



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 104 ]

PERTH: THURSDAY, 8th DECEMBER

[ 1966

### AMENDMENT OF ORDER AS TO SUPREME COURT FEES, 1948.

WE, the Honourable Sir Albert Asher Wolff, K.C.M.G., Chief Justice of Western Australia, the Honourable Sir Lawrence Walter Jackson, Kt., Senior Puisne Judge, and the Honourable John Evenden Virtue, the Honourable Roy Vivian Nevile, the Honourable Gordon Bede D'Arcy, the Honourable John Hale, and the Honourable Oscar Joseph Negus, Puisne Judges of the Supreme Court of Western Australia acting with the concurrence of the Honourable David Brand, Treasurer of the State, do hereby in pursuance of the Supreme Court Act, 1935-1964, and all other powers enabling us in that behalf, order and direct that the Scale of Fees and Percentages contained in the First Schedule to the Order as to Supreme Court Fees, made the 27th October, 1948, and amended by order, from time to time, be further amended by inserting after Fee No. 173 an item to be known as Fee No. 173A as follows:—

173A. Poundage on executing writ of possession: 5 per cent. on the first \$1,000 and 2½ per cent. on the balance of the annual rental value of the property. In case of doubt or dispute such value shall be fixed by the Master.

This order shall come into force on the day following the publication thereof in the *Government Gazette*.

Dated this 4th day of November, 1966.

A. A. WOLFF,  
Chief Justice.  
L. W. JACKSON,  
Senior Puisne Judge.  
J. E. VIRTUE,  
Puisne Judge.  
R. V. NEVILE,  
Puisne Judge.  
G. B. D'ARCY,  
Puisne Judge.  
JOHN HALE,  
Puisne Judge.  
OSCAR J. NEGUS,  
Puisne Judge.

I concur in the above Order.

DAVID BRAND,  
Treasurer.

## HEALTH ACT, 1911-1965.

Shire of Esperance.

Health By-laws—Eating Houses.

WHEREAS under the provisions of the Health Act, 1911-1965, the local authority may make by-laws and may amend, repeal or alter any by-laws so made: Now, therefore, the Esperance Shire Council, being the local authority of the Shire of Esperance within the meaning of the Act, in exercise of the powers conferred upon it in that behalf by the said Act and all other powers enabling it, doth hereby resolve and determine that the adopted Health By-law—Eating Houses published in the *Government Gazette* of 16th October, 1963, be amended in the following manner:—

Seventh Schedule.

Scale of Fees.

The words "ten shillings" wherever appearing be deleted and replaced by the words "ten dollars".

Passed at a meeting of the Esperance Shire Council this 20th day of September, 1966.

[L.S.]

W. S. PATERSON,  
President.  
J. F. CAMERON,  
Shire Clerk.

Approved by His Excellency the Governor in Executive Council, this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## COUNTRY AREAS WATER SUPPLY ACT, 1947-1964.

Department of Public Works,  
Perth, 30th November, 1966.

THE Minister for Water Supply, Sewerage and Drainage, acting pursuant to the provisions of the Country Areas Water Supply Act, 1947-1964, has been pleased to make the by-laws set forth in the Schedule hereunder, with effect on and after the 1st January, 1967.

J. McCONNELL,  
Under Secretary for Works.

Schedule.

By-laws.

Principal  
by-laws.

1. In these by-laws made under and for the purposes of the Country Areas Water Supply Act, 1947-1964, 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. By-law 89 of the principal by-laws is amended by adding after the word, "Kojonup" in paragraph (a) of sub-by-law (4), the passage, "Kukerin".

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Perth.

Adoption of Draft Model By-law Relating to Removal and Disposal of Obstructing Animals or Vehicles.

L.G. 519/66.

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 15th day of August, 1966, to adopt and submit for confirmation by the Governor Draft Model By-law (Removal and Disposal of Obstructing Animals or Vehicles), No. 7, published in the

*Government Gazette* of the 1st August, 1962 (page 2,079) such by-law to be known as "City of Perth By-law No. 80—Removal and Disposal of Obstructing Animals or Vehicles".

Dated this 27th day of October, 1966.

The Common Seal of the City of Perth was hereunto affixed in the presence of—

[L.S.]

C. J. B. VERYARD,  
Lord Mayor.  
G. O. EDWARDS,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 444 /66.

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 August, 1966, to make and submit for confirmation by the Governor the following By-laws:—

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:—

1. Section 6 of the Fifth Schedule is altered by the addition at the end of the words and figures appearing under the heading Osborne Ward of the following:—

Scarborough Beach Road—Portion of each of Perthshire Locations At and Au and being Lot 4 on Diagram 33410 and being portion of the land formerly comprised in Certificate of Title Volume 1275, folio 885.

2. Section 12 of the Fifth Schedule is altered by the addition at the end of the words and figures appearing under the heading Osborne of the following:—

Scarborough Beach Road—Portion of Perthshire Location At and Au and being lot 3 on Diagram 33410.

3. Section 14 of the Fifth Schedule is altered by the addition at the end thereof of the following:—

Osborne: Oswald Street—Portion of Perthshire Location At and being lots 264, 265, 266, 267, 268, 269, 270 and 284 on plan 7435.

Dated this 16th day of August, 1966.

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.]

M. STARKE,  
President.  
L. KNUCKEY,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Williams.

Local Government Model By-laws (Signs, Hoardings and Billposting), No. 13.  
L.G. 402/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of August, 1966, to adopt the Draft Model By-laws (Signs, Hoardings and Billposting), No. 13, as published in the *Government Gazette* on the 11th day of June, 1963, and amended in the *Government Gazette* on the 10th day of December, 1964, viz.: Local Government Model By-laws (Signs, Hoardings and Billposting), No. 13—The whole of the By-laws with the following amendments:—By-law 38. This by-law is deleted.

Dated this 12th day of August, 1966.

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

[L.S.]

A. M. SATTLER,  
President.D. H. TINDALE,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Port Hedland.

Adoption of Draft Model By-laws, No. 10, Relating to Petrol Pumps.

L.G. 407/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 27th day of May, 1966, to revoke the resolution of the Council made on the 24th day of April, 1963, adopting the Draft Model By-law—Petrol Pumps, No. 10, and to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 9th March, 1966, as are here set out: Draft Model By-law—Petrol Pumps, No. 10—The whole of the by-law.

Dated the 5th day of September, 1966.

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

[L.S.]

E. A. RICHARDSON,  
President.L. S. ROGERS,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Exmouth.

By-laws Relating to Access Across Footpaths, Damage to Kerbing and Footpaths.

L.G. 656/66.

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 7th day of October, 1966, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the term "vehicle" includes tractor, trailer, bulldozer or any other mobile machine.

2. No person shall drive any vehicle over or across a footpath except at a specially constructed crossing place, unless with the permission of the Council and in accordance with these by-laws.

3. No person shall drive a vehicle or animal or permit a vehicle or animal to be driven across a footpath or across a road kerb if such vehicle or animal is so heavy or is of such nature that it causes or is likely to cause damage to the paving of the footpath or to the road kerb unless with the permission of the Council and in accordance with these by-laws.

4. No person shall engage in building or other operations or works on any land or contract or arrange with any person to carry out any works or to deliver materials on to any land if by so doing a vehicle or animal will cross the road kerb or the paving of a footpath and it is likely that damage to the road kerb or to the footpath will be caused thereby unless permission of the Council is given in accordance with these by-laws.

5. Any person who—

- (a) desires to cross a footpath with a vehicle or animal at a place not a specially constructed crossing place; or
- (b) proposes to carry out building or other operations or works necessitating the crossing of or who desires to cross a footpath or a road kerb with a vehicle or animal which is likely to cause damage to the paving of the footpath whether at a specially constructed crossing place or not or to cause damage to the road kerb,

shall make application in writing to the Council for its permission so to do specifying the place or places at which such crossing is to be made and with his application shall pay to the Council:—

- (a) If it is desired to cross the footpath only, the sum of forty dollars (\$40).
- (b) If it is desired to cross the kerb only, the sum of twenty dollars (\$20).
- (c) If it is desired to cross both the footpath and the kerb the sum of sixty dollars (\$60).

6. A person who carries out any building or other operations or works necessitating the crossing of or who desires to cross a footpath with vehicles or animals which cause or are likely to cause damage to the paving of a footpath shall comply with the following conditions:—

- (a) If a paved portion of the footpath shall be constructed of concrete slabs he shall carefully remove them from the footpath for a width of 16 feet at the proposed crossing and neatly stack them on the adjoining land.
- (b) He shall place in the position from which the slabs have been removed a temporary crossing of 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by one and a half inches in section of which the ends shall be chamfered downwards, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true to the level of the original footpath.
- (c) When the necessity no longer exists for such temporary crossings or when called upon to do so by notice in writing from the Council he shall remove the planking, replace the slabs in a proper workmanlike manner to original level and line and shall replace with new slabs of equal quality and size any slabs which have been lost, damaged or broken.

- (d) In the case of a footpath constructed in total or part of bitumen surface gravel, gravel, limestone or crushed metal, he shall place in position where the crossing is to be made a temporary crossing 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by one and a half inches in section, of which the ends shall be chamfered downwards to the existing footpath surface, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true.
- (e) When the necessity no longer exists for such a temporary crossing, or when called upon to do so by notice in writing from the Council he shall remove the planking and clean off the footpath.
- (f) He shall, until it shall have been removed, keep the temporary crossing in good repair and in such a condition as not to create any danger or obstruction to pedestrians.

7. (a) If an application is made for permission to cross a road kerb the Shire Clerk shall have the road kerb removed at the place indicated in the application or if he does not approve the place indicated then at a place approved by him.

(b) At the conclusion of the said building or other operations or works the Shire Clerk shall have the road kerb replaced.

(c) The costs of the removal and replacement shall be paid from the money paid to the Council and subject to by-law 10 the balance thereof shall be repaid to the person who made the payment.

8. Any person who desires to trench through or under a constructed footpath or a road kerb shall apply in writing to the Council and lodge with the Council a deposit of twenty dollars (\$20).

9. No person shall trench through or under a footpath or a road kerb without first obtaining the written consent of the Council or otherwise than in accordance with the terms of the written consent of the Council.

10. The person mentioned in by-laws 4, 5, 6, 8 and 9 hereof shall make good all damage caused to the footpath and the road kerbing, guttering and paved road during the whole of the time the works are in progress. If any damage shall have occurred and shall not have been made good the Council is authorised to make good such damage and deduct the cost from the sum of money (if any) paid to the Council in accordance with these by-laws. If the cost exceeds the amount paid or the balance thereof or if no money has been paid to the Council the applicant or other person aforesaid shall pay to the Council the amount by which the cost exceeds the balance of the amount paid or pay the total cost if no money has been paid or there is no balance available. If no damage has been caused or if the damage has been made good the Council shall repay the sum paid or the portion remaining after the costs incurred by the Council have been paid.

11. Any person who shall commit a breach of any of these by-laws shall be liable to—

- (a) a maximum penalty of \$100; and  
 (b) a maximum daily penalty during the breach of \$10 per day.

The Common Seal of the Municipality was hereunto affixed on the 7th day of October, 1966, in the presence of—

[L.S.]

J. K. MURDOCH,  
 Commissioner.  
 S. J. DELLAR,  
 Shire Clerk.

Recommended—

L. A. LOGAN,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
 Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 252/64.

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 9th day of November, 1965, to make and submit for confirmation by the Governor the following by-law:—

The By-laws of the Cockburn Shire Council formerly Cockburn Road Board passed at an ordinary meeting of the Cockburn Road Board held on the twenty-third day of October, 1957, and published in the *Government Gazette* of the seventeenth day of April, 1958, as amended from time to time thereafter are hereby further amended (by a new by-law reading) as follows:—

Schedule 8—Service Station Zones: Add new paragraph:—

(4) Portion of Cockburn Sound Location 550 fronting Rockingham Road and Phoenix Road, and being Lot 8 on Plan No. 8547.

Dated this 26th day of January, 1966.

[L.S.]

J. H. COOPER,  
President.E. L. EDWARDS,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Carnarvon.

Adoption of Draft Model By-laws Relating to Local Government By-law (Deposit of Refuse and Litter), No. 16.

L.G. 731/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 17th day of August, 1966, to adopt such of the draft model by-laws published in the *Government Gazette* of the 4th day of August, 1965, as are here set out: Draft Model By-law—Deposit of Refuse and Litter, No. 16—The whole of the by-law.

Dated the 8th day of November, 1966.

[L.S.]

C. W. TUCKEY,  
President.G. WHITELEY,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Brookton.

Draft of Model By-laws Relating to Petrol Pumps.

L.G. 283/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of June, 1966, to revoke the resolution of the Council made on the 21st day of March, 1963 adopting the Draft Model By-law—Petrol Pumps, No. 10 and to adopt such of the Draft Model By-law published in the *Government Gazette* of the 9th March, 1966 as are here set out: Draft Model By-law—Petrol Pumps, No. 10—The whole of the by-law.

Dated the 10th day of September, 1966.

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

[L.S.]

E. H. HOBBS,  
President.  
D. A. WALKER,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Bassendean.

By-laws Relating to Zoning.

L.G. 237/66.

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 10th day of August, 1966, to make and submit for confirmation by the Governor a by-law to amend the by-laws relating to zoning as follows:—

Third Schedule—Business Areas.

Delete: (2) Chapman Street—Lots 30, 31, 32.

Dated this 26th day of August, 1966.

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

[L.S.]

A. C. FAULKNER, J.P.,  
President.  
C. MCCREED,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.



## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Nullagine.

Adoption of Draft Model By-laws relating to Petrol Pumps.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of July, 1966, to revoke the resolution of the Council made on the 19th April, 1964 adopting the Draft Model By-law—Petrol Pumps, No. 10, and to adopt such of the draft model By-law published in the *Government Gazette* of the 9th April, 1966 as are here set out: Draft Model By-law—Petrol Pumps, No. 10—The whole of the by-law.

Dated the 10th day of July, 1966.

[L.S.]

A. L. SPRING,  
President.  
A. J. McCAGH,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Cottesloe.

Adoption of Draft Model By-laws Relating to Street Lawns and Gardens.

By-law No. 30—Street Lawns and Gardens.

L.G. 230/63.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 27th day of July, 1966 to revoke the resolution of the Council made on the 24th day of April, 1963 adopting the Local Government Model By-laws (Street Lawns and Gardens) No. 11, and to adopt the draft model by-laws published in the *Government Gazette* of the 7th day of February, 1963, with such alterations as are here set out.

Local Government Model By-laws (Street Lawns and Gardens), No. 11.

Alterations.

1. A new by-law is added after by-law 4 as follows:—

4A. Notwithstanding by-law 4 of these by-laws the Council may plant and maintain a lawn or garden in a street where the land abutting on that portion of the street is vested in or owned or occupied by the Council.

2. A new by-law is added after by-law 12 as follows:—

12A. No person shall drive park or ride any vehicle or drive or ride any animal upon a lawn or garden planted in a street by the Council pursuant to these by-laws.

Dated the 24th day of August, 1966.

The Common Seal of the Town of Cottesloe was hereunto affixed this 24th day of August, 1966, by the Mayor in the presence of the Town Clerk—

[L.S.]

C. L. HARVEY,  
Mayor.  
D. G. HILL,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of November, 1966.

W. S. LONNIE,  
Clerk of the Council.

## INDUSTRIAL ARBITRATION ACT, 1912-1963.

Department of Labour,  
Perth, 3rd November, 1966.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the Schedule hereunder, made by The Western Australian Industrial Commission established under section 44 of the Industrial Arbitration Act, 1912-1963.

C. A. REEVE,  
Secretary for Labour.

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Schedule.

THE WESTERN AUSTRALIAN INDUSTRIAL COMMISSION, with the approval of His Excellency the Governor, and in pursuance of the Industrial Arbitration Act, 1912-1963, hereby makes the following regulations:—

Regulations of The Western Australian Industrial  
Commission.

- Principal regulations. 1. In these regulations the Industrial Arbitration Act (Western Australian Industrial Commission) Regulations, 1964, published in the *Government Gazette* on the 3rd February, 1964, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.
- Form 59 amended. 2. Form 59 of the principal regulations is amended by substituting for the words, "abovementioned matter" in the last line of paragraph 1, the passage, "matter(s) numbered . . . of 19 . . .".

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Dated the 12th day of October, 1966.

By The Western Australian Industrial Commission.

S. F. SCHNAARS,  
Chief Industrial Commissioner.

E. R. KELLY,  
Commissioner.

D. E. CORT,  
Commissioner.

J. R. FLANAGAN,  
Commissioner.