



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

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

No. 93]

PERTH : WEDNESDAY, 8th NOVEMBER

[1967

COUNTRY TOWNS SEWERAGE ACT, 1948-1965.

Department of Public Works,
Perth, 18th October, 1967.

P.W.W.S. 638/50.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Country Towns Sewerage Act, 1948-1965, has been pleased to approve of the by-laws set forth in the schedule hereunder, made by the Minister for Water Supply, Sewerage and Drainage under the provisions of section 102 of that Act.

J. McCONNELL,
Under Secretary for Works.

Schedule.

By-laws.

Principal
by-laws.

1. In these by-laws the by-laws made under the provisions of the Country Towns Sewerage Act, 1948-1965, published in the *Government Gazette* on the 22nd February, 1952, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal by-laws.

By-law 226
revoked.

2. The principal by-laws are amended by revoking by-law 226.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Perth.

By-law Relating to Zoning.

By-law No. 63—Town Planning Classification or Zoning By-law for the Land and/or Buildings in the Victoria Park-Carlisle Area being part of the City of Perth Municipal District—Amendment.

L.G. 74/66.

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 21st day of August, 1967, to make and submit for confirmation by the Governor the following amendment to By-law No. 63:—

That all those pieces of land set out in the schedule hereto at present unclassified be included in No. 1 Zone classification and that the Victoria Park-Carlisle Zoning Plan No. 63 be amended accordingly.

The Schedule.

- Portion of Swan Location 36 and being lot 1 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 865, folio 177.
- Portion of Swan Location 36 and being lot 2 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 863 folio 23.
- Portion of Swan Location 36 and being lot 3 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 866, folio 155.
- Portion of Swan Location 36 and being lot 4 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 866, folio 156.
- Portion of Swan Location 36 and being part of lot 1088 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 641, folio 80.
- Portion of Swan Location 36 and being part of lot 1089 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 646, folio 195.
- Portion of Swan Location 36 and being part of lot 1090 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 669 folio 86.
- Portion of Swan Location 36 and being part of lot 1091 on Plan 598—now Plan 4377 (Sheet 2) and being the whole of the land contained in Certificate of Title Volume 630, folio 8.
- Portion of Swan Location 36 and being part of lot 1092 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 636, folio 93.
- Portion of Swan Location 36 and being part of lot 1093 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume, 729, folio 143.
- Portion of Swan Location 36 and being part of lot 1094 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume, 819, folio 168.
- Portion of Swan Location 36 and being part of lot 1095 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume 819, folio 166.
- Portion of Swan Location 36 and being the northwestern moiety of lot 1096 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 663, folio 59.
- Portion of Swan Location 36 and being part of lot 1097 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1260, folio 33.
- Portion of Swan Location 36 and being part of lot 1098 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1055, folio 489.
- Portion of Swan Location 36 and being part of lot 1099 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 12, folio 75A.
- Portion of Swan Location 36 and being part of lot 1100 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1053, folio 21.
- The portion of Swan Location 36 the subject of Diagram 10016 and being the whole of the land contained in Certificate of Title Volume 1045, folio 630.

- Portion of Swan Location 36 and being lot 5 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 1051, folio 231.
- Portion of Swan Location 36 and being lot 6 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 860, folio 87.
- Portion of Swan Location 36 and being lot 7 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 855, folio 61.
- Portion of Swan Location 36 and being lot 8 on Diagram 6471 and being the whole of the land contained in Certificate of Title Volume 865, folio 13.
- Portion of Swan Location 36 and being part of lot 1088 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 643, folio 126.
- Portion of Swan Location 36 and being part of lot 1089 on Plan 598 and being the whole of the land contained in Certificate of Title Volume 650, folio 164.
- Portion of Swan Location 36 and being part of lot 1090 on Plan 4377 (Sheet 2) and being the whole of the land contained in Certificate of Title Volume 1289, folio 795.
- Portion of Swan Location 36 and being part of lot 1091 on Plan 598 (now Plan 4377 Sheet 2) and being the whole of the land contained in Certificate of Title Volume 633, folio 46.
- Portion of Swan Location 36 and being part of lot 1092 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1006, folio 311.
- Portion of Swan Location 36 and being part of lot 1093 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume 726, folio 33.
- Portion of Swan Location 36 and being part of lot 1094 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1157, folio 906.
- Portion of Swan Location 36 and being part of lot 1095 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume 819, folio 165.
- Portion of Swan Location 36 and being the southeastern moiety of lot 1096 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1083, folio 360.
- Portion of Swan Location 36 and being part of lot 1097 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1261, folio 356.
- Portion of Swan Location 36 and being part of lot 1098 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume 808, folio 62.
- Portion of Swan Location 36 and being part of lot 1099 on Plan 4377 and being the whole of the land contained in Certificate of Title Volume 861, folio 35.
- Portion of Swan Location 36 and being part of lot 1100 on Plan 4377 (Sheet 4) and being the whole of the land contained in Certificate of Title Volume 1003, folio 123.
- Portion of Swan Location 36 and being the southeastern moiety of lot 1101 on deposited Plan 598 (now 4377) and being the whole of the land contained in Certificate of Title Volume 153, folio 71.

Dated this 25th day of September 1967.

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

[L.S.]

A. C. CURLEWIS,
Deputy 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 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Fremantle.

By-law Amending City of Fremantle Parking Facilities By-law.

L.G. 320/66.

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 21st day of August, 1967, to make and submit for confirmation by the Governor the following By-laws:—

1. Clause 2 of the City of Fremantle Parking Facilities By-law is amended—

- (a) by adding after the definition "bus" the following new definition:—
"Carriageway" means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the standing or parking of vehicles; and, where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;
- (b) by adding after the definition "Driver" the following new definition:—
"Footway" includes every footpath, lane or other place intended for the use of pedestrians, only, or habitually used by pedestrians and not by vehicles;
- (c) by amending the definition of "road" by deleting the words "metered zone" and substituting the words "parking region";
- (d) by adding after the definition "stand" the following new definition:—
"Street" has the same meaning as "Road";
- (e) by adding after the definition "Street" the following new definition:—
"Ticket Issuing Machine" means any parking meter which may be installed from time to time by the Council at any place and which issues a ticket to indicate the period of parking for which a prescribed coin or coins have been placed in the machine.

2. Clause 10 of the City of Fremantle Parking Facilities By-law is amended by deleting the second paragraph and by substituting the following:—

For the purpose of this clause the following coins and none other shall be prescribed coins, namely:—

One cent (1c), two cents (2c), five cents (5c) and ten cents (10c); and also a sixpence (6d), and a shilling (1s.) so long as same are legal tender.

3. Clause 14 of the City of Fremantle Parking Facilities By-law is amended by adding at the end thereof the words " "Reserved Parking" or "Temporary Bus Stand" ".

4. A new paragraph (iii) is added to subclause (1) of Clause 16 of the City of Fremantle Parking Facilities By-law as follows:—

(iii) In the case of a parking station being equipped with a ticket issuing machine, the appropriate fee is inserted in the machine.

5. A new clause 16A is added after clause 16 of the City of Fremantle Parking Facilities By-law reading as follows:—

16A. No person shall insert or cause to be inserted or attempt to insert into the coin slot of a ticket issuing machine anything other than the prescribed coin or coins.

For the purpose of this clause the following coins and none other shall be prescribed coins, namely:—

Five cents (5c.), ten cents (10c.) and twenty cents (20c.); and also a sixpence (6d.), one shilling (1s.) and two shillings (2s.) so long as same are legal tender.

The insertion of a prescribed coin or coins into any ticket issuing machine shall be only in accordance with the instructions printed on that particular machine.

6. A new clause 20A is added after clause 20 of the City of Fremantle Parking Facilities By-law reading as follows:—

20A. A driver of a vehicle in a parking station which is equipped with a ticket issuing machine shall on purchasing from the machine a ticket or tickets for a period or periods of parking place such ticket or tickets inside his vehicle in such a position that the time of issue printed on the ticket or tickets by the machine shall be clearly visible and readable by any Inspector requiring to examine the ticket or tickets from outside the vehicle."

7. Sub-clause (a) of clause 31 of the City of Fremantle Parking Facilities By-law is amended by adding at the end thereof the words "and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing."

8. Sub-clause (b) of clause 31 of the City of Fremantle Parking Facilities By-law is amended by adding at the end thereof the words "and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing."

9. Sub-clause (2) of clause 32 of the City of Fremantle Parking Facilities By-law is amended by adding the word "are" after the word "area" and before the word "not".

10. Sub-clause (7) of clause 33 of the City of Fremantle Parking Facilities By-law is deleted and the following is substituted:—

(7) The provisions of sub-clause (1) to (6) of this Clause do not apply to a vehicle standing in a metered space or a parking stall, established by the Municipality nor to a bicycle standing in a bicycle rack established by the Municipality.

11. Paragraph (i) of sub-clause (2) of clause 36 of the City of Fremantle Parking Facilities By-law is amended by deleting the existing words and substituting the following words "move it to any position within the same parking area."

12. Clause 41 of the City of Fremantle Parking Facilities By-law is deleted and the following is substituted:—

41. The Driver of a vehicle who in the opinion of an Inspector commits an offence under this By-law in the Parking Region shall when required by an Inspector state his full name and address.

13. A new Clause 46A is added after Clause 46 of the City of Fremantle Parking Facilities By-law as follows:—

46A. Parking Inspectors appointed by City of Fremantle from time to time are hereby licensed and authorised by City of Fremantle to—

- (a) carry into effect the provisions of this by-law;
- (b) report to the Council on the working effectiveness and functioning of this by-law;
- (c) make inquiries and investigations concerning any alleged, purported or actual offence against any of the provisions of this by-law, with power to interview, question and obtain particulars from persons wheresoever living in respect of offences and suspected offences within the Parking Region;
- (d) recommend to the Council the institution of prosecutions;
- (e) institute and conduct prosecutions as directed by the Council or the Town Clerk from time to time.

14. Clause 47 of the City of Fremantle Parking Facilities By-law is amended by substituting the words "forty dollars" for the words "twenty pounds".

15. Clause 48 of the City of Fremantle Parking Facilities By-law is amended by substituting the words "two dollars" for the words "twenty shillings".

16. The Second Schedule of the City of Fremantle Parking Facilities By-law is hereby deleted and the following is substituted:—

Second Schedule.

CITY OF FREMANTLE PARKING FACILITIES BY-LAW.

Metered Zones.

Hours of Operation:

9.00 a.m. to 5.30 p.m.—Mondays to Fridays (inclusive).

9.00 a.m. to 12 noon—Saturdays.

Sundays and Public Holidays shall be excepted.

Parking Fees:

Limit of $\frac{1}{2}$ Hour Parking (as and where determined by the Council from time to time)—

- 1 cent for 6 minutes.
- 2 cents for 12 minutes.
- 5 cents for 30 minutes (one half hour).

Limit of 1 Hour Parking (as and where determined by the Council from time to time)—

- 1 cent for 6 minutes.
- 2 cents for 12 minutes.
- 5 cents for 30 minutes (one half hour).
- 10 cents for 60 minutes (one hour).

Limit of 2 Hour Parking (as and where determined by the Council from time to time)—

- 1 cent for 12 minutes.
- 2 cents for 24 minutes.
- 5 cents for 60 minutes (one hour).
- 10 cents for 120 minutes (two hours).

Limit of 4 Hour Parking (as and where determined by the Council from time to time)—

- 1 cent for 12 minutes.
- 2 cents for 24 minutes.
- 5 cents for 60 minutes (one hour).
- 10 cents for 120 minutes (two hours).
- 20 cents for 240 minutes (four hours).

17. The Third Schedule of the City of Fremantle Parking Facilities By-law is hereby deleted and the following substituted:—

Third Schedule.

PARKING STALLS AND PARKING STATIONS.

No. 1 Parking Station (Holdsworth Street).

Hours of Operation:

- 8 a.m. to 5.30 p.m.—Mondays to Fridays (inclusive).
- 8 a.m. to 12 noon—Saturdays.
- Sundays and Public Holidays shall be excepted.

In special circumstances these hours or days may be varied by Council Resolution.

Parking Fees:

Ten cents (10c) for each five (5) hours, three dollars (\$3) per calendar month for Term Parking.

In special circumstances these charges may be varied by Council Resolution.

No. 2 Parking Station (Marine Terrace).

Hours of Operation:

The same as No. 1 Parking Station.

Parking Fees:

The same as No. 1 Parking Station.

No. 3 Parking Station (Ellen Street).

Hours of Operation:

The same as No. 1 Parking Station.

Parking Fees:

The same as No. 1 Parking Station.

No. 4 Parking Station (South Terrace).

Hours of Operation:

The same as No. 1 Parking Station.

Parking Fees:

The same as No. 1 Parking Station.

No. 6 Parking Station (Point Street).

Hours of Operation:

The same as No. 1 Parking Station.

Parking Fees:

Twenty cents (20c) for period 8 a.m. to 1.30 p.m.
 Twenty cents (20c) for period 12 noon to 5.30 p.m.
 Forty cents (40c) for period 8 a.m. to 5.30 p.m.

In sections of the Parking Station especially set aside for the purpose, spaces may be let to Term Parkers for such periods as determined by Council Resolution at the rate of thirty cents (30c) per day.

No. 7 Parking Station (Bannister Street).

Hours of Operation:

The same as No. 1 Parking Station.

Parking Fees:

Term Parking only at a rate of four dollars (\$4) per calendar month.

No. 8 Parking Station (Kings Square).

Hours of Operation:

9 a.m. to 5.30 p.m.—Mondays to Fridays (inclusive).

9 a.m. to 12 noon—Saturdays.

Sundays and Public Holidays shall be excepted.

In special circumstances these hours or days may be varied by Council Resolution.

Parking Fees:

Limit of two (2) hour parking.

1 cent for 6 minutes.

2 cents for 12 minutes.

5 cents for 30 minutes.

10 cents for 60 minutes (one hour).

20 cents for 120 minutes (two hours).

In special circumstances these charges may be varied by Council Resolution.

No. 9 Parking Station (Newman Street).

Hours of Operation:

The same as No. 8 Parking Station.

Parking Fees:

Twenty cents (20c) for each three (3) hours.

In special circumstances these charges may be varied by Council Resolution.

No. 10 Parking Station (William Street).

Hours of Operation:

This Parking Station shall be reserved at all times for use by authorised vehicles only as follows:—

(a) Council vehicles.

(b) Vehicles used by Mayor and Councillors.

(c) Vehicles owned by Council Officers and used on the Council's behalf.

(d) Authorised visitors' vehicles.

Passed this 21st day of August 1967.

The Common Seal of the City of Fremantle was hereunto affixed this 4th day of September, 1967, pursuant to a Resolution passed the 21st day of August, 1967 in the presence of—

[L.S.]

W. FRED. SAMSON,
 Mayor.
 S. W. PARKS,
 Town Clerk.

Recommended—

L. A. LOGAN,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Melville.

By-laws for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 675/60.

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 25th day of July, 1967—

- (i) to revoke the whole of the by-laws regulating the construction, establishment, operation and maintenance of motels published in the *Government Gazette* on 28th September, 1960, and amendments thereto published in the *Government Gazette* on 23rd March, 1967;
- (ii) to adopt the following by-laws.

Definition.

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

(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.

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" 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.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)" in accordance with the provisions of the Town Planning and Development Act 1928 and the Local Government Act, 1960.

(2) A motel shall not be established or operated on any site having an area of less than one acre.

(3) No motel development shall be carried out on any site with a street frontage of less than 150 feet to any one street.

(4) 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 driveways properly paved and approved by the Council.

Distance of Buildings from Boundaries.

4. (1) No building or any part of a building shall be constructed in such way that any portion of the building is nearer to the street alignment than thirty (30) feet or nearer to any side boundary than ten (10) feet or nearer to any rear boundary than twenty-five (25) feet.

(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 boundaries of the site than ten (10) feet, and nearer the rear boundary than twenty-five (25) feet.

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

Building Requirements.

5. (1) No motel building shall comprise more than two storeys.
(2) (a) Site Coverage: The site coverage of all buildings shall not exceed 35 per cent. of the lot.
(b) Plot Ratio: The maximum plot ratio of all habitable buildings shall shall not exceed 0.40.

Composition of Motels.

6. Any motel shall comprise at least—
(a) ten (10) residential units;
(b) a cafe, cafeteria or restaurant with the necessary kitchen requirements;
(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.

7. (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 and fifty (250) square feet where the unit is intended to accommodate one person; and
(b) three hundred (300) square feet where the unit is intended to accommodate more than one person.

Structure.

8. (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 (90) degrees with one another, no part of a window in one of those walls shall be within twenty (20) 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 one hour's duration and being capable of being locked from either side.

Restaurant, Cafe or Cafeteria.

9. A restaurant, cafe or cafeteria shall have, for each motel unit, an area of twenty (20) square feet which would include for a dining room kitchen, stove and toilet facilities. The facilities provided to comply with all the requirements of the Health Act

Ablution Units.

10. (1) An ablution unit shall include as a minimum—
(a) a shower cubicle;
(b) a hand basin; and
(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.

Laundry.

11. In any motel development laundry facilities shall be provided for every six units or part thereof as follows:—
(a) an area of forty (40) square feet;
(b) one (1) washing machine;
(c) one (1) set of troughs; and
(d) a drying area of not less than three hundred (300) square feet or drying cabinets as required by the Council.

Car Parking.

12. (1) Any motel shall have a car park appurtenant to and within a distance of twenty (20) feet of each residential unit, unless the local authority shall approve of a car park being of a greater distance from any residential unit; and the parking site allotted to each unit shall comprise not less than one hundred and sixty (160) square feet in area.

(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 in 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 (25) 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.

13. (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 unit; and
- (b) one table for each four seats.

Advertising Sign.

14. 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 Council.

Resident Manager.

15. (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 (3) times of offences against these by-laws or against the Health Act and Regulations.

Compliance With Other By-laws.

16. 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 Local Government Act, the Town Planning and Development Act and the Health Act.

Registration.

17. (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.

(3) A fee of \$10.00 shall apply to the initial application and any following annual renewal of the registration.

Penalty.

18. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding forty dollars (\$40.00) 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 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 done, 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.

Adopted by the Municipality of the Town of Melville at a meeting held on the 25th day of July, 1967.

The Common Seal of the Town of Melville was hereto affixed in the presence of—

[L.S.]

R. F. CARROLL,
Mayor.
J. E. ELLIS,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of October, 1967.

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 27th day of April, 1967, 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 deletion of the Passage "Portions of Swan Location W and being lots 5 to 11 (inclusive) on Plan 181—Walter Road" appearing under the heading Inglewood Ward and by the substitution of the following:—

Walter Road—Portions of Swan Location W and being lots 5 to 9 (inclusive) on Plan 181.

Grand Promenade—Portion of Swan Location W and being Lot 36 on Diagram 34341.

2. Section 12 of the Fifth Schedule is altered by the addition at the end of the words and figures appearing in the last item commencing "Walter Road" under the heading "Inglewood" of the following:—

Walter Road, Corner of Grand Promenade, Portion of Swan Location W and being Lot 38 on Diagram 34341.

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

Inglewood: Grand Promenade—Portion of Swan Location W and being lot 37 on Diagram 34341.

Dated this 27th day of April, 1967.

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. P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of October, 1967.

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 15th day of August, 1967, 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:—

Section 6 of the Fifth Schedule is altered by the deletion therefrom of the following words and figures appearing under the heading "Maylands Ward" and in the item headed "Guildford Road":—

(viii) All lots between Falkirk and Caledonian Avenue on Plan 1885.

Dated the 15th day of August, 1967.

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. P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960.

The Municipality of the Shire of Perth.
By-laws relating to Child Minding Centres.

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 18th day of July, 1967, 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:—

By-law 337 is amended by the addition at the end thereof of the following:—

- (o) A Child Minding Centre if special approval for such use shall have been given by the Council and the site shall have been first approved by the Council.

Dated the 18th day of July, 1967.

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. P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Murray.

Adoption of Draft Model By-laws Relating to Old Refrigerators and Cabinets, No. 8.

L.G. 795/67.

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 September, 1965, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 1st day of May, 1962: Local Government Model By-law (Old Refrigerators and Cabinets) No. 8—The whole of the by-law.

Dated this 6th day of October, 1967.

The Common Seal of the Shire of Murray was hereunto affixed in the presence of—

[L.S.]

E. C. ATKINS
President.

J. W. SIBBALD,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Murray.

Adoption of Draft Model By-Laws Relating to Extractive Industries, No. 9.

L.G. 795/67.

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 September, 1965 to adopt such of the Draft Model By-Laws published in the *Government Gazette* of the 8th day of November, 1962, being the whole of the by-laws and the amendments published in the *Government Gazette* of the 8th day of February, 1965: Local Government Model By-Law (Extractive Industries) No. 9.—The whole of the by-law.

Dated this 6th day of October, 1967.

The Common Seal of the Shire of Murray
was hereunto affixed in the presence of—

[L.S.]

E. C. ATKINS,
President.
J. W. SIBBALD,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Murray.

Adoption of Draft Model By-Laws Relating to Street Lawns and
Gardens, No. 11.

L. G. 795/67.

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 September, 1965, to adopt such of the Draft Model By-Laws published in the *Government Gazette* of the 7th day of February, 1963: Local Government Model By-Law (Street Lawns and Gardens), No. 11.—The whole of the by-law.

Dated this 6th day of October, 1967.

The Common Seal of the Shire of Murray
was hereunto affixed in the presence of—

[L.S.]

E. C. ATKINS,
President.
J. W. SIBBALD,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Canning.

By-law Relating to the Conduct of Proceedings and the Business of the Council.

L.G. 661/67.

IN pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the Shire of Canning hereby records having resolved on the 31st day of July, 1967, to make and submit for the confirmation by the Governor, the following By-law:—

PART I.—PRELIMINARY.

Standing Orders.

The proceedings and business of the Council shall be conducted according to this By-law, the clauses of which shall be referred to as "The Standing Orders".

Interpretation.

1. In this by-law unless the context otherwise requires—
 - "Act" means the Local Government Act, 1960.
 - "clause" means a clause of this by-law.
 - "Clerk" means the Shire Clerk or Acting Shire Clerk.
 - "Committee" means any Standing or occasional Committee appointed in accordance with the provisions of Section 179 of the Act.
 - "Councillor" means a member of the Council other than the President.
 - "Member" means the President or a Councillor of the Council.
 - "President" includes, in the absence of the President, the Deputy President or the member chosen to preside at any meeting of the Council.

Arrangement.

2. The arrangement of this bylaw is as follows:—
 - Part I.—Preliminary—Clauses 1 and 2.
 - Part II.—Meetings of Council—Clauses 3 to 23.
 - Minutes—Clauses 24 to 26.
 - Questions—Clauses 27 to 31.
 - Correspondence—Clauses 32 to 34.
 - Deputations and Petitions—Clauses 35 to 37.
 - Reports of Committees—Clauses 38 to 40.
 - Notices of Motion—Clauses 41 to 44.
 - Privilege—Clauses 45 to 46.
 - Part III.—Conduct of Meetings—Clauses 47 to 48.
 - Rules of Debate—Clauses 49 to 87.
 - Motions—Clauses 88 to 119.
 - Voting—Clause 120.
 - Part IV.—Committees—Clauses 121 to 137.
 - General Meetings Electors and Ratepayers—Clauses 138 to 141.
 - Part V.—Officers of Municipality—Clauses 142 to 155.
 - Part VI.—Miscellaneous—Clauses 156 to 157.

PART II.—MEETINGS OF COUNCIL.

President to Preside.

3. The President, or in his absence the Deputy President, or in his absence a Councillor chosen by the Councillors present shall preside at any meeting of the Council.

Notice of Ordinary Meetings.

4. Notice of all meetings of the Council other than those convened under section 172 (2) or section 172 (3) of the Act shall be given to members of the Council in writing and shall be signed by or on behalf of the Clerk, and shall state the place, date and hour of holding the meeting, shall state the business to be transacted. The notice shall be served on each of the members of the Council at least 24 hours before the time of the commencement of the meeting.

Notice of Adjourned Meeting.

5. When a meeting of the Council is adjourned to a day and hour other than the next Ordinary meeting of the Council, notice of the adjourned meeting shall, if time permits, be sent in the manner provided by Clause 4 of this Bylaw, to each member of the Council, specifying the nature of the business to be transacted.

Quorum.

6. Except in cases where section 173 (4) of the Act applies, the number of members necessary to form a quorum shall be—

- (a) where the total number of members of the Council is an even number, one half of that number;
- (b) where the total number of members of the Council is an odd number, the integer nearest to but greater than one half of the total.

Quorum Must be Present.

7. The Council shall not transact Business at a meeting unless a Quorum is present.

If Quorum Not Present.

8. If at the expiration of half an hour from the time fixed for the commencement of a meeting of the Council a quorum is not present, the President, or in his absence, the Deputy President, or in his absence, majority of Councillors present, or any Councillor present alone, or in the absence of the President and all Councillors, the Clerk, may adjourn the meeting; and business which could have been transacted had there been a quorum at the meeting may be transacted at the resumption of the adjourned meeting.

Count Out.

9. If at any time during the meeting of the Council a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of two minutes and if a quorum be not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the President shall adjourn it to some future time or date.

Debate May be Resumed on Motion.

10. Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate may be resumed at the next meeting, at the point where it was so interrupted.

Names to Be Recorded.

11. At any meeting at which there is not a quorum of members present or at which the Council is counted out for want of a quorum, the names of the members then present shall be recorded in the Minute Book.

Open Doors—Except as Provided.

12. (1) The business of the Council shall be conducted with open doors, except upon such occasions as the Council may by resolution otherwise decide.

(2) Upon the carrying of such a resolution as is mentioned in subclause (1) of this clause the President shall direct all persons other than Councillors and Clerk of the Council to leave the Council Chambers and every person shall forthwith comply with such resolution, provided that, by decision of the Council, persons other than Councillors may be requested to remain.

(3) Any person who fails to comply with the direction made pursuant to sub-clause (2) of this clause may, by order of the President, be removed from the Council Chamber.

(4) After carrying of a resolution made under subclause (1) of this clause, the business of that meeting of the Council shall proceed behind closed doors, until the Council, by resolution, decides to proceed with open doors.

(5) While a resolution made under subclause (1) of this clause is in force, the operation of clause No. 61, shall be suspended unless the Council, by resolution, otherwise decides.

(6) Any resolution mentioned in this clause may be moved without notice.

Distinguished Visitors.

13. If a distinguished visitor is present at a meeting of the Council, the President may invite him to sit beside the President, or at the Council table.

Reporters.

14. Accredited newspaper reporters shall be permitted to attend at meetings of the Council, in such part of the Council Chambers as may be appropriated for their accommodation, but they shall withdraw during any period when the Council is sitting behind closed doors.

Kinds of Meetings.

15. Meetings of the Council shall be of two kinds, "ordinary" and "Special". Ordinary meetings are those called at such place and at such times as Council, from time to time, appoints for the transaction of the ordinary business of the Council. Special meetings are those called to consider special business, the nature of which shall be notified on the notice paper concerning the meeting. No business shall be transacted at a special meeting other than that for which the special meeting has been called.

Calling of Meetings.

16. (1) The President may convene a meeting of the Council as often as he thinks fit by notice in writing signed by him or the Clerk sent to each Councillor before the meeting.

(2) If the President refuses or neglects to call a meeting of the Council after receiving a request for that purpose signed by at least three Councillors, those Councillors may call a meeting of the Council by serving a notice in writing signed by them stating the business to be transacted, on each of the other members of the Council at least seven days before the time of the commencement of the meeting.

Prevention of Disturbance.

17. (1) A person, not being a Councillor, shall not at any meeting of the Council interrupt the proceedings of the Council.

(2) Any person interrupting the proceedings of the Council shall, when so directed by the President, forthwith leave the Council Chambers.

(3) Any person who, being ordered to leave the Council Chambers, fails to do so may, by order of the President, be removed from the Council Chambers.

Business at Ordinary Meetings.

18. No business shall be transacted at any meeting of the Council other than specified in the notice relating thereto, except—

- (a) matters which the Act permits to be dealt with without notice; and
- (b) matters which these Bylaws permit to be dealt with without notice.

Objectionable Business.

19. If the President at any meeting of the Council shall be of the opinion that any motion or business proposed to be made or transacted thereat is of an objectionable character, it shall be competent for him either before or after the same is brought forward to declare that the same shall not be entertained. Provided always that it shall be competent for any member of the Council to move dissent from the declaration made from the Chair, whereupon the motion to dissent shall be forthwith put without debate, and in the event of the same being carried by a majority of the members present the business referred to shall thereupon be entertained but not otherwise.

Order of Business.

20. The order of business at an ordinary meeting shall be as follows, or as near thereto as shall be practicable, but for the greater convenience of the Council at any particular meeting thereof, it may be altered by resolution to that effect:—

- (i) Apologies and Leave of Absence.
- (ii) Confirmation of Minutes.
- (iii) Announcements by the President, without discussion.
- (iv) Questions of which due notice has been given, without discussion.
- (v) Question of Urgency, without discussion.
- (vi) Petitions, memorials and deputations.
- (vii) Notices of intention to move the suspension of Standing Orders, at the close of the meeting.
- (viii) Reports of Committees.
- (ix) Reports by the Clerk.

- (x) Correspondence, not involving business.
- (xi) Orders of the Day, including considering the ordering upon any business left over from the previous meeting and any business the President may think desirable to bring under the notice of the Council and may have directed to be entered as an Order of the Day.
- (xii) Motions of which previous notice has been given.
- (xiii) Notice of motions for consideration during the following meeting, if given during the meeting.

Urgent Business.

21. If any member has urgent business to place before the meeting he may move the suspension of Standing Orders, and if agreed to by the Council, such business shall take precedence over all other.

Order of Business at Special Meeting.

22. The order of business at any Special meeting of the Council shall be the order in which that business stands in the notice of the meeting.

Business at Adjourned Meeting.

23. At an adjourned meeting of the Council no business shall be transacted other than such as shall have been specified on the notice of the meeting of which it is an adjournment, and which remains undisposed of, save and except in the case of an adjournment to the next Ordinary meeting of the Council, when the business undisposed of at the adjourned meeting shall have the precedence at such ordinary meeting of the Council.

Minutes.

Confirmation of Minutes.

24. The minutes of the preceding meeting, whether of an Ordinary or a Special meeting, not previously confirmed, shall be submitted as the first business at a meeting of the Council in order to proceed to their confirmation, and discussion, other than discussion as to their accuracy as a record of the proceedings, shall not be permitted, and when confirmed, the minutes shall thereupon be signed by the President and he shall sign and date each page.

Minute Book.

25. The pasting of the Minutes to the leaves of a book shall be sufficient recording of the Minutes in the Minute Book.

Reading of Minutes May Be Dispensed With.

26. The reading at the next Ordinary meeting of the Council of the Minutes of a previous meeting may be dispensed with when members have been supplied with copies of the Minutes at least three days before the holding of the next Ordinary meeting.

Questions.

Notices of Questions to be Given.

27. Subject to the provisions of Clause No. 31, hereof a member desirous of putting a question as to the work or procedure of the Council shall give notice thereof in writing to the Clerk at least eight hours before the hour fixed for the commencement of the meeting. If such question is in order, the answer shall, as far as practicable be read at the next meeting of the Council.

Questions and Answers to be Brief

28. All questions and answers shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.

Questions Not to Involve Argument or Opinion.

29. In submitting any question, no argument or expression of opinion shall be used or offered, nor any facts stated except so far as may be necessary to explain such question.

No Discussion on Questions.

30. No discussion or further questions shall be allowed on any question or the answer thereto, unless with the consent of the President.

Urgency Questions.

31. It shall be competent for any member of the Council with the consent of the President to put any question on any matter of urgency without notice. Questions submitted without notice shall be subject to the provisions of Clause 28 to Clause 29.

Correspondence.

Reception of Correspondence.

32. No discussion shall be permitted on any motion that any correspondence be received or not received, or that any correspondence or any part thereof be referred to any Committee of the Council.

Summary of Correspondence.

33. Subject to the next clause, the Clerk shall send to each member, a summary of the correspondence to be presented at any meeting of the Council. The summary shall be sent 24 hours at least before such meeting and shall contain information, remarks, suggestions and recommendations which in the opinion of the Clerk may be necessary or desirable to submit to the Council.

Late Correspondence.

34. In cases of extreme urgency or other special circumstances, correspondence additional to that set out in accordance with the provisions of Clause No. 33 may, with the consent of the President, be read and ordered upon.

Deputations.

35. (1) Any person or persons wishing to be received as a deputation by the Council shall, in the first instance, send to the Clerk a memorial, setting out in concise terms the subject matter to be raised by the deputation.

(2) Where the Clerk receives a memorial in terms of this clause, he shall lay the memorial—

(a) before the Committee concerned; or

(b) Where there is no Committee concerned, before the President.

(3) A Committee or the President receiving a memorial in terms of this clause may either receive the deputation or lay the memorial before the Council.

(4) Where a memorial is laid before the Council under subclause (3) of this clause, the Council may, if it so resolves, receive the deputation.

36. A deputation shall not exceed five in number and only two members thereof shall be at liberty to address the Council or a Committee of the Council, except in reply to questions from members of the Council or Committee and the matter shall not be further considered by the Council or the Committee, until the deputation has withdrawn.

Petitions.

37. Every petition shall be respectful and temperate in its language and shall be presented to the Council by a member only who shall acquaint himself with the contents thereof and ascertain that it does not contain language disrespectful to the Council. On the presentation of a petition, the member of the Council presenting the same shall confine himself to the reading of the prayer therein only, and the only motions that shall be in order shall be that such petition be received and if necessary that it be referred to a Committee or, if the subject matter thereof is dealt with in any Order of the Day be referred for consideration in connection therewith.

Reports of Committees.

All Minutes of Reports and Committees.

38. All minutes of reports and Committees to be presented at any meeting of the Council shall be sent to each member of the Council at least 24 hours before the commencement of the meeting at which they are presented.

Presentation of Reports.

39. Reports of Committees shall be presented to the Council by the Chairman of each Committee concerned, or in his absence, a member of the Committee in the form of a motion "That the recommendations of the report be received and adopted." No objection to the reception of the reports of any committee, or any part thereof, shall be raised when such reports are presented to the Council, except for reasons arising out of such reports.

Withdrawal or Amendment of Reports.

40. The Chairman or other member of a Committee presenting a report, may, with the consent of the Council, withdraw or amend such report or any recommendation thereof. Such consent may be given notwithstanding that a motion or amendment may then be before the Chair.

Notices of Motion.

41. (1) Unless the Act or these by-laws otherwise provide, a member may only bring forward at a meeting such business as he considers advisable in the form of a motion of which notice has been given in writing to the Clerk.

(2) Notice of motion shall be given either—

(a) At the last previous Council meeting; or

(b) At least four clear days before the meeting at which it is brought forward.

(3) Every notice of motion shall relate to some question affecting the Constitution, administration or condition of the Municipality of the Council, or as otherwise allowed by the Act.

Exclusion or Amendment of Notices.

42. The Clerk, with the concurrence of the President, may exclude from the Business Paper of the Council any notice of motion which may be out of order, or he may on his own initiative make such clerical or verbal alterations or amendments therein as will bring such notice of motion into due form, but no notice shall be deemed invalid by reason of the policy involved being deemed objectionable, or by reason of its having relation to a matter not within the scope of the ordinary work of the Council, so long as in the opinion of the President such matter is one of public interest, utility or importance.

Motion to Lapse.

43. Every such motion as is mentioned in Clause 41 shall lapse unless—

(a) the member who gave notice thereof, or some other member authorised by him in writing, is present to move the motion when called on; or

(b) the council on a motion agrees to defer consideration of the motion to a later stage or date.

Amendments to Notice of Motion.

44. Where notice of amendment to a notice of motion shall be received by the Clerk at least four clear days before the meeting at which such notice of motion is to be taken into consideration, the notice of amendment shall be entered on the Business Paper immediately after such notice of motion, irrespective of the time at which notice of amendment shall have been received.

Privilege.

45. Notwithstanding anything contained in this Bylaw, it shall be competent for any member of the Council, feeling himself aggrieved by anything which may have transpired between the termination of one meeting of the Council and the commencement of another to raise the question of privilege; provided always that it shall not be competent for any member to raise any question of privilege without first obtaining the consent and approval of the President thereto.

Procedure on Privilege.

46. In the event of a question of privilege being raised by a member of the Council, such question shall thereupon take precedence of all other business before the Council and be raised immediately after the confirmation of the Minutes of the preceding meeting or meetings.

PART III—CONDUCT OF MEETINGS.

Members to Occupy Own Seats.

47. A member of the Council shall not be deemed to be present unless he occupies his proper place within the Council Chamber.

Respect to the Chair.

48. After a meeting of the Council has been formally constituted and the business thereof commenced, a member of the Council shall not enter, leave or withdraw from such meeting, without first paying due respect to the Chair by referring to the President.

Rules of Debate.**Councillors to Address President.**

49. Any Councillor moving a motion or amendment, or taking part in the discussion thereon, shall rise and address the President.

Point of Order.

50. A member who is addressing the President shall not be interrupted except on a point of order, in which event he shall resume his seat until the member raising the point of order has been heard thereon, and the question of order has been disposed of, whereupon the member so interrupted may, if permitted, proceed.

Definition of Question of Order.

51. Rising to express difference of opinion or to contradict a speaker shall not be recognised as rising to order, but the following shall be recognised as breaches of order:—

- (a) Discussion of a question not before the Council.
- (b) The use of offensive or insulting language.
- (c) The violation of any By-law or Standing Order of the Council.

Precedence of Questions of Order.

52. Notwithstanding anything contained in this Bylaw to the contrary, all questions of order at any time arising shall, until decided, suspend the consideration and decision on every other question.

Rulings by President.

53. The President when deciding a point of order or practice, shall give his decision, and argument or comment shall not be permitted thereon, and his decision shall be final, in that particular case, unless a majority of the members present shall, upon motion made forthwith, dissent therefrom.

Substance of Motion to be Stated.

54. Any Councillor desirous of proposing an original motion or amendment shall state its substance before he addresses the Council thereon and, if so required by the President, shall put the motion or amendment in writing.

Unopposed Business.

55. Upon a motion being moved, the President may ask the meeting if any member opposes it. If no one signifies his opposition to the motion or his opposition to the motion being treated as unopposed business, the President may declare the motion carried without debate and without taking a vote thereon. Any motion declared carried under this Bylaw shall for all purposes be deemed a resolution of the Council. If any member signifies his opposition to a motion or to a motion being treated as unopposed business, the motion shall be dealt with according to the following Bylaws.

Motion and Amendments to be Seconded.

56 (1) A motion or amendment shall not be discussed or put to the vote of the council unless seconded, but a Councillor may require the enforcement of any Standing Order of the Council by directing the President's attention to the infraction thereof.

(2) A nomination to the position of Deputy President is not required to be seconded.

Titles to be Used.

57. A speaker, in referring to any other present, shall designate him by the title of President or Councillor, or particular officer as the case may be.

Priority of Speaking.

58. Where two or more Councillors rise to speak at the same time, the President shall decide who of them is entitled to priority.

President to be Heard.

59. Whenever the President rises during a debate any Councillor then speaking or offering to speak shall sit down and the Council shall be silent so that the President may be heard without interruption.

President to take part in Debates.

60. Subject to the provisions of this Bylaw it shall be competent for the President to take part in a discussion upon any question before the Council. Provided that he shall address the Council before the right of reply is exercised.

Speaking Twice.

61. No Councillor shall speak twice on the same question, except by way of explanation, or in reply upon any original motion of which he may be the mover or as the mover of an amendment last carried; and no Councillor shall speak to any question after the mover shall have been permitted to reply.

Calling to Order for Speaking Twice.

62. The President shall, without waiting for the intervention of the Council, call to order any member proceeding to speak a second time on the same question.

Mover or Seconder to be Held to have Spoken.

63. A member moving or seconding a motion or amendment shall be held to have spoken thereon.

64. The Council may, by resolution moved without notice, suspend the operation of Clause 61 hereof, and thereupon such clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

Personal Explanation.

65. A Councillor making a personal explanation shall confine it to a succinct explanation of a material part of his former speech which may have been misunderstood, and to the explanation itself, and shall not advert to matters not strictly necessary for that purpose nor seek to strengthen his former argument by new matter or by replying to other Councillors.

No Speaking After Motion Put.

66. No Councillor shall speak on any motion or amendment—
- (a) after the mover has replied; or
 - (b) after the question has been put.

Limit of Speeches.

67. (1) A Councillor shall not speak upon any motion or amendment or in reply for a longer period than ten minutes without the consent of the Council, which shall be signified without debate.

(2) An extension shall not be permitted under this clause beyond a total of twenty minutes.

Speaking in Reply.

68. A Councillor speaking in reply shall not introduce any new matter but shall strictly confine himself to answering previous speakers.

Division of Motions.

69. The President may order a motion to be divided and put in the form of two or more motions.

Withdrawal of Motions.

70. A motion or amendment may be withdrawn by the mover, with the consent of the Council which shall be signified without debate, and it shall not be competent for any member to speak upon the motion or amendment after consent to withdrawal has been granted.

Production of Documents.

71. (1) Any member may of right require the production of any of the documents of the Council relating to the question or matter under discussion.

(2) On giving to the Clerk not less than eight hours' notice, a member of the Council shall be entitled to have laid on the Council table, for the duration of a meeting, any documents or record of the Council, and the Clerk, on receiving that notice, shall lay the document on the Council table at the commencement of the meeting.

No Digression.

72. A Councillor shall not speak otherwise than upon, or digress from, the question then before the Council, except to make a personal explanation.

No Adverse Reflection on Council.

73. A Councillor shall not reflect adversely upon a resolution of the Council except on a motion that the resolution be rescinded.

No Adverse Reflection on Councillor.

74. A Councillor shall not reflect adversely upon the character or actions of another member nor impute any motive to a member, unless the Council resolves, without debate, that the question then before the Council cannot otherwise be adequately considered.

75. Any member may require the Clerk to take down any particular words used by a member immediately upon them being used and to read such words back to the meeting for verification.

Withdrawal of Offensive Language.

76. Any Councillor who shall use an expression which in the opinion of the President reflects offensively on any member or officer of the Council, shall when required by the President, unreservedly withdraw such expression and make a satisfactory apology to the Chair, and if he declines, or neglects to do so, the President may refuse to hear such Councillor further upon the matter then under discussion and call upon the next speaker.

Disturbance by Councillors.

77. A Councillor shall not make any noise or disturbance or, except to raise a point of order, converse aloud, while any other person is addressing the Council.

Continued Irrelevance, etc.

78. The President may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a Councillor and may direct that Councillor, if speaking, to discontinue his speech, and thereupon the Councillor shall cease speaking and shall resume his seat.

Crossing Council Chamber.

79. When the President is putting any question, a Councillor shall not walk out of or cross the Chamber; and shall not, whilst any other Councillor is speaking, pass between the speaker and the chair.

President May Call to Order.

80. The President shall preserve order, and may call any Councillor to order, whenever, in his opinion, there is cause for so doing.

Definition of Order.

81. Any member who shall do anything or behave in a manner which is forbidden by any section of these Standing Orders shall be deemed to be out of order.

Infraction of Standing Orders.

82. Every Councillor shall be entitled to direct the attention of the President to any infraction of the Standing Orders by any other Councillor; or to draw the attention of the President to any matter of which the latter may take notice under clause 78 (Continued Irrelevance, etc.).

Rulings by President.

83. The President, when deciding a point of order or practice, shall give his decision, and argument or comment shall not be permitted thereon, and his decision shall be final, in that particular case, unless a majority of the Councillors then present shall, upon motion made forthwith, without discussion, dissent therefrom.

84. Whenever the President has decided that any motion, amendment or other matter before the Council is out of order, it shall be rejected; and whenever anything said or done in the Council, by any Councillor, is similarly decided to be out of order, that Councillor shall be called upon by the President to make such explanation, retraction or apology, as the case may require.

Continued Breach of Order.

85. Where a Councillor persists in any conduct which the President decides is out of order, or refuses to make any explanation, retraction or apology required by the President under clause 84, the President may direct that Councillor to refrain from taking any further part in the then meeting of the Council, other than by recording his vote; and the Councillor shall comply with such direction.

Serious Disorder.

86. (1) If at a meeting of the Council the President is of opinion that by reason of disorder or otherwise the business of the Council cannot effectually be continued, he may adjourn the meeting for a period of fifteen minutes, whereafter the Council shall re-assemble and decide whether business is to be proceeded with; and that question shall be decided forthwith and without debate.

(2) Where after all proceeding under subclause (1) of this clause, the President is again of the opinion that the business of the Council cannot effectually be continued, he may close or adjourn the meeting.

Votes of Members.

87. The President shall not vote unless there is an equal division of votes, in which case he has, and may exercise a casting vote.

All meetings of the Council except where he is prohibited from voting by the Act, a member of the Council present in his seat when a question is put shall vote on the question openly and not by secret ballot.

Motions.

Permissible Motions during Debate.

88. (1) Subject to subclause (2) of this clause, when a motion is under debate, no further motion shall be moved except a motion—

- (a) that the motion be amended;
- (b) that the Council do adjourn;
- (c) that the debate be adjourned;
- (d) that the question be now put;
- (e) that the Council do proceed with the next business;
- (f) that the Council do sit behind closed doors; or
- (g) that the meeting be now closed.

(2) Whenever any recommendation is presented by any Committee to the Council, whether such recommendation be new matter or pursuant to a previous reference from the Council, the only motion which shall be entertained by the Council thereon shall be—

- (a) that the recommendation be adopted; or
- (b) that the recommendation be not adopted; or
- (c) that the recommendation, or any part thereof, be referred back to the responsible Committee for further consideration; or
- (d) that the recommendation be amended.

Relevancy of Amendment.

89. Every amendment shall be relevant to the motion on which it is moved.

To be Read or Stated.

90. Every amendment shall be read or stated before being moved.

One Amendment at a Time.

91. (1) Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote, except that where an amendment is carried, one further amendment to the original motion, as amended, and no more, may be moved.

(2) In speaking to an amendment a Councillor may give notice of his intention to move a further amendment.

92. Where an amendment is carried, the original motion as amended shall, for all purposes of subsequent debate and subject only to clause 91, be treated as an original motion.

“That Council Adjourn”.

93. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move without notice that the Council do now adjourn and that motion shall state the time and date to which the adjournment is to be made.

(2) On a motion to adjourn, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.

94. Where a motion for the adjournment of the Council is negatived, no similar motion shall be moved until after the question then under discussion or the next on the notice paper or any other which may be allowed precedence shall have been disposed of.

95. (1) A Councillor who has spoken on the question then before the Council shall not move the adjournment of the Council.

(2) A Councillor shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the Council.

96. On a motion for the adjournment of the Council being carried, the debate on the question (if any) under debate when that motion was moved shall be continued immediately upon the Council resuming after the adjournment.

97. On a motion for the adjournment of the Council being carried, a record shall be taken of all those who have spoken on the subject under consideration at the time of the adjournment and they shall not be permitted to speak on any subsequent consideration of the same subject, but this clause does not deprive a mover of the right of reply.

98. The President may at any time adjourn the Council to such time and date as the motion specifies, or where no time and date is specified to such time and date as he shall then declare.

“That the Debate be Adjourned”.

99. (1) A Councillor may at the conclusion of the speech of any other Councillor move, without notice, that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council.

(2) On a motion that the debate be adjourned, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed; but if the question then before the Council is a recommendation from a Committee, the Chairman of the Committee concerned, or, in his absence, a member thereof may speak for not more than five minutes.

100. (1) A Councillor who has spoken on the question then under debate shall not move the adjournment of the debate.

(2) A Councillor shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the same debate.

101. On resuming an adjourned debate the Councillor who moved its adjournment shall be entitled to speak first.

102. On a motion for the adjournment of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this clause does not deprive a mover of the right of reply.

103. Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate shall, on motion with notice, be resumed at the next meeting, at the point where it was so interrupted.

“That the Question be Now Put”.

104. A Councillor may, at the conclusion of the speech of any other Councillor, move, without notice and without comment, that the question under consideration be now put, and upon that motion being formally seconded, the same shall immediately be put, without debate.

105. A motion that the question under consideration be put shall not be moved by a Councillor who has already spoken on the question, and that motion shall not be carried without the consent of a two-thirds majority of the Councillors then present.

106. When it is decided by the Council that the question under consideration be put, the mover of the question under consideration shall, if debate has ensued, and if otherwise entitled to do so, be permitted to speak in reply for not more than five minutes before the question is put, but subject thereto, the question shall at once be put.

107. Whenever it is decided by the Council that the question be put, the question to be put includes the main question as well as any amendment thereto.

"That the Council do Proceed to the Next Business".

108. A Councillor may at the conclusion of the speech of any other Councillor move, without notice and without comment, that the Council do proceed with the next business and, upon that motion being formally seconded, it shall be immediately put, without debate.

109. Where the Council decides to proceed with the next business, the question which was then under discussion shall be considered as dropped.

110. During the same debate in any question, a motion that the Council do proceed with the next business shall not be moved within one hour after a similar motion has been negated.

"That the Meeting be now closed".

111. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move, without notice, that the meeting of the Council be now closed.

(2) On a motion that the Council be closed, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second and the mover of the motion (if any) then under debate may speak for not more than five minutes; but no other debate shall be allowed.

112. If a motion that the meeting of the Council be closed is negated, a similar motion shall not be moved until after the question then under discussion or the next on the motion paper or any other which may be allowed precedence has been disposed of.

113. (1) A Councillor who has spoken on the question then before the Council shall not move that the meeting be closed.

(2) A Councillor shall not at the same meeting of the Council, move or second more than one motion that the meeting be closed.

114. On a motion that the meeting be closed being carried, the debate on the question (if any) under debate when that motion was moved shall stand adjourned to its place on the notice paper for the next meeting of the Council.

115. On a motion that the meeting be closed being carried, a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the meeting and they shall not be permitted to speak on any subsequent consideration of the same subject; but this Clause does not deprive a mover of the right of reply.

Motions Affecting Expenditure.

116. Where a motion or amendment would have the effect of incurring expenditure not provided for in the Budget, that motion or amendment shall not be moved other than in the form of a reference of the question to the Finance Committee.

Rescission of Resolution.

117. (1) A Council may at the same meeting at which it is passed, rescind or alter a resolution if all members of the Council who are present in their seats at the time the resolution was passed are also present in their seats at the time the rescission or alteration is proposed.

(2) A Council may, at a meeting after that at which it was passed, rescind or alter a resolution—

- (a) where notice of motion to rescind or alter is not given, if a motion to that effect is carried by an absolute majority of the members of the Council; or
- (b) where the member intending to propose the rescission or alteration has, through the Clerk given written notice of his intention to each of the other members of the Council at least 7 days before the meeting, if a motion to that effect is carried by the majority of the members voting on the proposal at the meeting; but not otherwise.

Negated Motions.

118. A motion to the same effect as any motion, other than a motion moved in pursuance of a report of a committee of the Council which has been negated by the Council shall not again be entertained within a period of three months, except with the consent of an absolute majority of the Council.

Suspension of Standing Orders.

119. In cases of urgent necessity or whilst the Council is sitting behind closed doors, any Standing Order of the Council may be suspended on motion duly made and seconded, that that motion shall not be declared carried, unless an absolute majority of the Council, or a two-thirds majority of those present voting on the question, whichever is the lesser number, have voted in favour of the motion.

Any Councillor moving the suspension of Standing Orders shall state the object of the motion, but discussion shall not otherwise take place thereon.

Voting.

Method of Taking Vote.

120. The President shall, in taking the vote on any motion or amendment, put the question, first in the affirmative, and then in the negative, and he may do so as often as is necessary to enable him to form and declare his opinion as to whether the affirmative or the negative has the majority on the voices, or by a show of hands.

The result of voting openly is determined on the voices, unless a member of the Council calls for a show of hands, in which case the result is determined on the count of raised hands and upon a vote on the voices or on a show of hands being taken, a Councillor may call for a division.

The division shall thereupon be taken by those voting in the affirmative passing to the right of the Chair and those voting in the negative to the left of the Chair.

Upon a division being called for, the President may if he thinks fit order that the division bell be rung, and after the lapse of one half of a minute from the bell ceasing to ring, a Councillor shall not be permitted to enter or leave the Chamber until after the division has been taken.

The names of the Councillors who voted on the question on which there is the division shall be recorded by the Clerk in respect of every division together with details of whether they voted in affirmative or negative together with names of those Councillors who abstained from voting.

PART IV.—COMMITTEES.

Standing Committees.

121. (1) In addition to such occasional committees as may from time to time be appointed, there shall be Standing Committees of the Council, namely:—

- (a) Finance and General Purposes.
- (b) Works, Parks and Gardens.
- (c) Town Planning.
- (d) Health and Building Committee.

(2) The members of each Standing Committee shall comprise the President, and Councillors, and the number of members of a committee shall be less than one half of the total number of members of the Council. The Council shall, by resolution carried pursuant to a motion of order by a simple majority or on a motion moved without notice by an absolute majority, determine the number of members of which each Standing Committee shall consist.

(3) The Council may appoint a member thereof to be a deputy to act on behalf of a member of an occasional or Standing Committee whenever that member is unable to be present at a meeting thereof, and if the deputy is requested by the member for whom he is a deputy or the Council to attend any such meeting in place of the member—

- (a) is entitled to so attend and act for the member thereat; and
- (b) while so acting has all the powers of that member.

(4) A Councillor who is a member of an occasional or Standing Committee is not eligible to be appointed a deputy for a member of that occasional or Standing Committee.

Term of Appointment.

122. Subject to the provisions of Clause No. 124, the members of each Standing Committee shall be appointed for each year at the first meeting of the Council held after the Annual election and shall hold office until the commencement of the first meeting after the Annual Election then next ensuing.

Committee Members May be Changed.

123. The Council may by resolution carried pursuant to a notice of motion by a simple majority, or on a motion moved without notice, by an absolute majority, change the membership of any Committee or appoint substitutes for Councillors absent pursuant to leave granted by the Council.

Election of Committees.

124. The election of the members of a Standing Committee or occasional committee shall, in default of agreement, be elected by ballot. In the event of an equality of votes for two or more Councillors in an election for member of a committee, the President shall have a casting vote.

Duties of Standing Committees.

125. Subject to any resolution of the Council passed after the coming into operation of these Standing Orders, the Standing Committees shall have the powers and duties as follows:—

Finance and General Purposes:

- (a) Surveillance over Council finances and the collection and accountability of all revenue and funds and the expenditure thereof as determined by the current budget.
- (b) Borrowing of funds by Loan or overdraft.
- (c) Appointment and remuneration of officers and matters affecting their employment with the Council, provided that another Committee may make a recommendation to the Finance Committee concerning an officer whose duty pertains to the business of such committee.
- (d) To pass accounts for payment.
- (e) Management, care and use of Council property including halls, recreation grounds, libraries and public facilities owned or controlled by the Council.
- (f) Purchase, acquisition of land or property as may be determined by Council on the recommendation of other committees.
- (g) Sale, lease or rental of Council property.
- (h) Promulgation of bylaws with relation to matters as may be determined by Council, provided that another Committee may recommend the draft of a bylaw on matters, the oversight of which it is responsible.
- (i) Establishment and maintenance of buildings used for the purposes of the Council and matters relating thereto.
- (j) Preparation and arrangement of civic functions.
- (k) Such matters not under the care of other Committees.

Works, Parks and Gardens Committee:

- (a) Construction, maintenance and management of Works, in streets, ways and other public places including private streets and places as approved by Council involving design, alignment, levels, drainage, widening, relocation, lighting, care and protection.
- (b) Purchase, maintenance and upkeep of plant and equipment, procurement of materials, required for carrying out of works.
- (c) Construction and maintenance of road signs and street furniture.
- (d) Engagement and dismissal of employees in respect to the performance of works.
- (e) Control of quarries and supervision of quarrying operations.
- (f) Construction and maintenance of parks and reserves for recreation and public use, street trees and road verges.

Town Planning:

- (a) Matters relating to the regulation and use of land pursuant to the provisions of Town Planning Act, a Town Planning scheme or by-laws.
- (b) Oversight of the subdivision of land, classification or zoning of land use, location and layout of streets and ways, reserves, parks and grounds for public use.
- (c) Control of the height, location, design, purpose, dimensions or general character of building or other structures as provided under a Town Planning Scheme or By-law.
- (d) Preparation of Town Planning Schemes for planning, replanning or reconstruction of areas for the purpose of improving and development of land, and the supervision of the operation of such scheme.

Building and Health:**Building:**

- (a) Control of building operation, supervision of construction in respect to all buildings subject to the provision of the Uniform General Building By-laws.
- (b) Oversight of dangerous, neglected and dilapidated buildings and demolition as may be ordered by the Council.
- (c) Control of erection, location and upkeep of signs, hoardings, bill-posting and fencing, pursuant to the By-laws relating thereto.

Health:

- (a) Matters pertaining to health and wellbeing of the community pursuant to the provisions of the Health Act and By-laws.
- (b) Surveillance over sanitary provisions for collection and disposal of sewerage, refuse and liquid wastes.
- (c) Control of nuisance, offensive trades, insects and pests, distribution and sale of foods and drugs to the public.
- (d) Providing for the protection of health and life of the community including immunisation, welfare and health education.

Chairman of Standing Committees.

126. (a) The President is *ex officio* a member and Chairman of every Committee.

(b) The President may but is not obliged to preside as Chairman of the Meetings of a Committee, and if in accordance with the Act he intimates his intention is not to do so, or does not intimate his intention at all, members of the Committee may elect one of their number to preside in his stead.

(c) The President may so intimate his intention by declaring it at the first meeting of the committee held after the declaration of the Annual election of members of the Council, or by giving to each of the members of that Committee at or before that meeting, written notice of his intention not to preside, but if at or before that meeting he does not so give notice, he is regarded as having intimated that his intention is not to preside.

(d) If the President intimates or is regarded as having intimated that his intention is not to preside, he shall not, unless under section 182 (6) of the Act he is authorised to do so, preside until the corresponding first meeting of the Committee in the following year.

Calling Committee Meetings.

127. The Clerk shall call a meeting of any committee when requested so to do by the President or the Chairman or any two members of that Committee.

Standing Orders of the Committee Meetings.

128. Except in so far as they limit the number of times a member may speak or require meetings to be conducted with open doors, these Standing Orders shall be observed at meetings of Committees, but the chairman of a Committee may have and exercise both a deliberative and, in the case of equality of votes, a casting vote.

Quorum of Committees.

129. (1) At a meeting of a committee, unless otherwise determined by the Council, a quorum shall consist of three members.

(2) Every meeting shall proceed to business as soon after the time stated in the summons as a quorum is constituted; but if a quorum is lacking 30 minutes after the hour at which any meeting of any Committee is appointed to be held, no meeting shall take place, and the meeting shall stand adjourned until the day and time fixed for the next ordinary meeting of the Committee, unless the Chairman shall convene a special meeting of the Committee for the transaction of the business standing adjourned.

Adjournment of Committees.

130. Any Committee of the Council may adjourn from time to time.

Unfinished Business of Former Committees.

131. It shall be competent for every committee of the Council to take up matters referred by the Council to the preceding Committee which may not have entered upon or fully discharged at the time such Committee went out of office by effluxion of time.

Voting by Committees.

132. The decision of a committee on a question is that decided by a majority of the members present, including the Chairman who has deliberative vote, and who in the case of an equal division of votes has a casting vote.

Conference of Committees.

133. Any two or more Committees may confer together by mutual agreement on any matter of joint interest.

Minutes of Committees.

134. (1) Each Standing Committee shall cause to be kept a minute book in which shall be entered minutes of all its proceedings and transactions.

(2) The minutes of each meeting shall be confirmed at the next meeting of the committee and shall be signed by the chairman thereof.

Committees to Report.

135. Committees so appointed are answerable to the Council and shall, as and when required by the Council to do so, report fully on their activities to the Council.

Communications by Committee.

136. No Committee shall communicate with any outside person or authority except through the Clerk, as the officer of the Council duly authorised for the purpose.

Resignation of Seat on Committee.

137. Any member of a Committee may resign his seat on the Committee by notice in writing signed by him and addressed to the Clerk, and when delivered to the Clerk, his seat on the Committee shall become vacant.

General.

Representation on Public Bodies.

138. Whenever it becomes necessary to appoint a Councillor to represent the Council on a public body or a State instrumentality, notice of the necessity to make that appointment shall be given at the meeting of the Council immediately preceding the meeting at which it is intended to make the appointment.

Confidential Business.

139. Every matter dealt with by, or brought before the Council sitting otherwise than with open doors, or any Committee of the Council, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the President, Councillors, or servants of the Council (and in the case of servants, only so far as may be necessary for the performance of their duties) prior to the discussion of that matter at a meeting of the Council held with open doors.

Meetings of Electors.

140. (1) The Standing Orders apply, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this Bylaw and the provisions of Section 171 of the Act, the latter prevails.

(2) A person who is not an elector is not entitled to vote at a meeting of electors, and he may not take any part in any discussion at that meeting, unless the meeting, by a motion, requests him to do so.

Meetings of Ratepayers.

141. (1) The Standing Orders apply, so far as is practicable to any meeting of ratepayers but where there is inconsistency between the provisions of this bylaw and the provisions of Section 171 of the Act, the latter prevails.

(2) A person who is not a ratepayer is not entitled to vote at a meeting of ratepayers and he may not take any part in any discussion at that meeting unless the meeting, by a motion, requests him to do so.

PART V.—OFFICERS OF MUNICIPALITY.**Appointment of Senior Officers.**

142. Subject to the provisions of Clause 143 of this Bylaw no appointment to the office of Shire Clerk, Assistant Shire Clerk, Engineer, Treasurer, Building Surveyor, Senior Health Inspector, Town Planning Officer, Librarian or other classified position, the office of which the Council may determine requires the appointment of a senior officer, shall take place until notice has been given by advertisement in one or more newspapers circulating in the Municipality. Such advertisement shall state the date and hour of receiving applications, the nature of the office to be filled, rate of salary to be paid, and shall require each applicant to state clearly his age, experience, and other qualifications in support of his application, and to forward recent references or testimonials.

Council may Promote Officers.

143. Notwithstanding anything contained in the last preceding Clause, it shall be lawful for the Council, in its discretion to promote any officer from one position to any other office at the disposal of the Council without advertising or otherwise inviting applications for such office.

Method of Dealing with Applications.

144. (1) Whenever applications have been invited and received by the Council for any office referred to in Clause 142, such application shall be opened and scheduled by the Clerk for presentation to the next regular meeting of the Standing Committee, which shall have the oversight of the duties applicable to the position to be filled.

(2) The Committee shall carefully examine all letters of application and testimonials therewith, and shall reduce the number of applications to such number as may be selected for interview with the Council.

(3) Having dealt with the applications as aforesaid, the Committee shall furnish to the Council a written report, stating the particulars of the selected applicants for interview.

(4) The applicants as selected by the Committee shall appear before the Council for interview and the Council shall, by resolution, appoint one of the applicants to the position to be filled.

(5) No appointment shall be invalidated because of the non-compliance of any Bylaw relating to such appointment.

Clerk to be Chief Non Elective Executive Officer.

145. The Clerk shall be the Chief Non elective Executive Officer of the Municipality, and shall have and exercise on the Council's behalf, full authority over every employee of the Municipality.

All officers and other employees of the Municipality in whatever capacity, shall be subordinate to the Clerk, whose directions and instructions to such officers and employees, other than those employees engaged on works under the surveillance of the Engineer, shall properly and faithfully accept, act upon and execute.

Appointments and Dismissals by Clerk.

146. All appointments (which shall where possible be by newspaper advertisement) and dismissals in respect of officers and employees other than an office which is held by a senior officer shall, subject to confirmation by the Finance and General Purposes Committee, be the responsibility of the Clerk, provided that the appointment and dismissal of those employees engaged on works under the surveillance of the Engineer, shall be the responsibility of the Engineer.

Special Leave of One Day.

147. The Clerk may in cases of emergency grant one day's leave of absence to any officer upon written application on that behalf, but such emergency leave shall not count against or be deducted from any leave due or to become due to the applicant.

Transfer of Officers or Employees.

148. The Clerk, having due regard to appropriate Award, may in his discretion, transfer any officer of the Municipality, other than a senior officer, from any office or employment to any other office or employment as the interests of the Municipality may appear to him to warrant, provided that he shall report such transfer to the Finance & General Purposes Committee.

Instructions to Officers.

149. All directions of the Council, together with other special and important instructions to senior officers and heads of departments shall as far as practicable, be conveyed by the Clerk in writing. Provided that, pending written confirmation, the verbal instructions of the Clerk must be promptly and faithfully accepted, acted upon and executed.

Reports by Senior Officers.

150. Reports prepared by a senior officer of the Council, other than a report called for by the Clerk, may be referred to a meeting of a Committee of the Council, provided that the Clerk may, if he thinks fit, comment on such report to the Council or Committee.

Clerk May Suspend any Officer from Duty.

151. The Council delegates to the Clerk the discretionary authority that if, in the opinion of the Clerk, the suspension from duty of any officer, pending the pleasure of the Council, would be in the best interests of the Municipality, the Clerk may in writing under his hand suspend any officer accordingly, and every such suspension shall be good and binding until the pleasure of the Council thereon.

Clerk to Report Suspension Immediately.

152. Immediately any Officer has been suspended as aforesaid, the Clerk shall report to the Council or appropriate Committee the facts in respect thereof. It shall not be competent for the Clerk or any member of the Council to make public or otherwise communicate the contents of such report to any person other than a member of the Council without the express authority and approval of the Council.

President May Suspend Clerk.

153. The Council delegates to the President the discretionary authority that the President may, in writing under his hand and Common Seal of the Municipality, suspend the Clerk from duty—

- (a) if there are reasonable grounds for suspecting misconduct; or
- (b) the Clerk has been charged with the conviction of a crime or misdemeanour or an offence for which the punishment may be imprisonment.

Should the Clerk be suspended, the President shall immediately summon a special meeting of the Council to deal with this suspension.

Protection of Officers and Employees.

154. If any member has any complaint concerning the ability, character or integrity of any officer or employee of the Council, or of any act or omission of such officer or employee, and desires to bring such complaint to the notice of the Council, he shall (unless the matter requires an immediate decision of the Council) notify the President of such complaint giving such details as are available in order that the complaint may be investigated and reported upon by the appropriate committee as the President may direct.

Officers to Have Right of Reply.

155. If a complaint or criticism be made concerning an officer or employee of the Council, whether by a member or by any other person, that officer or employee may reply to the complaint or criticism either personally or in writing to the appropriate committee investigating the complaint or criticism and with the consent of the Council, to the Council itself.

PART VI.—MISCELLANEOUS.

Penalty.

156. Any person committing a breach of these Standing Orders is liable to a penalty not exceeding Forty Dollars.

Enforcement.

157. The President is authorised and required to enforce the Standing Orders and to prosecute for any breach thereof.

Dated this 28th day of September, 1967.

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

[L.S.]

E. CLARK,
President.
NOEL DAWKINS,
Shire Clerk

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

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. 166/67.

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 11th day of July, 1967, 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 23rd day of October, 1957, and published in the *Government Gazette* of the 17th day of April, 1958, as amended from time to time thereafter are hereby further amended by a new by-law reading as follows:—

Schedule 1.

Residential Zones.

Add new paragraph:

- (g) Those portions of Lot Part 11 (CT 1152/903 and CT 1152/893) and Lot 17 fronting Dalison Avenue which are generally west of the Standard Gauge Railway Reservation in Cockburn Sound Location 15.

Dated this 1st day of August, 1967.

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.

CEMETERIES ACT, 1897.

The Municipality of the Shire of Kulin.

Kulin and Dudinin Cemeteries (Reserves 19252 and 14995) By-Laws.

L.G. 934/53.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Trustees of the Kulin and Dudinin Cemeteries hereby record having resolved on the 20th September, 1967, to make and submit for confirmation by the Governor the following by-laws:—

1. All fees and charges payable to the Council 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 Council as the secretary of the cemetery, and such person shall, subject to the Council, 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 shall in all cases and for all purposes be presumed to be and to have been the direction of the Council.
3. The "superintendent" as referred to in these by-laws means the person for the time being employed by the Council as the superintendent of the cemetery, and such person shall, subject to the Council, have charge of the general care of the cemetery, and supervision of monumental work and fixtures, also the supervision of placement of interments, the opening, closing and dressing of graves, and such other duties as are mentioned in these by-laws or ordered by the Council.
4. A plan of the cemetery showing the distribution of the land, compartments, sections, situations and number of graves, and a register of all certificates of "Rights of Burial" shall be kept at the office of the Council.
5. Any person desiring to inter any dead body in the cemetery shall make an application in the form contained in schedule B.
6. All applications for interment shall be made at the office of the Council in such time as to allow at least twenty-four hours' notice being given to the superintendent at the cemetery prior to the time fixed for burial.
7. The Council shall cause all graves to be dug and vaults, brick graves, or graves to be re-opened as and when required.
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 will not be admitted to or be interred in the cemetery.
9. Every grave shall be at least six feet deep at the first interment, and 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 surrounding ground.
10. In the case of an application for interment in any private vault or grave to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application.
11. If any application be made for an interment in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assignee, the written and verified consent of such grantee or assignee shall be produced, together with the "Grant of Right of Burial".
12. Should the grantee be unable to produce the "Grant of Right of Burial" on making application for a grave to be re-opened for the purpose of interment, through having lost same, the said grantee shall make a sworn declaration to this effect, and shall pay the fee for a copy of such "Grant of Right of Burial" as prescribed in Schedule A, before interment takes place.
13. (i) Subject to paragraph (ii) of this by-law, a person shall not bring a dead body into the cemetery unless he, or his representative, has first handed to the secretary for inspection and return a medical certificate of death or a Coroner's order for burial in respect of the body.
(ii) Where an undertaker or his representative for a valid reason is unable to produce a medical certificate or Coroner's order for burial, as required by paragraph (i) of this by-law and he has given to the secretary a written guarantee to produce the certificate or order within three days, he may bring the body into the cemetery.

(iii) A burial shall not be permitted in the cemetery unless the provisions of one of the foregoing paragraphs of this by-law have been complied with.

(iv) Where an undertaker or his representative has given written guarantee as required by paragraph (ii) of this by-law and he has failed to produce the certificate or order within three days, the undertaker's license may be suspended until the certificate or order is produced.

14. No interment shall be allowed on a Sunday, or a public holiday, except when it is certified in writing by a medical officer of health, or by a Police Magistrate, or by two Justices of the Peace, that for sanitary or special religious reasons it is necessary or advisable that the burial take place on that day.

15. The hours for burial shall be as follows: Monday to Friday, 9.30 a.m. to 4.30 p.m.; Saturday, 9.30 a.m. to 12.30 p.m.; and no burial shall be allowed to take place nor any coffin allowed to enter the cemetery at any other hour except by written permission of the Council.

16. The time fixed for any burial shall be the time at which the funeral is to arrive at the cemetery gates, and, if not punctually observed, the undertaker responsible shall be liable to a fine of \$1.

17. If for any reason the funeral shall, on arrival at the entrance gates of the cemetery, remain there for more than fifteen minutes prior to proceeding to the graveside, the undertaker responsible shall be liable for a fine of \$1.

18. Every funeral shall enter by the principal entrance, and no vehicle except the hearse and mourning coaches, shall be permitted to enter the cemetery, or stand opposite the entrance gates. Vehicles shall not be allowed to proceed faster than five miles per hour within the cemetery, and shall proceed at and by such roads as directed by the superintendent or other officer of the Council from time to time. Any driver or other person failing or neglecting to observe such directions may be forthwith expelled from the cemetery. No bicycle shall be ridden within the cemetery.

19. If application be made to the Council to exhume any corpse for the purpose of examination or identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or of his family, an order from the Governor or the warrant of a Coroner or of a Justice of the Peace issued in accordance with the law authorising the Council to permit of the exhumation must be attached to the application form.

20. Children under the age of ten years entering the cemetery must be in the charge of some responsible person.

21. Smoking shall not be allowed within the cemetery, nor any fireworks discharged therein.

22. No dogs shall be admitted into the cemetery, and any found there shall be liable to be destroyed.

23. No person shall remove any plant, tree, shrub, flower (other than withered flowers, which are to be placed in the receptacles provided by the Council), or any article from any grave without first obtaining a permit from the Council or its representatives.

24. No person shall pluck any tree, plant, shrub, or flowers growing in any portion of the cemetery.

25. No person shall remove or carry out or attempt to carry out of the cemetery any tree, plant, shrub, flower, earth or other material without the written authority of the Council or its representatives.

26. No person shall promote or advertise or carry on within the cemetery any trade business, or calling, either by solicitation, distribution of circulars, by cards or otherwise, or by any other system of advertising whatsoever, without the written consent of the Council and any person infringing this by-law shall be expelled from the cemetery.

27. Any person desiring to place or erect, or to alter or add to any monument, tombstone, or enclosure in any part of the cemetery must first obtain the written consent and approval of the Council, and otherwise comply with section 23 of the Cemeteries Act.

28. Every tombstone, monument, or enclosure shall be placed on proper and substantial foundations, which if required by the Council or its officers, shall extend to the bottom of the grave.

29. The materials used in every such erection shall be subject to the approval of the superintendent or other officer appointed by the Council, and any material rejected shall be immediately removed from the cemetery by the contractor for the erection. All refuse or other rubbish remaining after the work is completed shall be immediately removed from the cemetery by the person causing the same.

30. If any work by masons or others be not completed before a Sunday, they shall be required to leave the work in a neat and safe condition, to the satisfaction of the superintendent.

31. All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery. No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any monument or other work except with the written approval of the Council.

32. No catacomb shall be allowed.

33. No wooden fence, railway, cross or other wooden erection shall be allowed on or around any grave or vault except by special permission of the Council.

34. No trees or shrubs shall be planted on any grave except such as shall be approved by the superintendent.

35. All workmen, whether employed by the Council or by any other person, shall at all times whilst within the boundaries of the cemetery, be subject to the supervision of the secretary, and shall obey such directions as that officer may find necessary to give; and any workman committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the secretary, shall be removed from the cemetery.

36. Licenses for grave dressing or decorating may be issued by the Council, and licenses to be renewed annually in the month of July.

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

- (a) No rubbish, soil, sand, or other material removed in dressing a grave shall be placed on any other grave, and if placed on any adjoining ground shall be removed immediately the work is completed.
- (b) No sand, soil or loam shall be taken from any portion of the cemetery for the purpose of dressing any grave, except with the permission of the secretary.
- (c) The dressing of all graves, and wheeling and carting of any material shall be subject to the supervision of the secretary.
- (d) Work in all cases is to be carried on with due despatch, and only during regulation hours.

38. The Council may decorate graves from time to time, when desired by the grantees to do so. If the grantees do not desire the Council to carry out this work, the grantees may either do it themselves or employ any person licensed by the Council for that purpose.

39. No person except the relatives of the deceased, the Council or those licensed by the Council, shall be permitted to decorate any grave.

40. If for the purpose of re-opening a grave, the Council finds it necessary to remove the edging tiles, plants, shrubs, etc., from the grave, the person so ordering the re-opening shall pay to the Council the charges laid down in Schedule A.

41. 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 Council an annual fee as prescribed in Schedule A, and shall receive a permit to hold good, during good behaviour, until the first day of July next 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.

42. Notwithstanding anything contained in these by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth to erect headstones on the graves of deceased soldiers without the payment of any fees.

43. Free ground may be granted if it is provided to the satisfaction of the Council—

(a) that the deceased was a returned soldier, and that he died as a result of injuries in war; and

(b) that the relatives of the deceased are in necessitous circumstances.

Provided that such grant shall be made subject to the condition that only the remains of deceased soldiers shall be interred in the grave.

44. Any person violating the rules of propriety and decorum, or committing any nuisance or trespass, or injuring any tree, shrub, flower border, grave or any erection, or in any way infringing these by-laws shall be expelled from the cemetery.

45. Any person committing any breach of any by-laws or regulations or any other rules, regulations or by-laws lawfully made under the authority of any Act relating to cemeteries, shall for every offence be liable to a penalty not exceeding ten dollars, and in case of a continuing breach, a further sum not exceeding two dollars for every day during which such breach continues.

46. Any person committing a breach of any by-law in the cemetery shall, in addition to being liable to a penalty under any by-law, be liable to be forthwith removed from the cemetery by the Council or the Superintendent or other employee of the Council, or by any police constable. If such person resists removal, or if and as often as such person so removed shall, unless with the consent of the superintendent, again enter the cemetery within 24 hours of his removal therefrom, he shall be liable to a penalty not exceeding ten dollars.

47. Grants of Right of Burial shall be in the form of Schedule C.

48. By-laws published in the *Government Gazette* of the 29th October, 1926, and amendments thereto, are repealed.

Shire of Kulin.

Schedule "A".

Kulin and Dudinin Cemeteries.

SCALE OF FEES AND CHARGES PAYABLE TO THE COUNCIL.

1. On application for an Order for Burial the following fees shall be payable in advance:—

In all ground—

	\$
For interment in grave six feet deep	30.00
For interment of any child under 10 years in grave six feet deep	20.00
For interment of any stillborn child	10.00

2. If graves are required to be sunk deeper than six feet, the following additional charges shall be payable:—

For first additional foot	6.00
For second additional foot	7.00
For third additional foot	9.00

3. For re-opening any grave—

For each interment	30.00
For each interment of a child under 10 years of age	20.00
For each interment of a stillborn child	10.00
For removal of edging tiles, plants, grass, shrubs, etc., according to time required, per man per hour at	1.50

4. For each interment on Sunday or public holiday as prescribed by by-law 14

For late arrival at cemetery gates of funeral as per by-law 16	1.00
Fee for exhumation	10.00
Re-opening grave for exhumation	30.00
Re-opening grave for exhumation of child under 10 years of age	20.00
Re-interment in new grave after exhumation	30.00
Re-interment in new grave after exhumation, child under 10 years of age	20.00
Registration of Transfer of Right of Burial	.25
For copy of Right of Burial	.25
For grave No. Plate	1.50
Undertakers annual license fee	4.00
Grave reservation fee	3.00

Shire of Kulin.

Schedule "B".

Kulin and Dudinin Cemeteries.

FORM OF INSTRUCTION FOR GRAVE AND APPLICATION FOR ORDER OF BURIAL.

Answers to the following questions to be supplied at the time of making application.

Date of Application.....19.....

- Name of deceased.....
- Age of deceased.....
- Last place of residence of deceased.....
- Place where death occurred.....
- Date of death.....
- Rank or occupation of deceased.....
- Birthplace of deceased.....
- Nature of the disease, or supposed cause of death.....
- What denominational ground.....
- What compartment..... What section.....
- No. of grave on plan..... Is it a public grave?.....
- Is it a private grave?.....
- Is the ground to be selected by applicant or by trustee?.....
- Size of ground.....
- Is a grant required, and if so, to whom?.....
- If already granted, give number of grant and name of grantee.....
- Length and width of coffin.....
- Depth of grave.....
- Is it the first interment in the grave?.....
- Date of the last interment in the grave.....
- Date of burial.....
- At what hour, and if usual or extra.....
- Name of minister or person to officiate at grave.....
- From where is the funeral to start?.....
- Name of undertaker.....
- Name in full and signature of person making application.....
- Occupation..... Address.....
- Application received this..... day of....., 19.....
- at..... o'clock m.
- No. of Burial Order..... No. in Registrar of Burials.....
- No. in denominational book..... No. of Receipt.....
- No. of Grant.....

Note.—If a free interment is required, specify the name of the Magistrate signing order and date thereof.

Shire of Kulin.

Schedule "C".

Kulin and Dudinin Cemeteries.

GRANT OF RIGHT OF BURIAL.

- No.....
- No. of Application.....
- No. of Receipt.....
- No. of Burial Register.....

BY virtue of the Cemeteries Act, 1897, and amendments, the Trustees of the Kulin and Dudinin Cemeteries, in consideration of the sum of..... paid to them by..... hereinafter called the Grantee of..... hereby grant to the said Grantee the right of burying bodies in the piece of ground eight feet long..... 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 purpose of burials only.

This grant issued subject to all by-laws and regulations now and hereinafter 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 Council was hereto affixed at a meeting of the abovementioned Council held on the..... day of....., 19.....

On behalf of the Trustees,

.....
President.

.....
Secretary.

Entered.....

This grant must be produced before any grave can be re-opened.

Shire of Kulin.
Schedule "D".

Kulin and Dudinin Cemeteries.

FORM OF ORDER FOR BURIAL.

Date of Application.....
No. of Application.....
THE remains of....., deceased, may be interred in grave No..... of the land appropriated to the..... denomination.

The time fixed for the burial is..... o'clock in the..... noon on the..... day of....., 19.....

Dated this..... day of....., 19.....

.....
Secretary.

I, the undersigned, certify that a coffin purporting to contain the above remains was interred in the above ground on the..... day of....., 19.....

Dated this..... day of....., 19.....

.....
Superintendent.

The Common Seal of the Municipality was hereto affixed this 20th day of September, 1967, in the presence of—

[L.S.]

H. J. HODGSON,
President.
J. F. BOSCHETTI,
Shire Clerk.

Recommended—

.....
L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of October, 1967.

W. S. LONNIE,
Clerk of the Council.