



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 101]

PERTH: THURSDAY, 8th DECEMBER

[1960

## LICENSING ACT, 1911-1959.

Crown Law Department,  
Perth, 12th October, 1960.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Licensing Act, 1911-1959, has been pleased to make the regulations set out in the schedule hereunder.

R. C. GREEN,  
Under Secretary for Law.

## Schedule.

## Regulations.

Principal  
regulations.

1. In these regulations the regulations made under the Licensing Act, 1911, and published in the *Government Gazette* on the 1st day of July, 1911, and as amended from time to time thereafter, are referred to as the principal regulations.

Second  
Schedule  
amended.

2. The Second Schedule to the principal regulations is amended by substituting for paragraphs (9) and (10) the following paragraphs:—

	s.	d.
(9) On lodging an application under section 186 for a permit to admit to club premises extraordinary honorary members—		
(a) where the number does not exceed 20	10	0
(b) where the number exceeds 20	20	0
(10) On every permit granted under section 186 to admit to club premises extraordinary honorary members (in addition to the fee payable under paragraph (9) hereof)—		
(a) where the number does not exceed 20	10	0
(b) where the number exceeds 20	20	0

## HEALTH ACT, 1911-1959.

## Ashburton Road Board.

P.H.D. 1913/60.

WHEREAS under the provisions of the Health Act, 1911-1959, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Ashburton Road Board, being a local authority within the meaning of the Act, and having adopted the Model By-laws described as Series "A" and published in the *Gazette* on the 9th day of August, 1956, doth hereby amend the said adopted by-laws as follows:—

## Part I.—General Sanitary Provisions.

After by-law 1B insert a new by-law 1C, as follows:—

## 1C.—Provision of Apparatus for the Bacteriolytic Treatment of Sewage.

(a) This by-law shall apply in that portion of the district comprising the townsite of Onslow as constituted under the Land Act, 1933.

(b) The owner of every house existing in the portion of the district prescribed in paragraph (a) of this by-law at the time of coming into operation of this by-law, shall provide on the premises an apparatus for the bacteriolytic treatment of sewage. The apparatus shall be of a type to receive and dispose of all sewage and liquid wastes produced on the premises. All sanitary fixtures shall be connected to the apparatus before the first day of April, 1962.

(c) The owner of every house constructed after the coming into operation of this by-law which is within a portion of the district prescribed in paragraph (a) shall provide on the premises an apparatus for the bacteriolytic treatment of sewage and sullage water before the house is occupied or used.

(d) Notwithstanding the requirements of paragraphs (b) and (c) the Board may grant exemptions from the provisions of this by-law in any case where premises are considered to be unsuitable.

Passed at a meeting of the Ashburton Road Board held on the 27th day of July, 1960.

W. M. PATERSON,  
Chairman.  
J. A. V. PROCTER,  
Secretary.

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

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

## HEALTH ACT, 1911-1959.

## Carnamah Road Board—Resolution.

P.H.D. 1624/56.

WHEREAS under the provisions of the Health Act, 1911-1959, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Carnamah Road Board, being a local authority within the meaning of the Act, and having adopted the Model By-laws described as Series "A," as reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 9th August, 1956, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

After Part IX insert a new Part to be known as Part X, as follows:—

## Part X.—Storage of Inflammable Materials.

1. These by-laws shall have effect within the townsites of Carnamah, Coorow, Winchester and Marchagee, as constituted under the Land Act, 1933.

2. In this by-law unless the context requires otherwise—  
 “inflammable liquid” means liquid petroleum, and any oil, liquid, spirit or any similar liquid which will flash or emit an inflammable vapour at or below a temperature of 150 degrees Fahrenheit, Abel Close Test;  
 “firebreak” means a strip of ploughed or cleared land which is devoid of all scrub, stubble, buildings, structures and any other inflammable material, and is so maintained;  
 “embankment” means a barrier constructed of earth or of concrete, which is devoid of all scrub, stubble, buildings, structures and any other inflammable material, and so maintained.
3. No person shall store any aviation spirit within any portion of the district prescribed in by-law 1 of this Part.
4. No person shall store more than 60 gallons of inflammable liquid on any domestic premises, and not more than four gallons shall be stored within 20 feet of any adjacent structure or building or inside any building which is within 20 feet of any other structure or building.
5. No person shall store any inflammable liquid on premises which are not domestic premises except under the following conditions:—
- (a) Where the quantity of inflammable liquid stored does not exceed 500 gallons—
- (i) it shall be stored at least 25 feet distant from any adjacent buildings;
  - (ii) a firebreak at least 10 feet wide shall be provided immediately around the storage area;
  - (iii) a continuous embankment capable of arresting the flow of all inflammable liquid there stored shall be provided, not less than 15 feet distant from any building on any premises where the storage area is situated on sloping ground;
  - (iv) two two-gallon capacity foam fire extinguishers, or other approved types, shall be kept at the storage area and maintained ready for immediate use;
  - (v) two signs bearing the wording specified hereunder shall be conspicuously displayed at the storage area, clearly marked in red letters, not less than six inches in height—

DANGER.  
 INFLAMMABLE LIQUIDS.  
 NO SMOKING. NO MATCHES.  
 NO NAKED LIGHTS.

- (b) Where a quantity exceeding 500 gallons but not exceeding 5,000 gallons of inflammable liquid is stored—
- (i) the storage area shall be surrounded by a continuous embankment forming a reservoir, the capacity of which shall be not less than ten per centum greater than the total volume of inflammable liquid stored;
  - (ii) every part of such embankment shall be not less than 50 feet distant from any building;
  - (iii) two two-gallon capacity foam fire extinguishers, or other approved types, shall be kept at the storage area and maintained ready for immediate use;
  - (iv) two signs bearing the wording specified hereunder shall be erected at the storage area, clearly marked in red letters not less than 12 inches in height:—

DANGER.  
 INFLAMMABLE LIQUIDS.  
 NO SMOKING. NO MATCHES.  
 NO NAKED LIGHTS.

6. No person shall store any quantity of inflammable liquids in excess of 5,000 gallons within the area prescribed in by-law 1 of this Part without the written permission of the local authority, and unless all conditions imposed by the local authority are fully complied with.

7. No person shall store any empty drum which has been used for containing inflammable liquid within 50 feet of any occupied building.

8. The owner, agent and every person employed or engaged in or about any inflammable liquid storage area shall take all due precautions for the prevention of accidents by fire or explosion and shall prevent unauthorised persons from having access to any inflammable liquid.

9. This by-law shall not apply to any underground storage of inflammable liquid, installed and maintained in accordance with the requirements of the Fire Underwriters' Association of Australia.

Passed at a meeting of the Carnamah Road Board this 25th day of August, 1960.

C. CHAPMAN,  
Chairman.  
R. S. DUTCH,  
Secretary.

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

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

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TRAFFIC ACT, 1919 (AS AMENDED).

Office of the Commissioner of Police,  
Perth, 1st December, 1960.

Police T.O. 59/1166.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919 (as amended), has been pleased to make the regulations set out in the schedule hereunder.

J. M. O'BRIEN,  
Commissioner of Police.

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Schedule.

Regulations.

Principal regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by the regulations amending the same published in the *Gazette* on the 9th February, 1955, 1st April, 1955, 11th May, 1955, 17th June, 1955, 9th August, 1955, 30th September, 1955, 30th December, 1955, 24th April, 1956, 23rd October, 1956, 16th November, 1956, 23rd November, 1956, 21st December, 1956, 22nd February, 1957, 8th March, 1957, 1st April, 1957, 26th April, 1957, 17th May, 1957, 1st July, 1957, 30th August, 1957, 25th September, 1957, 5th November, 1957, 20th December, 1957, 23rd December, 1957, 24th January, 1958, 19th February, 1958, 17th April, 1958, 29th April, 1958, 13th May, 1958, 5th June, 1958, 25th June, 1958, 15th July, 1958, 18th July, 1958, 1st August, 1958, 12th September, 1958, 10th October, 1958, 24th November, 1958, 3rd March, 1959, 9th April, 1959, 15th May, 1959, 26th May, 1959, 12th June, 1959, 23rd June, 1959, 30th June, 1959, 30th September, 1959, 16th October, 1959, 29th October, 1959, 30th October, 1959, 21st December, 1959, 28th January, 1960, 12th February, 1960, 29th February, 1960, 1st April, 1960, 21st April, 1960, 20th May, 1960, 26th May, 1960, 31st May, 1960, 21st June, 1960, 15th July, 1960, 1st August, 1960, and the 28th September, 1960, are referred to as the principal regulations.

Eleventh  
Schedule,  
Table "A"  
amended.

2. Table "A" of the Eleventh Schedule to the principal regulations is amended by adding below the item "2da. Curtis Street" the following item:—

In Column 1.	In Column 2.
2db. Douglas Street—West side	Parking of vehicles prohibited at all times.

Eleventh  
Schedule,  
Table "B"  
amended.

3. Table "B" of the Eleventh Schedule to the principal regulations is amended by deleting the whole of item "2. Alma Street" in Column 1 and the corresponding provisions in Column 2.

TRAFFIC ACT, 1919.  
Bridgetown Road Board.  
Parking By-laws.

Police T.O. 58/393.

THE Bridgetown Road Board, pursuant to an Order in Council under section 49 of the Traffic Act, 1919-1956, published in the *Government Gazette* of the 15th April, 1955, and in exercise of the powers thereby conferred, doth hereby make the following by-law restricting the parking of vehicles in specified parts of roads at specified times:—

No person in charge of any vehicle shall cause or permit such vehicle to be parked in the specified portion of Roe Street, Bridgetown, set out hereunder on any Sunday:—

Roe Street—East side, from a point 560 feet south of the southern building line of Steere Street to another point 70 feet southwards thereof.

Penalty.

Any person offending against this by-law shall forfeit and pay on conviction a penalty not exceeding £2 (two pounds) for every such offence.

Passed by a resolution of the Bridgetown Road Board at a meeting held on the 18th day of October, 1960.

COLIN P. SCOTT,  
Chairman.  
ERIC MOLYNEUX,  
Secretary.

Recommended—

(Sgd.) C. C. PERKINS,  
Minister for Traffic.

Approved by His Excellency the Governor in Executive Council this 24th day of November, 1960.

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

TRAFFIC ACT, 1919-1959.  
Busselton Road Board.  
Amendment to Parking By-laws.

Police T.O. 58/398.

THE Parking By-laws of the Busselton Road Board, as published in the *Government Gazette* of 23rd August, 1956, at pages 2140 and 2141, are hereby amended by deleting clause (a) of paragraph 5 and inserting in lieu thereof the following:—

- (a) In that portion of Queen Street, Busselton, between the northern road alignment of Albert Street and the southern road alignment of Duchess Street, and in that portion of Prince Street, between

the eastern road alignment of Queen Street and the western road alignment of Stanley Street, for a longer period than 30 minutes at any of the following times, namely: Between 9 a.m. and 5 p.m. on Fridays, and between 9 a.m. and 12 noon on Saturdays.

Passed at a meeting of the Busselton Road Board, held on 12th October, 1960.

F. H. JOLLIFFE,  
Chairman.  
T. McCULLOCH,  
Secretary.

Recommended—

(Sgd.) C. C. PERKINS,  
Minister for Transport.

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

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

#### PARKS AND RESERVES ACT, 1895-1955.

Department of Lands and Surveys,  
Perth, 2nd December, 1960.

Ex. Co. No. 1909.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Parks and Reserves Act, 1895-1955, has been pleased to approve of the by-laws made by the Pemberton National Park Board set forth in the schedule hereunder.

F. C. SMITH,  
Under Secretary for Lands.

#### Schedule.

##### By-laws.

- |                              |   |
|------------------------------|---|
| Principal by-laws.           | 1. The by-laws for the control and management of reserve 19857 for "National Park and Recreation" at Pemberton published in the <i>Government Gazette</i> on the 6th November, 1931, are in these by-laws referred to as the principal by-laws.   |
| By-law 1 amended.            | 2. By-law 1 of the principal by-laws is amended—<br>(a) by adding after the words "Lefroy Brook" at the end of the first paragraph the passage, "and also over any other reserves vested in the Board from time to time for the purposes of national park and recreation";<br>(b) by deleting the second paragraph commencing with the word, "Interpretation."  |
| New by-laws 1A and 1B added. | 3. The principal by-laws are amended by adding after by-law 1 the following by-laws:—<br>1A. In these by-laws unless the context requires otherwise—<br>"Board" means the Pemberton National Park Board constituted under the provisions of subsection (4) of section 3 of the Act;<br>"permission" means the permission in writing of the Board first obtained;<br>"Reserve" means the National Park and Recreation Reserve No. 19857; and includes every other reserve vested in the Board from time to time for the purposes of national park and recreation;<br>"the Act" means the Parks and Reserves Act, 1895, as amended from time to time. |

## 1B. The common seal of the Board shall—

- (a) bear the words, "Pemberton National Park Board";
- (b) be affixed by virtue of a resolution at a regular meeting of the Board and in the presence of two members of the Board; and
- (c) be kept in the custody of the Secretary of the Board, or such other person as the Board may authorise.

By-law 4  
amended.

4. By-law 4 of the principal by-laws is amended by adding after the word, "Board" being the last word of that by-law the passage, "and may be debarred by the Board for such period as the Board thinks fit from entering upon any Reserve."

By-law 17  
amended.

5. By-law 17 of the principal by-laws is amended by adding after the word, "Reserve" being the last word of that by-law the passage, "and may be debarred by the Board for such period as the Board thinks fit from entering upon any Reserve."

By-law 20  
substituted.

6. The principal by-laws are amended by substituting for by-law 20 the following by-law:—

20. Any person committing a breach of any of the provisions of these by-laws shall be liable on summary conviction to a penalty not exceeding twenty pounds.

The above by-laws were duly made by the Pemberton National Park Board in accordance with the provisions of the Parks and Reserves Act, 1895-1955, and duly passed by resolution at a meeting of the Board held on the 25th day of August, 1960.

E. FUGE,  
Chairman.  
A. R. KELLY,  
Secretary.

## 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 clause 14 of by-law No. 40 relating to signs, hoardings and bill posting be amended by deleting paragraph (e).

Passed by the Council of The City of Perth at the ordinary meeting of the Council held on the 26th day of September, 1960.

[L.S.]

H. R. HOWARD,  
Lord Mayor.  
W. A. McI. GREEN,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 24th day of November, 1960.

R. H. DOIG,  
Clerk of the Council.

## MUNICIPAL CORPORATIONS ACT, 1906.

## City of Fremantle.

By-law of the City of Fremantle, made under Section 180 (24A) of the Municipal Corporations Act, 1906, and numbered 224, for Regulating the Establishment and Maintenance of Motels.

L.G. 808/60.

IN pursuance of the powers in that behalf contained in the Municipal Corporations Act, 1906, and amendments, the City of Fremantle hereby makes the following by-law:—

## Definition.

1. (1) In this by-law "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.

(2) Without limiting the generality of subclause (1) of this clause, a motel may be or comprise premises licensed under the provisions of the Licensing Oct, 1911.

## General.

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

(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 City of Fremantle.

## 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, the Municipal Corporations Act, 1906, or the Road Districts Act, 1919, as the case may be.

(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 City of Fremantle.

## 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 Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the City of Fremantle, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(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 subclauses (1) and (2) of this clause, 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 fiat or residence for the manager or person in charge of the motel;
- (e) parking space as in this by-law 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 City of Fremantle.
- (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 City of Fremantle 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 subclause (1) of this clause, 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 clause, 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 City of Fremantle.

#### 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 this by-law shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Municipal Corporations 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 City of Fremantle 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 this by-law 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 this by-law.

(2) Where by the Act, or by any of this by-law, any act is directed to be done, or forbidden to be done, or where any authority is given to the City of Fremantle, or any officer of the City of Fremantle, 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 at an ordinary meeting of the Council held on the 19th day of September, 1960.

The Common Seal of the City of Fremantle was affixed hereto this 2nd day of November, 1960, in the presence of—

[L.S.]

W. FRED SAMSON,  
Mayor.  
N. J. C. McCOMBE,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 24th day of November, 1960.

R. H. DOIG,  
Clerk of the Council.

#### MUNICIPAL CORPORATIONS ACT, 1906.

##### North Fremantle Municipality.

By-law No. 21.—By-law Regulating the Construction, Establishment, Operation and Maintenance of Motels.

A By-law of the Municipality of North Fremantle made under Section 180 of the Municipal Corporations Act, 1906, and numbered twenty-one, for regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 771/60.

IN pursuance of the powers conferred by the said Act, the Mayor and Councillors of the Municipality of North Fremantle order as follows:—

##### Definition.

1. (1) In this by-law "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.

(2) Without limiting the generality of subclause (1) of this clause, 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 this by-law.

(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 Council.

##### 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, or the Municipal Corporations Act, 1906, as the case may be.

(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 Council.

#### 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 Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Council, and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(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 subclauses (1) and (2) of this clause, 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 this by-law 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 Council.

(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 Council 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 subclause (1) of this clause, 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 clause, 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 than sign or gate-way shall first have been approved by the Council.

#### 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 this by-law or against the Health Act and regulations.

Compliance with Other By-laws.

15. Nothing in this by-law shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Municipal Corporations 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 Council, 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 this by-law 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 this by-law.

(2) Where by the Act, or by any of this by-law, any act is directed to be done, or forbidden to be done, or where any authority is given to the Council, or any officer of the Council, 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 the North Fremantle Municipality this 22nd day of September, 1960.

The Common Seal of the Municipality of North Fremantle was hereto affixed this 23rd day of September, 1960, pursuant to a resolution passed 22nd September, 1960, in the presence of—

[L.S.]

W. H. WALTER,  
Mayor.  
S. W. PARKS,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 24th day of November, 1960.

R. H. DOIG,  
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Northam.

By-law No. 68—By-law Regulating the Erection and Use of Petrol Pumps.

A By-law of the Municipality of Northam, made under Section 180 of the Municipal Corporations Act, 1906, and numbered 68, for Regulating the Erection and Use of Petrol Pumps.

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

1. This by-law shall apply to any petrol pump, tank, cistern, pipes and installations which are so placed for the supply of petrol to the public that the point of delivery of petrol from the pump or from any extension is within any street or way or is within fifty (50) feet of any street or way.

2. No person shall erect or lay or alter the position of or use or supply from any petrol pump, tanks, cisterns, pipes and installations in or near any street or way within the abovementioned limits unless licensed by the Council so to do.

All applications for licenses so to do must be accompanied by a ground plan or sketch to scale setting out the position and depths of all intended petrol pumps, tanks, cisterns, pipes and installations and of all joints and connections.

In the case of pumps, tanks, cisterns, pipes and installations existing and installed at the date hereof, the plan and/or sketch may be waived or modified by the Council. Subject to the compliance with this by-law, such licenses may be granted on payment of the prescribed fee, prescribed in clause 20.

3. No petrol pump shall be placed within ten (10) feet of the boundary of adjoining premises not in the same occupation.

4. A license shall not be issued for the installation or use of any petrol pump, tank, cistern, pipe or installation for the supply of petrol to the public where there are other premises where petrol is sold to the public within a distance of one-half of a mile by the shortest road route from the location or proposed location of such petrol pump, tank, cistern, pipe or installation. This provision shall not apply to petrol pumps, tanks, cisterns, pipes and installations already installed as at the date hereof.

5. It shall be lawful for the Council to refuse an application for permission to install and/or use and/or supply petrol from petrol pumps, tanks, cisterns, pipes and/or installations where any of the provisions of this by-law are not complied with and the decision of the Council in this regard shall be final and binding, subject to clause 25 hereof.

6. It shall be lawful for the Council to cancel any license or refuse to issue or renew any license at any time where any of this by-law is not complied with but this is subject to clause 25 hereof.

7. Any applicant who is licensed to operate a petrol pump or pumps shall not interfere in any way with any road or footpath surfaces, or undermine such road or footpath without having first obtained the written consent of the Council and in the event of such permission being granted the licensee must reinstate such road or footpath on demand in such manner as the Council or its officers may direct.

8. If required, the applicant shall lodge such deposit as the Council or its officers may deem necessary to ensure that the work is carried out to the satisfaction of the Council or its officers.

9. An inspector appointed by the Council shall have the right at all reasonable times to make an inspection of pumps licensed by the Council (including tanks, cisterns, pipes and installations) to ascertain if this by-law is being observed.

10. The licensee or his servant shall, whenever required by the Council give practical demonstrations of the working or security of each pump (including all tanks, cisterns, pipes and installations).

11. The licensee or his servant shall see that all fittings and pipes connecting the pump or pumps with the supply tanks and other pipes and fittings through which petrol or inflammable liquid flow, either to or from the supply tanks, shall be so constructed and maintained that there is no escape of the inflammable liquid in the form of liquid or vapour.

12. The licensee or his servant must ensure that all tanks and cisterns used to supply the petroleum spirit to the pumps shall be fitted with ventilating pipes which shall be carried to a position in the open air not less than twelve (12) feet about the ground, and shall there terminate in one or more bends. The opening in the end of the vent pipe to be covered with brass wire gauze of not less than twenty-eight (28) meshes to the lineal inch secured in such manner that the gauze may be removed for examination and cleaning.

13. The licensee or his servant shall see that no petroleum spirit is allowed to remain in the visible (or measuring) container or any pump except when the pump is actually in use, or where such a condition exists as an operating function of such a pump of standard manufacture approved by the Council.

14. The licensee or his servant shall install and keep in good working order in a convenient position not more than twenty (20) feet from such pump an approved fire extinguisher approved by the W.A. Fire Brigade Board.

15. No person shall use any petrol pump whilst there is any light capable of igniting petrol vapour within ten (10) feet of any container whilst same is being filled with petrol from any pump.

16. No person shall deliver petrol, or permit petrol to be delivered from any pump to the fuel tank of any motor vehicle when the engine of such motor vehicle is running.

17. The licensee or his servant shall not permit any lighting appliances to be used in connection with the pumps or tanks except electric light.

18. The licensee shall indemnify and hold harmless the Council from all claims, losses, damage and costs of all persons whom-so-ever for injury to persons or property sustained by reason of the damage by the installation of the said pump or pumps, tank or tanks, cistern or cisterns, pipes and installations, or any of the appliances thereof.

Every licensee shall, if so directed by the Council, take out an indemnifying insurance with an approved insurance company for such amount as the Council may consider necessary. The premiums on any such policy of indemnity shall be paid by the licensee or his servant.

19. The licensee or operator of any petrol pump shall at all times take all reasonable precautions to protect all persons and property from injury or damage.

20. Every applicant for a license under this by-law shall make application in the form of Schedule "A" hereto and at the same time there shall be lodged a plan or sketch as herein provided.

If the Council so directs the applicant shall be issued with a license in the form of Schedule "B" hereto, subject to the payment of the following fees:—

5s. per single pump, and 7s. 6d. per dual pump per annum.

Such charge to operate as from the 1st day of January of each year, and to terminate on the 31st day of December of each year.

Renewals of license fees shall be paid not later than the 31st day of January in each year. It shall be competent for the Council to waive all or any part of the license fee if it is satisfied that due to circumstances beyond the control of a licensee the pump is empty and has not been used for six (6) months.

21. The Council may, in its absolute discretion, and on the written application of the licensee, transfer a license to the person named in such application on payment of a fee of two shillings and sixpence (2s. 6d.).

22. If at any time a license is cancelled or not renewed then the Council may, by notice in writing, order a previous licensee to remove the pump or pumps, tank or tanks, cistern or cisterns, pipes and installations within seven (7) days and in default of obedience of such order it shall be lawful for the Council or its agents or servants to remove the said pump or pumps, tank or tanks, cistern or cisterns, pipes and installations and recover the cost of the removal thereof from such person.

23. Notwithstanding any of the provisions of this by-law the Council may recover the amount of any outstanding license fees in any Court of competent jurisdiction.

24. Any person offending against any of the provisions of this by-law shall on conviction forfeit and pay for each offence the penalty of not less than one pound (£1) nor more than twenty pounds (£20).

25. The decision of the Council as referred to in paragraphs 5 and 6 hereof shall be subject to a right of appeal to the Minister for Local Government by any person or company dissatisfied with such decision. The right of appeal is subject to the following conditions and rules:—

- (a) The person or company aggrieved must give notice of appeal within twenty-one (21) days from the date he or it is advised of the Council's decision.
- (b) The notice of appeal shall be by letter addressed to the Minister for Local Government and which may be served by registered post or by leaving same at the office of the Minister for Local Government.
- (c) The notice of appeal shall clearly set out the grounds of appeal relied on.
- (d) A copy of such letter shall within the same time be posted to the Council.
- (e) The manner of deciding the appeal shall be within the Minister's discretion and the Minister's decision shall be final.



Schedule "A."

I/We .....  
of .....  
hereby apply for a license to erect and/or use within fifty (50) feet of a street  
or way petrol pumps at the following address, namely:.....  
(Attached hereto is a plan or sketch  
showing position of petrol pumps, tanks, cisterns, pipes and installations it is  
desired to install (or which have been installed.)  
Enclosed herewith is remittance of £.....to cover license  
fees if granted.  
Dated the.....day of.....19.....  
.....Applicant.

Schedule "B."

The Mayor and Councillors of the Municipality of Northam hereby license  
of .....  
to erect and/or use petrol pumps within 50 feet of a street or way at the follow-  
ing address, namely.....  
Subject to the following conditions:—  
(a) All pumps to be erected shall be erected according to plans and/or  
sketches deposited.  
(b) All pumps shall be maintained according to the by-laws.  
(c) This license is subject to the terms of the by-laws.  
(d) This license terminated on the.....day of  
.....19.....  
Dated the.....day of.....19.....  
.....Town Clerk.

Passed by resolution of the Municipality of Northam on the 28th day of  
September, 1960.

[L.S.]

A. H. RUSHTON,  
Mayor.  
N. J. D. RIDGWAY,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 24th  
day of November, 1960.

R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Moora Road Board.

By-laws for Regulating the Construction, Establishment, Operation and  
Maintenance of Motels within the Moora Road District.

L.G. 811/60.

WHEREAS under the provisions of the Road Districts Act, 1919, the board of  
any district is empowered to make by-laws for any of the purposes mentioned  
in the said Act the Moora Road Board, in pursuance of the powers vested in  
the said Board, under and by virtue of the said Act and of every other  
authority enabling it in that behalf, doth hereby make and publish the follow-  
ing by-laws:—

Definition.

1. (1) In these by-laws "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.

(2) Without limiting the generality of sub-by-law (1) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

(3) "Board" shall mean the Moora Road Board.

#### 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 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, or the Road Districts Act, 1919, as the case may be.

(2) A motel shall not be established or operated on any site having an area 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 local authority of the district.

#### 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 Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Board and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two storeys 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 the 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.

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Passed by resolution of the Moora Road Board at a meeting held on the 19th October, 1960.

A. S. CRANE,  
Chairman.

R. WITTBER,  
Secretary.

Recommended—

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L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 24th day of November, 1960.

R. H. DOIG,  
Clerk of the Council.

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#### CEMETERIES ACT, 1897.

Moora Road Board.

Moora Public Cemetery (Reserve 6603)—By-laws.

L.G. 712/53.

IN pursuance of the powers conferred by the Cemeteries Act, 1897, and subsequent amendments thereto, the Moora Cemetery Board make the following by-laws for the control of the Moora Public Cemetery (reserve 6603). The by-laws published in the *Government Gazette* on the 19th day of July, 1935, are hereby repealed.

1. All fees and charges payable to the Board as set forth in Schedule "A" shall be paid at the times and manner mentioned, unless otherwise ordered.

2. The "Secretary" as referred to in these by-laws means the person for the time being employed by the Board as Secretary of the cemetery, and such person, shall, subject to the Board, exercise a general supervision and control over all matters pertaining to the cemetery and to the carrying out and enforcement of these by-laws and the direction of such person or persons shall in all cases and for all purposes be presumed to be and have been the direction of the Board.

3. A plan of the cemetery showing the distribution of the land, sections, blocks and graves numbered; a register of burials and a register of Certificates of Right of Burial shall be kept at the office of the Board.

4. All applications for interment shall be made at the office of the Board in such time as to allow at least eight working hours' notice being given prior to the time fixed for burial, otherwise an extra charge shall be made.

5. The full name, age and other particulars of the deceased as mentioned in Schedule "C" shall be furnished when making application and no burial shall be permitted without an order.

6. Prior to conducting any interment within the cemetery or making use of the cemetery for any purpose connected with interments, every undertaker shall pay to the Board an annual fee of £2 2s. and shall, at the time of making such payment, give if required, his assent in writing to such conditions as the Board deem fit to impose. Upon such assent being given and payment of the fee made, he shall receive a "Permit" as per Schedule "E" to hold good during good behaviour and until the first day of July following, and unless in possession of such permit no undertaker shall be allowed to engage in or carry out any duty or work within the cemetery.

7. The Board shall cause all ordinary graves to be dug, but any person desiring to construct a brick grave or vault shall be permitted to construct the same under the direction of the Secretary on payment of the required fee and every coffin placed therein shall be bricked in, cemented and made and kept airtight.

8. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. Any coffin not complying with this by-law shall not be admitted to or be interred in the cemetery.

9. Every grave shall be at least six feet deep, except those used for the burial of infants, which the Board may allow to be a lesser depth, but no interment shall be allowed in any grave with a less depth than three feet from the top of the coffin to the original surface of the ground.

10. No grave shall be permitted to be re-opened for the reception of a body within three years from the preceding burial in the case of persons aged 10 years or upwards, within two years between the ages of five and ten years, or within one and a half years for younger children, except by special permission of the Board, unless provision is made in the first instance by sinking the grave 12 inches deeper than above prescribed for every contemplated interment. After the lapse of the several periods specified, coffins may be lifted to enable fresh interments to take place by sinking graves to the requisite depth.

11. In the case of an application for interment in any private grave or vault to which the deceased had no claim during life the written and verified consent of the grantee shall be handed in with the application.

12. The hours for burials shall be as follows:—

Mondays to Fridays—9 a.m. to 4.30 p.m.

Saturdays and public holidays—9 a.m. to 12 noon.

13. No burial shall be allowed to take place before or after the hours abovementioned, except by special permission of the Board and upon payment of the fee for burials "not in the usual hours," unless waived by the Board.

14. No interment shall be allowed on any Sunday, except when it is certified by a medical officer of health that for hygiene reasons or by the Chairman of the Board that for religious reasons it is necessary or advisable that an interment shall take place on a Sunday.

15. The time stated in the order for burial Schedule "C" shall be the time the burial is to arrive at the cemetery gates and such time shall be rigidly and punctually observed and if not so observed the undertaker responsible shall be liable to pay the extra charge shown in Schedule "A."

16. Every funeral shall enter by the principal entrance and no vehicle except the hearse and mourning coach shall be permitted to enter the cemetery or stand opposite the entrance gates.

Vehicles shall not be permitted to proceed faster than 10 miles per hour within the cemetery and shall proceed at and by such roads as directed by the Secretary or other officer of the Board from time to time. Any driver or any person failing or neglecting to observe such directions may be forthwith expelled from the cemetery.

17. The approval of the Board must be obtained to permit the removal of any corpse from any grave for reinterment within the cemetery. Written application setting out the reasons for the proposed removal of such corpse, verified by a statutory declaration, shall be produced by the nearest available representative of the deceased.

18. The Board may permit the removal of any corpse from any grave for reinterment in another cemetery upon written application supported by permission of the Governor in Council. If found necessary, the coffin shall be enclosed in a second and airtight wooden or leaden coffin prior to removal.

19. A grant of exclusive right of burial shall cover a period of 50 years from the date of issue. Any person requiring the exclusive right of burial in any part of the cemetery shall apply to the Board in writing specifying the location of the grave. If it is proposed to inter therein the remains of any already deceased person, the name of such person must be shown in the application. If approved, the Board, on payment of the required fee, shall issue to such person so applying, a Certificate of Right of Burial in the form specified in Schedule "B."

20. Any person desiring to place, erect, alter or repair any monument, tombstone, or enclosure in any part of the cemetery shall, before obtaining permission to do so, submit a detailed description of such monument, tombstone or enclosure, and specify the materials of which it is to be composed to the Board, and shall obtain such permission in writing before proceeding with the work in the form of Schedule "D."

21. Every person who shall place or erect any monument, tombstone or enclosure upon any grave the exclusive right of which has not been obtained, shall keep the same in repair and, if after one month's notice in writing from the Board such repairs are not executed, then the Board may order such monument, tombstone or enclosure to be removed.

22. Every person who has the exclusive right of burial in any grave shall keep such grave and any erection or construction thereon in proper repair, and if after receiving notice in writing from the Board requiring such repairs to be executed, shall fail to do so, then after the expiration of 28 days the Board may cause such repairs to be executed and may recover the costs thereof from such person in accordance with the Cemeteries Act, or cause such structure to be removed.

23. A notice sent by registered post to the address of such owner or person last known to the Secretary shall be sufficient notice under these by-laws.

24. The placing or erection of any monument, tombstone or enclosure of an estimated value of £10 or over will not be permitted until a Certificate of Right of Burial shall first have been had and obtained.

25. Every monument, tombstone or enclosure shall be placed upon proper and substantial foundations. All refuse, rubbish or material remaining after any work is completed shall be removed from the cemetery at once by and at the expense of the person causing the same.

26. All materials required in the making, repairing or completion of any work shall, as far as possible, be prepared before being taken into the cemetery and shall be subject to the approval of the Secretary. Any material rejected shall be immediately removed from the cemetery by the contractor concerned.

27. Monumental masons and other tradesmen may be required before commencing any work in the cemetery to deposit with the Secretary of the Board the sum of one pound (£1) which shall be forfeited if the provisions of either of the two preceding by-laws are not complied with to the satisfaction of the Secretary.

28. Any person taking part in dressing or attending to any grave shall comply with the following rules:—

- (a) That no rubbish or any other material removed in dressing a grave shall be placed on any adjoining grave or pathway, and if placed on any adjoining ground shall be removed immediately after completion of the work.
- (b) That no loam shall be taken from any portion of the cemetery for the purpose of dressing any grave.
- (c) That monumental masons, grave dressers, or grave decorators carrying out works for hire or reward shall not be permitted to carry on work in the cemetery during other than the hours of from 8 a.m. to 5 p.m. on week days, Saturdays and Sundays excepted, when no work is to be done from noon Saturday till 8 a.m. on the Monday morning without written permission of the Secretary.

29. Licenses for grave dressing or decorating may be issued to professional operatives by the Board in the form contained in Schedule "E," such license to be renewed annually in the month of July.

30. No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave, or vault, except by special permission of the Board.

31. Any workman or other employee, whether employed by the Board or by any other person shall at all times while in the cemetery be subject to the supervision, direction and control of the Secretary, or officer appointed by the Board and shall obey all such directions and shall be removeable from the cemetery upon any breach of the by-laws or any refusal or neglect to comply with or obey any such direction.

32. No child under the age of 14 years shall be admitted (except by special permission) into the cemetery unless accompanied by a responsible person.

33. No smoking shall be allowed within the cemetery nor any explosive or firearms be discharged therein except by permission of the Board.

34. Every driver of a hearse, mourning coach or other vehicle and every pedestrian shall keep strictly to the roads and pathways as laid out for vehicles and pedestrians respectively, and vehicles shall only be turned at points where provision for so doing is made.

35. No person in the cemetery or its approaches shall commit any nuisance or trespass or be guilty of any breach of decorum, or cut, pluck, gather or take out of the cemetery any flower, plant, shrub or tree, or any part thereof, or do any injury whatsoever thereto, or any plot, border, railing, fence or any monument, tombstone or enclosure, or road, or remove or interfere in any way with anything laid, built or placed on or in any grave or burying place, and any person or persons so offending may be proceeded against in accordance with the Cemeteries Act.

36. The Secretary shall have power to cause to be removed from any burial allotment any unsightly ornaments such as broken glass bottles, jars, tins, decayed and broken wreaths and dead flowers, and to prune, cut down, dig up and remove any shrubs or plants on any burial allotment when such in his opinion shall have become unsightly or overgrown.

37. No person shall promote or advertise or carry on within the cemetery or its approaches any trade, business or calling either by solicitation, distribution of circulars, or cards, or otherwise, or by any other system of advertisement whatever.

38. Any person committing any breach of any of these by-laws shall thereupon be removable from the cemetery by order of the Board or Secretary or caretaker and shall be treated as a trespasser and may be proceeded against accordingly in addition to any other proceedings or penalties to which such person may be subject.

39. Licenses to undertakers, monumental masons, grave dressers or grave decorators and licenses for various purposes not otherwise provided for may be issued by the Board.

40. No person employed by or under the Board shall be permitted to accept any gratuity whatever, nor shall he be pecuniarily interested in any work in the cemetery, other than the remuneration he receives from the Board, and any such person proved guilty of accepting any gratuity or being pecuniarily interested in any such work shall be liable to summary dismissal.

41. All rubbish shall be placed in the receptacles provided in the cemetery for that purpose.

42. No dogs shall be allowed in the cemetery and any found therein shall be liable to be destroyed.

43. No unauthorised motor vehicle, motor cycle or bicycle shall be taken within the cemetery.

44. All fees may be recovered, and all proceedings under these by-laws be treated in accordance with the Cemeteries Act, 1897-1957.

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Adopted at a meeting of the Moora Road Board held on 16th November, 1960.

A. S. CRANE,  
Chairman.  
R. WITTBBER,  
Secretary.

Recommended—

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L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 24th day of November, 1960.

R. H. DOIG,  
Clerk of the Council.



## Schedule "A."

## Moora Cemetery.

## SCALE OF FEES AND CHARGES PAYABLE TO THE BOARD.

(All fees shall be payable in advance.)

	£	s.	d.
1. On application for a Form of Grant of Right of Burial for—			
Land for grave 8 ft. x 4 ft. ....	2	15	0
Land for grave 8 ft. x 8 ft. ....	5	0	0
Land for grave 8 ft. x 12 ft. ....	8	5	0
2. On application for a "Form of Order for Burial" for—			
Ordinary grave ....	7	0	0
Grave for any child under seven years of age ....	3	10	0
Grave for any stillborn child ....	2	0	0
3. If graves are required to be sunk deeper than six feet the following charges shall be payable—			
First additional foot ....	1	0	0
Second additional foot ....	2	0	0
Third additional foot ....	3	0	0
And so on in proportion for each additional foot.			
4. Re-opening an ordinary grave for each interment or exhumation—			
(a) Ordinary ....	4	0	0
Of a child under seven years of age ....	2	0	0
Of a stillborn child ....	1	0	0
Where removal of kerbing, tiles, grass, etc., is necessary, according to time required—per man hour at ....	12	6	
(b) Any brick grave ....	4	0	0
(c) Any vault, according to work required, from ....	4	0	0
5. Extra Charges for—			
(a) Interment without due notice under by-law 4 ....	10	6	
(b) Interment not in usual hours as prescribed by by-law 12—			
Monday to Friday ....	10	6	
Saturdays, Sundays and public holidays ....	2	2	0
(c) Late arrival at cemetery gates ....	10	6	
(d) Exhumations ....	2	2	0
6. Miscellaneous Charges—			
Permission to construct brick grave or vault ....	2	0	0
Permission to erect kerbing only ....	10	6	
Permission to erect a headstone and kerbing ....	2	0	0
Permission to erect a monument ....	2	0	0
Permission to erect any nameplate ....	2	6	
Copy of "Grant of Right of Burial" ....	2	6	
Grave number plate ....	10	0	
Undertaker's annual license fee ....	2	2	0
Minister's fee for each interment ....	1	0	0
Making a search in register ....	2	6	
Copy of by-laws ....	2	6	

Schedule "B."

No.....

No. of Application.....  
No. of Receipt.....  
No. in Burial Regr.....

Moora Cemetery Board.

GRANT OF RIGHT OF BURIAL.

BY virtue of the Cemeteries Act, 1897, the Moora Cemetery Board, in consideration of the sum of.....pounds.....shillings and .....pence paid to them by.....hereinafter called the Grantee, of.....hereby grant to the said Grantee the Right of Burying Bodies in that piece of ground eight feet long by.....feet broad, lying within the portion of the said cemetery appropriated for the burial of adherents to the.....Church, and numbered.....Compartment.....Section.....on the plan of the cemetery made in pursuance of the said Act.

To hold the same to the said Grantee for the period of fifty years, from the date hereof, for the purposes of burial only.

This grant is issued subject to all by-laws and regulations, now or hereafter in force, made, or to be made under the above Act, or any future Act or Acts.

In witness whereof the Common Seal of the said Board was hereto affixed at a meeting of the aforesaid Board held on the.....day of .....19.....

On behalf of the Moora Cemetery Board.

.....Chairman.

.....Secretary.

Entered.....

This Grant must be produced before the grave can be re-opened.

Schedule "C."

Moora Cemetery.

FORM OF ORDER FOR BURIAL.

No.....  
Name.....  
Age.....  
Denomination.....  
Date of Burial..... Time.....  
No. of Grave.....  
Minister.....  
Fee £.....  
Date.....

Schedule "D."

Moora Cemetery.

MONUMENTAL MASON'S PERMIT

No.....

To the Caretaker,

.....has permission to erect

a.....on Grave No.....

Block No..... Section No.....

Fee £.....

Date.....

.....Secretary.

Schedule "E."

Moora Cemetery.

FORM OF LICENSE.

The Moora Cemetery Board hereby grants to.....

of.....a License to.....

within the cemetery, subject to the terms and conditions of the by-laws.

Expiry date.....

.....Secretary.