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No. 74]

PERTH: TUESDAY, 13th AUGUST

[1968

HEALTH ACT, 1911-1966.

Shire of Mt. Magnet.

WHEREAS under the provisions of the Health Act, 1911-1966, a local authority may make or adopt by-laws, or may alter, amend or repeal any by-laws so made or adopted: Now therefore, the Shire of Mt. Magnet, being a local authority within the meaning of the Act and having adopted the Model By-laws described as Series "A" as reprinted and published in the *Government Gazette* on 9th August, 1956, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

PART I.—GENERAL SANITARY PROVISIONS.

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

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

- (1) This by-law shall only apply to that part of the district being the Townsite of Mt. Magnet as constituted under the Land Act, 1933.
- (2) Except where, by reason of the nature of the terrain, soil or other peculiar circumstances, it is not reasonably practical to install the apparatus, the owner of every house constructed after the coming into operation of this by-law shall provide on the premises an apparatus for the bacteriolytic treatment of sewerage before the house is occupied or used.

Passed at a meeting of the Mt. Magnet Shire Council, held on the 22nd day of June, 1968.

G. F. JENSEN,
President.
W. BANT,
Shire Clerk.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Nedlands.

Adoption of Draft Model By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing.

L.G. 35/68.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 21st of May, 1968 to adopt without amendment the Local Government Model By-laws (Safety, Decency, Convenience and Comfort of Persons in respect of Bathing) No. 14, as published in the *Government Gazette* of the 19th February, 1964: The whole of the by-law.

Dated this 13th day of June, 1968.

The Common Seal of the Municipality of the City of Nedlands is affixed hereto in the presence of—

[L.S.]

J. CHAS. SMITH,
Mayor.T. C. BROWN,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council.

DOG ACT, 1903.

Town of Claremont.

By-laws Relating to Dogs.

L.G. 350/58.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Town of Claremont, hereby records having resolved on the 5th day of June, 1968, to make and submit for confirmation by the Governor, the following amendment to these by-laws:—

After clause 17 add the following new clause:—

17A. The owner of a dog shall prevent that dog from wandering at large without any effective control upon any road being vested in or under the control of the Council.

Passed by the Claremont Town Council at the ordinary meeting of the Council held on 5th day of June, 1968.

The Common Seal of the Town of Claremont was hereto affixed on the 6th day of June, 1968, in the presence of—

[L.S.]

E. H. MILNER,
Mayor.D. E. JEFFERYS,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council

LOCAL GOVERNMENT ACT, 1960.
The Municipality of the Shire of Kwinana.
By-law Amending By-laws—Use of Land.

L.G. 590/67.

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 5th day of June, 1968, to amend the By-laws of the Municipality of Kwinana passed at an ordinary meeting of the Council held on the 29th day of December, 1955, and published in the *Government Gazette* of the 3rd February, 1956, with subsequent amendments, in the following manner:—

Tenth Schedule—Kwinana New Town Zone Uses—

(b) For Duplex Houses or Flats—to be deleted therefrom—Lot C.685.

Add new subclause (q) as follows:—

(q) For Shops and Service Station—Lot C.685.

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

[L.S.]

F. G. J. BAKER,
President.
F. W. MORGAN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council
this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.
The Municipality of the Shire of Dandaragan.
Zoning By-laws.

L.G. 399/68.

THE Dandaragan Shire Council, under and by virtue of the powers conferred on it in that behalf by the Local Government Act 1960, the Town Planning and Development Act 1928-1961 and all other powers enabling it, doth hereby made and public the following by-law:—

PART I.—PRELIMINARY.

1.1 This By-law may be cited as the Shire of Dandaragan Zoning By-law No. 1 hereinafter called "the By-law" and shall come into operation on the publication of notice of the Governor's confirmation thereof in the *Government Gazette*.

1.2 The By-law shall apply to the whole of the land described in the First Schedule.

1.3 The By-law is divided into the following Parts:—

- Part I.—Preliminary.
- Part II.—Zones.
- Part III.—Non-conforming Uses.
- Part IV.—General Provisions.
- Part V.—Schedules.

PART II.—ZONES.

2.1 Table No. 1 which follows Clause 2.3 of this part indicates the several uses permitted under this By-law in the various zones, such uses being determined by cross reference between the list of "Use Classes" on the left-hand side of the Table and the list of "Zones" on the top of that Table.

2.2 The symbols used in the cross reference in Table No. 1 appended to this clause have the following meanings:

- “P” = A use that is permitted as of a right under the provisions of this By-law.
 “AA” = A use that is not permitted unless approval is granted by the Council.
 “IP” = A use that is not permitted unless such use is incidental to the predominant use as decided and approved by the Council.
 “X” = A use that is not permitted.

2.3 Interpretation.—In this by-law the terms used will have the respective interpretations set out in Appendix “D” of the Town Planning Regulations 1963, unless otherwise specified by this by-law.

PART III.—NON-CONFORMING USE OF LAND.

3.1 No provision of this by-law shall prevent—

- (a) the continued use of any land or building for the purpose for which it was lawfully used at the time of coming into force of the by-law; or
 (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under any Act or law authorising the development to be carried out had been duly obtained and was or were current.

2.4 Table No. 1.

Use Classes	2nd Schedule (Resi- dential)	3rd Schedule (Busi- ness)	4th Schedule (Light Indus- try)	5th Schedule (General Indus- try)	6th Schedule (Public Build- ings)	7th Schedule (Special Pur- poses)	8th Schedule (Rural)
Single Family Dwelling	P	X	X	X	X	X	IP
Flats	P	X	X	X	X	X	X
Hostels or Boarding House	P	X	X	X	X	X	X
Hotel	X	P	X	X	X	X	X
Motel	X	X	X	X	X	AA	X
Caretakers House	X	IP	IP	IP	IP	IP	IP
Doctors or Dentists Con- sulting Rooms	P	P	X	X	X	X	X
Shops	X	P	X	X	X	X	X
Showrooms	X	P	IP	IP	X	X	X
Agricultural Machinery Showrooms or Display	X	IP	P	AA	X	X	X
Offices	X	P	X	X	X	X	X
Civic Buildings	P	P	AA	AA	P	AA	AA
Churches	AA	P	X	X	P	X	X
Public Amusement Cinemas etc.	X	P	X	X	AA	AA	X
Recreation Grounds or Parks	P	P	P	P	P	P	AA
Government Purposes	P	P	P	P	P	P	P
Light Industry	X	X	P	P	X	X	X
General Industry	X	X	X	P	X	X	X
Motor Repair Workshops	X	X	IP	P	X	X	X
Petrol Service Stations	X	P	AA	X	X	X	X
Transport Depots	X	X	AA	P	X	X	X
Fuel Depots	X	X	X	P	X	X	X
Caravan Park	X	X	X	X	X	AA	X
Drive-in Theatre....	X	X	X	X	X	AA	X
Warehouses	X	IP	IP	IP	X	IP	IP
Bulk Grain Handling	X	X	X	P	X	X	X
Cattle Saleyards	X	X	X	P	X	X	X
Combined Shop and House	X	AA	X	X	X	X	X
Utility Installation	P	P	P	P	P	P	P
Cemetery	X	X	X	X	X	AA	AA
Institutional Buildings or Clubs	X	P	X	X	P	AA	X

3.2 Where in respect of land zoned under Part II of this by-law a non-conforming use exists or was authorised as mentioned in clause 3.1 of this part on that land, the Uniform Building By-laws made under the Local Government Act 1960 (as amended), or by any other by-laws made under that Act for the purpose of limiting the size, location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried out immediately prior to the coming into force of the by-law.

3.3 Discontinuance of Non-conforming Use.

- (a) Notwithstanding the preceding provisions of this Part, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the By-law.
- (b) The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier of that property, and may enter into an agreement with the owner for that purpose.

PART IV.—GENERAL PROVISIONS.

4.1 No person shall store crayfish pots and fishing gear within a residential zone, unless:—

- (1) Such crayfish pots or fishing gear are stored at the rear of a dwelling house erected on a block of land in such residential zone, (where there is such a dwelling house) or within 40 ft., of the rear boundary where there is no such dwelling house or where there is no main building (hereinafter called "Vacant Land").
Exceptions: The above is subject to the following Exceptions:
 - (a) The Council may permit the storing of crayfish pots or fishing gear at the side of a dwelling house if—
 - (i) the area is screened so that the crayfish pots and fishing gear are not visible from the front street, and
 - (ii) the screen is not closer than 50 ft. to the front fence.
 - (b) The Council may permit the storing of crayfish pots or fishing gear on vacant land other than within thirty feet of the rear boundary if—
 - (i) the area is screened so that the crayfish pots and fishing gear are not visible from the front street, and
 - (ii) the screen is not closer than 50 ft. to the front fence.
- (2) Such crayfish pots and fishing gear are the property of the occupier of the premises on which they are stored and provided the occupier of the premises is an active member of the fishing industry.
- (3) Where a dwelling house is erected on the land, the area occupied by crayfish pots and fishing gear is not greater—
 - (a) In the case of crayfish pots and fishing gear being stored at the rear of a dwelling house, than 20% of the unoccupied area at the rear of the dwelling or 500 square feet, whichever is the smaller.
 - (b) In the case of crayfish pots and fishing gear being stored, at the side of a dwelling house, than 500 square feet including the land at the rear and the side so used.
- (4) In the case of vacant land, the area occupied by crayfish pots and fishing gear is not greater than 500 square feet.
- (5) The crayfish pots are not stacked to a height exceeding 6 feet.
- (6) The crayfish pots and fishing gear are stacked in a neat and tidy manner to the satisfaction of the Building Inspector.
- (7) The crayfish pots and fishing gear are so situated that—
 - (a) The crayfish pots and fishing gear are not within the normal vision of neighbours to the satisfaction of the Building Inspector.

- (b) The crayfish pots and fishing gear do not create a nuisance to persons living in adjoining or adjacent premises.
- (c) The crayfish pots and fishing gear are stacked in such a manner as to preserve the general amenity of the neighbourhood to the satisfaction of the Building Inspector.

Provided in all cases the location of the area in which any crayfish pots or fishing gear are stored shall be subject to the approval of the Building Inspector.

4.2 (1) No person shall stack or place any fuel or raw materials or products or by-products of waste of manufacture in a light industrial, general industrial or warehouse zone nearer to a road or street than the alignment of the building.

(2) No person shall in a light industrial, general industrial, or warehouse zone use the land between the alignment of the building and the street alignment for any purpose other than for a means of access for parking of vehicles for loading, or for unloading vehicles or for lawns or gardens or with the special approval of the Council for trade display.

4.3 (1) No person shall erect or cause to be erected a building in a light industrial, general industrial, warehousing or central business zone unless the facade of the building and the foundations and footing be continuous to abutting premises to a design to be approved by the Council.

(2) No building of any class shall be erected unless means of access be provided for the removal of rubbish and servicing to every separate tenement and/or shop within the building. Such means of servicing shall be provided in such a manner that every separate tenement or shop can be serviced without passing through the front entrance thereof or through any other shop or tenement. All buildings erected in the Central Business Zone after commencing date shall be designed to ensure that where vehicles are required to enter or leave the land they shall do so without reversing from or into the street.

5.6 Appearance of Buildings: No building shall be so constructed or finished or left unfinished that its external appearance would disfigure the locality or tend to depreciate the value of adjoining property. Further all land and buildings shall be so used and maintained as to preserve the amenities of the neighbourhood in which they are situated.

5.7 Nuisance: No lot, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, vibration or waste products in such quantity or extent or in such a manner as to create or be a nuisance to any inhabitant of the neighbourhood of such land or to traffic or persons using roads in the vicinity.

5.8 Drycleaning Premises: The occupier of a drycleaning premises shall not carry on or permit to be carried on a process in such drycleaning premises which shall give rise to the escape of fumes, steam, odours, vibrations, noise or obnoxious waste products in an appreciable manner from such premises.

5.9 Fish-Shop: The occupier of a fish shop shall not carry on or permit to be carried on a process which shall prejudicially affect the amenity of the locality by reason of the escape of smell, fumes, smoke and waste products.

5.10 Traffic Entrances: If in the opinion of the Council separate entrances to and exits from any lot for road vehicles are desirable for the avoidance of traffic hazards on public roads adjacent thereto it may require the owner to provide such entrances and exits as it may direct.

PART V.—SCHEDULES.

6.1 1st Schedule: Area of land affected by the by-law—

All that portion and parcels of land of the Dandaragan Municipal district as enclosed within the following boundaries:—

All that land contained within the townsite of Jurien.

6.2 2nd Schedule: Residential Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 1 to 12, 14 to 19, 21 to 38, 50 to 61, 69 to 78, 81 to 98, 129 to 162 and 164 to 195.

6.3 3rd Schedule: Business Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 13, 66, 94, 100 to 102, 105 to 112 and 121.

6.4 4th Schedule: Light Industry Area or Zone—

All lots and parcels of land situated in the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 62, 63, 103 and 104.

6.5 5th Schedule: General Industry Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 113 to 119 and 122.

6.6 6th Schedule: Public Buildings Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 20, 65, 79, 80, 123 to 128 and Lot 236.

6.7 7th Schedule: Special Purposes Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

Lots 39 to 49, 67, 68, 99, 163, and 237.

6.8 8th Schedule: Rural Area or Zone—

All lots and parcels of land situated within the area described in the 1st Schedule and enclosed within the following boundaries:—

All lots and parcels of land situated within the area described in the 1st Schedule and not included in any other schedule.

Passed by the Council on the 21st day of March, 1968.

The Common Seal of the Municipality was
hereto affixed this 16th day of May, 1968
in the presence of—

[L.S.]

K. G. TOPHAM,
President.

R. F. TAYLOR,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council
this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Canning.

By-Laws Amending By-Laws Classifying South, Central, North and West Wards.

L.G. 539/66.

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

The By-Laws of the Shire of Canning published in the *Government Gazette* on the 13th February, 1957, as amended from time to time thereafter, be amended as follows:—

The Ninth Schedule (Special Business Zone "C"—Hotels) is amended by the addition thereto of the following:—

High Road—Menzies Road. Portion of Canning Location 298 and being that part of Lot 2 on Plan 4863 having a frontage of 832.7-links to High Road and 719.7-links to Menzies Road, comprising an area of approximately 6 acres.

Dated the 8th day of April, 1968.

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

[L.S.]

E. CLARK,
President.
NOEL DAWKINS,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Kalgoorlie.

By-Laws—Control and Management.

Cruickshank Sports Arena.

L.G. 11/61.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 19th day of April, 1968 to make and submit for confirmation by the Governor the following by-law:—

The by-laws of the Shire of Kalgoorlie published in the *Government Gazette* on 15th February, 1961 are hereby amended in the following manner:—

Schedule of charges—The existing schedule of charges is deleted and a new schedule of charges as under, is inserted in lieu thereof—

SCHEDULE OF CHARGES.

Shire of Kalgoorlie.

Cruickshank Sports Arena.

1. Arena and all facilities—

- (a) Local organisations, gymkhanas, etc.—20 per cent. of gate receipts.
- (b) Community Fair Society (Inc.)—subject to arrangements with the Council from time to time.

- (c) Golden Mile Trotting Club—subject to arrangements with the Council from time to time.
- (d) Local organisations for charitable purposes—10 per cent. of gate receipts.
- (e) Travelling Circus—
 One day, including evening performance—\$40.
 Two days, all appearances—\$60.
 Two days to five days inclusive \$80.
2. Deposit of \$40 required for any of above functions (*vide* by-law 13).
3. Sporting Bodies—Grassed Area:
 (a) Normal week-end fixtures—per season \$21.
 (b) Special functions where charge for admission is made—10 per cent. of gate receipts.
- Exhibition Building—
 (a) Badminton Courts—\$2.
 Cricket: Grassed Wickets (per wicket)—
 \$3.00 half day.
 \$6.00 full day.
4. Christmas Trees: With use of kitchen and social room (day time)—\$20.
 Cost of electricity consumed shall be in addition to above schedule of charges.
5. Use of Facilities:
- | | Meetings
Only | Special
Functions |
|--------------------------------|------------------|----------------------|
| Theatrette | \$2.00 | |
| Social room and use of kitchen | \$2.00 | \$3.00 |
| Exhibition Building— | | |
| (a) Trade exhibits (per day) | | \$10.00 |
| (b) Cabarets | | \$30.00 |
| Wool Pavilion | | \$10.00 |
6. Conventions: Use of Exhibition Building, kitchen, changerooms—\$20.
7. Organised Travel Tours: All facilities (per day)—\$20.

Dated this 29th day of April, 1968.

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

[L.S.]

C. P. DAWS, J. P.
 President.

A. E. RASMUSSEN,
 Shire Clerk.

Recommended—

L. A. LOGAN,
 Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council
 this 24th day of July, 1968.

F. P. KNIGHT,
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Kalgoorlie.

Adoption of amendment to Local Government Model By-Laws (Caravan Parks) No. 2.

L.G. 190/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 29th April, 1968, to adopt the amendment to the abovementioned By-Laws, published in the *Government Gazette* on the 16th day of January, 1963, without alteration.

Dated the 2nd day of May, 1968.

The Common Seal of the Municipality was hereto affixed this 2nd day of May, 1968, in the presence of—

[L.S.]

C. P. DAWS, J.P.,
President.
A. E. RASMUSSEN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Beverley.

By-Laws Relating to the Beverley Pioneer Memorial Pool.

L.G. 822/61.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of May, 1968, to make and submit for confirmation the following by-laws:—

The by-laws of the Shire of Beverley published in the *Government Gazette* of the 25th January, 1962, are amended by deleting clause 33 (d) and inserting the following:—

33(d). Every person, Club, Association or Organisation conducting any Carnival shall pay to the Council in respect of such Carnival, a sum equal to 15 per cent. of the admission proceeds with a minimum of \$5 for each 5 hours or part thereof during which the pool is used.

Dated the 16th day of May, 1968.

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

[L.S.]

W. E. A. HEAL,
President.
D. RIGOLL,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Lieutenant Governor in Executive Council this 24th day of July, 1968.

F. P. KNIGHT,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1967.

Local Government Department,
Perth, 26th July, 1968.

L.G. 301/68.

HIS Excellency the Lieutenant Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1967, has been pleased to make the uniform general by-laws as set out in the schedule hereunder.

R. C. PAUST,
Secretary for Local Government.

Schedule.

Uniform Building By-laws.

- Principal by-laws. 1. In these by-laws the Uniform Building By-laws, 1965, published in the *Government Gazette* on the 15th October, 1965, and amended from time to time thereafter by notices so published, are referred to as the principal by-laws.
- By-law 108 amended. 2. By-law 108 of the Principal by-laws is amended—
- (a) by deleting the word, "and" at the end of paragraph (c);
 - (b) by substituting for the passage, "wall." appearing at the end of paragraph (d) the passage, "wall; and"; and
 - (c) by adding after paragraph (d) a new paragraph as follows—
 - (e) a cabin or chalet outside the metropolitan region within the meaning of that region in the Town Planning and Development Act, 1928, to which the Local Government Model By-laws (Holiday Cabins and Chalets) No. 18. applies but only to the extent to which the by-laws mentioned modify these by-laws. .

LOCAL GOVERNMENT ACT, 1960-1967.

Local Government Department,
Perth, 26th July, 1968.

L.G. 644/68.

HIS Excellency the Lieutenant Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1967, has been pleased to cause the Draft Model By-laws set out in the schedule hereto to be prepared and published.

R. C. PAUST,
Secretary for Local Government.

Schedule.

By-laws.

- Citation. 1. These by-laws may be cited as the Local Government Model By-laws (Holiday Cabins and Chalets) No. 18.
- Interpretation. 2. In these by-laws unless the contrary intention appears—
- "by-law" means one of these by-laws;
 - "cabin or chalet" means a cabins or chalet that is held out in the course of, or for the purposes of, a trade or business as being available for use for holiday purposes by the public at large or that is made available for use for holiday purposes by a part of the public defined by a common class, employment or association;
 - "group" means a group of cabins or chalets;
 - "unit" means one of a group of cabins or chalets.

- Approval and registration. 3. After application is made in writing the council may approve and register the establishment and maintenance or the conduct of a cabin or chalet within its district.
- Registration not transferable. 4. Registration by the council pursuant to by-law 3 is granted to a specified person in respect to a specified site and is not transferable.
- Conditions for establishing, maintaining or conducting cabins or chalets. 5. Subject to by-law 8, a person shall not establish, maintain or conduct a cabin or chalet unless—
- (a) it has been approved and registered by the council;
 - (b) it is one of a group of at least four cabins or chalets;
 - (c) the group and appurtenances occupy the site specified in the grant of registration; and
 - (d) the buildings and appurtenances of the group are so constructed, maintained and conducted that—
 - (i) any part of a building is not between the street alignment or street alignments of the site and the building line fixed by the council by any by-law, for the particular street or streets or that part of the street or streets or, where a building line has not been fixed by the council, within 25 feet of the street alignment of any street or streets to which the site has a frontage or frontages;
 - (ii) every wall of a building is a minimum distance of 3 feet from a boundary, not being a street boundary, on the site, but so that, if the building is of timber framed construction, every wall is a minimum distance of 4 feet from the boundary and so that, if there is abutting the site land which is zoned for residential purposes pursuant to the Town Planning Act, 1928 or which has a residence erected on it, every wall is a minimum distance of 12 feet from the boundary between the site and the land abutting it;
 - (iii) the minimum distance between the external walls of any building and another on the site is 30 feet but so that if it is shown to the satisfaction of the council or its duly authorised officer that a permanent adequate reticulated water supply is available on the site and permanent and adequate fire fighting appliances are provided there or that the buildings are of masonry construction, the council or its duly authorised officer may approve the reduction of the minimum distance to 20 feet;
 - (iv) each unit has for the exclusive use of its occupants a minimum area of 2,700 square feet inclusive of its curtilage but so that if parking space for a vehicle for each unit is set aside elsewhere on the site, the unit has for such use a minimum area of 2,500 square feet;
 - (v) each unit has a minimum floor area of 300 square feet but so that if a bathroom is included in the unit the minimum area is 330 square feet;
 - (vi) each unit has within it a kitchen or alcove where food may be prepared and which is fitted with a cooking stove and a sink with running water laid onto it;
 - (vii) each room of each unit has a minimum height from the floor to ceiling of 8 feet;
 - (viii) each unit has a hand wash-basin with running water laid on to it;
 - (ix) subject to subparagraph (x) of this paragraph there is provided for the common use of occupants of the units bathrooms at the minimum rate of two for each sex for each eight units in the group and, where there

are more than eight units, at the additional rate of one for each sex for each four units or part of four units in excess of eight but so that for determining the number of bathrooms to be so provided account is not taken of a unit to which is attached a bathroom or shower room for the exclusive use of its occupants;

- (x) a shower-room may be substituted for one of two bathrooms and two shower-rooms may be substituted for two of three bathrooms required pursuant to subparagraph (ix) of this paragraph;
- (xi) each bathroom or shower-room in the group has a minimum width of 5 feet and a minimum floor area of 30 square feet or, if a water closet is incorporated within such a room a minimum floor area of 40 square feet;
- (xii) each bathroom and shower-room in the group has running water;
- (xiii) each bathroom and common shower-room in the group and, in areas where town electricity or town gas is available and the council so requires, each shower-room in a unit, is equipped with an appliance approved by the council for heating water;
- (xiv) there are common water closets and wash-basins with running water laid on to them for the separate use of occupants and users of each group as set out hereunder:—

Number of Holiday Cabins or Chalets	Males		Females	Wash Basins for each Sex		
	Closets	Urinals		Closets	Where Bathroom and Closet Facilities are combined	Where Bathroom and Closet Facilities are not combined
			In Bath-rooms			In Closets
4 Units ...	1	1	2	2	1	1
5 to 8 ...	1	2	3	2	1	1
For each succeeding 8 units ...	1	1	1	1	1	1

but so that in assessing, for the purpose of this subparagraph, the number of units in the group, a unit to which a water closet is attached for the exclusive use of the occupants of the unit is not taken into account;

- (xv) there is one common laundry for each eight units or part of eight units;
- (xvi) in any laundry in the group the minimum height of the walls is 7 feet 6 inches, measured from floor level to the underside of the rafters;
- (xvii) in the group the minimum area for a laundry in which the equipment comprises not more than a double wash trough and a washing machine is 42 square feet and for any other laundry 50 square feet;
- (xviii) in association with the laundry facilities there are drying facilities consisting of sufficient clothes hoists or lines to provide, to the satisfaction of the council, for the reasonable needs of the persons resident on the site;
- (xix) hot water is provided as specified in by-law 4A of Model By-laws Series A under the Health Act, 1911;

- (xx) every electrical apparatus or wiring for lighting or heating or power supply or application of electricity on the site is approved by the State Electricity Commission pursuant to the provisions of the Electricity Act Regulations, 1947 and conforms to the wiring rules of the Standards Association of Australia;
- (xxi) provision is made for liquid waste disposal in accordance with Model By-laws Series A under the Health Act, 1911;
- (xxii) there is a supply of potable water sufficient to provide a minimum of 60 gallons to each unit each day; and
- (xxiii) a receptacle for rubbish is provided for each unit, placed within 35 feet of the unit, and emptied at least once in each week and as frequently as necessary to prevent the creation of a nuisance.
- Limit on period of occupancy. 6. Subject to by-law 7, a person shall not use or occupy and a person shall not permit another person to use or occupy a unit or more than one unit in the same group for an aggregate period exceeding 90 days in any period of 12 months.
- Extension of period of occupancy. 7. In special circumstances the council may extend the aggregate period of occupancy referred to in by-law 6 to 120 days, in any period of twelve months.
- Cabins or chalets established before commencement of by-laws may be registered. 8. Where a holiday cabin or chalet was established, maintained or conducted before the commencement of these by-laws and does not conform to the requirements of the by-laws, the council may register it as a holiday cabin or chalet but shall not register it for more than one year at a time and subject to by-law 9, for more than a total of three years.
- Council may impose conditions. 9. Where a council registers a cabin or chalet pursuant to by-law 8, it may impose conditions to be complied with by the person registered pursuant to by-law 4 of the persons conducting it or in occupation, possession or control of it.
- Council may with consent of Minister extend beyond three years. 10. The council may, with the consent of the Minister and, notwithstanding conditions imposed under by-law 9, subject to such conditions as he may impose, extend the total period of registration referred to in by-law 8 beyond the period of three years.
- Council may revoke or suspend registration. 11. The council may by writing served on a grantee of registration of a cabin or chalet under these by-laws revoke or suspend for any period any registration so granted in any of the following circumstances—
- (a) if the council is satisfied the grantee is not a fit and proper person to be so registered;
 - (b) if the council is satisfied that the cabin or chalet, the subject of the registration, is no longer suitable for use or occupation for holiday purposes;
 - (c) if the person registered pursuant to by-law 4, the person conducting the cabin or chalet, or the person in possession, occupation or control of it makes default or permits or suffers default to be made in the due observance of, or in compliance with, any condition subject to which the registration is granted or commits a breach of any of these by-laws,
- and any such revocation or suspension shall be additional to any penalty in respect of the cabin or chalet to which the grantee or any other person is liable pursuant to these by-laws.
- Right of Appeal. 12. Where the council refuses to grant registration of a cabin or chalet or revokes or suspends the registration of one, an appeal lies to the Minister whose decision is final.
- Penalty. 13. A person who commits a breach of these by-laws is liable to a penalty of not more than \$100 for each breach and also to a daily penalty of not more than \$10 for each breach.

PLANT DISEASES ACT, 1914-1967.

Department of Agriculture,
South Perth, 26th July, 1968.

HIS Excellency the Lieutenant Governor in Executive Council, acting pursuant to the provisions of the Plant Diseases Act, 1914-1967, has been pleased to make the regulations set forth in the schedule hereunder.

T. C. DUNNE,
Director of Agriculture.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Compulsory Fruit Fly Baiting Regulations, published in the *Government Gazette* on the 1st April, 1955, and amended by notices published in the *Government Gazette* on the 11th June, 1963, and the 9th December, 1964 are referred to as the principal regulations.

2. Regulation 4A of the principal regulations is amended by substituting for paragraph (b) of subregulation (1), the following paragraph:—

(b) The returning officer shall be paid, for the conduct of the poll and the scrutiny thereof—

- (i) where the roll contains less than two hundred names of owners or occupiers—an amount equal to 30 per cent of the fee prescribed from time to time in the regulations made under the Electoral Act, 1907, for a returning officer for a contested election for the Legislative Assembly at a State parliamentary election;
- (ii) where the roll contains less than three hundred but two hundred or more names of owners or occupiers—an amount equal to 40 per cent. of the fee referred to in subparagraph (i) of this paragraph; or
- (iii) where the roll contains three hundred or more names of owners or occupiers—an amount equal to 50 per cent. of the fee referred to in subparagraph (i) of this paragraph,

and an officer appointed under paragraph (a) of this subregulation, shall, while engaged on the scrutiny and count of votes, be paid for his services at the rate of the fees prescribed from time to time in the regulations made under the Electoral Act, 1907, for similar duties for Presiding Officers.
