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OF

WESTERN AUSTRALIA

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No. 70]

PERTH: WEDNESDAY, 17th AUGUST

[1960

MUNICIPAL CORPORATIONS ACT, 1906.

The City of Perth—By-law No. 58—Awnings over Streets—Amendment.

L.G. 272/58.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, the Lord Mayor and Councillors of the City of Perth hereby order that By-law No. 58 relating to awnings over streets be amended as follows:—

1. The words "Subject to the provisions of clause 10 (2) of this by-law" are inserted immediately before the word "No" in line one of clause 6 (1).
2. The words "six inches" in line one of clause 6 (2) are deleted.
3. The figure and words "(1) Subject to subclause (2) of this clause" are inserted immediately before the word "No" in line one of clause 10.
4. A new subclause is added after clause 10 (1) as follows:—
 - (2) The Council may in its discretion by writing under the hand of the Town Clerk permit the erection of awnings at or below first floor level in the streets and areas referred to in subclause (1) of this clause provided that no part of any such awning—
 - (a) shall project from the building line for more than three feet;
 - (b) shall be less than eight feet above the footpath and the lowest edge of the fascia thereof shall be not more than ten feet six inches above the footpath.

Passed by the Council of the City of Perth at the ordinary meeting of the Council held on the 4th day of July, 1960.

[L.S.]

H. R. HOWARD,
Lord Mayor.
WM. C. MILLS,
Acting Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

The City of Perth—By-law No. 40—Signs, Hoardings and Bill Posting—
Amendment.

L.G. 10/58.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, the Lord Mayor and Councillors of the City of Perth hereby order that By-law No. 40 relating to signs, hoardings and bill posting be amended as follows:—

1. A new definition is inserted in clause 2 immediately after the definition "Surveyor" as follows:—

"Tower sign" means a sign fixed to or placed upon a chimney stack or open structural mast or tower.

2. Clause 17 (a) is amended as follows:—

(a) By inserting the following as the first item of the table:—
12 ft. to 15 ft. 4

(b) By repealing paragraph (d) and inserting in lieu thereof the following paragraph:—

(d) When ascertaining the height of the main building above ground level for the purposes of this clause any part of the roof, at the point where the sign is to be erected, which is provided solely for the purpose of architectural decoration shall be disregarded.

3. Two new paragraphs are inserted immediately after paragraph (e) of subclause (1) of clause 18 as follows:—

(f) shall not be within six feet of the side boundaries of the lot on which it is erected, provided that approval may be granted for such signs to be erected at a lesser distance when the lot abuts an intersecting street or right-of-way.

(g) shall have no part thereof less than 20 feet from any part of another sign erected on the same lot.

4. A new clause to be numbered 19A is inserted after clause 19 as follows:—

19A. A tower sign—

(a) shall not indicate or contain other than the name of the owner or occupier of the land or premises on which the mast tower or chimney stack is erected;

(b) shall not if illuminated be a flashing sign;

(c) shall not exceed in height one sixth of the height of the mast tower or chimney stack on which it is placed;

(d) shall not exceed in width the width or diameter of the mast tower or chimney stack on which it is placed;

(e) shall not extend laterally beyond any part of such mast tower or chimney stack.

Passed by the Council of the City of Perth at the ordinary meeting of the Council held on the 4th day of July, 1960.

[L.S.]

H. R. HOWARD,
Lord Mayor.

WM. C. MILLS,
Acting Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Bunbury—By-law No. 15—Long Service Leave—Amendment.

L.G. 124/60.

IN pursuance of the powers contained in the Municipal Corporations Act, 1906, the Mayor and Councillors of the Municipality of Bunbury hereby order as follows:—

(a) That the amendment which was published in the *Government Gazette* on 13th February, 1957, to By-law No. 15 (Long Service Leave) which was published in the *Government Gazette* on 5th September, 1952, be hereby repealed.

(b) That By-law No. 15 (Long Service Leave) which was published in the *Government Gazette* on 5th September, 1952, be amended by deleting Clause 4 and substituting therefor the following clause:—

(4) A lump sum payment for long service leave accrued in accordance with this clause and for *pro rata* long service leave shall be made in the following cases:—

- (i) To an officer who retires at or over the age of sixty years or who is retired on the grounds of ill-health, provided that no payment shall be made for *pro rata* long service leave unless the officer has completed not less than twelve months' continuous service.
- (ii) To a female officer who resigns on marriage or approaching marriage, provided that no payment shall be made for *pro rata* long service leave unless the officer had completed not less than five years' continuous service before the date on which her resignation becomes effective and provided further that she produces her marriage certificate before any payment is made.
- (iii) To an officer who is retired for any other cause provided that no payment shall be made for *pro rata* long service leave unless the officer had completed not less than five years' continuous service before the date of his retirement.
- (iv) To the widow of an officer or to such other person as may be approved by the Council in the event of the death of an officer, provided that no payment shall be made for *pro rata* long service leave unless the officer had completed not less than twelve months' continuous service prior to the date of his death.

The calculation of the amount due for long service leave accrued and for *pro rata* long service leave shall be made at the rate of salary of an officer at the date of retirement, resignation or death whichever applies and no such payment shall exceed the equivalent of twelve months' salary.

Passed by the Bunbury Municipal Council at the ordinary meeting of the Council held on the 25th day of July, 1960.

[L.S.]

F. R. HAY,
Mayor.
R. HOUGHTON,
Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Albany—Amendment to by-law No. 19—Relating to Land Use (Zoning).

L.G. 462/59.

IN pursuance of the powers contained in the Municipal Corporations Act, 1906, the Mayor and Councillors of the Municipality of Albany hereby order that By-law No. 19—Land Use (Zoning), which was published in the *Government Gazette* on 19th July, 1956, be amended as follows:—

Add to 5th Schedule—Light Industrial Area Class B, a new subsection as set out hereunder:—

(d) All that section of land contained within an area bounded by Lockyer Avenue, Prior, Douglas and Vine Streets and comprising lots 1-63 inclusive of Albany Suburban Lot 129.

Provided lots 15-18 and 50-53 inclusive fronting Lockyer Avenue shall be restricted to light industry and showrooms, and any building erected thereon shall be constructed of brick, concrete or other similar materials for the first twenty feet from the Lockyer Avenue frontage.

Provided further that a building line is hereby established at a distance of 33 feet from the Vine and Prior Street frontages within the said area.

Passed by the Albany Municipal Council on 25th January, 1960.

[L.S.] J. A. BARNESBY, Mayor.
A. L. SCOTT, Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Albany—Amendment to By-law No. 19—(Zoning).

L.G. 462/59.

IN pursuance of the powers contained in the Municipal Corporations Act, 1906, the Mayor and Councillors of the Municipality of Albany, hereby order that By-law No. 19—Land Use (Zoning), which was published in the *Government Gazette* on 19th July, 1956, be amended as follows:—

Eighth Schedule—Business Areas—add new clause as follows:—

(h) All that area contained within lots 62-69 inclusive and lot 72 of Plantagenet Location 42 (L.T.O. Plan 7401) at the corner of Angove and Hardie Roads provided the use of lot 72 shall be restricted to service station purposes only.

Passed by the Albany Municipal Council on 28th March, 1960.

[L.S.] J. A. BARNESBY, Mayor.
A. L. SCOTT, Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Midland Junction Municipality—By-law No. 62—Requiring the Removal of Refuse, etc.

L.G. 629/60.

A By-law of the Municipality of Midland Junction made under Section 180 of the Municipal Corporations Act, 1906, and numbered 62, for Regulating the Removal of Refuse, etc.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, the Midland Junction Municipal Council hereby makes the following by-law:—

1. In this by-law—
 “Council” means the Midland Junction Municipal Council;
 “Municipality” means the Midland Junction Municipality;
 “Town Clerk” means the Town Clerk or Acting Town Clerk of the Midland Junction Municipality.
2. If there is on any land within the Municipality any refuse, rubbish or other material of any kind whatsoever which, in the opinion of the Council, is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Council may cause a notice under the hand of the Town Clerk 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 such 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 (£20).

Passed at an ordinary meeting of the Council held on the 21st June, 1960. The Common Seal of the Midland Junction Municipality was affixed hereto this thirtieth day of June, 1960, in the presence of—

[L.S.]

W. P. CALNON,
 Acting Mayor.
 FRANK L. GAWNED,
 Town Clerk.

Recommended—

C. C. PERKINS,
 Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
 Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

The City of Nedlands—By-law No. 15—Removal of Refuse, etc.

L.G. 365/60.

A By-law of the City of Nedlands made under Section 180 of the Municipal Corporations Act, 1906, and numbered 15, for Requiring the Removal of Refuse, etc., from Land.

IN pursuance of the powers conferred by the said Act the Mayor and Councillors of the City of Nedlands order as follows:—

1. In this by-law—
 “Council” means the Council of the City of Nedlands;
 “Town Clerk” means the Town Clerk or the Acting Town Clerk of the City of Nedlands.
2. If there is on any land within the City of Nedlands any refuse, rubbish or other material of any kind whatsoever which, in the opinion of the Council, is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Council may cause a notice

under the hand of the Town Clerk 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 two 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 the Council of the City of Nedlands at the ordinary meeting of the Council held on 19th May, 1960.

[L.S.]

J. CHAS. SMITH,
Mayor.
A. H. JENKINS,
Town Clerk.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

TOWN PLANNING AND DEVELOPMENT ACT, 1928-1959.

Cockburn Road District—Amendment to By-laws Classifying the District.

L.G. 455/57.

THE by-laws of the Cockburn Road Board passed at an ordinary meeting of the Cockburn Road Board held on the 23rd day of October, 1957, and published in the *Government Gazette* of the 17th April, 1958, as amended by notice in the *Government Gazette* of the 15th May, 1959, and as further amended by notice in the *Government Gazette* of the 21st April, 1960, are hereby further amended as follows:—

1. Schedule 6—Shopping Areas.—Add new paragraph as follows:—
(10) Portion of Cockburn Sound Location 10 and being part of lot 5 on Plan 2905 and being lots 22 and 23 on Diagram 25048.

Passed at a meeting of the Cockburn District Road Board this 27th day of April, 1960.

J. H. COOPER,
Chairman.
E. L. EDWARDES,
Secretary.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Nungarin Road District—Building By-laws.

L.G. 633/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Nungarin Road Board makes the following by-laws relating to buildings:—

PART 1.—OPERATION AND DEFINITION.

Application.

1. These by-laws shall apply to the townsites of Nungarin and Elabbin.

Commencement.

2. These by-laws shall come into operation immediately upon their confirmation and approval by the Governor and publication in the *Government Gazette*.

Repeal.

3. From the date of coming into operation of these by-laws all building by-laws previously in force for the Nungarin Road Board are hereby repealed.

Definitions.

4. In these by-laws, subject to the context—

“act” means the Road Districts Act, 1919, and amendments;

“alteration” means any work made or done for any purpose in, or on a building (except that of necessary repairs not affecting the construction of any external, cross, or party wall), or any change in the purpose for which the building or erection, or any part thereof shall be used;

“apartment” means a room or rooms or part of a building intended or adapted for a separate occupation as a dwelling, and includes a flat;

“apartment building” means a building containing two or more apartments;

“approved” means approved by the Board in writing (or in cases where the surveyor is authorised by the Board to do so) approved by the surveyor in writing;

“area” applied to a building means the sum of the superficies of the horizontal sections of each storey made at the point of the greatest surface of each floor, inclusive of the external walls and such portions of the party walls as belong to the building;

“Board” means the Nungarin Road Board;

“build” means and includes erect, build, or construct, or cause to be erected, built or constructed;

“building” means and includes erection, structure, detached room, outbuilding, hoarding, and every structure of whatever kind capable of affording protection or shelter, either roofed, or intended or adapted to be roofed, and whether enclosed by roofs or not, and every part of such structure and any addition or alteration thereto;

“builder” means the master builder or other person employed to execute any work, or, if there is no master builder or other person so employed, then the owner of the building or other person for whom or by whose orders such work is to be done;

“dwelling house” means a building used or adapted to be used wholly or principally for human habitation;

“District” means Nungarin Road District;

“external wall” means the outer wall of a building, not being a party wall, even though it adjoins a wall of another building;

“fire-resisting” used with reference to any materials includes—

(a) brickwork constructed of good bricks well burnt hard and sound; properly bonded and solidly put together with good lime or cement mortar;

(b) any stone suitable for building purposes by reason of its solidity or durability;

- (c) sheet metals or other similar materials which are, in the opinion of the Board, fire-resisting;
 - (d) iron and steel (when used for columns, girders, or wall framing) encased in cement, concrete, or other incombustible or non conducting external coating;
 - (e) slate, tiles, brick, and terra-cotta, when used for covering or corbels;
 - (f) concrete when composed of broken bricks, stone chip-pings, or ballast and lime cement or calcined gypsum;
 - (g) asbestos cement sheets;
 - (h) pressed wood or other similar sheets which are, in the opinion of the Board, fire-resisting;
- “frontage” means the distance measured at right angles to one of the sides of the land from the terminal point thereof to the opposite side, or a continuation of such opposite side;
- “garage” means any building used for the housing of a motor vehicle (not being a garage carried on as a business undertaking);
- “height” in relation to any building means measurement taken from the level of the footway (if any) immediately in front of the centre of the building, or when there is no such footway, from the level of the ground before excavation to the level of the ceiling or tie of the topmost storey;
- “hoardings” includes erection or structure erected, built, constructed, or used, or that may be used for the purpose of writing, painting, pasting or posting thereon notices, advertisements, placards, or other printed, painted, or written matter, or any erection structure, being a greater height than six feet from the level of the adjoining street;
- “main rooms” means and includes all rooms used or intended to be used as bedrooms, dining-rooms, lounges, ordinary living rooms or kitchens;
- “new buildings” includes—
- (a) any building erected or commenced to be erected after the date of these by-laws coming into operation;
 - (b) any building of which more than half of its cubical contents has been taken down or destroyed by fire, tempest, or otherwise, and is re-erected, or commenced to be re-erected wholly or partially on the same site after the date of these by-laws coming into operation;
 - (c) any buildings removed or transported wholly or in sections into the district, or to another part of the district after the date of these by-laws coming into operation;
- “outbuildings” means any building or the curtilage of any dwelling, shop or combined shop and dwelling used as a work shop or storeroom not being a building for the storage of inflammable materials, nor for the housing of animals, including birds;
- “party wall” means a wall built to be used as a separation of two or more buildings or a wall forming part of a building built upon the dividing line between adjoining premises for the common use;
- “person” includes corporation;
- “prescribed” means prescribed by these by-laws;
- “public place” has the same meaning as in the Act;
- “reinforced concrete” means a form of construction in which cement concrete is reinforced with iron or steel, these materials being so combined that the iron or steel will take up and resist substantially the whole of tensional stresses and assist in the resistance to shear, while the concrete will take up and resist the compressional stresses, and assist in resistance to shear;
- “right-of-way” means any lane or right-of-way, not a road, over which any person other than the owner thereof has a right of carriage way;
- “road” has the same meaning as in the Act;

- “S.A.A. code or specification” means the specified code or specification issued by the Standards Association of Australia;
- “surveyor” means the building surveyor or acting building surveyor appointed by the Nungarin Road Board, having for the time being the administration of these by-laws;
- “shop” means a building in which goods are regularly offered or exposed for sale, in which meals or refreshments are regularly offered or provided for payment, and also includes saloons of barbers and hairdressers, and offices of agents, auctioneers, and all other businesses and trades. A *bona fide* boarding house shall not be included in this definition by reason only of the fact that meals or refreshments are occasionally supplied for payment to persons other than boarders;
- “square” applied to the measurement of any area means the space of 100 square feet;
- “surface or ground level” means the level of the ground as determined by the surveyor or engineer;
- “wooden building” means buildings constructed of wood, or buildings having wooden frames.

PART 2.—CLASSES OF BUILDINGS.

5. For the purpose of these by-laws, buildings shall be divided into three classes:—

- Class A—“Domestic class,” which includes all buildings subject to small vibrations and light loading of floors, such as dwelling houses, residential shops, offices, hotels, private schools, club houses, and studios.
- Class B—“Warehouse class,” which includes all buildings subject to vibrations and heavy loading of floors, such as warehouses, factories, mills and places for storage and manufacturing of goods.
- Class C—“Public building class,” which includes all buildings designed to accommodate an assemblage of people, such as theatres, churches, chapels, assembly halls, museums, libraries, public schools, hospitals, lecture rooms, and other like buildings. In case of doubt the surveyor shall finally determine to which class any particular building belongs.

PART 3.—NOTICE OF INTENTION TO BUILD OR DEMOLISH AND LODGING OF PLANS.

Notice to be Given.

6. No builder shall commence any building, or any addition, or alteration to any building without first delivering at the office of the Board a written application in the form of the First Schedule hereto before so commencing and delivering to the surveyor:—

Plans and Specifications.

(a) Properly prepared plans and specifications of such building, addition, or alteration, together with a tracing or copy of the plans of such building, addition, or alteration, and also details and dimensions, sizes and qualities of all materials and enumerating any old materials proposed to be used in the construction of the same. Plans shall be drawn in ink, and specifications typed or legibly written. Plans to be of good quality parchment, 22 in. by 15 in. Scale, $\frac{1}{4}$ in. to 1 ft.

Block Plan.

(b) A block plan showing relation of the building to adjoining buildings and boundaries.

Purpose.

(c) A statement in writing of the purpose for which the building is intended to be used.

Drainage.

(d) Such further particulars in writing regarding the same as shall be necessary to enable the Board or its surveyor to determine if all the provisions of these by-laws applicable thereto are being complied with.

Tracing Retained.

7. The tracing or copy of the plans and details of materials shall be retained by the surveyor, and the original plans and specifications when approved shall be evidenced in writing endorsed on the plans and specifications and signed by the surveyor.

Plans, etc., to be Kept at Building.

8. Such plans and specifications shall be kept at the building therein referred to, and shall be available for inspection by the surveyor or accredited officer of the Board at all reasonable times on demand, during the construction, or erection, or alteration, or addition, as the case may be, and for 14 days after the completion thereof.

Permits and Fees.

9. No person shall commence a building of any kind or addition or alteration to any building, or demolish any building without first having obtained from the surveyor a written permit for the commencement of the same and without having first paid to the Board fees in accordance with the scale set out in the Second Schedule hereto, having regard to the class of building. The written permit shall be in the Form A in the First Schedule hereto.

Area of New Building.

10. The decision of the surveyor as to the area of a new building, or value of an addition shall be final and conclusive.

Permit shall Lapse after Six Months.

11. A permit obtained pursuant to these by-laws shall lapse and be of no effect unless the building for which such permit was granted shall be commenced within six months and completed within 12 months from the date of such permit.

Surveyor may Enter and Inspect.

12. The surveyor at all reasonable times during the progress and after the completion of any building, or addition, or alteration to any building affected by these by-laws may enter and inspect such building, or addition, or alteration. Any person obstructing or hindering the surveyor shall be liable to a penalty of not more than ten pounds (£10).

Surveyor May Stop Work if Contrary to By-laws.

13. The surveyor may at any time stop the progress of any building and withdraw or suspend any permission given by the Board under these by-laws, in the event of his not being satisfied that all the provisions of these by-laws are being complied with, and any person who continues to build, or erect, or works on the site after notice from the surveyor to desist, shall be guilty of an offence against these by-laws.

Demolition or Removal of Buildings.

14. When a building is to be demolished or removed the owner or contractor shall give 24 hours' notice to the surveyor of such intended demolition or removal.

14a. Provision shall be made so as to avoid all nuisance from dust or falling refuse by playing water on same by means of a hose or other approved method.

Sanitary Conveniences for Workmen.

15. Before commencing any building operations upon any building site, the contractor, or person responsible for carrying out building operations shall provide sanitary conveniences sufficient for the use of all working upon the site, such sanitary conveniences shall be in accordance with the requirements of the Health Act.

Low-lying Land.

16. Where land upon which a building is to be erected is below the level of the crown of the road adjoining the land frontage, no building shall be commenced until a level has been given by the surveyor. When it is considered by the surveyor that, having regard to the water level during winter months, filling is required, such filling shall be carried out by the owner or contractor before the commencement of building operations. In the event of there being no made road from which to take the level for any building, the surveyor shall determine the level at which any building shall be commenced and if he considers it to be necessary shall require the owner or contractor to fill in to a given level.

Dwelling Houses—Distance from Road.

17. No building which is intended to be used as a dwelling house, and no addition to any such building, shall be built within a distance of 25 feet measured horizontally from the road to which the building fronts, unless a building line at a different distance has been fixed by a proper authority.

Distance from Side Boundary.

18. No building which is intended to be used as a dwelling house and no addition to any building, which is intended to be used as a dwelling house shall be built within a distance of three feet if of brick, or six feet if of wood or wood frame, measured horizontally from the boundary of the allotment on which such building is erected.

Minimum Area of Open Land.

19. At least one-third of the area of an allotment on which a dwelling house is erected shall be left open and unbuilt on and for the exclusive use of the occupiers of the buildings erected upon such allotment.

Minimum Area of Dwelling House.

20. Every dwelling hereafter erected, altered or extended shall conform to the following requirements:—

(a) The minimum accommodation shall comprise four habitable rooms complying with the requirements of by-law 75 in addition to any bathroom, laundry or water closet required to be provided by the Health By-laws.

Provided a local authority, by special resolution, may approve of lesser accommodation.

(b) Where an existing dwelling is converted into a duplex house the floor area of each dwelling unit of such duplex house shall not be less than 600 square feet.

Provision of Bathroom, Wash-troughs, Copper, etc.

21. Provision shall be made in all new, or re-erected dwellings for a bathroom fitted with bath and washbasin, also laundry facilities consisting of wash-troughs and copper; properly fitted and housed in accordance with any provisions of the Health Act and any regulations or by-laws made thereunder which may from time to time be applicable.

Computing Distances.

22. For the purpose of computing distances from any building, the outer face of the wall shall be taken as the point from which measurements are to be taken.

Occupation of Dwelling.

23. No person or persons shall occupy any new or re-erected dwelling before completion, nor shall any person or persons occupy any new re-erected dwelling until a certificate has been issued by the surveyor in writing stating that the dwelling has been completed in accordance with the plans approved by the Board Building by-laws and Health Act.

Stables.

24. Stables may be erected with walls of brick, stone or concrete, provided that in stables of more than two squares in area, the distance of any wall of such stable from land not in the same occupation or possession shall not be less than the vertical height of such wall including the vertical portion of a gable and roof from the boundary of the land not in the same occupation or possession.

Distance of Stables from Boundaries.

25. No stable may be erected nearer than 30 feet to any dwelling, nor more than 10 feet to the boundary land not in the same occupation.

Fowl Houses.

26. (a) (i) Except as provided in subclause (ii) of this clause, no fowl-house shall be built closer than three feet to a boundary of a site.

(ii) A fowlhouse may be erected on a rear or side boundary of a site up to the rear of any dwelling to which it is appurtenant.

(iii) A wall of a fowlhouse which is erected within three feet of a boundary must be constructed of brick, stone or concrete, and must be carried up as a parapet 15 inches in height above the roof, flat or gutter of the fowlhouse. 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 fowlhouse has rights.

- (b) Fowlhouses may be constructed provided that such structures—
- (i) shall have a height not exceeding eight feet and a total superficial area not exceeding 100 square feet;
 - (ii) shall be distant not less than 60 feet from the boundary of any street or road to which the building has a frontage except in cases where the Health By-laws permit any lesser distance;
 - (iii) shall comply with the requirements of the Health By-laws.

Garages.

Materials.

27. (a) Every garage shall be constructed of fire-resisting material unless otherwise approved by the Board.

Position of Garage.

(b) No garage shall be erected nearer than the dwelling house to which it is appurtenant to any road fronted by such dwelling house. Provided that if there is no means of access for motor vehicles to the rear portion of the allotment on which such dwelling house is erected, a garage may be erected on the front boundary of such allotment subject to a plan showing the exact position in which such garage is proposed to be erected, and the approximate position of any buildings in the allotments adjoining, together with the design of the garage proposed to be erected, and the front elevation thereof being submitted to and approved of by the Board but so that no part of such garage shall be between the dwelling house and the road.

In special cases where the physical configuration or dimensions of the ground preclude the observance of the distances prescribed in this by-law, the Board may permit the erection of a garage in another position.

Doors of Garage.

(c) The doors of a garage when opened shall not encroach on any road.

Walls for Garages.

(d) Every garage wall shall be constructed of fire-resisting materials but corrugated iron shall not be used. Where fire-resisting sheets are used, framing and dado of approved hard wood may be used.

Garage Incorporated with Dwelling.

(e) Where a garage is incorporated as part of the main building it shall in all respects conform thereto, but must have a ceiling of fire-proof material approved by the surveyor.

Garages on Corner Blocks.

(f) No garage shall be erected on a corner block at a less distance from the road on the side boundary than the adjoining building is from such road, or if there is no adjoining building, at a less distance than 20 feet from such road.

Apartment Buildings.

Area of Land to be Occupied.

28. The total floor area of an apartment building together with the floor area of any other buildings erected on the same allotment, shall not exceed half the area of such allotment.

Area of Each Apartment.

29. Every apartment hereafter erected, constructed or adopted or altered shall comprise not less than three habitable rooms complying with the requirements of by-law 75 in addition to any bathroom, laundry or water closet required to be provided by the Health By-laws.

30. Notwithstanding the provisions of by-law 29, the Board may prescribe areas by zoning where single unit flats may be erected comprising a bed-sitting room of not less than 180 square feet, a kitchen of not less than 50 square feet together with any bathroom, laundry or water closet required to be provided by by-laws under the Health Act.

Apartment to be Self-contained.

31. Every apartment shall be self-contained; it shall contain its own kitchen, bathroom and lavatory. It shall have separate entrance from the outside of the building, and such entrance shall be constructed of fire-resisting material as defined in the building by-laws of the Board for the time being in force.

PART 4—BUILDING MATERIALS.

32. All workmanship and materials used in the construction or alteration of any building shall be the best of their respective kinds and in accordance with recognised building practice; all materials used in any building must be of good quality and shall be subject to the approval of the surveyor, and the surveyor shall have the power to condemn any material which in his opinion is not suitable for use in such building, or addition.

Second-hand Material.

33. No old or second-hand material may be used in any building unless approved in writing by the surveyor.

Bricks.

34. Bricks used in any building must be good, hard and well burnt. When old bricks are used in any wall they shall be thoroughly cleaned before being used.

Sand.

35. Sand used for mortar or concrete in any building shall be clean and sharp and free from loam, dirt, salt or organic matter.

Lime Mortar.

36. Lime mortar shall be composed of freshly burnt lime and sand in the proportion of at least one part by measure of lime, and not more than three parts by measure of sand. All lime intended to be used for mortar shall be thoroughly burnt, of good quality and be properly slaked before being mixed with sand.

Cement Mortar.

37. Cement mortar shall be composed of good Portland cement or other cement of equal quality, mixed with clean sharp sand, in proportion of at least one part by measure of cement, and not more than four parts by measure of sand.

Timber.

38. All timbers and wooden beams used in any building shall be of good sound material, free from rot, large loose knots, shakes, or other imperfections where by the strength may be impaired and, in the case of dwellings, shall be such sizes, dimensions and spaces as set forth in by-law 39. In other buildings all timbers shall be of such as will afford safe loadings, and shall be to the satisfaction of the surveyor.

Dimensions and Spacing of Timber.

39. In the construction of wood frame or other buildings where timbers are used, the minimum sizes, dimensions and maximum spacings of such timbers shall in the case of dwellings or other similar buildings, be in conformity with the requirements of S.A.A. Code for Dimensions of Structural Timbers, No. 0.56-1948; but not less than the dimensions and spacings set out hereunder:—

Minimum Dimensions and Maximum Spacing of Timbers in Dwellings and Similar Buildings.

Stumps—4 in. by 4 in. at not more than 4 ft. centres.

Bearers—4 in. by 3 in. fixed on edge and spaced not more than 5 ft. centres apart.

Floor Joists—4 in. by 2 in. spaced not more than 18 in. centres; double joists are to be fixed in all cases where joists are parallel to the vermin plates; all floor joists are to be supported at least every 5 ft.

Wall Framing, either—

(a) Vermin Plates and Top Plates—4 in. by 2 in. housed three-eighths of an inch for studs.

Intermediate Studs.—4 in. by 2 in. spaced up to 24 in. centres and housed three-eighths of an inch into plate.

Corner Studs—4 in. by 4 in. or two 4 in. by 2 in.

Openings—Heads, sills and studs to all openings not less than 4 in. by 2 in.; or

(b) Vermin Plates and Top Plates—3 in. by 2 in. housed three-eighths of an inch for studs.

Intermediate Studs—3 in. by 2 in. spaced up to 18 in. centres and housed three-eighths of an inch into plates.

Corner Studs—3 in. by 3 in. or two 3 in. by 2 in.

Ceiling Joists—3 in. by 2 in. spaced up to 18 in. centres.

Angle Stops—2 in. by 1½ in.

Hangers—Not less than 8 in. in depth by 1½ in. in thickness spaced up to 6 ft. on centres with hanging straps to joists of either No. 16 gauge galvanised hoop iron or 1½ in. square hardwood securely spiked to hangers and joists.

Rafters—

For tile or slate or similar roofs, 4 in. by 2 in. spaced not more than 24 in. centres.

For sheet metal roofs, the spacing may be 4 in. by 2 in. increased to 36 in. or 3 in. by 2 in. spaced not more than 30 in. centres.

Roof Battens—

For tile roofs, a bearing batten of 2 in. by 1 in. to each row of tiles and tiles shall be securely wired to such tie battens.

For sheet metal roofs, battens 3 in. by 1½ in. shall be used spaced up to 36 in. centres.

Roof Purlins—4 in. by 3 in.

Roof Struts—3 in. by 3 in.

Collar Ties—3 in. by 2 in.

Valleys, Barge Boards and Fascias—7 in. by 1½ in.

Ridges, Hips—7 in. by 1 in.

Flooring Boards—Shall not exceed 6 in. in width nor be less than 9/16th in. thick and shall be tongued and grooved well cramped up and securely nailed and cleaned off.

Weatherboards—Shall have a lap of not less than 3/16th in. for each inch of the board width.

Sashes and Doors—The minimum thickness for sashes shall not be less than 1½ in. and for panelled doors not less than 1½ in.

Unsupported Floors—The floor joists for all unsupported floors of residential buildings shall not be less than 8 in. by 2 in. where the span is less than 10 ft.; 9 in. by 2 in. then for spans up to 13 ft.; and 10 in. by 2 in. then for spans up to 16 ft. and to the approval of the surveyor for greater spans than 16 ft.; such joists shall not be spaced at more than 18 in. on centres and shall be laterally supported by herringbone or other approved strutting or bridging.

Bracing—The framework of all external and internal walls shall be well braced with battens not less than 3 in. by ½ in.

All gable roofs shall be braced against lateral movement with timber not less than 1½ in. in width.

Lintels.

40. Builders casting lintels in position shall submit to the surveyor a plan showing position and details of reinforcement and specifications of materials to be used, such designs to be approved at the same time as the plan of the building. Lintels up to 6 ft. span shall be three courses in depth, lintels from 6 ft. to 8 ft. span shall be four courses in depth. All such lintels shall

be reinforced with at least $\frac{1}{2}$ in. steel rods, not less than three rods per lintel and proper bearing, to the satisfaction of the surveyor, shall be given at each end of lintel.

PART 5.—CONSTRUCTION.

Excavation and Inspection of Trenches.

41. All excavation for footings shall be not less than 12 inches below the natural surface of the ground, except in cases of special construction of foundations approved by the surveyor. No footing shall be placed in position until at least 24 hours' notice has been given to the surveyor that the trenches are ready for inspection.

Walls to have Footings.

42. Unless with the consent of the surveyor, every external wall, and every party wall not carried on a bressummer, and every pier and storey post shall have footings.

Dimensions of Footings.

43. The width of the bottom of the footing of every wall shall be at least one-half greater than the thickness of the wall at the ground floor level, but in no case less than 16 inches wide, unless approved by the surveyor, and the height of such footing shall be at least equal to the thickness of the wall at its ground level, but in no case less than nine inches.

External Walls.

44. All external walls shall consist of brick, stone, concrete, reinforced concrete, or other hard fire-resisting material approved by the Board; provided that any building used or intended to be used solely as a dwelling house may have walls constructed of wood and/or asbestos cement sheets, subject to the conditions set out in these by-laws for buildings wholly or partly of wood.

Construction of External Walls.

45. Every wall constructed of brick, stone or other similar material shall be properly bonded and solidly put together with mortar, and no part of such wall shall over-hang any part underneath it to a greater extent than nine inches and as approved by the surveyor, and provided that the projection is well and solidly corbelled out, and is carried up vertically in continuation of the lower face thereof. All return walls shall be properly bonded together.

Damp Course.

46. Every wall or fireplace of brick, stone or similar material shall have a damp-proof course or courses of asphalt, distilled tar and hot sand or other approved material at least six inches above the surface of the ground below the lowest floor, and in cases where it is not desirable to place the same throughout the building at the one uniform level, then the said damp-course must be laid in horizontal layers connected at the end by a vertical course of the same materials and shall not be less than half an inch in thickness.

Hollow Walls.

47. External walls may be constructed as hollow walls if constructed in accordance with the following rules:—

- (a) The inner and outer parts of the wall shall be separated by a cavity which shall throughout be of a width not exceeding two inches or less than one inch.
- (b) The inner and outer parts of the wall shall be securely tied together with suitable bonding ties of adequate strength, formed of galvanised iron, glazed stone-ware, or other material approved. Such ties shall be placed at distances apart not exceeding three feet horizontally and at least every fifth course vertically.
- (c) The thickness of each part of the wall shall throughout be not less than four and one-half inches.
- (d) The aggregate thickness of the two parts, excluding the width of the cavity, shall throughout be not less than the minimum thickness prescribed for solid walls of the same height and length.

- (e) No hollow wall of not more than 11 inches in thickness shall be greater in superficial extent than three squares in any one storey unless strengthened by a partition wall, fireplace or projecting pier, to the satisfaction of the surveyor.

Concrete Blocks.

48. Concrete blocks shall contain not less than one part cement to five parts mixed aggregate and shall be kept damp for a period of not less than four days, and shall not be used green. The blocks shall be bedded and jointed in cement mortar.

Thickness of Walls, Domestic Class.

49. No external walls in brick, stone, concrete, or cement block shall have less than the thickness prescribed in the following Table A:—

Table A—Buildings of Domestic Class.

Length of Walls	No. of Storeys	Thickness of Walls in Inches	
		Ground Floor	First Floor
Walls built with lime mortar—			
Not exceeding 30 ft.	1	9	—
	2	9	9
Exceeding 30 ft.	1	13½	—
	2	13½	13½
Walls built with cement mortar—			
Not exceeding 30 ft.	1	9	—
	2	9	9
Exceeding 30 ft.	1	9	—
	2	13½	9

50. If any storey exceeds in height 18 times the thickness prescribed for walls of such storey, the thickness of each external and party wall throughout such storey shall be increased to one-eighteenth part of the height of the storey and the thickness of each external and party wall below that storey shall be increased to that thickness, but any such additional thickness may be confined to piers properly distributed, of which the collective widths amount to one-fourth part of the length of the wall. No increase in thickness of brick walls shall be less than four and one-half inches.

51. The height of any storey may be 20 times the thickness of walls prescribed for such storey, if built with cement mortar.

Thickness of Walls, Warehouse Class.

52. The external and party walls of buildings of the warehouse class shall be made of not less thickness than that specified in the following Table B:—

Table B—Buildings of the Warehouse Class.

Length of Walls	No. of Storeys	Thickness of Walls in inches		
		Ground Floor	First Floor	Second Floor
Walls built in lime mortar—				
Not exceeding 75 ft.	1	13½	—	—
	2	18	13½	—
	3	18	18	13½
Exceeding 75 ft.	1	18	—	—
	2	18	18	—
	3	22½	18	18
Walls built in cement mortar—				
Not exceeding 75 ft.	1	13½	—	—
	2	18	13½	—
	3	18	13½	13½
Exceeding 75 ft.	1	13½	—	—
	2	18	13½	—
	3	18	18	13½

Thickness of Walls Under Certain Conditions.

53. Walls under 75 feet in length may be constructed nine inches thick, provided they are strengthened with $4\frac{1}{2}$ in. piers equally spaced, of which the collective widths amount to one-fifth of the length of the wall. The height shall not exceed 12 feet when built of lime mortar or 13 feet when built of cement mortar.

54. The thickness of walls under 20 feet in length may be two-thirds the thickness required for external or party walls, as stated in Tables A and B but in no case less than nine inches.

55. If in any storey of the warehouse class the thickness of the wall as determined by the provisions of this part of these by-laws is less than one-sixteenth part of the height of such storey, the thickness shall be increased to one-sixteenth part of the height of the storey, and the thickness of each external and party wall below that storey shall be increased to that thickness, but any such additional thickness may be confined to piers properly distributed of which the collective widths amount to one-fifth part of the length of the wall. No increase in the thickness of brick walls shall be less than four and one-half inches. The height of any storey built in cement mortar may be 18 times the thickness of such storey.

Lengths—How Measured.

56. Walls are deemed to be divided into distinct lengths by return wall, and the length of every wall is measured from the face of one return wall to the face of another. Provided that such return walls are external, party or cross walls of the thickness required by this part of these by-laws and bonded into the wall so deemed to be divided.

Cross Walls.

57. The thickness of a cross wall shall not be less than two-thirds of the thickness hereinbefore required for an external or party wall of the same dimensions and belonging to the same class of building, but never less than nine inches and no wall sub-dividing shall be deemed to be a cross wall unless it is carried up to the plate level of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevation of all recesses, and that of all the openings therein taken together does not exceed one-half, of the whole extent of the vertical face or elevation of the wall. If a cross wall is carried on a girder across the ground storey and is supported by piers to the satisfaction of the surveyor, it shall be deemed to be a cross wall in accordance with this regulation; but in one storey buildings of the domestic class, four and one-half inches cross walls will be permitted, provided the unsupported length of any wall does not exceed 25 feet.

Cross Wall becomes External Wall.

58. Whenever a cross wall becomes any part of an external wall, the external part of such cross wall shall be of the thickness required for an external wall of the same height and length belonging to the same class of building, but no portion of such cross wall shall be of less thickness than is required for the external portion thereof.

Internal and Partition Walls.

59. (1) All internal bearing walls and partition walls shall be constructed in such a manner as may be approved by the surveyor and shall be of cement blocks, brick, stone or concrete. All such walls shall be not less than four and one-half inches thick; provided that, where such walls form a division between flats, then such walls shall not be less than nine inches thick.

(2) Unless with the consent of the surveyor, every such wall, unless carried on a bressummer, shall have footings, and such footings shall be at least twice the thickness of the wall resting upon it.

Isolated Piers.

60. No isolated brick or stone piers shall exceed in height eight times the least diameter of same, if built of lime mortar, and 12 times if built of cement mortar.

Parapet to Walls on Boundary.

61. Where the external wall of any building is erected on the boundary of the land on which the same stands, or where the overhanging eaves or gutters of any building would be within two feet of such boundary then the

external wall of such buildings shall be carried up to form a parapet of 15 inches at least in height above the roof, or above the highest part of any flat or gutter, as the case may be.

Parapet, Warehouse Class.

62. In buildings of the warehouse class, the thickness of such parapet shall be equal to the thickness of such wall in the topmost storey, and in any other building of a thickness of nine inches at least.

Party Walls.

63. Every party wall shall be carried up for a height of fifteen inches above the roof, measured at right angles to the slope thereof; or fifteen inches above the highest part of any flat or gutter as the case may be, and of a thickness (in buildings of the warehouse) class equal to the thickness of such wall in the topmost storey and in any other building, of a thickness of eight and one-half inches at least. Provided, however, that in the case of domestic buildings, where not more than two buildings are erected under one roof, it shall be sufficient if the party wall is carried up at least eight and one-half inches in thickness to the underside of the roof covering, and such roof covering of iron, slate, or other material must be bedded in good mortar to the satisfaction of the surveyor, and the top of such party wall shall not be hidden from view until it has been approved by the surveyor.

64. Every party wall shall be carried up of the thickness aforesaid above any turret, dormer, lantern light, or other erection of combustible materials fixed upon the roof or flat of any building within four feet of such party wall, and shall extend at the least 15 inches higher and wider on each side than such erection, and every party wall shall be carried up above any part of any roof opposite thereto, and within four feet therefrom.

Roughcast and Stucco.

65. Roughcast and stucco work shall be applied only to brickwork, provided that in certain cases, such as gables of dwellings, or other ornamental sections of dwellings, roughcast may be applied to expanded metal fixed in an approved manner.

Interior Walls of Dwellings.

66. The interior of all walls and ceilings of every wooden or wooden-framed building, and the ceiling of every other class of building, which is intended to be used, or which may be used as a dwelling house, shall be constructed of plaster sheets, or other fire-resisting materials.

Roofs.

67. The roof of every building shall be constructed of metal, tiles, slates, glass, artificial stone, cement or shingles, or other materials approved by the Board.

Reinforced Concrete Buildings.

68. In all cases where reinforced concrete is employed, whether in buildings as a whole or in portions of buildings, before the actual carrying out of the work, or any portion thereof, complete drawings of such work or portion shall be delivered to the surveyor, showing all details of the construction, and the size, spacing, and arrangement of all reinforcing members.

Public Buildings.

69. In any case in which the plans of any public building (proposed) are required by law to be approved by the Public Health Department, or any other department, such approval shall be obtained before such plans are submitted for the Board's approval.

Shops.

Minimum Area of Land.

70. No person shall hereafter erect any shop otherwise than upon a site satisfying the following requirements:—

- (a) The area of the site shall be not less than 2,000 square feet.
- (b) The width of the frontage of the site shall be not less than 16 feet six inches.

Access to Rear of Shop.

- (c) Every shop shall be so erected and built that without passing through the building there is a reasonable access to the back premises and offices of such shop for the removal of nightsoil and other refuse to a road or lane 10 feet wide at least.

Separate Entrance for Shop and Dwelling in Different Occupation.

- (d) If a dwelling attached to a shop is in a different occupation from the shop, a separate entrance from the road shall be provided for the sole use of the occupants of the dwelling.

Alterations and Additions.

Alterations.

71. Except with the consent of the Board, or the surveyor, no alteration shall be made to any building in such manner that when so altered it will, by reason of such alterations, not be in conformity with the provisions of these by-laws relating to new buildings.

Additions and Alterations.

72. Every addition to, or alteration of a building, and any other work made or done for any purpose in or on a building (except necessary repairs which do not affect the construction of a building) shall so far as regards such addition, or alteration or other work, be subject to the provisions of these by-laws relating to new buildings.

Ventilation, Lighting and Drainage—Height of Rooms.

73. The main rooms in all buildings shall be in every part not less than nine feet from floor to ceiling and the minimum height for wash-houses and external bathrooms shall be seven feet. The minimum height of verandahs shall be seven feet from floor level to top of the plate.

Attics.

74. Every habitable room shall be not less than nine feet in height provided that coving, cornices and beams projecting below that height will be permitted subject to such coving, cornices and beams having a clear head room not less than eight feet six inches and the total area of such projections below a height of nine feet not exceeding 20 per cent. of the area of the room.

Ingle nooks and recesses for furniture may be added to such rooms with ceilings of less height than nine feet provided that the ceilings of such ingle nooks shall be not less than six feet eight inches in height.

Minimum Area of Rooms.

75. (a) Except as provided elsewhere in these by-laws, every habitable room shall have a minimum floor area of not less than 80 square feet.

(b) Every habitable room shall be not less than eight feet wide in its minimum dimension, except a kitchen which may have a minimum width of seven feet.

A kitchenette which is constructed in the form of an annex to a habitable room and separate therefrom by an unobstructed opening not less than five feet wide and seven feet high shall not be deemed to be a separate habitable room.

(c) In every dwelling house there shall be one living room with a superficial area of not less than 144 square feet and a minimum width of not less than 10 feet and one bedroom with a minimum area of not less than 120 square feet.

(d) Every bathroom shall be not less than 30 square feet in floor area with a minimum width of five feet and every water closet shall be not less than 13 square feet in area.

(e) Where the water closet is contained within the bathroom, the floor area shall be not less than 40 square feet.

(f) The height of a bathroom or of a water closet shall be not less than seven feet six inches.

(g) Every laundry and wash-house shall have a floor area of not less than 50 square feet and the walls of such building shall be an average of eight feet in height from the floor level to the underside of the ceiling, or if there be no ceiling, the underside of the rafters.

(h) Sleepouts shall comply with the provisions of by-law 81 as regards light and ventilation and shall have an average height of not less than eight feet, a minimum height of not less than seven feet and a floor area of not less than 80 square feet.

Windows (Natural Lighting).

76. All rooms in a building intended to be used as a dwelling shall have one or more windows opening directly into external air; the area of such windows shall be not less than one-tenth of the area of the floor of the room in which such window or windows are fitted.

Ventilation (Other than Dwellings).

77. The ventilation of all buildings, parts of buildings type of ventilators to be used, arrangement and situation of ventilation openings, shall be subject to any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Ventilation (Dwelling).

78. Every part and every room of any dwelling house or building intended to be used for habitation, shall be ventilated as required under any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Ventilation (Sub-floor).

79. The space under the ground floor of every building shall be provided with a sufficiency of openings through all walls under the floors to allow a current of air to flow freely under all parts of the building, unless otherwise approved by the Board. Type of ventilator used and spacing of same shall be the subject of approval by the surveyor and in accordance with any provisions of the Health Act or any regulations or by-laws made thereunder which may from time to time be applicable.

Lighting and Ventilation (Shops).

80. The provisions of this part of these by-laws relating to height of rooms, lighting and ventilation of main rooms in dwellings shall as far as applicable apply to all shops save that the windows need not be constructed to open if other approved provision for ventilation is made, and the minimum height of ceilings in shops shall be 11 feet.

Enclosing of Verandahs.

81. No verandah of any dwelling, or shop, or other building shall be enclosed, or built in such manner as to exclude natural light, or reduce the proper ventilation of any building or any part thereof. The use of hessian or jute bags, or similar materials for enclosing or screening verandahs is prohibited.

Any verandah shall not be totally enclosed for habitation or sleeping, but may be partially enclosed if of a minimum height of seven feet as hereunder:—

- (1) A brick, concrete, jarrah or asbestos dado shall be constructed for a maximum height of three feet six inches from floor level of such verandah or sleep-out in accordance with the existing by-laws.
- (2) The space above the dado shall be constructed as follows—
 - (a) of fly wire totally; or
 - (b) of fixed clear or white obscure glass louvres, minimum height three feet six inches; or
 - (c) of mechanically adjustable (to open and partially close) clear or white obscure glass louvres, minimum height three feet six inches sash;
 - (d) louvres described in (b) and (c) shall be approved by the Board or building surveyor;
 - (e) of sliding windows containing clear or white obscure glass, minimum height three feet six inches sash (casement windows not permitted);
 - (f) the total length of the louvres or windows described in (b), (c), (e) shall not be less than 75 per cent of the total length of the sleep-out or verandah measured along the side and one end, but the end, exposed to weather (paragraph g) shall not be included in this measurement;

- (g) subject to the approval of the Board or the building surveyor, the end of the verandah or sleep-out most exposed to the wet weather may be totally closed up in brick, concrete, jarrah or asbestos, but one window, minimum size three feet by two feet shall be provided in such enclosed end if any existing window is in close proximity or may have its lighting reduced unduly by such total end enclosing.
- (3) Any sleep-out or partially enclosed verandah shall provide that any existing windows shall not be obscured by any opaque substance which will reduce the existing lighting to existing rooms.
- (4) New sleep-outs of minimum height of seven feet (not being partly enclosed verandahs) shall comply fully with this by-law and existing by-laws.
- (5) The rules of this by-law shall not apply to a sleep-out where its height from the floor to ceiling is 10 feet or more, providing the floor area is 80 square feet or more and providing its total air space is not less than 720 cubic feet, but shall comply with the existing by-laws for habitable rooms.

Floors.

82. Floors, other than verandah floors, shall be fixed level, and in all buildings the ground floor, if of wood, shall have a space of not less than six inches between the ground and the underside of the floor bearers.

Permit may be Refused if Drainage is not Satisfactory.

83. The Board may refuse to approve the plan of any building or any addition, or alteration to any building, until it is satisfied that the proposed building, or addition, or alteration and the site and curtilage thereof will be properly drained in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Drainage of Waste Water.

84. Every person who shall erect a building shall provide proper drainage for the disposal of all waste water in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Waste Pipes.

85. Waste pipes from baths, sinks, wash-troughs and similar sanitary fittings shall be of wrought iron of approved sizes. All sanitary fittings shall be provided with traps under fittings, metal cleaning eyes shall be fitted at all changes of direction and angles of waste pipes in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Roof-water Disposal.

86. All buildings shall be provided with gutters and downpipes of approved sizes sufficient to carry all water from every part of the roof in an efficient manner, such water shall be carried at least two feet clear of the foundations of the building. In the case of large buildings, where the surveyor shall deem it necessary all storm water from the roof of such buildings shall be carried by pipes direct to the street drains, or gutters in such a manner as directed by the surveyor.

Water Supply.

87. Every dwelling house not connected to a public water supply shall be provided with a water storage tank of not less than one thousand gallons capacity, or as may be prescribed in any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable. Such tank shall be completely covered at its top and provided with a manhole fitted with a tight-fitting lid.

Provisions of Manhole in Ceiling.

88. Every building shall be provided with one or more manholes in the ceiling to enable access to be gained to the underside of the roof thereof.

Removal of Buildings.

89. If any building is removed from outside the district to within the district, or from a site within the district to another site within the district, whether on the same or another block of land, such building shall be deemed for the purpose of these by-laws to be a new building erected for the first time on the site whither it is removed.

Verandahs over Footpaths, Projection, Signs, Hoardings and Fences.

Verandahs.

90. No person shall erect, or cause or permit to be erected any portico or verandah over the footway of any road in the district without first obtaining the consent of the Board in writing, and such portico or verandah shall be of the shape, figure, dimensions and materials as set forth on the plan and specifications, for the time being adopted by resolution of the Board, but the lowest part of the frieze or rails of such portico or verandah shall in no case be of less height than nine feet above the level of the outer edge of the footway. All such verandahs and projections shall be of the cantilever type.

Openings in Roof of Verandah.

91. No opening shall be made in the roof of such verandah for the purpose of affording light, unless such opening be properly framed and glazed with approved glass protected underneath with fine mesh wire-netting or armoured glass to the satisfaction of the surveyor.

Porch Landing, etc.

92. Every porch, gangway, outside landing, and outside step shall be of fire-resisting material and shall not project beyond the boundary of any road or public place.

Shop Windows.

93. Shop windows intended to be used for the display of goods or business advertisements shall consist of plate or approved glass jointed and fixed in approved metal or approved timber frames, the level of the sill of such frames to be not higher than 30 inches, nor within 12 inches of the level of the footpath immediately adjoining the same.

Woodwork Abutting on Roads.

94. Woodwork shall not be fixed flush with the face of any wall abutting on a road unless it is encased with metal of not less than 22 gauge.

Signboards, Hanging Lamp, etc.

95. No signboard, hanging lamp, or other fixture shall be erected on or attached to any building or verandah projecting over the roadway unless permission in writing of the Board be first obtained. Each such signboard, hanging lamp, or other fixture shall be of material, construction and design approved by the surveyor and shall be in no part less than eight feet six inches above the level of the footpath or road. No signboard shall exceed in depth three feet nor shall any signboard project over a road or footpath except with the approval of the Board.

Unightly or Dangerous Fence.

96. When any fence abutting on any road or public place within the district is in a dangerous or unsightly state, the Board may, by notice in writing to be served on the owner of such fence, require such owner within 14 days from the receipt of such notice to take down or repair such fence as the case may require, and such owner shall comply with such notice.

Fences and Walls.

97. Every fence to be hereafter erected abutting on any road or public place shall have affixed thereto a plinth at least nine inches high unless the surveyor shall consent in writing to such plinth being of less height, and every wall of brick, stone or concrete, or other similar substance shall be constructed with a base to be approved by the surveyor. All fences to be constructed in townships shall be in conformity with plans and specifications previously submitted to and approved by the Board.

Brick Chimneys, Flues, Fireplaces and Heating Apparatus, Foundations, Footings, etc.

98. (1) Chimneys shall be built on solid foundations and with footings similar to the footings of the wall against which they are built, unless they are carried on steel girders with direct bearing upon party, external or cross walls, to the satisfaction of the surveyor, or on corbels of brick, stone or other incombustible material, and the work so corbelled does not project from the wall more than the thickness of the wall measured immediately below the corbel.

(2) Chimneys may be corbelled out not more than 14 inches from walls nine inches in thickness on corbels of stone or incombustible materials not less than 10 inches in depth and of the full width of the jambs.

Chimneys, etc., with Soot Doors.

99. (1) Chimneys and flues having proper soot doors of not less than 40 square inches may be constructed at such angle as is approved by the surveyor, but in no other case shall any flue be inclined at less angle than 45 degrees to the horizon, and every angle shall be properly rounded.

(2) Position of soot doors—All soot doors shall be distant at least 15 inches from any woodwork.

Arches.

100. An arch of brick or stone of sufficient strength shall be built over the opening of every chimney to support the breast thereof. Every camber arch shall have the abutments tied in by an iron bar, or bars, of sufficient strength turned up or down at the ends and built into the jamb for at least four and one-half inches on each side.

Flues.

101. A flue shall not be adapted to or used for any new oven, furnace, steam boiler or other fire used for any purpose of trade or business, or to or for the range or cooking apparatus of any hotel, tavern or eating house, unless the flue is surrounded with brickwork at least nine inches thick, or reinforced concrete six inches from the floor of the storey on which such oven, furnace, steam boiler or other fire is situate to 12 inches above the roof.

Flues in Connection with Engines.

102. A flue shall not be used in connection with a steam boiler or hot-air engine unless the flue is at least 20 feet in height measured from the level of the floor on which such engine is placed.

Linings, etc., of Flues.

103. The inside of every flue, and also the outside where passing through any floor, or roof, or space enclosed by the roof or behind or against any woodwork, shall be rendered or pargetted, or lined with fire-resisting piping or stone work.

Incombustible Material in Certain Cases.

104. The breast of every chimney shall be of incombustible material, at least four inches in thickness and the brickwork surrounding every smoke flue shall be at least four and one-half inches in thickness, provided that where a ventilating flue is carried up with a smoke flue, they may be separated by a properly constructed iron wyth of cast iron not less than one inch in thickness.

Jambs.

105. The jambs of every fireplace opening shall extend at least nine inches on each side of the opening thereof.

Backs of Fireplaces.

106. The back of every fireplace opening in party or external walls from the hearth up to a height of 12 inches above the lintel or arch shall be brickwork at least nine inches thick, or shall be reinforced concrete six inches thick. No flue shall be within two inches of the centre line of any party wall.

Thickness of Flues.

107. The thickness of the upper side of every flue when its course makes with the horizon an angle of less than 45 degrees, shall be at least nine inches.

Height.

108. Every chimney flue or chimney shaft shall be carried up in brick or stonework at least four inches thick throughout to a height of not less than three feet above the roof, flat or gutter adjoining thereto, measured at the highest point in the line of junction with such roof, flat, or gutter.

Top Courses.

109. The highest six courses of every chimney stack or shaft shall be built in cement mortar.

Chimney Shafts.

110. The brickwork or stonework of any chimney shaft except that of the furnace of any steam engine, brewery distillery or manufactory shall not be built higher above the roof-flat or gutter adjoining thereto than a height equal to six times the least width of such chimney shaft, at the level of such highest point in the line of junction, unless such chimney shaft is built with, and bonded to another chimney shaft, not in the same line with the first, or otherwise rendered secure to the approval of the surveyor.

Slabs.

111. There shall be laid level with the floor of every storey, before the opening of every chimney, a slab of stone, slate, or other incombustible material, at least six inches longer on each side than the width of such opening, and at least fourteen inches wide in front of the breast thereof.

How to be Laid.

112. On every floor except the lowest floor, such slab shall be laid wholly on stone or iron bearers, or upon brick trimmers, or other incombustible materials, but on the lowest floor it may be bedded on concrete, covering the site, or on solid materials placed on such concrete.

Hearths, etc.

113. The hearth or slab of every chimney shall be bedded wholly on brick, stone or other incombustible materials, and shall together with such material be solid for a thickness of six inches at least beneath the upper surface of such hearth or slab.

Flues in Party Walls.

114. A flue shall not be built in, or against, any party structure or existing wall, unless it is surrounded with good sound brickwork, or other approved material, at least four and one-half inches in thickness, properly bonded to the satisfaction of the surveyor.

Cutting Away Chimney Breast.

115. A chimney shaft or breast built with or in any party wall, shall not be cut away unless the surveyor certifies that it can be done without injuriously affecting the stability of any building.

Cutting into Chimney Shaft.

116. A chimney shaft, jamb, breast, or flue shall not be cut into except for the purpose of repair or doing one or more of the following things:—

- (1) Letting in or removing or altering flues, pipes, or funnels for the conveyance of smoke, hot air, or steam.
- (2) Forming openings for soot-doors, each opening to be fitted with a close iron door and frames.
- (3) Making openings for the insertion of ventilating valves. Provided that an opening shall not be made nearer than 12 in. to any timber or combustible material.

Position of Timberwork.

117. Timber or woodwork shall not be placed—

- (1) under any chimney opening within six inches from the upper surface of the hearth of such chimney opening;
- (2) within two inches from the face of the brickwork or stonework above the chimney or flue, unless the face of such brickwork or stonework is rendered.

Position of Wooden Plugs.

118. Wooden plugs shall not be driven nearer than three inches to the inside of any chimney or flue opening, nor any iron holdfast or other iron fastening nearer than two inches thereto.

Ironwork.

119. No iron or steel joists, or other iron work shall be placed in any flue except in so far as the same may be required for ensuring stability.

Floors above Furnace or Ovens.

120. The floor or roof over any room or enclosed space in which a furnace is fixed, and any floor within 18 inches from the crown of an oven shall be constructed from fire-resisting material.

Exempted Buildings.

121. This by-law shall not apply to any temporary or removable offices and sheds used by builders during the construction of any building at or about the site of such building for a period not exceeding 12 months.

Enforcement of By-laws and Penalties.

122. No building may be erected except in compliance with these by-laws. No person shall erect, build, or construct, remove, or make any alteration or addition to, or cause to be erected, built or constructed, removed or make any alteration or addition to any building, contrary to the provisions of these by-laws.

Penalty for Breach.

123. Any person who shall be guilty of any breach of any of the provisions of these by-laws, or shall fail to duly comply with any notice thereunder, shall be liable for every such offence to a penalty of not less than £1 and not exceeding £20.

Notice to Make Building Conform to By-laws.

124. If any building shall be wholly or partly built, or erected or added to, or altered, contrary to, or not in conformity with the provisions of these by-laws, the Board or any officer thereof may give to the owner, occupier or builder, or leave upon the site of such building notice in writing to bring such building into conformity with the said provisions or requiring the pulling down or removal of such building within the time as limited in such notice, and such owner, occupier or builder shall comply with such notice within the time therein limited.

No Alterations Infringing By-laws.

125. No alteration shall be made in any building in such a manner that when so altered it will by reason of such alteration not be in conformity with the provisions of these by-laws relating to new buildings.

No User Infringing By-laws.

126. No person shall occupy or permit to be occupied any building for any purpose for which such building could not have been built under the provisions of these by-laws; provided that this clause shall not prevent the continued use of any building in existence at the time of coming into operation of these by-laws for any purpose for which it was then being used.

Licenses for Hoardings.

127. The Board may grant licenses in accordance with the provisions of regulation (3) of the Second Schedule to the Road Districts Act for the erection of a hoarding or fence to the satisfaction of the surveyor. Such license shall be in the Form "A" of the Third Schedule hereto.

License for Deposit of Materials on Roads, etc.

128. The Board may grant licenses in accordance with the provisions of regulation (4) of the Second Schedule of the Road Districts Act for the deposit of materials on any road or way or the making of any excavation on any land abutting on or adjoining or contiguous to any road or way. Such deposit or excavation shall be to the approval of the surveyor. The license shall be in the form "B" in the Third Schedule hereto.

Before granting a license to deposit the materials or make an excavation the Board may require from the applicant a sum determined by the surveyor to be held as a deposit to cover the cost of carrying out repairs to the road, footpath, kerb, etc., made necessary by the deposit or excavation concerned.

Pergolas and Car Ports.

129. (a) A pergola shall be deemed to be a covered area not roofed or walled, supported on posts or pitching plates with trellis work which may support growing plants.

A car port shall be deemed a structure to protect cars roofed but not walled.

(b) Notwithstanding any other provisions of this By-law, where a building is already erected on the site or the site conditions present difficulties, the Board may on application approve plans and specifications for the erection of a car port or shelter of pergola type upon any allotment, to be constructed at a lesser distance from the boundary of such allotment, than the distance prescribed for the construction of a building having walls.

(c) Any plans and specifications submitted shall comply with the following provisions:—

(1) The roof if any shall be "semi-flat" or if low pitched (about five degrees) shall harmonise with the main buildings.

(2) Supporting posts or columns shall be securely fixed to the ground and comply with one or more of the following:—

Timber (jarrah dressed), 4 in. x 4 in.

Steel pipes not more than three inches in diameter with wrought-iron cap and base plates.

Brickwork or masonry, 9 in. x 9 in.

Concrete, 6 in. x 6 in. reinforced.

Columns of brickwork or masonry shall not be greater than 9 in. x 9 in.

The space between columns shall not be less than six feet.

(3) Roof structure (timber):—

Plates or beams shall not be less than 6 in. x 2 in. jarrah (dressed).

Purlins shall be spaced at not more than three feet centre to centre and shall be at least equal to the following:—

Spans up to 9 ft., 4 in. x 2 in.

Spans 9 ft. to 12 ft., 5 in. x 2 in.

Spans up to 16 ft., 6 in. x 2 in.

Tubular steel, or alternatively, 2 in. x 10 gauge pipe welded or bolted to supporting steel posts with side reinforcements in such a manner that unsupported section would not be more than four feet. Purlins to be bolted to iron beams. The roof shall be constructed with a fall of at least 1 in 40 and such fall shall not be towards any adjoining fence or boundary of any land not in the same possession, unless the outer roof line is not less than two feet in horizontal distance from the boundary. The roof shall be either of corrugated galvanised iron, corrugated asbestos (rafter and purlins distances to comply with the Scaffolding Act) tempered hardboard, or timber sheeted with bituminous felt or other approved roofing material.

Provided also, that the water from the roof shall not be permitted to discharge on adjoining land not in the same possession.

All members shall be sufficient and fixed in such a manner that they will withstand the forces likely to be imposed upon them.

(4) No part of any car port shall be within three feet of any boundary of the allotment.

(5) No part of any pergola shall be within two feet of any boundary of the allotment.

- (6) No car port or pergola shall be erected on any allotment abutting road intersections on that particular part of the land which has been set aside by the local authority as a standard truncation or for which a building line has been fixed.
- (7) Where a car port is attached to an existing building, it shall be supported from a pitching plate of at least 4 in. x 2 in. jarrah which shall be bolted to the wall with at last $\frac{3}{8}$ in. diameter bolts at a maximum space of three feet.
- (8) If of reinforced concrete, detailed drawings shall be submitted of the reinforcement and placement, together with specification indicating disposal of storm water.
- (9) Concrete roofs shall not be attached to timber-framed construction, but if attached to a brick building, shall be supported on brick walls or piers bonded to the brick walls.
- (10) The height above ground level of any part of the roof structure shall be at least seven feet.
- (11) On a residential lot no car port or pergola shall cover an area of more than 350 square feet without a resolution of the Board.

First Schedule.

FORM OF APPLICATION.

I,....., of..... as owner or builder, hereby make application for a permit to erect a..... on lot No..... situated in..... Street, at..... for..... owner. Frontage of the lot..... feet, depth..... feet. Building to be used for..... No. of rooms..... Height of Walls..... feet (first storey). Height of walls (second storey). Walls to be built of..... Linings to be..... Roof to be of..... If skillion roof, height of rear wall..... feet. Distance from side boundaries..... feet. Outbuildings to be erected as follows..... Height of walls..... to be built of..... Roof..... distance from nearest building on lot..... Distance from nearest boundary on lot..... feet. Drainage I propose to instal the following drainage..... Cost of building..... I submit a block plan, ground plan and front elevation of proposed building, drawn in ink, together with a copy to be retained by the Board, and I certify to the best of my knowledge that plans and all particulars herein set out are true and correct.

Date
 Received on.....
 Signed
 Approved

Referred to Board.....

Form "A."

Nungarin Road Board.

Permit to Build No

Mr..... of..... is hereby granted permission to erect a..... on..... at a cost of £.....

Terms and conditions

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

..... Secretary.

Second Schedule.

PRESCRIBED FEES.

	s.	d.
New buildings of an area of two squares or less	5	0
New buildings of an area of more than two squares, per square	2	6
Addition for alteration to buildings, per £100 (minimum fee 5s.)	5	0
Garages and outbuildings (new buildings or additions or alterations to)	2	6
Fees for hoarding licenses	2	6
Fees for licenses to deposit on roads	2	6
Fees for license to excavate	2	6

Removal of Buildings.

For inspection only of a building not in the district, whether removal is approved or not—minimum £2 2s., up to 10 miles. Over 10 miles, £2 2s., plus 1s. per mile for each mile over.

For inspection of a building within the district, whether removal is approved or not, £2 2s. Fees for permit additional to inspection fee.

Third Schedule.

Form "A."

Nungarin Road Board.

License to Erect a Hoarding Pursuant to Regulation 3 of the Second Schedule to the Road Districts Act and By-laws.

No..... license is issued to..... of
 to erect a hoarding at the land specified
 hereunder for the purpose of carrying out building operations.

Secretary.

Lot No..... Street.....

Form "B."

Nungarin Road Board.

License to Deposit Materials on Road or License to Make an Excavation. Pursuant to Regulation 4 of the Second Schedule to the Road Districts Act and By-law.

No..... License is issued to..... of
 to deposit materials on the road at the
 land specified hereunder or to make an excavation on the said land.

Secretary.

Lot No..... Street.....

Passed at a meeting of the Nungarin Road Board held on the 12th day of July, 1960.

R. L. HERBERT,
 Chairman.

F. W. TIMOTHY,
 Secretary.

Recommended—

C. C. PERKINS,
 Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
 Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Nungarin Road Board—General By-laws.

L.G. 3251/52.

PURSUANT to the powers conferred by the Road Districts Act, 1919, and all other powers thereto enabling it, the Nungarin Road Board doth hereby repeal all by-laws previously made by it under the Road Districts Act, and makes and publishes the following by-laws in lieu thereof:—

By-laws.

Meetings and Procedures.

1. Seven (7) days' notice in writing shall be given by the Chairman or Secretary, of ordinary meetings, and also of every meeting adjourned for a term exceeding six (6) days.
2. Meetings of the Board 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 Board, including adjourned meetings, at which incompleting business shall be completed, together with other business considered necessary.
3. Special meetings of the Board are those called for specific purposes under section 131 (2) and (3) 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; provided that any matter of urgency or emergency may be discussed on the ruling of the chairman, and with the consent of a majority of those present.
4. The ratepayers' meeting shall consist of one called under section 144 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.
5. Ordinary meetings shall be held at the offices of the Board, or at some other convenient place, at 1.30 p.m. on the second Tuesday 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 Board, passed at the previous ordinary meeting of the Board.
6. No business shall be transacted at any ordinary meeting or special meeting unless a quorum, as specified by the Act, shall be present.
7. At all meetings of the Board, 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.
8. The minute book, prescribed by the Act, shall be kept, in which any item of business transacted by the Board at meetings shall be entered by the Secretary; provided that pasting or permanently affixing the minutes of the meeting of the Board 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 Board.
9. Each member (including the Chairman) shall have one vote, and in the case of an equality of votes, the question shall pass in the negative.
10. No resolution of any meeting of the Board shall be revoked, rescinded or altered except in the manner provided by section 136 of the Act.
11. The Common Seal of the Board shall be kept in the Board's safe. It shall not be used except by Board resolution.

Standing Orders.

12. The order of business at all ordinary meetings of the Board 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 Secretary will briefly describe action taken on each resolution or direction. Questions may be asked by members on the progress of such matters.

- (c) Reports—
- (i) Chairman: The Chairman shall have the right of directing attention at any meeting to any matter or subject within the jurisdiction or official cognisance of the Board. He shall also report to the Board on any functions he has attended as a representative of the Board.
 - (ii) Secretary: On all matters which his duties require him to bring before the Board, not mentioned in correspondence, matters of information which require Board attention, and other matters requested by the Board.
 - (iii) Engineer: On all works carried out during the previous month, works programme for the future month, and other matters requested by the Board.
 - (iv) Finance Committee: Recommending payments, adopting financial statements, and any comment considered necessary on the over-all financial position of the Board.
 - (v) Other committees: As required by the Board.
- (d) Questions on which notice of motion has been given at the previous meeting.
- (e) Business arising from correspondence.
- (f) Rates: All matters pertaining to general, loan, health and vermin rates.
- (g) Health: All matters pertaining to the administration of the Health Act, 1911-1959.
- (h) Vermin: All matters pertaining to the administration of the Vermin Act, 1918-1953.
- (i) General Board business.
13. Deputations: Arrangements must be made at one meeting, by resolution of the Board, for a deputation to be received at the following meeting. In an emergency, the Chairman may ask the Board to receive a deputation immediately, and the Board will, by resolution, agree or disagree.
- (a) Deputations will be under the control of the Chairman and shall speak only on the subject matter upon which the Board agreed to receive such deputation. Board members may ask questions, but no discussion involving Board policy will take place in the presence of the deputation.
 - (b) Upon the deputation retiring, the Board will proceed immediately to discuss the matter presented, and instruct the Secretary as to what Board decision is to be forwarded to the deputation.
14. All correspondence to the Board shall be addressed to the Secretary, and submitted to the Board. No letter addressed to the Board shall be presented or read by a member.
15. Committees—
- (a) If, in a report of a committee, distinct recommendations are made, the decision of the Board may be taken separately on each recommendation.
 - (b) Any report of a committee or any portion of such report may be amended by the Board 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 Board, shall become a resolution of the Board.
16. When the Chairman 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 Chairman may be heard without interruption, but the member who was speaking may resume when the Chairman takes his seat.
17. A member, when speaking, shall not digress from the subject of debate.
18. In the absence of any member who has placed a notice of motion on the business paper for any meeting, any other member may, at such meeting move the same, or such motion may be deferred until the next ordinary meeting of the Board.
19. No motion shall be discussed unless or until it has been seconded.

20. When a motion has been proposed and seconded, it shall become subject to the control of the Board, and shall not be withdrawn without the consent of the Board.

21. 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.

22. No motion or amendment shall be debated unless or until it has been reduced to writing, if the Chairman so directs.

23. In submitting a motion or amendment the Chairman shall put the question first in the affirmative and then in the negative.

24. If the amendment has been carried, the question as amended shall itself become the question before the Board, whereupon any further amendment upon such question may be moved.

25. 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 Board at any one time.

26. No discussion shall be permitted upon any motion for the adjournment of the Board. 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 adjournment until half an hour has elapsed from the time of moving the one that has been negatived.

27. 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.

28. Every such question shall be put categorically and without argument.

29. No discussion shall be permitted respecting any reply or refusal to reply to any question.

30. Members shall on all occasions, when at a meeting, address the Chairman and Secretary and members by their official designation such as Chairman or Secretary or member, as the case may be.

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

32. Upon a vote being taken, all members present within the Board 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, but if a member neglects or refuses to vote, except when disqualified from voting, his vote shall be counted for the negative.

33. (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 Chairman shall declare whether the "Ayes" or "Noes" have determined the question; or, if the Chairman prefers, he may call for a show of hands for and against the question. The decision of the Chairman shall be final and conclusive unless such decision be immediately challenged and two members rise and demand 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.

34. Upon a division being called for, the question shall be put in the affirmative first and then in the negative, and the Chairman and all members present shall vote by show of hands, and the names and the votes of the Chairman and members present shall be recorded in the minutes by the Secretary. Any member of the Board present when a division is called for who does not in the manner above indicated vote on such motion, not being disqualified by law from voting, shall have his vote counted in the negative.

35. The Chairman 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 Board Property.

36. 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.

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

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

39. 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.

40. No person, without having first obtained the permission of the Board, 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 Board.

41. 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 Board, 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.

42. 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.

43. 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 Board officer, remove such animal immediately.

Sand, Timber and Gravel, etc.

44. 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 Board, without the written permission of the Board; any person contravening this by-law shall, upon conviction, be also liable to pay the Board the value of the materials removed.

Depositing Waste Material.

45. No person shall deposit soil, rubble, building waste, trade waste, garden trash, or any material whatsoever, in or upon any road, reserve, gravel pit, recreation ground or other property under the control of the Board, without written authorisation by the Board.

46. Any person contravening this by-law shall, upon conviction, be liable to a Court order to remove such deposits forthwith, or pay the cost of the Board removing same.

Blasting.

47. 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 Board, and attending to such directions in regard thereto, given in conjunction with such permission, or subsequently given by the Secretary.

Fencing.

48. The Board 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.

49. The Board 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.

50. The Board may direct the removal, within fourteen (14) 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 Board. In any case of

failure to comply with such direction, it shall be lawful for an officer appointed by the Board, to remove same at the cost of the person so offending, and to proceed against the offender for a breach of this by-law.

51. The owners of vacant town-site lands within the district shall, when required by the Board, clear such lots of trees, shrubs, and undergrowth, wholly or partially, and within such time as may be directed by the Board.

52. The Board may direct the removal, within fourteen (14) days, of any portions of trees, shrubs, or other growth, overhanging a fence, on to a foot-path, road, right-of-way, lane or public place under the control of the Board. In any case of failure to comply with such direction, it shall be lawful for an officer appointed by the Board 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.

53. No person or body of persons shall conduct a street stall, collection, raffle, sale or exhibition, without the permission of the Board.

54. Applications must be lodged in writing in time to be considered by the Board.

Appointment of Employees.

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

56. The authority given by this by-law shall be supplementary to and shall not derogate from the power of the Chairman of the Board under section 211 (3) of the Road Districts Act, 1919.

Management and Use of Reserves.

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

58. Under such conditions and stipulations as shall be determined by the Board, and upon payment of such fees as described herein, the Board 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.

	Per Annum		
	£	s.	d.
Agricultural Society	25	0	0
Tennis Club	20	0	0
Football Club	12	0	0
Cricket Club	4	17	6
Men's Hockey Club	4	17	6
Women's Hockey Club	4	17	6

Provided that the Board may, by an absolute majority, reduce or waive such fees in circumstances which it considers necessary.

59. No person except the officers or servants of the Board 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 (58) 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.

60. 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 Board 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.

61. 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.

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

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

64. 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.

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

66. No person other than a person who is the holder of a special or temporary license under the Licensing Act, 1911, to sell intoxicating or spirituous liquors, shall take into or upon any reserve any intoxicating liquor, except with the written consent of the Board.

67. No person shall consume any intoxicating liquor on any reserve except at a booth or stall set apart for such purpose and under the control and management of a person who is the holder of a special or temporary license as aforesaid.

68. Notwithstanding anything contained in clauses (66) and (67) of these by-laws, the Board 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 otherwise than in accordance with clauses (66) and (67) of these by-laws but subject to such other conditions and restrictions as the Board may see fit to impose on payment of a fee of £1.

69. 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 Board 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.

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

Damage or Injury to Roads by Sand Drift.

71. Whenever it appears to the Board 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 Board 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 Board considers sand drift from such land on to a road will be prevented.

72. 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.

73. In these by-laws—

“Board” means the Nungarin Road Board;

“district” means the Nungarin 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.

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

75. 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.

76. (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 the 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 that part of the district only.

77. (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 a district, the part of the district to which it is to be limited.

78. (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.

79. (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.

80. (1) The Board shall not in any financial year concurrently issue more than 4 licenses and shall not concurrently issue licenses for hawking special classes of goods in excess of the following:—

- (a) Fruit and vegetables 1
- (b) Prepared foodstuffs, victuals and patent medicines 1
- (c) Clothing, clothing materials and manchester goods 1
- (d) Electrical goods 1
- (e) Ice cream, ice blocks and ices 1
- (f) Other merchandise 1

(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.

81. 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.

82. 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 Board;
- (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.

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

Schedule "A."

Nungarin Road District

HAWKER'S LICENSE.

No..... of is hereby licensed to hawk by the means described in his application dated the within the Nungarin Road District or the following portion of the Nungarin 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 Townsite.		Outside Townsite.	
	Half-yearly.	Yearly.	Half-yearly.	Yearly.
	£ s.	£	£ s.	£
(a) Fruit and vegetables	1 0	2	10	1
(b) Foodstuffs, victuals, patent medicines	1 10	3	1 0	2
(c) Clothing, clothing material and manchester	5 0	10	3 0	6
(d) Electrical goods	5 0	10	3 0	6
(e) Ice cream, ice blocks, ices	1 0	2	10	1
(f) Other merchandise	5 0	10	3 0	6

Schedule "C."

Nungarin Road Board

HAWKER'S BADGE.

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

 Secretary.

Long Service Leave.

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

- (a) "Board" means the Nungarin Road Board;
- (b) "Continuous service" means service in the employment of the Board during which an employee has not been absent from the service of the Board for a continuous period of more than 10 days without leave of absence being granted by the Board.

85. All employees of the Board 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 Board, which will, as far as possible, meet with the wishes of the employee, but the Board may require the employee to take his leave by giving not less than three months' notice.

86. 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 Board.

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

88. 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 Board before the next period is completed.

89. In the event of the resignation, retirement or death of an employee, the Board 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 Board was empowered under these by-laws to grant to such employee at the date of his resignation, retirement or death, or if the Board, after consideration of all the circumstances, directs that the death of an employee be presumed the Board 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 Board.

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

91. 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 Board. Any contravention of this by-law shall entitle the Board 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.

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

93. Such permit shall be granted by the Board, 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 Board, and capable of carrying the heaviest vehicle likely to use the crossing.

Pipelines Under Roads and Footpaths.

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

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

96. The Board 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.

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

Verandahs.

98. 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.

99. No person shall drive, draw, impel or cause to be driven, drawn, or impelled, on or across any road within the Nungarin Road District, any agricultural implement or machinery, in such a manner that any part other than the wheels shall touch the ground. Penalty £20.

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 Nungarin Road Board the cost of repairing any damage caused to any road by the use of such implements or machinery.

Hall Control and Management.

100. In the construction of these by-laws, subject to the context—

“Board” shall mean the Nungarin Road Board;

“Secretary” shall mean the Secretary for the time being of the Nungarin Road Board, or any person authorised by him to act on his behalf;

“hall” means and includes all parts of the Nungarin Hall situated on lot 133, Nungarin Townsite;

“hall grounds” means lot 133, Nungarin Townsite;

“caretaker” means the caretaker of the hall duly appointed by the Board.

101. Application for the hire of the hall or any part thereof shall be made in writing to the Board not less than 48 hours before the time that the hall is required. The application shall state the time and the purpose for which the hall is required. The person signing such application shall be the official hirer of the hall, and as such shall be responsible for the requirements of these by-laws.

102. The fees and hire charges for the hall shall be as set out in the schedule of charges appended hereto.

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

104. The Board may at any time demand that the hirer shall, prior to the term of engagement, pay for the hall hire, and this amount shall be forfeited to the Board if the booking is cancelled.

105. 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 7 p.m. to 12 midnight.

106. The Board reserves the right to refuse to let the hall or part thereof to any applicant without assigning any reason for such refusal.

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

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

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

110. 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 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.

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

112. The hirer of the hall or any part thereof shall maintain and keep good order and decent behaviour within the hall and hall 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 Board.

113. No person shall in the hall or hall grounds—

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

114. The Secretary, caretaker, or any police constable in uniform or otherwise, shall be permitted to have free ingress to the hall 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.

115. No person shall erect any internal or external decorations, place any nails or screws in the woodwork, walls or any part of the hall, building or property, and no advertising matter shall be placed or attached to any wall or fitting.

116. No food or drink shall be taken into the main hall. All suppers, banquets and other similar activities can take place only in the supper room and kitchen, except with the prior written approval of the Board.

117. No person other than the Secretary 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.

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

119. No vehicle shall be driven in or on hall grounds, except—

(a) to allow persons using the hall to alight from or enter into such vehicle;

(b) to unload any requirement of the hirer at the kitchen or stage.

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

221. Schedule of Charges:—	£	s.	d.
Whole hall—Monday to Saturday, to 12 midnight	3	0	0
Overtime, per hour or part thereof	10	0	0
Meetings: Whole hall—Morning or afternoon	12	6	0
Evening	1	10	0
Stage—Morning or afternoon	5	0	0
Evening	12	6	0
Use of kitchen and crockery (extra)	12	6	0
Bazaars—All day or part thereof	1	0	0
Alcoholic liquor—An additional charge for serving of alcoholic liquor to be paid on application	1	0	0

Penalty.

122. Any person offending against any of the provisions of these by-laws shall be liable on conviction to a penalty not exceeding £20.

123. Section 206 of the Road Districts Act shall apply to all by-laws, that is to say: Nothing in any by-laws 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 Board 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.

Passed at a meeting of the Nungarin Road Board held on the 12th day of July, 1960.

R. L. HERBERT,
Chairman.

F. W. TIMOTHY,
Secretary.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Kwinana Road Board—By-laws for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 639/60.

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

1. In this by-law—

- (1) "Board" means Kwinana Road Board;
- (2) "District" means Kwinana Road District;
- (3) "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel" whether alone or in conjunction with other words;
- (4) without limiting the generality of sub-by-law (3) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Kwinana Road Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)" in accordance with the provisions of the Town Planning and Development Act, 1928, and the Road Districts Act, 1919.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Town Planning Scheme or Zoning By-laws of the Board.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-laws (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant, or in the alternative to the foregoing a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—

- (a) a bed-sitting room;
- (b) a car park;
- (c) luggage storage space; and
- (d) an ablution and toilet unit.

(2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—

- (a) two hundred square feet where the unit is intended to accommodate one person; and
- (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Board.

(2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—

- (a) a shower cubicle;
- (b) a hand basin;
- (c) an air lock and water closet.

(2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.

(3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.

(2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.

(3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of a greater distance from any residential unit.

(2) There shall be adequate means of access to and manoeuvring space at each car park.

(3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this by-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets and bedspreads for each bed;

- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

(2) A person shall not be the manager of or be in charge of a motel who—

- (a) is an undischarged bankrupt;
- (b) has been convicted of any indictable offence; or
- (c) has been or is convicted more than three times of offences against these by-laws or against the Health Act and Regulations.

Compliance with other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board and registration, if approved, shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or to forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by resolution of the Kwinana Road Board at a meeting held on the 26th day of July, 1960.

H. L. McGUIGAN,
Commissioner.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Gnowangerup Road District—Public Hall By-laws.

L.G. 80/59.

WHEREAS by the Road Districts Act, 1919, the road board of any district is empowered to make, alter, and repeal by-laws, in pursuance of the said powers, the by-laws made by the Gnowangerup Road Board on the 30th day of July, 1958, are hereby amended by deleting the whole of the Schedule of Charges and inserting in lieu thereof a new Schedule of Charges.

SCHEDULE OF CHARGES.

1. Gnowangerup Hall—with supper room and kitchen—for seven hours from 6 p.m. to 1 a.m.:—

	£	s.	d.
(a) Travelling shows (no supper room or kitchen)	5	0	0
(b) Locally organised entertainments, other than picture shows—Saturday nights or public holidays	6	0	0
(c) Locally organised entertainments—Saturday nights and public holidays (no supper room or kitchen)	5	0	0
(d) Locally organised entertainments—Week nights (no supper room or kitchen)	4	0	0
(e) Locally organised entertainments—Week nights	5	0	0
(f) Supper room only (no kitchen)	2	0	0
(g) Supper room and kitchen	2	10	0
(h) Bazaars or fairs, for charitable purposes—Afternoon and evening	4	0	0
(i) Bazaars or fairs, for charitable purposes—Afternoon only	1	0	0
(j) Meetings (without supper room or kitchen)—			
(i) Day		10	0
(ii) Night		1	10
(k) Religious services (without supper room or kitchen)		10	0
(l) Rehearsals (stage only without special lighting)		10	0
(m) Picture shows (not subject to contract agreement)—with light and power	4	0	0
(n) Meeting room (meetings only)—			
(i) Day—for four hours or less		5	0
(ii) Night—for four hours or less		10	0
(o) Kitchen only—for four hours or less		15	0
(p) Hall and supper room—Overtime beyond the time specified—per hour, or part thereof—			
(i) With light	1	0	0
(ii) Without light		10	0

2. Borden Hall; Ongerup Hall; Jerramungup Hall—with kitchen—for seven hours from 6 p.m. to 1 a.m.:—

	£	s.	d.
(a) Travelling shows (no supper room or kitchen)	5	0	0
(b) Entertainments, other than picture shows—Saturday night or public holidays	5	0	0
(c) Locally organised entertainments—Week nights	4	0	0
(d) Bazaars, for charitable purposes—Afternoon and evening	4	0	0
(e) Bazaars or fairs, for charitable purposes—Afternoon only	1	0	0
(f) Meetings (without supper room or kitchen)—			
(i) Day		10	0
(ii) Night		1	10
(g) Religious services (without supper room or kitchen)		10	0
(h) Rehearsals (stage only without special lighting)		10	0
(i) Picture shows (not subject to contract agreement, including light and power)—			
(i) Borden Hall	2	10	0
(ii) Ongerup Hall	3	0	0
(iii) Jerramungup Hall	3	0	0
(j) Meeting room (meetings only)—			
(i) Day—for four hours or less		5	0
(ii) Night—for four hours or less		10	0
(k) Kitchen only—for four hours or less		10	0

3. Halls—any hall under the Board's control—Overtime beyond the time specified, per hour or part thereof:—

	£	s.	d.
(i) With light	1	0	0
(ii) Without light	10	0	

4. Crockery; Cutlery; Teapots; and Jugs, for seven hours:—

	s.	d.
(i) Cups and saucers—per dozen	1	0
(ii) Knives, forks, spoons—per dozen	1	0
(iii) Plates—per dozen	1	0
(iv) Teapots and jugs—each	1	0

Passed at a meeting of the Gnowangerup Road Board held on the 22nd day of June, 1960.

D. K. HOUSE,
Chairman.
W. J. CUNEO,
Secretary.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Kwinana Road Board—By-law Requiring Removal of Refuse, etc.

L.G. 628/60.

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

1. In this by-law—

“Board” means Kwinana Road Board;

“District” means Kwinana 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 properties 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 Kwinana Road Board at a meeting held on the 21st day of July, 1960.

H. L. McGUIGAN,
Commissioner.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Armadale-Kelmscott Road Board—By-law Requiring Removal of Refuse, etc.

L.G. 641/60.

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

1. In this by-law—

“Board” means Armadale-Kelmscott Road Board;

“District” means Armadale-Kelmscott 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 Armadale-Kelmscott Road Board at a meeting held on 18th day of July, 1960.

J. E. MURRAY,
Chairman.

W. W. ROGERS,
Secretary.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Canning Road Board—Amendments to By-laws for the Control of Roads and Ways.

L.G. 10/59.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Canning Road Board hereby orders that the by-laws published in the *Government Gazette* on the 15th July, 1958, relating to the control of roads and ways, be amended as follows:—

By-law 14 is repealed and the following by-law is inserted in lieu thereof:—

14. (1) No person shall on any part of a road or way (whether or not the same has been formed or paved) without the written consent of the Board deposit or leave any rubbish, material or thing of any kind or (without prejudice to the generality of the foregoing words) any vehicle which is not capable of being driven away under its own power: Provided that it shall not be an offence under this subclause to leave for no longer than is necessary a motor vehicle which while in transit has suffered a mechanical breakdown rendering it impossible or unsafe to continue driving the same.

(2) The Board may remove from the road or way any rubbish, material, thing or vehicle which has been deposited or left in breach of subclause (1) of this by-law.

Passed by resolution of the Canning Road Board at a meeting held on 9th November, 1959.

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

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Kalgoorlie Road Board—By-law for Removal of Refuse, Rubbish or Other Material.

L.G. 631/60.

PURSUANT to the powers conferred by the Road Districts Act, 1919, and every other authority enabling it in that behalf, the Kalgoorlie Road Board doth hereby make and publish the following by-law:—

1. In this by-law—

“Board” means the Kalgoorlie Road Board;

“Secretary” means the Secretary or the Acting Secretary of the Kalgoorlie Board.

2. If there is on any land within the Kalgoorlie Road Board 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 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 the Kalgoorlie Road Board at the ordinary meeting of the Board held on the 15th July, 1960.

A. CRUICKSHANK,
Chairman.
A. E. RASMUSSEN,
Secretary.

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 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 amended as follows:—

By adding to Schedule "B" the following item:—	s. d.
For permission to erect a headstone not exceeding 3 ft. 6 ins. in height	15 0

Adopted at a meeting of the Board held on the 15th June, 1960.

[L.S.]

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

Recommended—

C. C. PERKINS,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of August, 1960.

R. H. DOIG,
Clerk of the Council.