

[1949]



# Government Gazette

OF

## WESTERN AUSTRALIA

[Published by Authority at 3 p.m.]

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 53]

PERTH: THURSDAY, 30th JUNE

[1960

### SUPREME COURT ACT, 1935-1957.

Crown Law Department,  
Perth, 27th June, 1960.

THE following amendments to the Rules of the Supreme Court, 1909, are published for general information.

R. C. GREEN,  
Under Secretary for Law.

### SUPREME COURT ACT, 1935-1957.

#### Amendment of the Rules of the Supreme Court, 1909.

WE, The Honourable Lawrence Walter Jackson, Senior Puisne Judge, and The Honourable John Evenden Virtue, The Honourable Roy Vivian Nevile and The Honourable Gordon Bede D'Arcy, Puisne Judges of the Supreme Court of Western Australia, and being a majority of the Judges of the said Court, acting in pursuance of the powers conferred by the Supreme Court Act, 1935-1957, and the Juries Act, 1957-1959, and of every other power enabling us in this behalf, do amend the Rules of the Supreme Court, 1909, in the manner hereinafter mentioned, and declare that such amendments shall come into operation upon the 1st day of July, 1960.

The Rules of the Supreme Court, 1909, are amended by adding after Order LXXVI the following Order:—

#### ORDER LXXVII. (O. 77.)

Proceedings under the Juries Act, 1957.

1. In this Order—  
“the Act” means the Juries Act, 1957.

2. A precept for a jury issued pursuant to section 20 of the Act shall—

- (a) in the case of a precept returnable in the Supreme Court or in a Circuit Court and issued by a Judge, be in the Form No. 1 in the Schedule to this Order;
- (b) in the case of a precept returnable in a Court of Session and issued by the Chairman of that Court or by a Justice of the Peace, be in the Form No. 2 in the Schedule to this Order.

3. The summons required by subsection (5) of section 26 and by section 31 of the Act to be issued to jurors named in the panel of jurors shall be in the Form No. 3 in the Schedule to this Order.

4. A summons issued pursuant to section 56 of the Act, calling on a juror to show cause why execution should not issue for a fine imposed on him for non-attendance at a Court, shall be in the Form No. 4 in the Schedule to this Order.

The Schedule.

Form No. 1.

Juries Act, 1957 (as amended).

PRECEPT FOR JURY.

Western Australia.

The Honourable.....  
of Western Australia.

To.....Esquire,  
.....of the said State: Greeting:

On behalf of our Lady the Queen, I command you to cause to come before the.....Court at.....  
on.....the.....day of.....19.....,  
at the hour of.....o'clock in the.....noon of the same day, not less than.....nor more than.....good and lawful men and women, by whom the truth of the several matters brought before them may be better known and inquired into, and who are of no affinity to any of the prisoners in custody for trial: And that you yourself or your deputy with your officers be then there to do those things which to you and their offices appertain: And have you then and there the names of the Jurors and this precept.

Dated at Perth, this.....day of.....,  
in the year of Our Lord, one thousand nine hundred and.....in the.....year of the reign of Her present Majesty Queen Elizabeth.

By the Court,

.....  
Judge.

Form No. 2.

Juries Act, 1957 (as amended).

PRECEPT FOR JURY.

Western Australia.

.....  
Chairman of the.....Court of Session  
(or a Justice of the Peace).

To.....

Jury Officer for the.....Jury District: Greeting:

On behalf of our Lady the Queen, I command you to cause to come before the.....Court of Session at the Court House at....., on the.....day of....., 19....., at the hour of.....o'clock in the.....noon of the same day, not less than.....nor more than.....good and lawful men and women, by whom the truth of the several matters brought before them may be better known and inquired into, and who are of no affinity to any of the prisoners in custody for trial: And that you yourself or your deputy with your officers be then there to do those things which to you and their offices appertain: And have you then and there the names of the Jurors and this precept.

Dated at....., this.....day of....., in the year of Our Lord, one thousand nine hundred and .....in the.....year of the reign of Her present Majesty Queen Elizabeth.

By the Court,

.....  
Chairman.  
(or Justice of the Peace).

Form No. 3.

Juries Act, 1957 (as amended).

SUMMONS TO JUROR.

To.....,

of.....

You are hereby summoned to appear as a Juror at the .....Sittings of the.....Court, to be held at the.....at....., on.....the.....day of....., 19....., at.....o'clock in the.....noon, and there to attend from day to day until you shall be discharged.

Dated the.....day of....., 19.....

.....  
Sheriff (or Summoning Officer).

Form No. 4.

Juries Act, 1957 (as amended).

SUMMONS TO JUROR TO SHOW CAUSE WHY EXECUTION SHOULD NOT ISSUE FOR FINE IMPOSED FOR NON-ATTENDANCE.

To..... of.....

Whereas by reason of your non-attendance as a juror at the..... at..... on the..... day of....., 19....., the Court did impose on you a fine of £.....:

Take notice that you are hereby summoned pursuant to section 56 of the Juries Act, 1957 (as amended) to\* show cause to the..... Court at..... on the..... day of....., 19....., at..... o'clock in the..... noon why execution should not issue for the said fine.

Dated the..... day of....., 19.....

Judge (or Chairman of the Court).

\* Note.—You may show cause to the Court either by— (a) attending personally before the Court and giving your explanation; or (b) transmitting by post or delivering to the Registrar or to the Judge or the Chairman of the Court which imposed the fine an affidavit sworn before a Commissioner for Affidavits or a Justice of the Peace.

Dated this 27th day of June, 1960.

- L. W. JACKSON, Senior Puisne Judge. J. E. VIRTUE, Puisne Judge. R. V. NEVILLE, Puisne Judge. G. B. D'ARCY, Puisne Judge.

PHARMACY AND POISONS ACT, 1910-1954.

Department of Public Health, Perth, 17th June, 1960.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Pharmacy and Poisons Act, 1910-1954, has been pleased to make the regulations set forth in the schedule hereunder.

W. S. DAVIDSON, Acting Commissioner of Public Health.

Schedule. Regulations.

Principal regulations.

1. In these regulations the Pharmacy and Poisons Act Regulations, 1951, published in the Government Gazette on the 12th October, 1951, as reprinted pursuant to the Reprinting of Regulations Act, 1954, with all amendments to and including those published in the Government Gazette on the 24th November, 1958, which regulations as so reprinted were published in the Government Gazette on the 2nd February, 1960, are referred to as the principal regulations.

Reg. 57 amended.

2. Regulation 57 of the principal regulations is amended by substituting for the words "pass in such subjects" in lines six and seven of paragraph (a) of subregulation (1) the words "conditional pass in those subjects for such period as the council may determine."

COUNTRY AREAS WATER SUPPLY ACT, 1947-1957.

Water Supply, Sewerage and Drainage Department,  
Perth, 17th June, 1960.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made by the Minister for Water Supply, Sewerage and Drainage under and for the purposes of the Country Areas Water Supply Act, 1947-1957, as set forth in the Schedule hereunder.

J. McCONNELL,  
Under Secretary for Works and Water Supply.

Schedule.

By-laws.

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| Principal by-laws.                         | 1. In these by-laws the by-laws made by the Minister for Water Supply, Sewerage and Drainage under and for the purposes of the Country Areas Water Supply Act, 1947-1957, published in the <i>Government Gazette</i> on the 20th June, 1957, and amended from time to time thereafter, are referred to as the principal by-laws.  |
| By-law 49 substituted.                     | 2. The principal by-laws are amended by substituting for by-law 49 the following by-law:—<br>49. A fee of one pound shall be payable for every water supply plumber's license issued by the Minister under these by-laws and for every renewal of any such license.   |
| By-law 50 substituted.                     | 3. The principal by-laws are amended by substituting for by-law 50 the following by-law:—<br>50. Every license issued by the Minister under these by-laws shall be current only to the 30th June next following the date of issue and may be renewed each year for a period of twelve months expiring on the 30th June in the next succeeding year, and the holder of a water supply plumber's license shall apply for a renewal thereof and pay the necessary fee prior to the expiration of the period for which his existing license is current. |
| By-law 55 and heading thereto substituted. | 4. The principal by-laws are amended by substituting for by-law 55 and the heading thereto the following heading and by-law:—<br><p style="text-align: center;">DECLARATION TO BE SIGNED.</p> 55. Prior to issue of any license, the person to whom the same is to be issued shall sign a declaration that he accepts the license subject to and in conformity with the conditions thereof and the regulations, by-laws and directions of the Minister, and that he will conform and comply therewith.  |
| By-law 56 revoked.                         | 5. By-law 56 of the principal by-laws is revoked.   |

COUNTRY TOWNS SEWERAGE ACT, 1948-1954.

Water Supply, Sewerage and Drainage Department,  
Perth, 17th June, 1960.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made by the Minister for Water Supply, Sewerage and Drainage under and for the purposes of the Country Towns Sewerage Act, 1948-1954, as set forth in the schedule hereunder.

J. McCONNELL,  
Under Secretary for Water Supply, Sewerage and Drainage.

Schedule.

By-laws.

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| Principal by-laws. | 1. In these by-laws the by-laws made under the Country Towns Sewerage Act, 1948-1954, published in the <i>Government Gazette</i> on the 22nd February, 1952, and amended by notices published in the <i>Government Gazette</i> on the 29th August, 1952, the 19th December, 1952, and the 28th May, 1957, are referred to as the principal by-laws. |
|--------------------|---|

By-law 15 substituted. 2. The principal by-laws are amended by substituting for by-law 15 the following by-law:—

15. A fee of one pound ten shillings shall be payable for every Water Supply and Sanitary Plumber's License issued by the Minister under these by-laws and for every renewal of any such license.

By-law 16 substituted. 3. The principal by-laws are amended by substituting for by-law 16 the following by-law:—

16. Every license issued by the Minister under these by-laws shall be current only to the 30th June next following the date of issue and may be renewed each year for a period of twelve months expiring on the 30th June in the next succeeding year, and the holder of a Water Supply and Sanitary Plumber's License shall apply for a renewal thereof and pay the necessary fee prior to the expiration of the period for which his existing license is current.

By-law 22 and heading thereto substituted. 4. The principal by-laws are amended by substituting for by-law 22 and the heading thereto the following heading and by-law:—

STATEMENT TO BE SIGNED.

22. Prior to issue of any license, the person to whom the same is to be issued shall sign a statement that he accepts the license subject to and in conformity with the conditions thereof and with these by-laws and that he will conform and comply therewith.

By-law 23 revoked. 5. By-law 23 of the principal by-laws is revoked.

MUNICIPAL CORPORATIONS ACT, 1906.  
TOWN PLANNING AND DEVELOPMENT ACT, 1928.

City of Subiaco.

By-law No. 6 (Zoning)—Amendment.

L.G. 78/58.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, and the Town Planning and Development Act, 1928, the Mayor and Councillors of the City of Subiaco do hereby order that by-law No. 6 be amended as follows:—

By adding to Schedule 3A (Service Station Zone) the following:—

Hay Street; 1/2/3/4/5; 208.

Passed by the Council of the City of Subiaco at the ordinary meeting of the Council held on the 20th April, 1960.

[L.S.]

J. H. ABRAHAMS,  
Mayor.

A. BOWER,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.  
TOWN PLANNING AND DEVELOPMENT ACT, 1928.  
Municipality of Claremont.  
Zoning By-laws.

L.G. 112/60.

THE Council of the Municipality of Claremont, under and by virtue of the powers conferred on it in that behalf by the Municipal Corporations Act, 1906, the Town Planning and Development Act, 1928, and all other powers enabling it, do hereby amend the Zoning By-laws, published in the *Government Gazette* of the 8th February, 1957, at pages 205-217, both inclusive, and amended by notice in the *Government Gazette* of the 19th February, 1958, at pages 315 and 316, and of the 24th November, 1958, at pages 3105 and 3106, and of the 16th October, 1959, at pages 2600 and 2601, and of the 30th December, 1959, at page 3493, as follows:—

B.—Zoning—Residential Zone.

Delete by-law 4 and substitute a new by-law as follows:—

4. Uses.—There shall be no use of any land or building in a residential zone except for one or more of the following purposes:—

- (a) A dwelling house.
- (b) A duplex house.
- (c) A doctor's or dentists's surgery attached to a residence.
- (d) Private garages not exceeding 400 square feet in floor area, and outbuildings in total not exceeding 200 square feet in floor area.

Land appurtenant to a building, and on the same subdivisional lot may be used only for purposes directly relating to that building.

Passed by the Council of the Municipality of Claremont, at the ordinary meeting held on the 28th day of March, 1960.

[L.S.]

M. KOTT,  
Acting Mayor.  
T. C. BROWN,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.  
City of Perth.

By-law No. 3—Streets and Footways—Amendment.

L.G. 726/53.

IN pursuance of the powers conferred by the Municipal Corporations Act, 1906, the Lord Mayor and Councillors of the City of Perth order that by-law No. 3 (Streets and Footways) be amended as follows:—

1. By the addition of a new subclause after subclause (a) of clause 2, to be known as (aa), as follows:—

(aa) No person shall leave stationary any vehicle (whether a vehicle within the interpretation of that expression in the Traffic Act, 1919-1958, or not) between the hours of 8 a.m. and 6 p.m. in any day between the carriageway and the boundary of any street within the area defined in the schedule.

2. By inserting after clause 29 the following:—

The Schedule.

The area referred to in clause 2 (aa) is the area bounded—

on the west by the western alignment of Havelock Street, commencing at its intersection with the northern alignment of Wellington Street, thence along the western alignment of Havelock Street to its junction with the northern alignment of Kings Park Road, thence across Kings Park Road on the prolongation of the western alignment of Havelock Street to the southern alignment of Kings Park Road;

on the south by the southern alignment of Kings Park Road to the western alignment of Bellevue Terrace at its junction with Kings Park Road, thence along the western alignment of Bellevue Terrace to its junction with the southern alignment of Mount Street, thence along the southern alignment of Mount Street to the junction of the western alignment of Spring Street, thence southerly along the western alignment of Spring Street to its junction with Mounts Bay Road, thence along the southern alignment of Mounts Bay Road to the northern alignment of Riverside Drive, thence easterly along Riverside Drive to the eastern alignment of Victoria Avenue to the southern alignment of Terrace Road, thence easterly along the southern alignment of Terrace Road to its junction with the eastern alignment of Bennett Street;

on the east by the eastern alignment of Bennett Street to its junction with the northern alignment of Wellington Street;

on the north by the northern alignment of Wellington Street from its intersection with the eastern alignment of Bennett Street to its intersection with the western alignment of Havelock Street.

Save and excepting the area between the southern alignment of the bituminised carriageway and the southern alignment of Parliament Place, between Harvest Terrace and Havelock Street.

Passed by the Council of the City of Perth at the ordinary meeting of the Council held on the 11th day of April, 1960.

[L.S.]

H. R. HOWARD,  
Lord Mayor.

W. A. McI. GREEN,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Kwinana Road Board.

By-laws for the Control and Management of the Naval Base Hall and Equipment and Property on Reserve No. 24570.

L.G. 130/59.

THE Kwinana Road Board, under and by virtue of the powers conferred on it in that behalf by the Road Districts Act, 1919, and all other powers enabling, doth hereby make and publish the following by-laws:—

1. Application for the hire of the Naval Base Hall or any portion of the Naval Base Hall building, equipment or property shall be made to the Board not less than 24 hours before the hour at which hiring is desired.



2. Hiring of the hall building and property, including furniture and equipment, shall be at rates set out in the schedule hereunder.

3. The hours for which hiring may be effected at daytime rates shall be from 8 a.m. to 6 p.m. Evening shall be from 6 p.m. to midnight, with additional charge after midnight.

4. The Board may at any time demand that the hirer shall, prior to term of engagement, deposit with the Board an amount estimated to cover hall hire and any damage that may occur during the term of engagement.

5. A deposit of 50 per cent. of the amount of hire shall be lodged with the Board at the time of application for hire of the hall and this deposit shall be forfeited to the Board if the booking is cancelled, but the clause shall not apply to any person or organisation having a regular contract of hiring.

6. The Board reserves the right to refuse to let the hall or any portion thereof to an applicant for hiring, without assigning any reason for such refusal.

7. The Board may at any time cancel any agreement for hiring of any portion of the hall property.

8. In the event of two or more applications being received for the hire of any portion of the hall property at one and the same time and date, the Board may, without considering priority of application, determine to which applicant the hall hiring shall be granted.

9. The hirer of any portion of the hall property shall comply with the provisions of the Health Act, Entertainment Tax Act, and any other Act in force for the time being, applicable to such hiring of building. If in the opinion of the Board all necessary actions have not been taken to comply with the requirements of above, and all other relevant Acts, the Board may, prior to, or during the term of engagement, forbid and prevent the use of such building.

10. In the event of the use of any portion of the hall property 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 Board shall not be responsible to the hirer for any loss or damage incurred by the hirer.

11. No spirituous liquors, wine, ale or spirits, shall be brought into or consumed upon any portion of the Naval Base Hall property except when permitted in writing by the Board.

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

13. No hall plant, furniture, fittings or effects, cutlery, crockery, glassware or other utensils or materials of any kind shall be hired or loaned without the written permission of the Board.

14. The permission of the Board must be obtained before any internal or external decorations are erected or before any nails, tacks or screws, etc., are driven into any of the woodwork or walls of the hall or buildings.

15. No person whilst intoxicated shall be permitted to enter or remain upon any portion of the hall property nor be guilty of misbehaviour, nor be permitted to use profane or improper language, nor damage, mark or deface any wall or other part of the hall or property. Any person who does, permits or suffers any such damage shall be liable to pay costs of such damages in addition to any penalty imposed under these by-laws.

16. No offensive impersonations or representations of living persons, or anything deemed likely to produce disturbances, riot or breach of peace, shall be permitted within the hall building or property.

17. The hirer of any part or parts of the hall building shall maintain and keep good order and decent behaviour, within the property, and shall be solely and entirely responsible for the carrying out and compliance with the requirements of these by-laws and for any damage done to the buildings, fixtures, fittings, furniture, crockeryware, etc., and shall pay such damages as may be assessed by the Board.

18. Any officer representing the Kwinana Road Board or other person duly authorised by the Board shall at any time be permitted free ingress to the hall building and every part thereof, and shall be given every facility for the enforcing of these by-laws.

19. Every person who does, permits or suffers an act or matter or thing contrary to any of these by-laws, or commits or permits any breach or neglects compliance therewith, shall be deemed guilty of an offence against these by-laws and shall be liable to a penalty of not exceeding £20 for every such offence.

20. No person shall take photographs or show films within the hall or property unless the permission of the hirer shall have been first obtained, and in no case shall films of any size larger than 16 m.m. be shown in the building.

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SCHEDULE OF CHARGES.

1. Hall, including all facilities
  - Meetings—Day, 5s.; night, 10s.
  - Socials, Dances, etc. (no charge for admission)—Day, 10s.; night, 20s.
  - Socials, Dances, etc. (where admission is charged)—Day, 20s.; night, 40s.
  - For Private Hire or for organisations from outside the Road District—Day or night, 60s.
2. All hirers to be responsible for opening and securing premises and for leaving premises and surrounds in clean and orderly condition.
3. With the approval of the Board, the premises may be used after midnight on other than Saturdays or Sundays, but functions must terminate not later than 1 a.m.
4. No permanent or regular bookings will be accepted for Saturdays.

Passed at a meeting of the Kwinana Road Board held on the 10th day of June, 1960.

H. L. McGUIGAN,  
Commissioner.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

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ROAD DISTRICTS ACT, 1919.

TOWN PLANNING AND DEVELOPMENT ACT, 1928.

Canning Road Board.

By-laws Amending By-laws Classifying Central, South, North  
and West Wards.

L.G. 78/59.

UNDER and by virtue of the powers conferred by the Road Districts Act, 1919, and the Town Planning and Development Act, 1928, and all other powers thereto enabling, the Canning Road Board doth hereby order that the by-laws published in the *Government Gazette* on the 13th February, 1957, be amended as follows:—

1. The Seventh Schedule to the said by-laws is amended by the addition thereto of the following:—
  - Lacey Street—Portion of Canning Location 5 and being lot 8 on Diagram 19562.
2. The Third Schedule to the said by-laws is amended by the addition thereto of the following:—
  - West Ward—Portion of Canning Location 2 and being lots 178 and 179, John Street, and lot 201, Ewing Street, on Plan 2731.

3. After by-law 19D, the following new by-laws are inserted:—

Special Business Zone "C."

19E. Area.—Those portions of the Canning Road District which are specified in the Ninth Schedule hereto are hereby classified as Special Business Zones "C."

19F. Uses.—No person shall use any land or any building or structure in a Special Business Zone "C" except for the purpose of an hotel and recreation grounds appurtenant thereto.

4. After the Eighth Schedule a new schedule is inserted as follows:—

The Ninth Schedule.

Special Business Zone "C."

High Road—The whole of Canning Location 237 (C/T 946/61).

5. After by-law 19F, the following new by-laws are inserted:—

Showroom/Warehouse Zones.

19G. Area.—Those portions of the Canning Road District which are specified in the Tenth Schedule are hereby classified as Showroom/Warehouse Zones.

19H. Uses.—No person shall use any land or any building or structure in a Showroom/Warehouse Zone except for one or more of the following purposes:—

- (a) Showrooms in connection with retail warehousing or offices and intended for display of goods of a bulky character.
- (b) Wholesale warehouses or retail warehouses and yards used for the storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale or by retail respectively.

6. General Provisions.—After by-law 31 the following new by-laws are inserted:—

31A. Showrooms/Warehouses.—Within a Showroom/Warehouse Zone the following provisions shall apply:—

- (a) The portion of the walls of a showroom and/or warehouse, which abuts or faces a street or way shall be erected in brick, stone or concrete and be of a design approved by the Road Board.
- (b) Paved parking space sufficient to accommodate staff and customer cars and other vehicles shall be provided within the boundaries of the site and be of an area approved by the Road Board.
- (c) Land between the building alignment and the street or way shall not be used for any other purpose than a means of access for parking of vehicles or for lawns or gardens or with the special approval of the Road Board, for trade display.
- (d) No goods, materials or merchandise shall be stacked or placed within five feet of either the side or rear boundaries of the site, or nearer to the street or way than the alignment of the building.
- (e) No goods, materials or merchandise which by their nature could cause injury or prejudicially affect the amenity of the neighbourhood by any means whatsoever and in particular (without limiting the generality of the foregoing) by way of smell, fumes, smoke or dust shall be stacked, stored or placed in the open unless such preventative measures as may be approved by the Road Board are taken, adopted, or applied.
- (f) No part of a building or structure used for a showroom or warehouse shall be used for the assembly, repair, breaking up or painting or other similar work of any article connected with the business of a showroom or warehouse without the approval of the Road Board and in no event shall more than one-half of the total floor area of the building or structure be used for such purposes.

7. After the Ninth Schedule a new schedule is inserted as follows:—

The Tenth Schedule.

Showroom/Warehouse Zones.

Albany Highway—Portion of Canning Location 2 and being lots 19 to 24 (inclusive) on Plan 2135, lots pt. 265, 266, 267 and 289 to 292 (inclusive) on Plan 5094.

Walpole Street—Portion of Canning Location 2 and being lots 268 to 270 (inclusive), 272, 273 and 1 (Diagram 11033) on Plan 5094.

Melbourne Street—Portion of Canning Location 2 and being lots 274 to 277 (inclusive) on Plan 5094.

8. The First Schedule to the said by-laws is amended by inserting after the words "Seventh" and "Eighth" Schedules the words "Ninth" and "Tenth" Schedules.

Passed by the Canning Road Board at the ordinary meeting of the Board held on the 28th day of March, 1960.

J. W. COLE,  
Chairman.  
N. I. DAWKINS,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

#### ROAD DISTRICTS ACT, 1919.

Serpentine-Jarradale Road Board.

By-laws Controlling Quarrying and Excavating.

L.G. 370/60.

THE Serpentine-Jarradale Road Board, under and by virtue of the powers conferred upon it in that behalf by the Road Districts Act, 1919, and all other powers enabling it, doth hereby make and publish the following by-laws:—

These by-laws shall operate and have effect on and after the 1st day of September, 1960.

1. No person without first obtaining the license of the said Board shall on any other than Crown land within the Serpentine-Jarradale Road Board District—

- (a) quarry for stone, gravel, sand, clay or other material; or
- (b) carry on, for the purpose of recovering any stone, gravel, sand, clay or other material, any operation whereby an excavation is made, created or enlarged.

2. All applications for a license must be accompanied by a plan of the area proposed to be excavated, such plan to show details of the levels, area of the proposed pits and the depth of the area to be excavated. Any other information required by the Board in connection with the site shall be supplied by the applicant on request.

3. The duration of any license which may be granted by the Board shall be one (1) year.

4. No person for the purpose of recovering any stone, gravel, sand, clay or other material, shall quarry or excavate on any land within 66 yards or such greater distance (measured at right angles) as the Board in any particular case may specify, of either side of any road situate in the said road district.

5. Any excavation made for the quarrying of stone, gravel, sand, clay or other material shall be kept free of stagnant water.

6. Where quarrying is carried on for the purpose of recovering any stone, gravel, sand, clay or other material, the excavation shall be securely fenced and the gateway locked when not actually in use by the licensee, so as to permit only authorised persons to enter the enclosed excavation.

7. The fee payable to the Board for any such license shall be the sum calculated at the rate of 3d. per cubic yard of the total area in respect of which any such license may be granted; provided that where the fee payable by this by-law has been paid for a license in respect of any area and an application is made within 12 months of the granting of such license for a further license in respect of the same area or part thereof no fee shall be payable in respect of any area included in the license upon which the fee has already been paid.

8. Before any license is issued for any quarrying or excavations, the applicant must deposit with the Board an amount not exceeding one hundred pounds (£100), such amount to be fixed by resolution of the Board and to be retained in trust by the Board until the requirements of the next succeeding paragraph are complied with, and should any licensee fail to carry out such requirements, it shall be competent for the Board to have the necessary work carried out and deduct the cost thereof from the deposit held.

9. When the removal of materials from any excavation is completed, the floor of the excavated area shall be graded and levelled to an even surface and the sides shall be sloped down to a suitable batter to the satisfaction of the Board.

The removal of materials from an excavation shall be deemed to be completed—

- (a) when the license has expired;
- (b) when the area has been excavated to the extent of and in accordance with the area and depth shown on the plan accompanying the application for the license.

10. The licensee shall provide adequate safety precautions for those working in the excavation and for passers-by, and between five and ten minutes before blasting a charge the licensee shall, by bell, whistle or other means, give sufficient warning of danger.

11. The licensee shall obey the directions of the Board as to the limit in size, weight or amount of any explosive that may be used in any charge.

12. No person shall deposit rubbish into any excavation without the written consent of the Board.

13. If any person shall fail to comply with any of the terms of an agreement entered into by the licensee and the Board, relative to the quarrying and excavating or shall commit a breach of any of these by-laws, the Board may cancel the license.

14. The Board may refuse to grant a license or to renew a license to quarry or excavate.

15. The holding of a license shall not exempt the licensee from damage or liability to the public or to any person, or entitle or permit him to commit any nuisance.

16. If any person shall commit a breach of any of these by-laws, he shall be liable to a penalty not exceeding twenty pounds (£20).

17. The whole of the Serpentine-Jarradale Road Board District, referred to in No. 1 of these by-laws, is to be taken as a "prescribed area" as referred to in section 202 of the Road Districts Act, 1919, under which section these by-laws are promulgated.

Passed by the Serpentine-Jarradale Road Board at the ordinary meeting of the Board held on the 28th day of April, 1960.

G. L. LADHAMS,  
Chairman.  
J. GLENNIE,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.  
Kununoppin-Trayning Road Board District.  
By-laws to Regulate Hawkers.

L.G. 347/60.

PURSUANT to the powers in that behalf contained in the Road Districts Act, 1919, the Kununoppin-Trayning Road Board hereby repeals the by-laws relating to hawkers published in the *Government Gazette* on the 28th day of October, 1932, and makes the following by-laws for the regulation of hawkers:—

1. In these by-laws—
  - “Board” means the Kununoppin-Trayning Road Board;
  - “district” means the Kununoppin-Trayning Road District;
  - “hawker” means a person as defined in section 201 (41) of the Road Districts Act, 1919;
  - “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
  - “Secretary” means the Secretary to the Board or the person acting for the time being in the capacity.
2. No person shall hawk any goods, wares or merchandise within the district unless he holds a current license.
3. Subject to these by-laws, the Board may issue licenses, and may, at its discretion, issue a license for a period less than one year but not less than one month.
4. (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 Board forthwith upon issue to him of the license.
  - (2) No license shall be transferable.
  - (3) A license shall be valid for the hawking of the 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 the part of the district only.
5. (1) A person requiring to obtain a license shall make application therefor to the Board.
  - (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 the district, the part of the district to which it is to be limited.
6. (1) The Board 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 Board 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 Secretary, and shall forfeit all fees paid in respect of the license.

7. (1) The Board 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 five shillings.

(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 Secretary and shall forfeit the fee paid in respect thereof.

8. (1) The Board shall not in any financial year concurrently issue more than 20 licenses and shall not concurrently issue licenses for hawking special classes of goods in excess of the following:—

(a) Fruit and vegetables	4
(b) Prepared foodstuffs, victuals and patent medicines	2
(c) Clothing, clothing materials and manchester goods	4
(d) Electrical goods	4
(e) Ice cream, ice blocks and ices	2
(f) Other merchandise	4

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

9. A hawker while hawking shall—

- (a) carry with him his license and shall produce the same to any officer of the Board 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.

10. No hawker shall—

- (a) hawk between the hours of sunset and the next sunrise or on any Sunday, or on Christmas Day or Good Friday;
- (b) 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;
- (c) 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;
- (d) 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 to treat.

11. Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds.

Schedule "A."

Kununoppin-Trayning Road District.

HAWKER'S LICENSE.

No.....

....., of....., is hereby licensed to hawk.....by the means described in his application dated the.....within the Kununoppin-Trayning Road District 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.....

Secretary.

Schedule "B."  
FEES FOR HAWKERS' LICENSES.

Class of License.	In Townsites.		Outside Townsites.	
	Monthly.	Annually.	Monthly.	Annually.
	s. d.	£	s. d.	£
(a) Fruit and vegetables .....	3 4	2	1 8	1
(b) Foodstuffs, victuals, patent medicines .....	5 0	3	3 4	2
(c) Clothing, clothing material and manchester .....	16 8	10	10 0	6
(d) Electrical goods .....	16 8	10	10 0	6
(e) Icecream, ice blocks, ices .....	3 4	2	1 8	1
(f) Other merchandise .....	16 8	10	10 0	6

Schedule "C."

Kununoppin-Trayning Road District.

HAWKER'S BADGE.

No.....  
 Issued to.....  
 Year of issue.....19.....  
 Secretary.

Made and passed by the Kununoppin-Trayning Road Board on the 11th day of April, 1960.

B. S. RANCE,  
Chairman.  
J. PRYCE-JONES,  
Secretary.

Recommended—

(Sgd.) L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.  
Augusta-Margaret River Road District.  
By-laws to Regulate Hawkers.

L.G. 312/58.

PURSUANT to the powers in that behalf contained in the Road Districts Act, 1919, the Augusta-Margaret River Road Board hereby repeals the by-laws relating to hawkers published in the *Government Gazette* on the 8th day of September, 1939, and makes the following by-laws for the regulation of hawkers.

1. In these by-laws—

“Board” means the Augusta-Margaret River Road Board;  
 “district” means the Augusta-Margaret River Road District;  
 “hawker” means a person as defined in section 201 (41) of the Road Districts Act, 1919;  
 “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  
 “Secretary” means the Secretary to the Board or the person acting for the time being in that capacity.

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





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

9. A hawker while hawking shall—

- (a) carry with him his license and shall produce the same to any officer of the Board 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.

10. No hawker shall—

- (a) 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 Board;
- (b) 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;
- (c) 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;
- (d) 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 to treat.

11. Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds.

Schedule "A."

Augusta-Margaret River Road District.

HAWKER'S LICENSE.

No.....

....., of.....  
 is hereby licensed to hawk.....by the means described in his application dated the....., within the Augusta-Margaret River Road District or, the following portion of the Augusta-Margaret River Road District,....., 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.....

.....  
 Secretary.

Schedule "B."

FEEES FOR HAWKERS' LICENSES.

Class of License.	In Townsites.		Outside Townsites.	
	Monthly.	Annually.	Monthly.	Annually.
	s. d.	£	s. d.	£
(a) Fruit and vegetables ....	3 4	2	1 8	1
(b) Foodstuffs, victuals, patent medicines ....	5 0	3	3 4	2
(c) Clothing, clothing materials and manchester ....	16 8	10	10 0	6
(d) Electrical goods ....	16 8	10	10 0	6
(e) Icecream, ice blocks, ices ....	3 4	2	1 8	1
(f) Merchandise ....	16 8	10	10 0	6

Schedule "C."  
Augusta-Margaret River Road District.

HAWKER'S BADGE.

No.....  
Issued to.....  
Year of issue....., 19.....  
Secretary.

Made and passed by the Augusta-Margaret River Road Board on the 28th day of April, 1960.

G. J. SHERVINGTON,  
Chairman.  
C. S. WEST,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Swan Road Board.

By-law to Regulate Hawkers and Stalls.

L.G. 717/59.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Swan Road Board doth hereby order that the by-law to regulate hawkers and stalls published in *Government Gazette* (No. 5), of 28th January, be amended as follows:—

Section 10.—Delete the whole of section 10.

Adopted by the Swan Road Board by resolution passed at a meeting held on 20th day of May, 1960.

E. THORLEY LOTON,  
Chairman.  
T. J. WILLIAMSON,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

## ROAD DISTRICTS ACT, 1919.

Swan Road Board.

By-law Requiring Removal of Refuse, Etc.

L.G. 379/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Swan Road Board hereby makes the following by-law:—

1. In this by-law—

“Board” means Swan Road Board;

“District” means Swan Road District;

“Secretary” means Secretary or acting Secretary of the Board.

2. If there is on any land within the District any refuse, rubbish or other material of any kind whatsoever which, in the opinion of the Board, is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Board may cause a notice under the hand of the Secretary to be served on the owner or occupier of such land requiring such owner or occupier within the time specified in such notice to remove such refuse, rubbish or material from such land.

3. Every owner or occupier of land upon whom a notice is served under clause 2 of this by-law shall comply with such notice within the time therein specified.

4. Any person committing an offence against this by-law shall on conviction be liable to a penalty not exceeding twenty pounds.

Passed by resolution of the Swan Road Board at a meeting held on 20th day of May, 1960.

E. THORLEY LOTON,  
Chairman.

T. J. WILLIAMSON,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

## CEMETERIES ACT, 1897.

Albany Public Cemetery—By-laws.

L.G. 196/58.

THE by-laws published in the *Government Gazette* of the 3rd May, 1955, and subsequently amended from time to time are further amended as follows:—

1. By deleting from Schedule “B” the provision for a fee for the interment of still-born children and the substitution therefor of the following:—

For interment of a still-born child or a child who has not lived longer than 48 hours .... 12s. 6d.

2. By adding the following:—

	£	s.	d.
In open ground—			
Interment of any adult in grave seven feet deep ....	3	0	0
Interment of any child under seven years of age in grave seven feet deep ....	2	10	0
Interment of a still-born child or a child who has lived not longer than 48 hours ....	12	6	

3. By deleting the words "artificial flowers or" from item No. 40 of the by-laws.

Adopted at a meeting of the Trustees of the Board held on 20th April, 1960.

[L.S.]

J. A. BARNSEY,  
Chairman.  
J. M. WINNETT,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1960.

R. H. DOIG,  
Clerk of the Council.

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BETTING CONTROL ACT, 1954-1959.

Betting Control Board,  
Perth, 17th June, 1960.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Betting Control Act, 1954-1959, has been pleased to make the regulations set out in the Schedule hereunder.

H. H. STYANTS,  
Chairman of the Betting Control Board of Western Australia.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Betting Control Regulations, 1955, published in the *Government Gazette* on the 6th May, 1955, and amended from time to time thereafter, are referred to as the principal regulations.

Reg. 144A substituted. 2. The principal regulations are amended by substituting for regulation 144A the following regulation:—

144A. Where a license, certificate of registration, or a renewal of a license or certificate, is obtained for the licensing period commencing on the 1st August, 1960, on payment of the appropriate fee prescribed for a full licensing year, if the Act expires or ceases to operate prior to the 31st July, 1961, the Commissioner shall, on the application of the holder of the license, certificate or renewal, refund to the holder such portion of the amount of the fee so prescribed as is proportionate to the part of the licensing period referred to during which the Act was not in operation.