such district, he may prescribe and publish in the *Government Gazette* notification of such modification as he deems sufficient for the purposes of such particular district; and whereas by Order in Council issued on the 29th May, 1957, and published in the *Gazette* on the 5th June, 1957, uniform general regulations entitled "Uniform General Building By-laws" were so prescribed and are in force in the municipal districts for the time being constituted under that Act; and whereas the Governor is satisfied that in relation to all of those districts modification of the "Uniform General Building By-laws" is necessary and expedient to meet the conditions existing in those districts: Now, therefore, His Excellency the Governor, acting with the advice and consent of the Executive Council, and in exercise of the powers conferred by this Act hereby prescribes as modifications of the "Uniform General Building By-laws" for the purposes of those districts the modifications set out in the Schedule to this Order, and doth hereby approve of the publication of this Order in the *Government Gazette* as a notification of such modifications.

(Sgd.) R. H. DOIG,
Clerk of the Council.

Schedule.

Modifications of Uniform General Building By-laws as Published in the *Government Gazette* on 5th June, 1957.

1. Clause 41 is modified by substituting for the expression "6ft." in line three of paragraph (b) the expression "3ft."
2. Clause 330 is modified by substituting for the expression "4ft." in line three the expression "3ft."

3. Clause 341 is modified by substituting for the word "hardwood" in line three the word "timber."

4. Clause 342 is modified by substituting for the expression "6ft." in line four the expression "4ft."

5. Clause 424 is modified by substituting for paragraph (e) a paragraph as follows:—

(e) (i) Except as provided in subparagraph (ii) of this paragraph, no outbuilding shall be built closer than 3ft. to a boundary of a site.

(ii) Outbuildings may be erected on a rear or side boundary of a site up to the rear of any dwelling to which they are appurtenant.

(iii) A wall of an outbuilding which is erected within 3ft. of a boundary must be constructed of brick, stone, or concrete, and must have a fire rating as prescribed by these by-laws and must be carried up as a parapet 15in. in height above the roof, flat or gutter of the outbuilding: But the boundary walls may be of material other than brick, stone or concrete, if they abut a right of way or lane over which the owner of the outbuilding has rights.

6. The Uniform General Building By-laws are modified by adding after clause 428 a clause as follows:—

428A. Car Ports.—(1) Notwithstanding any other provisions of this section, where a building of Class 1 has been erected on a site before the coming into force of this by-law, a person may, with the permission of the local authority of the district in which the site is located, erect a car port on the site in a position approved by the local authority, notwithstanding that the position is one in which the erection of a garage is not permitted by this by-law.

(2) A car port referred to in subclause (1) of this clause must be fiat roofed, screened with fascia without any wall enclosure of any kind and must be supported on steel pipes not more than 3in. in diameter.

Road Districts Act, 1919-1956.

ORDER IN COUNCIL.

L.G. 394/57.

WHEREAS it is enacted by section 203 of the Road Districts Act, 1919-1956, that the Governor may make and publish in the *Government Gazette* uniform general by-laws for all or any of the purposes for which by-laws may be made under that Act; and whereas by Order in Council issued on the 29th May, 1957 and published in the *Government Gazette* on the 5th June, 1957, uniform general by-laws entitled "Uniform General Building By-laws" were so made and published and are in force in the districts and portions of the districts specified in Schedule B of that Order in Council; and whereas under and by virtue of the provisions of section 38 of the Interpretation Act, 1918-1954, power given by any Act to make by-laws shall be deemed to include power from time to time to vary the same or any of them: Now, therefore, His Excellency the Governor, acting with the advice and consent of the Executive Council and in exercise of the powers in him vested, doth hereby vary the Uniform General Building By-laws by making the by-laws set out in the Schedule hereto and doth hereby prescribe that the by-laws so made, when published in the *Government Gazette* shall have the force of law in the districts and portions of districts in which the Uniform General Building By-laws are in force.

(Sgd.) R. H. DOIG,
Clerk of the Council.

Schedule.

By-laws Varying the "Uniform General Building By-laws" as published in the *Government Gazette* on 5th June, 1957.

1. Clause 41 is varied by substituting for the expression "6ft." in line three of paragraph (b) the expression "3ft."

2. Clause 330 is varied by substituting for the expression "4ft." in line three the expression "3ft."

3. Clause 341 is varied by substituting for the word "hardwood" in line three the word "timber."

4. Clause 342 is varied by substituting for the expression "6ft." in line four the expression "4ft."

5. Clause 424 is varied by substituting for paragraph (e) a paragraph as follows:—

(e) (i) Except as provided in subparagraph (ii) of this paragraph, no outbuilding shall be built closer than 3ft. to a boundary of a site.

(ii) Outbuildings may be erected on a rear or side boundary of a site up to the rear of any dwelling to which they are appurtenant.

(iii) A wall of an outbuilding which is erected within 3ft. of a boundary must be constructed of brick, stone, or concrete, and must have a fire rating as prescribed by these by-laws and must be carried up as a parapet 15in. in height above the roof, flat or gutter of the outbuilding: But the boundary walls may be of material other than brick, stone or concrete, if they abut a right of way or lane over which the owner of the outbuilding has rights.

6. The Uniform General Building By-laws are varied by adding after clause 428 a clause as follows:—

428A. Car Ports.—(1) Notwithstanding any other provisions of this section, where a building of Class 1 has been erected on a site before the coming into force of this by-law, a person may, with the permission of the local authority of the district in which the site is located, erect a car port on the site in a position approved by the local authority, notwithstanding that the position is one in which the erection of a garage is not permitted by this by-law.

(2) A car port referred to in subclause (1) of this clause must be flat roofed, screened with fascia without any wall enclosure of any kind and must be supported on steel pipes not more than 3in. in diameter.

FREMANTLE HARBOUR TRUST ACT, 1902-1954.

THE Fremantle Harbour Trust Commissioners, acting pursuant to the provisions of the Fremantle Harbour Trust Act, 1902-1954, do hereby make the regulations set out in the Schedule hereunder:—

Schedule.

Regulations.

1. In these regulations the expression "principal regulations" means the regulations published in the *Government Gazette* on the 17th June, 1955, made by the Fremantle Harbour Trust Commissioners pursuant to the provisions of the Fremantle Harbour Trust Act, 1902-1954, as reprinted with all amendments to and including those appearing in the *Government Gazette* of the 16th November, 1956, and published as so reprinted, pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* of the 22nd March, 1957, and as further amended from time to time thereafter.

2. Regulation No. 149 of the principal regulations is amended by substituting for the whole of sub-items (a) and (b) of the item "Minerals, Metallic and Earthy, and Metallurgical Products, mined in the State—" as specified in the first column of the Table and for the respective wharfage and handling charges relating thereto specified in the second, third and fourth columns of the Table, the following sub-items and charges relating thereto:—

Description of Goods.	Wharfage.	Handling Charges.	
		Shipped over wharves, Trust receiving and delivering.	Shipped direct ex Railway wagons or other vehicles to ships' sling.
	s. d.	s. d.	s. d.
(a) In containers—per ton	3 6	14 0	6 0
(b) Loose—per ton	3 6	—	9 0

Passed by a resolution of the Fremantle Harbour Trust Commissioners at a meeting of the said Commissioners held on the 19th day of July, 1957.

The Common Seal of the Fremantle Harbour Trust Commissioners was at the same time affixed and impressed thereto by order and in the presence of—

[L.S.]

H. W. BYFIELD,
Chairman.
MAX B. GRACE,
Commissioner.
H. C. RUDDERHAM,
Acting Secretary.

WORKERS' COMPENSATION ACT, 1912-1956.

Workers' Compensation Board,
Perth, 20th September, 1957.

Ex. Co. No. 1668.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Workers' Compensation Act, 1912-1956, has been pleased to make the regulations set out in the Schedule hereunder.

L. BELL,
Registrar, Workers' Compensation Board.

Schedule.

Regulations.

1. In these regulations the Workers' Compensation Act, 1912-1934 Regulations made pursuant to the provisions of the Workers' Compensation Act, 1912 (as amended), and published in the *Government Gazette* on the 30th September, 1938, and amended from time to time thereafter, are referred to as the principal regulations.

2. The principal regulations are amended by substituting for regulation 23 the following regulation:—

23. For the purposes of subparagraph (i) of paragraph (d) of section 27 (5) of the Act and with effect from the termination of the year ending on the 30th June, 1957, the sum referred to in that subparagraph as the other sum for the time being prescribed by the regulations in lieu of the sum of eight thousand pounds is hereby prescribed as twenty thousand pounds.

Approved by His Excellency the Governor in Executive Council, 18th September, 1957.

(Sgd.) R. H. DOIG,
Clerk of the Council.