



Government Gazette

OF

WESTERN AUSTRALIA

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No. 46]

PERTH: WEDNESDAY, 13th JUNE

[1962

HEALTH ACT, 1911-1960.

Department of Public Health,
Perth, 23rd May, 1962.

P.H.D. 2302/59.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Health Act, 1911-1960, has been pleased to make the regulations set forth in the schedule hereunder.

LINLEY HENZELL,
Commissioner of Public Health.

Schedule.

Regulations.

Principal
regulations.

1. In these regulations the Midwives Regulations, 1959, published in the *Government Gazette* on the 30th September, 1959, are referred to as the principal regulations.

Reg. 13
amended.

2. Regulation 13 of the principal regulations is amended by inserting after the word, "regulations" in line two of paragraph (f) the passage, "except where the confinement is in a hospital in which the midwife is employed and which maintains head sheets, ward reports and temperature charts and those records are available for inspection by a public health official upon demand".

Reg. 22
amended.

3. Regulation 22 of the principal regulations is amended by substituting for the passage, "100.4° F." in line one of sub-paragraph (v) of paragraph (d) the passage, "38° C.".

TRAFFIC ACT, 1919-1961.

Office of the Commissioner of Police,
Perth, 28th May, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1961, has been pleased to make the regulations set forth in the schedule hereunder.

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

Schedule.

Regulations.

Principal Regulations. 1. In these regulations the Blood Alcohol Test Regulations, 1958, published in the *Government Gazette* on the 12th September, 1958, as amended by the regulations amending the same published in the *Gazette* on the 26th May, 1959, the 16th October, 1959 and the 29th December, 1961, are referred to as the principal regulations.

Reg. 10 amended. 2. Regulation 10 of the principal regulations is amended by substituting for subregulation (6) the following subregulation:—

(5) The Court convicting a person of an offence under the provisions of the Traffic Act to which these regulations apply shall order that person to pay the prescribed medical and analysis fees; and that order may be enforced as though the amount of the fees were a penalty imposed under the Traffic Act and the regulations made under the provisions of that Act.

COUNTRY AREAS WATER SUPPLY ACT, 1947-1960.

Water Supply, Sewerage and Drainage Department,
Perth, 30th May, 1962.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made by the Minister for Water Supply, Sewerage and Drainage under and for the purposes of the Country Areas Water Supply Act, 1947-1960, as set forth in the schedule hereunder.

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

Schedule.

By-laws.

Principal by-laws. 1. In these by-laws the by-laws made by the Minister for Water Supply, Sewerage and Drainage under and for the purposes of the Country Areas Water Supply Act, 1947-1960, published in the *Government Gazette* on the 20th June, 1957, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal by-laws.

By-law 89 amended. 2. Paragraph (e) of by-law 89 of the principal by-laws is amended by adding after the passage, "Nannup;" in the last line of subparagraph (ii), the passage, "Darkan;".

Schedule amended.

3. The Schedule to the principal by-laws is amended by adding after the table, "(97) Nannup Rating Zone.", the following table:—

(98) Darkan Rating Zone.

Purpose for which water is supplied or class of water service.	Price of Water per 1,000 galls. s. d.
Water in return for amount of rates paid or for charges in lieu of rates	4 0
Water supplied in excess of quantity allowed for rate or minimum charge— Domestic (including domestic gardens)	3 0
Trading and all other services not otherwise specified	4 0

LOCAL GOVERNMENT ACT, 1960-1961.

Local Government Department,
Perth, 28th May, 1962.

L.G. 25/62.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1961, has been pleased to make the regulations set forth in the schedule hereto.

A. E. WHITE,
Secretary for Local Government.

Schedule.

Regulations.

1. These regulations may be cited as the Local Government Act (Street Levels Appeals) Regulations, 1962.
2. In these regulations, unless inconsistent with the context—
"Act" means the Local Government Act, 1960-1961;
"appeal" means an appeal instituted under the provisions of section 350 of the Act; and
"the Court" means the Local Court in which an appeal is instituted.
3. (1) A person instituting an appeal shall—
(a) file in the Court a notice of the appeal in the form set out in the schedule to these regulations together with a summary of the facts on which he relies as grounds for the appeal; and
(b) within two days of filing a notice of appeal, or such further time as the Court may allow, serve on the Clerk of the Council a true copy of the notice and summary sealed by the Court.
(2) Where a notice of appeal is filed under this regulation by a solicitor for the appellant, the notice shall be indorsed with the name and address of the solicitor to whom all notices may be sent.
4. (1) On the filing of a notice of an appeal, the Clerk of the Court shall number the notice in the same manner as though it were a plaint issued out of Court, under the Local Courts Act, 1904.
(2) The Clerk of the Court shall not accept for filing any notice which appears, on the face of it, to be out of time, under the provisions of the Act.
5. On proof of service of the notice and summary, by certificate of a bailiff, by the affidavit of any other person or by an acknowledgment of service signed by the Clerk of the Council concerned, the Clerk of the Court shall, upon payment of the hearing fee, fix a day for the hearing of the appeal and give to the parties thereto notice of the hearing day.

6. (1) The procedure upon the hearing of an appeal shall, so far as not inconsistent with these regulations, be in accordance with the procedure of the Court on hearing an action at first instance under the Local Courts Act, 1904, and Rules.

2. Without limiting the generality of subregulation (1) of this regulation, the Court may—

- (a) compel the attendance of witnesses and the production of documents; and
- (b) order that evidence be admitted on affidavit or be taken *de bene esse*.

(3) In default of appearance of a respondent Council, the Court may proceed to hear an appeal *ex parte*.

7. The fees payable in respect of an appeal shall be those payable for the corresponding items in the scale of actions for amounts of over £10 and not exceeding £50, under the Local Court Rules, 1961.

8. The Court in awarding costs shall fix the scale at which they are to be taxed under the Local Court Rules, 1961, and the fees for witnesses shall be in accordance with those Rules.

Schedule.

Western Australia.

Local Government Act, 1960-1961.

NOTICE OF APPEAL UNDER SECTION 350.

Plaint No.....

In the Local Court held at.....

BETWEEN

of Appellant

AND

..... Council Respondent.

TAKE notice that the appellant appeals against the decision of the respondent Council with respect to the levels of the Street (or Way) appearing in the notice published by the respondent in the Newspaper on the day of 19.....

Dated the day of 19.....

Appellant or Solicitor.

Summary of Facts on which appellant relies:—

THIS notice was issued by:

(On Reverse)

Local Government Act, 1960-1961.

ACKNOWLEDGMENT OF SERVICE OF NOTICE OF APPEAL UNDER SECTION 350.

IN the Local Court held at.....

Plaint No.....

..... v.

Appellant

Respondent

I acknowledge service of notice of appeal by the abovenamed appellant on behalf of the respondent Council which proposes to be heard on the hearing of this Appeal.

Dated the day of 19.....

Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1961.

Department of Local Government,
Perth, 28th May, 1962.

L.G. 523/61.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of section 433A of the Local Government Act, 1960-1961, has been pleased to make the uniform general by-laws set forth in the schedule hereunder.

A. E. WHITE,
Secretary for Local Government.

Schedule.

Uniform General By-laws.

- Principal by-laws.** 1. The uniform general by-laws set out in the First Schedule to the Order in Council published in the *Government Gazette* on the 23rd June, 1961, and in that schedule designated Uniform Building By-laws, are in these by-laws referred to as the principal by-laws.
- By-law 3 amended.** 2. By-law 3 of the principal by-laws is amended—
- (a) by inserting after the word, "Department" in line six of sub-by-law (1) the passage, "the Western Australian Fire Brigades Board";
 - (b) by substituting for the words, "shall not" in line one of sub-by-law (2) the words, "may refuse to"; and
 - (c) by adding after the word, "obtained" being the last word in sub-by-law (2) the passage, "or may issue a Building License subject to compliance with the requirements of those authorities".
- By-law 25 amended.** 3. By-law 25 of the principal by-laws is amended by inserting after the word, "walls" in line one of paragraph (b) of sub-by-law (2) the passage, "floors".
- By-law 32 amended.** 4. By-law 32 of the principal by-laws is amended—
- (a) by substituting for the passage commencing with the word, "municipality" in line six of sub-by-law (1) down to the end of that sub-by-law the following passage—
"municipality—
 - (a) if the land has a frontage to one street only, the minimum distance between any building or any addition to any building thereon and the boundary of the street it faces shall be 25 ft.; or
 - (b) if the land has a frontage to more than one street, the distance between any building or any addition to any building thereon and the boundary of the street it faces shall be not less than 25 ft., and between that building or that addition and the boundary of the other street or streets shall be such distance not exceeding 25 ft. as the council may in the particular circumstances of the case require." and
 - (b) by substituting for "municipality" in line two of sub-by-law (2) the word, "municipality".
- By-law 33 amended.** 5. By-law 33 of the principal by-laws is amended by substituting for the passage, "Class I, II or III" in line one of paragraph (c) of sub-by-law (1) the passage, "Class I or III".

- By-law 34 amended. 6. By-law 34 of the principal by-laws is amended by adding after sub-by-law (1) a by-law as follows:—
(1a) Notwithstanding the provisions of sub-by-law (1) of this by-law, a single occupancy dwelling may be erected on a site if the subdivision whereby that site was created has been approved by the Town Planning Board under the provisions of the Town Planning and Development Act, 1928 (as amended) or by the Minister on appeal to him under section 26 of that Act.
- By-law 38 amended. 7. By-law 38 of the principal by-laws is amended by adding after the word, "feet" in paragraph (a) the passage, ", or in the case of a site the area of which has been decreased by the widening of a street to provide a setback required by any by-law or scheme of the municipality, the area of the site is not less than 1,500 square feet".
- By-law 59 amended. 8. By-law 59 of the principal by-laws is amended—
(a) by inserting after the word, "kitchen" in line two of sub-by-law (2) the words, "or a sleepout each of"; and
(b) by inserting after the word, "In" being the first word in sub-by-law (4) the words, "every tenement in".
- By-law 67 amended. 9. By-law 67 of the principal by-laws is amended—
(a) by adding at the end of sub-by-law (3) the passage, ", except that in the case of a water closet that has no overhead cistern, the height may be less than 7 ft. 6 in. but not less than 7 ft."; and
(b) by adding after sub-by-law (3) a sub-by-law as follows:—
(4) A municipality may permit the construction of a combined bathroom and laundry if—
(a) the floor area is not less than 65 square feet; and
(b) no copper is installed but provision is made for the supply of hot water either by a hot water system or by an electrical or gas heater.
- By-law 71 amended. 10. By-law 71 of the principal by-laws is amended by substituting for the passage, "Section 24" in the last line the passage, "Section 28".
- By-law 72 amended. 11. By-law 72 of the principal by-laws is amended by inserting after the word, "Occupancy" in line four of paragraph (b) the passage, ", or of air conditioned buildings".
- By-law 76 amended. 12. By-law 76 of the principal by-laws is amended by adding after the word, "louvres" being the last word in the by-law the passage, ", or with windows or movable glazing consisting of lapped glazing sheets fixed 2 in. apart if those sheets do not extend nearer to the ceiling than 6 in."
- By-law 174 amended. 13. By-law 174 of the principal by-laws is amended by adding after subparagraph (v) of paragraph (b) a subparagraph as follows—
(vi) plywood having a thickness of not less than 3/16 in., solid cored board or particle board.
- By-law 212 amended. 14. By-law 212 of the principal by-laws is amended by inserting after the word, "wall" in line five of paragraph (a) of sub-by-law (3) the passage, ", but in the case of single storey dwellings the minimum width of the footing may be 16 in."
- By-law 216 amended. 15. By-law 216 of the principal by-laws is amended by adding at the end thereof the following passage:—
(Note.—The "U" factor means the number of British Thermal Units (B.T.U.s.) per square foot per hour transmitted per 1°F. difference in temperature.).

- By-law 239 amended. 16. By-law 239 of the principal by-laws is amended by substituting for paragraph (a) the following paragraph—
 (a) cross walls or equivalent buttresses are constructed at intervals of not more than 30 ft.
- By-law 242 amended. 17. By-law 242 of the principal by-laws is amended by adding after sub-by-law (2) a sub-by-law as follows:—
 (3) Notwithstanding the provisions of by-law 234 and subparagraph (i) of paragraph (a) of by-law 254 of these by-laws, the external walls of a building containing not more than one storey or the panel walls of a building of Class I, II, III or IV Occupancy, not exceeding 10 ft. in height or 20 ft. in length, may be built with a cavity not exceeding 2 in., if—
 (a) the aggregate thickness of the walling on the two sides of the cavity is not less than 7½ in.; and
 (b) the walling on the inner side of the cavity, so long as such walling carries no load other than its own weight and the weight of the roof, is not less than 3 in. in thickness properly bonded to internal walls of the same thickness, and the walling on the outer side of the cavity is not less than 4½ in. in thickness.
- By-law 262 substituted. 18. The principal by-laws are amended by substituting for by-law 262 the following by-law:—
 262. Partitions.—(1) Subject to the provision of light and ventilation in conformity with the requirements of section 10 of these by-laws to every room, compartment, corridor and passage, partitions not required to have a fire resistance rating may be constructed in a building of Class V, VI, VII or VIII Occupancy if the following conditions are complied with:—
 (a) In a building of Type 1 or 2 construction, the partitions are constructed of a material specified in paragraph (b) of by-law 174 of these by-laws.
 (b) In a building of Type 1, 2 or 3 construction, partitions constructed wholly or in part of combustible material are limited to a height of 7 ft. 6 in., so long as 12 lineal inches of partition for each 100 square feet of floor area in the case of unsprinklered buildings, or 15 lineal inches of partition for each 100 square feet of floor area in the case of sprinklered buildings, is with municipal approval, built to the height of the underside of the ceilings, or where there is no ceiling, to the roof plate level.
 (2) This by-law does not prohibit the construction within tenancies of partitions from floor to ceiling of incombustible materials or of glass in timber frames above a dado of any material specified in paragraph (b) of by-law 174 of these by-laws not more than 3 ft. 6 in. in height in a building of Type 1, 3, 4 or 5 construction.
- By-law 271 amended. 19. By-law 271 of the principal by-laws is amended by deleting the passage commencing with “, unless” in line three down to the end of the by-law.
- By-law 319 amended. 20. By-law 319 of the principal by-laws is amended by substituting for the passage, “not less than 15 in. wide and 10 in. deep” in line one of paragraph (a) the passage, “capable of carrying a load of more than ½ ton to the square foot”.
- By-law 327 revoked. 21. By-law 327 of the principal by-laws is revoked.
- By-law 337 amended. 22. By-law 337 of the principal by-laws is amended by substituting for the figure, “5” in line two the figure, “6”.

- By-law 345 amended. 23. By-law 345 of the principal by-laws is amended by substituting for the passage commencing with the word, "with" in line three down to the end of the by-law the passage, "with a one-hour fire door and glazing therein conforming to the provisions of paragraph (f) of by-law 175 of these by-laws".
- By-law 353 amended. 24. By-law 353 of the principal by-laws is amended by substituting for the word, "conducted" in line two the word, "connected".
- By-law 358 amended. 25. By-law 358 of the principal by-laws is amended—
 (a) by deleting the passage commencing with "; but" in line four of sub-by-law (2) down to the end of the sub-by-law; and
 (b) by deleting sub-by-law (4).
- By-law 399 amended. 26. By-law 399 of the principal by-laws is amended by substituting for the figures, "429" in line two the figures, "427".
- By-law 420A added. 27. The principal by-laws are amended by adding in section 27 immediately after by-law 420 a by-law and heading thereto as follows:—
 420A. Lining and Ceiling of all Classes of Buildings.—
 Ceilings of open screening of non-inflammable material, or of open screening of inflammable material that does not exceed ten per centum of the area of the ceiling in which it is to be used, may be used in buildings of any class.
- By-law 421 amended. 28. By-law 421 of the principal by-laws is amended by adding after sub-by-law (6) a sub-by-law as follows:—
 (7) No outbuilding shall exceed in area 5 squares.
- By-law 435 amended. 29. By-law 435 of the principal by-laws is amended by substituting for the passage, "by-law 341" in line one of sub-by-law (4) the passage, "by-law 345".
- By-law 442 amended. 30. By-law 442 of the principal by-laws is amended—
 (a) by inserting after the word, "Board" in line two of sub-by-law (2) the words, "or a person approved by that Board"; and
 (b) by inserting after the word, "Board" in line five of sub-by-law (2) the words, "or the person approved by that Board".
- By-law 459 amended. 31. By-law 459 of the principal by-laws is amended—
 (a) by adding after the word, "by-laws" in line three the passage, ", but in respect to buildings used for primary production, other than residences and outbuildings appurtenant thereto, the fees charged shall be one-half of the rates prescribed in the Scale of Fees in this by-law";
 (b) by adding immediately after item 9 of the Scale of Fees the following item:—
 10. Computation Fees; and
 (c) by deleting the figures, "10" appearing in the line immediately following item 9 of the Scale of Fees.
- Appendix amended. 32. The Appendix to the principal by-laws is amended by substituting for item 45 the following item:—
 45. C.S.I.R.O. Timber Engineering Design Handbook 1958.
- Form 8 in First Sched. amended. 33. Form 8 in the First Schedule to the principal by-laws is amended by substituting for the word, "approximate" in line six of the clause numbered 1 the word, "appropriate".

LOCAL GOVERNMENT ACT, 1960-1961.

Local Government Department,
Perth, 28th May, 1962.

L.G. 652/61.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1961, has been pleased to make the draft model by-laws set out in the schedule hereto.

Councils proposing to incorporate the amendments in by-laws already adopted are required to conform with the provisions of section 258(4) of the Act.

A. E. WHITE,
Secretary for Local Government.

Schedule.

Draft Model By-laws.

Motels.

1. In these by-laws the Local Government Model By-laws (Motels), No. 3, published in the *Government Gazette* on the 20th September, 1961, are referred to as the principal by-laws.

2. By-law 1 of the principal by-laws is amended by substituting for sub-by-law (1) the following sub-by-law:—

(1) In these by-laws "motel" means any premises that provide, or are held out as providing accommodation for the motoring public at large, for reward; and that are denominated by the owner or occupier by the word "motel" or any combination of the word "motor," "auto" or "travel," or any derivation or contraction of those words, with a word, or any derivation or contraction of a word, denoting lodging or accommodation, whether alone or in conjunction with other words.

3. By-law 2 of the principal by-laws is amended by substituting for sub-by-law (2) the following sub-by-law:—

(2) A person shall not use the word "motel" or any combination of the word "motor," "auto," or "travel," or any derivation or contraction of those words, with a word, or any derivation or contraction of a word, denoting lodging or accommodation, whether alone or in conjunction with other words, in connection with any premises of which the occupancy is offered or given for reward, unless those premises are currently registered as a motel, with the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Busselton.

By-laws Relating to Horses and Vehicles on Beaches.

L.G. 288/62.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 14th day of March, 1962, to make and submit for confirmation by the Governor the following by-laws:—

By-law numbered 11A published in the *Government Gazette* on 29th January, 1954, at page 136, and amended in the *Government Gazette* on 5th February, 1958, at page 200, is hereby repealed and the following by-law substituted in lieu thereof:—

11A. No person shall without the written consent of the Council cause or permit to be led, driven or ridden any horse or vehicle upon or over any part of the sea beach lying between the northward prolongation of the west side of Thurkle Street and the northward prolongation of the west side of Milne Street within Busselton Townsite.

Dated this 3rd day of May, 1962.

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

[L.S.]

F. H. JOLLIFFE,
President.

T. McCULLOCH,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd
day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Canning.

By-laws Relating to Verandahs (Removal Thereof).

L.G. 287/62.

IN pursuance of the powers enabling it, the Council of the abovementioned
Municipality hereby records having resolved on the 9th day of April, 1962,
to make and submit for confirmation to the Governor the following by-laws:—

1. The Council may, by notice, require the owner of any verandah protruding into, or above, a street, way, footpath or other public place, and which is supported by posts erected in, or on, a street, way, or footpath or other public place to remove it within the time stipulated in the notice. The said notice shall be in writing and shall be given and served by the Council on the said owner.
2. If the owner of the said verandah fails to comply with the said notice, within the time specified therein, he shall be guilty of an offence. Maximum penalty fifty pounds, and in addition a maximum daily penalty of four pounds for each day during which the offence continues.
3. If the owner of the said verandah fails to comply with the terms of the said notice the Council, by its officers, servants or contractors, may remove the said verandah and recover the cost of so doing from the owner thereof in a Court of competent jurisdiction.

Dated this 30th day of April, 1962.

The Common Seal of the Shire of Canning
was hereunto affixed by authority of a
resolution by the Council in the presence
of—

[L.S.]

JOSEPH W. COLE,
President.

NOEL I. DAWKINS,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd
day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Gingin.

Adoption of Draft Model By-law Relating to Caravan Parks No. 2.

L.G. 311/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby record having resolved on the 16th February, 1962, to adopt the whole of the Draft Model by-law published in the *Gazette* of the 28th day of September, 1961, and designated Local Government By-laws (Caravan Parks), No. 2.

Dated the 16th day of February, 1962.

The Common Seal of the Shire of Gingin was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

C. H. PRINCE,
President.

N. H. V. WALLACE,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Gingin.

By-law of the Control of Dogs.

L.G. 312/62.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of February, 1962, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the term "Council" means the Gingin Shire Council.
2. The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1903.
3. A dog seized by the police or by an officer authorised by the Council may be placed in a pound.
4. Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Council, shall, if the owner or person usually in charge of the dog is known to him, forthwith notify such person that the dog has been impounded.
5. The pound-keeper shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the Council.
6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog then, upon payment of the fees specified in the schedule hereto, the dog shall be released to such person.

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

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

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

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

11. Notwithstanding anything herein contained but subject to the provisions of section 19 of the said Dog Act, 1903, any dog seized or impounded may at any time be destroyed upon the authority of the Shire Clerk if, in the opinion of the Clerk, the dog is too savage or noisy to be kept or is suffering from an injury, disease or sickness.

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

13. No person shall—

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

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

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

- (a) A public building.
- (b) A theatre or picture gardens.
- (c) A house of worship.
- (d) A shop or other public business premises.
- (e) A sportsground.
- (f) An area set aside for public recreation.
- (g) A car park.
- (h) A school.
- (i) Any land vested in or under the control of the Council other than a road.

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

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

18. Any person who shall commit a breach of these by-laws shall upon conviction be liable to a penalty not exceeding £5.

The Schedule.

FEES.

	s. d.
For the seizure or impounding of a dog	10 0
For the sustenance and maintenance of a dog in a pound per day	10 0
For the destruction of a dog	10 0

Passed by the Gingin Shire Council at a meeting of the Shire held on the 16th day of February, 1962.

[L.S.]

C. H. PRINCE,
President.

N. H. V. WALLACE,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Greenbushes.

By-laws Relating to the Clearing and Removal of Trees, Scrub, Undergrowth, Refuse, Rubbish or Material from Land.

L.G. 897/61.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 8th day of March, 1962, to make and submit for confirmation by the Governor the following by-laws:—

1. If there is—
 - (a) on any vacant land within the District and trees, scrub or undergrowth; or
 - (b) on any land within the District any refuse 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 Shire 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 clear and remove such trees, scrub, undergrowth, refuse, rubbish or material from such land.

2. Every owner or occupier of land upon whom a notice is served under by-law 1 of these by-laws shall comply with such notice within the time therein specified.

3. Any person committing an offence against these by-laws on conviction shall be liable to a penalty not exceeding twenty pounds.

Dated this 9th day of March, 1962.

GUY THOMSON,
President.

D. H. TINDALE,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.
The Municipality of the Shire of Canning.
By-laws Relating to Fencing.

L.G. 226/61.

IN pursuance of the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 9th day of April, 1962, to make and submit for confirmation to the Governor the following by-laws:—

The by-laws prescribing what constitutes a sufficient fence and published in the *Government Gazette* on the 19th day of April, 1961, are hereby repealed.

1. In this by-law, unless the context otherwise requires, the term "fence" means a fence abutting a road, or a fence on a boundary line, and where the context so admits includes a wall.

2. No person shall erect a fence of corrugated iron without the written consent of the Council, which consent the Council may, in its discretion, grant or refuse on such terms and conditions as it deems fit.

3. No person shall erect a fence which is dangerous, and except in a rural zone, no person shall erect a fence of barbed wire.

4. No person shall commence to erect, erect, or proceed with the erection of a fence or the amendment, alteration, extension or enlargement thereof on land in the district of the Shire of Canning until he has caused to be submitted to the Council, and the Council has approved a copy of the specifications of, and a plan showing clearly the fence proposed to be built, or the amendment, alteration, extension or enlargement proposed to be made.

5. The owner of land on which a fence is erected shall maintain the fence in good condition and in such manner as to prevent it from becoming dilapidated, unsightly or prejudicial to the property in, or the inhabitants of the neighbourhood.

6. The owner of any land upon which a fence has been erected otherwise than in accordance with these by-laws, or which is not maintained in accordance with these by-laws, shall upon 28 days' notice being given to him by the Council, take down and remove the fence.

7. A fence constructed in accordance with the specifications set out in the First Schedule hereto is hereby prescribed as a sufficient fence for the purposes of the Dividing Fences Act, 1961, within those portions of the Shire of Canning as are classified as Residential Zones by the by-laws of the Shire of Canning published in the *Government Gazette* of the 13th February, 1957, and amendments thereto.

8. A fence constructed in accordance with the specifications set out in the Second Schedule hereto is hereby prescribed as a sufficient fence for the purposes of the Dividing Fences Act, 1961, within those portions of the Shire of Canning as are classified as Rural Zones by the by-laws of the Shire of Canning published in the *Government Gazette* of the 13th February, 1957, and amendments thereto.

9. Any person who shall commit a breach of any of these by-laws, or shall be guilty of an offence under these by-laws shall be liable to a maximum penalty of fifty pounds and in addition a maximum daily penalty of four pounds for each day during which the offence continues.

First Schedule.

RESIDENTIAL ZONE.

(a) Dividing fence along side boundary:

Front corner posts shall be 5 in. x 5 in. x 6 ft. and rear corner posts shall be 5 in. x 5 in. x 7 ft. and intermediate posts, for the first 27 feet from the front, shall be 5 in. x 3 in. x 6 ft. and thereafter 5 in. x 3 in. x 7 ft. all spaced at not more than nine foot centres.

All posts shall have tops with 2½ in. weather and shall be sunk at least two ft. into the ground.

Corner posts shall be strutted two ways with 4 in. x 2 in. soles and 3 in. x 2 in. struts.

Intermediate posts shall be double yankee strutted with 6 in. x 1 in. x 18 in. struts.

Posts shall be checked for two rows of rails.

Rails shall be 3 in. x 2 in. each rail spanning two bays of fencing with joints staggered.

Fence shall be covered for the first three bays with cyclone mesh and for the next bay by 3 in. x ¾ in. sawn pickets of graduated length rising from 3 ft. 6 in. to 6 ft.

Thereafter fence shall be covered with 3 in. x ¾ in. x 6 ft. sawn pickets.

All pickets shall be placed three inches apart and shall be double nailed to each rail.

(b) Dividing fence along rear boundary:

Corner posts shall be 5 in. x 5 in. x 7 ft. and intermediate posts shall be 5 in. x 3 in. x 7 ft. spaced at not more than nine foot centres.

All posts shall have tops with 2½ in. weather and shall be sunk at least two feet into the ground.

Corner posts shall be strutted two ways with 4 in. x 2 in. soles and 3 in. x 2 in. struts.

Intermediate posts shall be double yankee strutted with 6 in. x 1 in. x 18 in. struts.

Posts shall be checked for two rows of rails.

Rails shall be 3 in. x 2 in. each rail spanning two bays of fencing with joints staggered.

Fence shall be covered with 3 in. x ¾ in. x 6 ft. sawn pickets placed three inches apart, double nailed to each rail.

Second Schedule.

RURAL ZONE.

The fence shall be erected from sawn, split or round wooden posts set not less than 24 inches in the ground and not less than 48 inches out of the ground and spaced not more than 12 feet apart with strainer posts set 3 ft. 6 in. in the ground and suitably and securely strutted at all corners, gateways and fence line angles but not exceeding 10 chains apart. Each fence post shall be bored with not less than five half-inch suitably spaced holes, to be threaded with not less than five plain galvanised wires. Wire shall be wrapped around strainer and strained tight.

The following materials shall be used:—

- (a) Wire—Shall be high tensile wire and not less than 12½ gauge.
- (b) Posts—If of paperbark, jam, white gum, jarrah or other indigenous timber, be cut not less than six feet long by four inches diameter at small end if round or 5 in. x 2½ in. if split or sawn.
- (c) Strainer Posts—Not less than seven feet six inches long and six inches diameter at small end shall be cut from indigenous timbers.

Dated this 30th day of April, 1962.

The Common Seal of the Shire of Canning was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

JOSEPH W. COLE,
President.

NOEL I. DAWKINS,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Road Districts (Petrol Pump) By-laws.

L.G. 827/61.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of April, 1962, to make and submit for confirmation by the Governor the following by-law:—

The by-laws of the Shire of Perth published in the *Government Gazette* of the 29th June, 1960, are hereby amended in the following manner:—

By-law 492 be amended by adding at the end thereof the following:—

By an amendment to the Appendix to those by-laws published in the *Government Gazette* of the 9th day of January, 1962, Part II ceased to apply to the Shire of Perth.

Dated this 10th day of April, 1962.

The Common Seal of the Shire of Perth was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

HERBERT R. ROBINSON,
President.

LLOYD P. KNUCKEY,
Shire Clerk.

Recommended—

J. F. CRAIG,
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 23rd day of May, 1962.

P. L. SPARROW,
Acting Clerk of the Council.

FRUIT CASES ACT, 1919-1961.

Department of Agriculture,
South Perth, 23rd May, 1962.

Ex. Co. No. 968.

HIS Excellency the Governor in Executive Council, in exercise of the powers conferred by section 11 of the Fruit Cases Act, 1919-1961, has been pleased to make the regulations set forth in the schedule hereunder.

T. C. DUNNE,
Director of Agriculture.

Schedule.

Regulations.

1. In these regulations the regulations made under the provisions of the Fruit Cases Act, 1919 (as amended), published in the *Government Gazette* on the 31st December, 1936, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

2. The principal regulations are amended by substituting for regulation 1 the following regulation:—

1. (1) Fruit cases (other than fruit cases that are fibre-board cartons) shall be in conformity with the measurements and capacities prescribed in the First Appendix to these regulations, but the dimensions of those cases may be varied to the extent of five per centum, if the resultant variation in the cubic capacity of any such case be not more or less than five per centum of the cubic capacity prescribed for that case in that Appendix.

(2) Fruit cases that are fibre-board cartons shall be—

- (i) in conformity with the measurements prescribed in the First Appendix to these regulations; and
- (ii) of two piece construction, fully telescopic.

3. The First Appendix to the principal regulations is amended—

- (a) by substituting for the item, "Standard apple case . . . 18½ in. long, 10½ in. deep, 11½ in. wide. Not less than a cubical content of 2,173½ cubic inches." The item, "Standard apple case . . . 18 in. long, 10½ in. deep, 11½ in. wide. Not less than a cubical content of 2,173½ cubic inches"; and

(b) by adding to that Appendix the following items:—

- Standard bushell apple fibre-board carton . . . 17½ in. long,
10½ in. deep, 11½ in. wide.
Half bushel standard fibre-board carton . . . 17¾ in. long,
5¼ in. deep, 11½ in. wide.
Half bushel dump fibre-board carton . . . 17½ in. long, 7¼
in. deep, 8½ in. wide.
Bushel tray pack fibre-board carton . . . 19¾ in. long, 11¼
in. deep, 12 in. wide.

GOVERNMENT RAILWAYS ACT, 1904-1960.

Office of the Commissioner of Railways,
Perth, 23rd May, 1962.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-laws made by the Western Australian Government Railways Commission pursuant to the Government Railways Act, 1904-1960, as set forth in the Schedule hereunder.

C. R. A. STEWART,
Deputy Commissioner.

Schedule.

By-laws.

- Principal By-laws.** 1. By-law No. 54 made pursuant to the Government Railways Act, 1904 (as amended) and published in the *Government Gazette* on the 14th May, 1940, and amended from time to time thereafter by notices published in the *Government Gazette*, is in these by-laws referred to as the principal by-law.
- Closed Signal-boxes.** 2. Rule 76 of the principal by-law is amended by adding immediately after paragraph (h) the following paragraph:—
(i) In the event of a Signal-box being closed, the Driver must act in accordance with rule 96 of these rules.
- Certain signals to be taken as Stop signals.** 3. The principal by-law is amended by substituting for rule 96 the following rule:—
96. (1) The indication of two *Proceed* signals at a place where two or more lines diverge or converge shall be taken as a *Stop* signal and the fact reported to the Signalman or Station Master concerned.
(2) A signal imperfectly displayed or the absence of a signal at a place where a signal is ordinarily shown or the exhibition of a White light or no light where a Red, Yellow or a Green light ought to be seen must be taken as being a *Stop* signal, except that where the day indication can plainly be seen, that indication must govern procedure.
(3) Where a signal such as is mentioned in sub-rule (2) of this rule is a fixed signal, worked from a Signal-box that is known to be closed or where at the closed Signal-box a signal is at *Stop*, the Driver observing it must proceed cautiously, prepared to stop short of any obstruction, until he receives a further signal for his guidance; and must report the circumstance to the Signalman at the next Signal-box.
(4) Where a Driver has previously been advised by the Signalman at the rear of any circumstance to which this rule applies, he is relieved of the obligation of reporting that circumstance.

STATE HOUSING ACT, 1946-1961.

State Housing Commission,
Perth, 30th May, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the State Housing Act, 1946-1961, has been pleased to make the regulations set forth in the schedule hereunder.

(Sgd.) A. D. HYNAM,
Manager, State Housing Commission.

Schedule.
Regulations.

Principal Regulations. 1. In these regulations the State Housing Act Regulations published in the *Government Gazette* on the 12th August, 1949, and amended from time to time thereafter, by notices published in the *Government Gazette*, are referred to as the principal regulations.

Regs. 11, 16, 17, 18 and 19 amended. 2. Regulations 11, 16, 17, 18 and 19 of the principal regulations are amended by substituting for the passage, "£5 12s. 6d.," wherever it appears in those regulations, the passage, "£5 7s. 6d.," in each case.

Sched. B substituted. 3. The principal regulations are amended by substituting for Schedule B the following schedule:—

Schedule B.

Table of instalments for repayment of £100 by equal instalments of principal and interest at £5 7s. 6d. per centum per annum for various periods of repayment.

BY MONTHLY INSTALMENTS.

Period	5 years	10 years	15 years	20 years	25 years	30 years	35 years	40 years	45 years
Instalment	£ s. d. 1 18 1	£ s. d. 1 1 7	s. d. 16 3	s. d. 13 8	s. d. 12 2	s. d. 11 2	s. d. 10 7	s. d. 10 2	s. d. 9 10

BY FORTNIGHTLY INSTALMENTS.

Period	5 years	10 years	15 years	20 years	25 years	30 years	35 years	40 years	45 years
Instalment	s. d. 17 7	s. d. 10 0	s. d. 7 6	s. d. 6 4	s. d. 5 8	s. d. 5 2	s. d. 4 11	s. d. 4 9	s. d. 4 7