

[1971]



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 65]

PERTH: WEDNESDAY, 8th JULY

[1970

### HEALTH ACT, 1911-1968.

Shire of Merredin.

P.H.D. 679/59; Ex. Co. 1624.

WHEREAS under the provisions of the Health Act, 1911, as amended, the Governor may cause to be prepared Model By-laws for all or any purposes of the said Act, and whereas Model By-laws described as Series "A" have been prepared and amended from time to time and reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on 17th July, 1963, and further amended, *inter alia*, by notices appearing in the *Government Gazettes* of 20th March, 1964, 8th January, 1965, 14th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969, and 13th August, 1969: Now, therefore, the Shire of Merredin, being a local authority within the meaning of the Act and having adopted the Model By-laws Series "A" as reprinted in the *Government Gazette* of 17th July, 1963, doth hereby resolve and determine that the amendments published in the *Government Gazettes* of 20th March, 1964, 8th January, 1965, 14th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969, and 13th August, 1969, shall be adopted without modification.

Passed at a meeting of the Merredin Shire Council held on the 5th day of May, 1970.

[L.S.]

ERIC HIND,  
President.  
R. LITTLE,  
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## HEALTH ACT, 1911-1968.

Shire of Murray.

P.H.D. 254/67; Ex. Co. 1623.

WHEREAS it is provided in the Health Act, 1911-1968, that a local authority may, of its own motion by resolution adopt with or without modification the whole or any portion of by-laws caused to be prepared by the Governor under the provisions of section 343 (1) of the said Act; and whereas an amendment to Model By-laws Series "A" prepared in accordance with those provisions was published in the *Government Gazette* of the 13th August, 1969: Now, therefore, the Shire of Murray being a local authority within the meaning of the said Health Act doth hereby resolve and determine that the said amendment to Model By-laws Series "A" as so published in the said *Government Gazette* of the 3th August, 1969, shall be adopted without modification.

Passed at a meeting of the Shire of Murray held this 18th day of September, 1969.

[L.S.]

H. W. NANCARROW,  
President.  
J. W. SIBBALD,  
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the City of Fremantle.

Adoption of Draft Model By-law Relating to Storage of Inflammable Liquid,  
No. 12.

L.G. 787/65.

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 March, 1970, to revoke the resolution of the Council made the 19th day of July, 1965, adopting the Draft Model By-law Storage of Inflammable Liquid, No. 12.

Dated the 23rd day of March, 1970.

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

[L.S.]

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

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the City of South Perth.

By-law Relating to Classification of Districts.

L.G. 668/67.

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 26th day of November, 1969, and on the 25th day of February, 1970, to make and submit for confirmation by the Governor the following amendments to By-law No. 1:—

1. That clause 1 be amended by—
  - (a) deleting the paragraph designation (o) and substituting therefor the paragraph designation (p);
  - (b) adding after paragraph (n) a new paragraph as follows:—
 

Special District for Professional and Commercial Offices.

    - (o) the following lots shall constitute a Special District for Professional and Commercial Offices:—
 

Lots 229, 230, 231, 232 and 233 Swan Location 37, Canning Highway, South Perth.
2. That a new clause be added after clause 3I as follows:—
  - 3J. In the Special District for Professional and Commercial Offices no building shall be erected, altered or enlarged and no land or building shall be used for any purpose other than a dwelling house, dwelling house combined with professional or commercial offices, or professional or commercial offices.

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Dated this 9th day of April, 1970.

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

[L.S.]

J. G. BURNETT,  
Mayor.

P. J. BENNETT,  
Town Clerk.

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Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

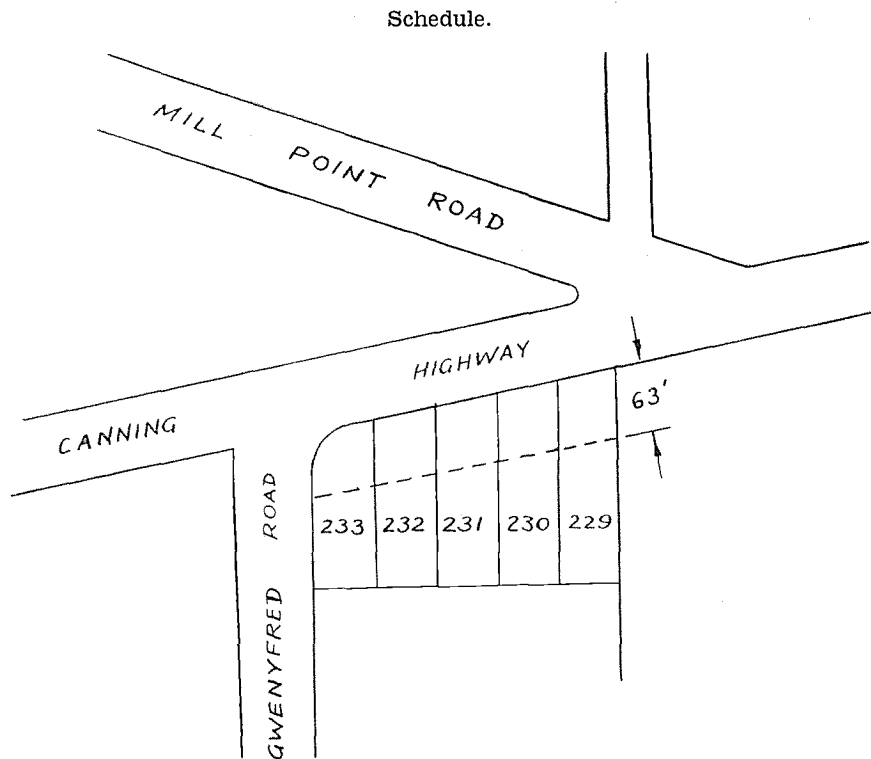
The Municipality of the City of South Perth.

By-law Creating Building Line (Canning Highway).

L.G. 697/60.

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 26th day of November, 1969, and on the 25th day of February, 1970, to make and submit for confirmation by the Governor the following new by-law:—

The Council of the City of South Perth hereby prescribes a new building line on the south side of Canning Highway, South Perth, in respect of Lots 229, 230, 231, 232 and 233 Swan Location 37 as shown on the plan in the schedule hereto.



Dated this 9th day of April, 1970.

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

[L.S.]

J. G. BURNETT,  
Mayor.  
P. J. BENNETT,  
Town Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Armadale-Kelmscott.

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

L.G. 139/70.

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 February, 1968, to adopt such of the draft model by-laws

published in the *Government Gazette* of the 7th day of February, 1963, as are here set out: Local Government Model By-laws (Street Lawns and Gardens), No. 11—The whole of the by-law.

Dated this 18th day of May, 1970.

The Common Seal of the Shire of Armadale-Kelmscott was hereunto affixed in the presence of—

[L.S.]

P. KARGOTICH,  
President.  
A. E. RASMUSSEN,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Bassendean.

Adoption of Draft Model By-law Relating to Storage of Inflammable Liquid, No. 12.

Revocation of Inflammable Liquid Regulations.

L.G. 447/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 25th day of February, 1970, to revoke the resolution of the Council made the 13th day of July, 1966, adopting the Draft Model By-law Storage of Inflammable Liquid, No. 12.

Dated this 19th day of March, 1970.

[L.S.]

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

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Bassendean.

By-laws Relating to Parking of Commercial Vehicles on Street Verges.

L.G. 277/70.

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 March, 1970, to make and submit for confirmation by the Governor the following by-laws:—

## Parking of Commercial Vehicles on Street Verges.

1. In this by-law the term "street verge" means that portion of a street which lies between the portion of the street paved for vehicular traffic and the street boundary; and the term "commercial vehicle" means a vehicle designed for or used for commercial purposes exceeding a load capacity of one ton and a vehicle designed for or used for industrial purposes.

2. No person shall—

- (a) park a commercial vehicle or allow a commercial vehicle to remain stationary on a street verge for more than four hours consecutively; or
- (b) on a street verge repair, service or clean a commercial vehicle.

PENALTY: One hundred dollars with a daily penalty during the breach of ten dollars per day.

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Dated the 2nd day of April, 1970.

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

[L.S.]

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

\_\_\_\_\_

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Bayswater.

By-laws Relating to Parking of Commercial Vehicles on Street Verges.

L.G. 286/70.

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 8th day of April, 1970, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the term "street verge" means that portion of a street which lies between the portion of the street paved for vehicular traffic and the street boundary and the term "commercial vehicle" means a vehicle designed for or used for commercial purposes exceeding a load capacity of one ton and a vehicle designed for or used for industrial purposes.

2. No person shall—

- (a) park a commercial vehicle or allow a commercial vehicle to remain stationary on a street verge for more than four hours consecutively; or
- (b) on a street verge repair, service or clean a commercial vehicle.

Dated the 14th day of April, 1970.

The Common Seal of the Shire of Bayswater  
was hereunto affixed by authority of a reso-  
lution of the Council in the presence of—

[L.S.]

R. A. COOK,  
President.  
A. A. PATERSON,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by his Excellency the Governor in Executive Council this 17th  
day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Bayswater.

Adoption of Draft Model By-law Relating to Storage of Inflammable Liquid,  
No. 12.

L.G. 279/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 8th day of April, 1970, to revoke the resolution of the Council made the 16th day of February, 1966, adopting the Draft Model By-law Storage of Inflammable Liquid, No. 12, and amendments thereto published on 31st March, 1965.

Dated the 6th day of May, 1970.

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

[L.S.]

R. A. COOK,  
President.  
A. A. PATERSON,  
Shire Clerk.

Recommended by—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Bayswater.

By-laws Relating to Removal of Verandahs.

L.G. 1065/69.

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 September, 1969, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the term "verandah" means a verandah or balcony protruding into or above a street, way, footpath, or other public place.
2. The owner of any land on which there is a building or structure having a verandah supported by posts erected in, or on, a street, way or footpath, or other public place, shall remove the said verandah within 12 calendar months from the date on which these by-laws are published in the *Government Gazette*.
3. If the owner shall fail to remove the said verandah within the said period of 12 months the occupier of the said land shall remove the said verandah within 14 months from the date on which these by-laws are published in the *Government Gazette*.
4. If the owner or occupier does not comply with the requirements of these by-laws the Council may at its own expense remove the said verandah and recover the amount of the expense from the owner or occupier in a Court of competent jurisdiction.

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Dated this 10th day of April, 1970.

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

[L.S.]

R. A. COOK,  
President.  
A. A. PATERSON,  
Shire Clerk.

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Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

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 14th day of April, 1970, 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 6.

## Shopping Areas.

Add new paragraph—

- (37) Lot 113 March Street on diagram 36402 and that portion of Burgundy Crescent on L.T.O. diagram 36402 described in Road Closure Notice No. C743 and the subject of Order in Council dated the 4th March, 1970, issued under section 118A of the Land Act, 1933.

Dated the 27th day of May, 1970.

[L.S.]

J. H. COOPER,  
President.  
A. J. ARMAREGO,  
Acting Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

## The Municipality of the Shire of Cockburn.

Adoption of Draft Model By-law Relating to Storage of Inflammable Liquid,  
No. 12.

L.G. 418/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of May, 1970, to revoke the resolution of the Council made the 24th day of July, 1963, adopting the Draft Model By-law Storage of Inflammable Liquid, No. 12, published on the 29th May, 1963.

Dated the 14th day of May, 1970.

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

[L.S.]

J. H. COOPER,  
President.  
A. J. ARMAREGO,  
Acting Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Mt. Marshall.

Adoption of Draft Model By-law Relating to Storage of Inflammable Liquid,  
No. 12.

L.G. 659/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 20th day of January, 1970, to revoke the resolution of the Council made the 23rd day of July, 1963, adopting the Draft Model By-law Storage of Inflammable Liquid, No. 12.

Dated the 15th day of May, 1970.

The Common Seal of the Shire of Mt. Marshall  
was hereunto affixed in the presence of—

[L.S.]

B. M. GILLETT,  
President.  
C. G. ELLIS,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Kalamunda.

By-laws Relating to the Accumulation of Sick Leave.

L.G. 1081/69.

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 22nd September, 1969, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws the term "Council" shall mean the Kalamunda Shire Council.

2. Sick leave not taken by a member of the Council's outside staff during the year in which he is entitled to take it according to his conditions of employment may be accumulated and taken in subsequent years if the employee is incapacitated due to sickness or injury.

3. For the purpose of this by-law a member of the outside staff is one whose wages and conditions are governed by the current awards of the Western Australian Municipal Road Boards, Parks and Racecourse Employees' Union of Workers.

Dated this 20th day of May, 1970.

[L.S.]

A. P. COOK,  
President.  
L. F. O'MEARA,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th  
day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960-1970; DOG ACT, 1903.

The Municipality of the Shire of Katanning.

## GENERAL BY-LAWS.

L.G. 292/57.

IN pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the council of the abovementioned Municipality hereby records having resolved on the twenty-second day of May, 1968, to make and submit for confirmation by the Governor the following by-laws:—

## PART 1.—GENERAL.

## Repeal.

1. All the by-laws of the Katanning Shire Council specified in the First Schedule hereto, are hereby repealed.

## PART 2.—DEFINITIONS.

2. In these by-laws the following terms shall, unless the context otherwise indicates, have the meaning set against them hereunder respectively, that is to say:—

“Act” means the Local Government Act, 1960.

“Board” means the Katanning Shire Council.

“Building” means and includes any building, construction, stall, fence, hoarding, barrier, out-buildings, and includes tents and caravans.

“Clerk” means Shire Clerk.

“Council” means the Katanning Shire Council.

“District” means the district of the Shire of Katanning.

“Month” means calendar month.

“Person” includes a body corporate or group of persons.

“Reserve” means any reserve or place of public recreation or enjoyment vested in or under the control of the Council.

“Secretary” means Shire Clerk.

“Shire” means Shire of Katanning.

All other terms in these by-laws shall, unless the context otherwise indicates, bear the meanings and definitions prescribed for them in the Act granting the power to make the by-laws containing the particular terms.

## PART 3.—COUNCIL'S OFFICERS.

3. Subject to the Act the appointment and removal of the Shire Clerk, Engineer, heads of Departments, and all other permanent employees shall be made by the Council. The appointment and removal of temporary employees and casual workers may be made by the Council.

4. In cases of misconduct or other cause justifying immediate dismissal, any officer or employee except the Shire Clerk or the Engineer may be suspended by the President. The suspension of any employee shall be considered by the Council at its next meeting.

5. Temporary Officers of the Shire Clerk's Department may be appointed and dismissed by the Shire Clerk, and of the Engineer's Department by the Engineer.

6. Casual workers of the Engineering and Gardening Departments may be engaged and dismissed by the Engineer, and for the Health Department by the Senior Health Inspector.

7. All appointments and dismissals not made by the Council shall be reported to the Council at its next ordinary meeting and shall be subject to confirmation by the Council.

## Duties of Supervisor-Engineer.

8. The duties of the Supervisor-Engineer shall be—

- (a) The Supervisor-Engineer shall have the control of works, plant and all property of the Council.

- (b) To prepare proper plans and specifications for all works and improvements as regards roads and culverts under the control of the Council; examine all materials to be employed in such works, and to see the same faithfully and properly executed and performed, and to watch the progress and formation thereof; submit all specifications and plans to the Council before tenders are called.
- (c) To see that the work of cleaning and repairing all public roads and footways is properly carried out.
- (d) To see that no labourers are engaged but those that are able-bodied.
- (e) To see that all servants under his control carry out their duties efficiently and to report any departure therefrom.
- (f) To see that all drains, sewers, culverts and bridges are maintained in a state of efficiency.
- (g) To attend all Council and Committee meetings if required.
- (h) To specially examine all roads throughout the district at least once each six months, or as required by the Council.
- (i) To supply monthly, or as required, to the Council, returns of all work completed or in progress, with remarks thereon.
- (j) To attend to all other directions of the Council as may be made from time to time.

#### Other Officers and Servants of the Council.

9. Subject to any specific direction which may be given by the Council from time to time the duties of the officers and servants of the Council other than the Shire Clerk and the Engineer shall be those assigned from time to time by the Shire Clerk or Engineer in respect of their various Departments.

#### PART 4.—MISCELLANEOUS MATTERS.

##### Minute Book.

10. Pasting or otherwise permanently affixing the minutes of the meetings of the Council to the leaves of a book shall be equivalent to entry therein, and the reading of the minutes may be dispensed with when members have been supplied with copies thereof at least three days before the holding of the next ordinary meeting of the Council.

##### Going into Committee.

11. The Council may by resolution of the majority of those present, resolve that the Council go into Committee for the consideration of any matter specified in the resolution. No person shall in any way publish, or make public any of the discussion taking place on such matter after the passing of such resolution, but this prohibition shall not extend to the actual resolution or resolutions carried as a result of such discussion and recorded in the minute book.

##### Discount on Rates.

12. The Council may allow to any person who pays the general rates, for which he is liable, within thirty days of the date of issue of the assessment therefor, but not later than the 30th September in any year, a percentage, by way of discount, not exceeding five per centum on the amount of such rates.

##### Tenders.

13. Tenders for work shall be opened and dealt with when the subject-matter of the tender comes on to be considered at the meeting of the Council, or by a Committee appointed for the purpose. The Council may require a deposit of 5 per cent. of the amount of the tender to accompany such tender, or two satisfactory securities. Tenders received by the officers of the Council shall be immediately placed in a locked box, to be provided for the purpose, which is not to be opened until the meeting when such tenders are to be dealt with.

##### Reserves, Park Lands, and Recreation Grounds.

14. All park lands and recreation grounds shall be open to the public daily, for recreation purposes, excepting as otherwise provided for in these by-laws. The Council shall have power to grant exclusive right to use and occupy the whole or any part of any park lands, recreation grounds, or reserves, placed

under its control within the district, for holding public sports, or amusements, to any responsible persons or club, and any person or persons obtaining such right shall be responsible for the proper care of all fences, buildings, or trees, or other improvements, upon or enclosing such park lands, recreation grounds or reserves, or part thereof, and shall pay the Council a fee, to be fixed for such use and occupancy and comply with the provisions of these by-laws and any regulations passed by resolution of the Council under which such exclusive rights are granted.

15. No person shall, upon any reserve under the control of the Council—
- (a) permit or suffer any horses, cattle, or vehicles to be therein, without the permission of the Council;
  - (b) create any disturbance or annoyance to the public, or conduct themselves in any improper manner, and any person offending against this paragraph shall be liable to be expelled from the place by any police officer or officer of the Council;
  - (c) play or carry on on any Sunday, Christmas Day, or Good Friday any games, gymnastics, or sports without the consent of the Council;
  - (d) offer for sale any provisions, refreshments, or goods of any kind, or carry on boxing or sports of any kind, nor use any firearms or explosives, except with the permission of the Council and payment of such fee as may be demanded;
  - (e) without the permission of the Council make any charge for admission to any reserve, or any part thereof, and the Council shall not give such permission, unless the fees to be charged are stated in the application and approved by the Council, and when such permission has been granted, no person shall charge any fee greater than so approved;
  - (f) deposit, or suffer to be deposited, any rubbish, except on reserves set apart for the rubbish purposes by the Council.

16. Such person to whom the use of any reserve is given for picnic sports, races, or other use, shall be held responsible for the immediate removal of all rubbish brought thereon, on the occasion of such use, and a deposit not exceeding \$10 shall be paid as a guarantee for the due removal of such rubbish. On the removal of such rubbish to the satisfaction of the Council, the deposit shall be returned.

17. No person shall damage or injure any tree, shrub, or plant in any reserve.

18. No person shall erect upon any reserve or other land of the Council any movable or temporarily fixed tent, booth, or marquee, for the purpose of any entertainment whatsoever, without first having obtained a license from the Council and payment of the prescribed fee.

19. The prescribed fee shall be as follows:—

Where the maximum charge for admission does not exceed 10 cents, two dollars per day.

Where the maximum charge for admission exceeds 10 cents, but does not exceed 20 cents, four dollars per day.

Where the maximum admission exceeds 20 cents, but does not exceed 30 cents, six dollars per day.

Where the maximum fee for admission exceeds 30 cents, ten dollars per day.

#### By-law to Regulate Stalls.

20. (1) In this by-law buildings especially erected for the purpose and trays, stands, vehicles, tables, etc., used for selling purposes shall be regarded as a stall but this shall not include buildings lawfully erected and used for other purposes, such as a drying shed, dwelling, verandahs, etc.

(2) Subject to clause 8 of this by-law no person shall conduct a stall in any street or way within the district.

(3) No person shall conduct a stall on or near any street or way within the district unless he holds a current license from the Council so to do and no stall shall be erected within 15 feet of the road alignment or such further distance as is required by the by-law made under the Town Planning and Development Act, 1928-1953, and, subject to clause 8 of this by-law, no such license shall be granted for a stall on land which is zoned for residential purposes.

Every stall shall be erected and finished off in a good workmanlike manner to the satisfaction of the Council and, if required by the Council, shall be properly painted.

Every stall erected for a "seasonal period" shall be removed after expiration of the period for which the license is issued if so directed by the Council.

(4) A person who wishes to obtain a stallkeeper's license shall apply therefor in writing to the Shire Clerk stating the kind of merchandise in which he wishes to deal, the type of stall which he wishes to use with particulars of the dimensions and construction thereof, the place or places where he wishes to conduct the stall and the period for which he desires the license.

(5) (a) Licenses shall be in the form set out in Schedule "A" hereto and subject to clause 8 of this by-law, the fees set out in Schedule "B" hereto shall be paid by the licensee to the Council on the issuing thereof.

(b) No license shall be transferable.

(c) A license shall be valid only as to the merchandise described therein and as to the place or places described therein.

(6) The Council may refuse to issue a license for any of the following reasons:—

- (a) That the person concerned has been convicted of a crime or serious offence.
- (b) That he is an undischarged bankrupt.
- (c) Where the Council is of the opinion that any area is sufficiently catered for.
- (d) Where the stall applicant is not a *bona fide* resident of the district selling only their produce.

(7) The Council may cancel a license if, in the opinion of the Council, the holder of a license is not a suitable person to hold a license or where, in the opinion of the Council, a stall has become unsuitable or is not satisfactorily maintained and upon cancellation the holder thereof shall forthwith return the license to the Shire Clerk.

(8) Notwithstanding the provisions of clause 2, clause 3, and clause 5 (a) of this by-law, the Council may grant, without fee, licenses to conduct stalls in any street, or way or on any land for any period specified in such a license if such stalls are conducted solely for the purpose of raising money for religious or charitable purposes.

(9) No stallkeeper shall shout his wares or make or cause to be made any outcry, noise or disturbance likely to annoy persons in the vicinity.

(10) Every stallkeeper shall, whilst plying his trade, have his name and the words "Licensed Stallkeeper" legibly and conspicuously painted on some part of his tray or stall.

(11) Every stallkeeper shall, whilst plying his trade, carry with him his license and shall produce the same on demand to any officer of the Council.

(12) Any person committing a breach of this by-law shall be liable to a penalty not exceeding \$40.00 (forty dollars).

Schedule "A".

Shire of Katanning.

STALLKEEPER'S LICENSE.

No..... of..... is hereby licensed to conduct a stall of the nature described in his application dated the.....19..... at..... within the Shire of Katanning during the month of.....19....., the year ending on the..... day of.....19....., subject to the by-law relating to stalls from time to time in force in the said district.

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

Shire Clerk.

## Schedule "B".

## FEES FOR STALL LICENSES.

Four dollars per annum.

## Pipes and Pipe-lines Beneath Roads.

21. (1) No person shall lay any pipe or construct any pipeline beneath any road or footpath without first obtaining the written approval of the Council otherwise than in accordance with the provisions of this by-law.

(2) The Council, in giving its approval, may fix a period during which the pipe or pipeline may remain beneath the road or footpath or may give its approval for an indefinite period.

(3) Any person laying any pipe or constructing any pipeline beneath a road or footpath shall comply with the following conditions:—

- (a) He shall lodge with the Clerk of the Shire for retention, a plan showing the proposed position of the pipes and such longitudinal and cross section as may be necessary together with full particulars as to the purpose for which the pipe or pipeline is proposed to be used.
- (b) He shall lodge with the Council, pending the satisfactory completion of the work, such deposit as the Council may reasonably require as a security for the satisfactory completion of the work.
- (c) He shall lay the pipe or pipeline in accordance with normal plumbing practice, and properly aligned and jointed.
- (d) He shall lay the pipe or pipeline so that no part thereof shall be nearer than 18 in. to the surface of any portion of the road or footpath, whether constructed or not.
- (e) He shall take all reasonable precautions to avoid accidents to users of the road or footpath during the progress of the work and shall indemnify the Council against any claims it may receive because of the work so carried out.
- (f) He shall exhibit danger signs and red flags during the hours of daylight and shall keep red lights burning during the hours of darkness throughout the time during which there is any excavation open or other dangers to traffic.
- (g) He shall, unless a temporary closure of the road is authorised by the Council, ensure that a sufficient portion of the road or footpath is kept open for traffic or pedestrian use while the work is in progress.
- (h) He shall fill in the excavation and reinstate the surface of the road or footpath on the completion of the work to the satisfaction of the Council's Engineer.
- (i) The work when commenced shall be carried to completion with all reasonable speed.

(4) If the person laying any pipe or constructing a pipeline beneath the road or footpath shall fail to fill in the excavation or to reinstate the surface of the road or footpath, the Council may do so and recover the cost from him.

(5) No person shall dig up, alter or otherwise interfere with any pipe or pipeline laid beneath a road or footpath except with the written approval of the Council. The work carried out shall as far as is applicable be done in accordance with the provisions of subparagraph 3 of this by-law.

(6) Where any pipe or pipeline has been laid beneath a road or footpath the Council may give notice in writing to the person owning or served by such pipe or pipeline to repair or replace it, and such person shall thereupon carry out such work under the conditions so far as applicable as are set forth in subparagraph 3 of this by-law.

(7) At the expiration of the period specified by the Council in its approval, the person owning or served by the pipe or pipeline shall remove it, complying with the provisions of subparagraph 3 of this by-law so far as they are applicable.

(8) The Council may, at the expiration of the period specified in its approval, or if no period has been specified at any time the Council by a majority of the whole of the members shall think fit, order that the person owning or served by the pipe or pipeline shall remove it from the road and he shall so remove it, complying with the provisions of subparagraph 3 of this by-law so far as the same are applicable.

(9) Should any person who has been ordered to replace repair or remove a pipe or pipeline fail to do so, the Council itself may carry out the work and recover from him.

(10) Where any pipe or pipeline has been laid beneath a road or footpath and such pipe is damaged or broken by the Council's road plant working in the ordinary course of their duties such repairs to the pipeline shall not be the responsibility of the Council.

(11) Any person committing a breach of any of the provisions to a penalty of not more than \$40.00.

#### Katanning Swimming Baths.

22. (1) In this part of the by-laws subject to the context—

“Committee” means the Committee appointed by the Council from time to time to control the baths.

“Manager” means the person appointed by the Committee or Council to control and manage the baths.

“Pool” and “Baths” means the Katanning Swimming Baths and shall include any fencing, turnstiles, dressing rooms, shower recesses, spectators' stands and/or seating, lavatories and any other structure erected for the use and conveniences of persons using the pool.

#### Hours of Admission.

(2) The pool shall, from the month of October to the month of April both inclusive, be opened and closed daily at such times as the Committee may from time to time determine and such times shall be clearly indicated on a notice board at the entrance of the pool.

#### Costumes.

(3) Every person using the pool shall be dressed in a decent and suitable manner and any person who appears in public in a condition which in the opinion of the Manager or other person for time being in charge of the pool, is offensive, then the Manager shall direct that he or she shall resume his or her ordinary clothes forthwith.

#### Admission.

(4) No person shall, without the express permission of the Council, or the Manager enter the pool save through the turnstile erected at the entrance for that purpose and upon payment of the prescribed admission charge. No child of pre-school age will be admitted to the pool premises unless accompanied by a responsible person.

#### Charges for Admission.

(5) All persons wishing to obtain season or period tickets or tokens granting admission to the pool for any one stipulated season or period may obtain such tickets or tokens on application to the Manager upon payment of the prescribed fee. Such season or period tickets or tokens shall be offered for inspection to the attendant when used to obtain admission to the pool. Season or period tickets or tokens are not transferable and such a ticket or token may be used only by the person in whose name the same is issued. A list of all season or period ticket or token holders shall be kept at the pool and that attendant shall refuse admission to a person seeking the same and using any such ticket or token if the attendant reasonably believes that the person so seeking admission is not the person to whom such ticket or token was issued.

(6) The fees stated in the Schedule shall be paid for admission to the pool premises.

#### Control of Premises.

(7) Every person using the pool premises shall obey all reasonable directions of the Manager or other person for the time being in charge of the pool with regard to such use.

No person shall obstruct, interfere with or hinder the pool Manager in the performance of any duty in the pool premises.

#### Valuables.

(8) Any person entering the pool premises may deposit valuables with the Manager or other person for the time being in charge of the pool, upon payment of such charge as shall be fixed from time to time by the Committee



and approved by the Council and particulars of such charge shall be clearly indicated upon the notice board, but under no circumstances will the Council or Committee accept any liability should such valuables or any part of them be lost, stolen, damaged or destroyed whilst in the custody of the Manager.

*Offences.*

(9) (a) No person shall enter or remain in the pool premises whilst in an intoxicated condition.

(b) No person shall bring into the pool premises any spirits or other intoxicating liquors.

(c) No person shall use soap in any part of the pool premises other than in the shower baths.

(d) No person shall in any part of the pool premises use any indecent, obscene or offensive language or behave in an indecent or offensive manner.

(e) No person shall smoke in any part of the pool premises where a notice is exhibited prohibiting smoking.

(f) No person shall climb up to or on any partition or roof or any other portion of the pool premises.

(g) No person shall in the dressing rooms or elsewhere in the pool wastefully use the water or leave any taps running.

(h) No person shall spit or expectorate in the pool or on any platform or dressing rooms or commit any nuisance on or in any part of the pool premises.

(i) No person shall whilst in the pool use any substance or preparation whereby the water in the pool may be discoloured or rendered turbid or otherwise unfit for the proper use of bathers.

(j) No person shall wilfully foul or pollute water in any shower bath or in the pool, or wilfully soil, defile, damage, injure or destroy any dressing room, closet box or compartment or other part of the pool premises, or any furniture or other article therein.

(k) No person shall at any time carelessly or negligently injure or improperly use or interfere with any taps, locks, valves, or other fittings or appliances in or about the pool premises or write upon or deface the walls or partitions or any part of the pool premises or discharge litter of any description on or about the pool premises.

(l) No person shall cause or allow any dog or other animal belonging to such person or under his or her control to enter or remain in or upon the pool premises.

(m) No male person shall enter any portion of the pool premises set apart for females and no female person shall enter any portion of the pool premises set apart for males.

(n) No person upon the pool premises shall in any way interfere with any other person therein or throw or push or attempt to throw or push any person into the pool, or throw any stones or sticks or any other matter or thing to the annoyance of any other person using the pool premises.

(o) No person shall, whilst suffering from any cutaneous, infectious or contagious disease, or whilst in an unclean condition, enter or use the pool premises or any part thereof.

*Lost Property.*

10. (a) Every person finding in the pool premises any article which may have been left or lost therein shall immediately deliver the same to the manager or the person for the time being in charge of the pool, who shall thereupon register a description of such article and all particulars relating thereto in a book which shall be kept for that purpose, and any person claiming the said article and who satisfies the manager or other person that he or she is the lawful owner of same, shall have such article returned upon signing for such article in the book beforementioned.

(b) The manager or other person for the time being in charge of the pool shall at least once in every week report to the Council or the Committee regarding lost property and produce the said book for inspection as required.

(c) The Council and the Committee will not under any circumstances incur any liability in respect of articles lost or stolen from any person whilst on the pool premises.

*Carnivals.*

(11) (a) The person, club, association or organisation conducting any carnival held at the pool premises shall be responsible for the conduct of the competitors and spectators during such carnival, and shall be bound to see that there is no overcrowding and that no damage is done to the buildings or fencing or any other portions of the pool premises.

(b) At all swimming carnivals held at the pool premises, the competitors shall wear proper and approved bathing costumes.

(c) Every person, club, association or organisation to whom the pool premises are granted for the purpose of holding a swimming carnival shall at least one week before the date of such carnival forward to the Council or Committee a copy of the programme of events to be competed for thereat; and any item on such programme that the Council or Committee do not approve of shall be struck out or so altered as directed.

(d) The person, club, association or organisation conducting any carnival held at the pool premises shall pay to the Committee such charges as shall be agreed upon by the Committee and the person, club, association or organisation concerned and approved by the Council.

(12) (a) No person shall for reward or profit teach, coach or train any other person in the pool premises except with the consent in writing of the Council or Committee first had and obtained.

(b) The Council may in its absolute discretion give such consent absolutely or subject to such conditions as it deems fit and the Council may in its absolute discretion at any time withdraw such consent.

(13) (a) Any person offending against any of the provisions of these by-laws shall on conviction be liable to a penalty not exceeding \$40.

(b) Every person who shall infringe any of the provisions of these by-laws may be summarily removed from the pool premises and from every part thereof, by the Manager or other person for the time being in charge of the pool, or may be arrested by such Manager or other person for the time being in charge of the pool, or may be arrested by such Manager or other person and given into the custody of a police constable.

(c) The Manager or other person for the time being in charge of the pool may refuse to admit to the pool premises any person who shall have been convicted of wilfully disobeying or infringing any of the provisions of these by-laws, until such time as the Council or Committee may decide that such person shall be re-admitted.

*Schedule of Fees.*

	\$
Classes—per person	0.04
Children attending school	0.05
Adults and children who have left school	0.20
Junior Season	3.00
Adult Season	6.00
Half Family Season	5.00
Family Season	10.00

Katanning Town Hall and any Buildings under the Control of the Council.

23. (1) "Building" means and includes any hall, room or corridor, or stairway, or annexe of any such hall or room under the control of the Council;

"Clerk" means Shire Clerk, acting Shire Clerk or other authorised officer of the Council.

(2) Applications for the hire of any building and furniture shall be made to the Clerk not less than 24 hours before the time that such building and furniture are required and shall state the purpose for which the building and furniture is required.

(3) The name and place of abode of the actual responsible person or persons hiring any building or furniture shall be given in the application for the use of such building or furniture.

(4) The rent of the building or furniture shall be paid with the application, and shall be as set out in the Schedule of Charges contained in these by-laws.

(5) The hours for which any building or furniture may be hired shall be:—

(a) Day—9 o'clock a.m. to 7 o'clock p.m.

(b) Evening—7 o'clock p.m. to 12 o'clock midnight.

(c) Extension of time may be granted on payment of the prescribed fee.

(6) No application for hire of any buildings or furniture will be considered at a time prior to three calendar months before the date required and, in the event of that date falling upon a day on which the office of the Council is closed, the application shall be made on the next succeeding day on which the office of the Council is open for business.

(7) The Council may at any time demand that the hirer shall, prior to the term of engagement, deposit an amount estimated to cover any damage that might occur during the term of engagement. The deposit shall be forfeited in case of cancellation.

(8) The Council reserves the right to refuse to let any building and furniture to any applicant for hiring of the same without assigning any reason for such refusal, and may at any time cancel any agreement made for the hiring of any building or furniture.

(9) In the event of the hiring being cancelled the hiring fee may be forfeited at the discretion of the Council; any portion of the hiring fee as is not forfeited under this by-law shall be repaid by the Council to the hirer.

(10) In the event of two or more applications being made for the hire of any building and furniture for the same date and hour the Council may, without considering priority of application, determine to which applicant the hire of such building and furniture shall be granted.

(11) Nothing in these by-laws shall be construed to prevent the long term hiring of the buildings and furniture if the Council deems it expedient on whatever terms the Council decides.

(12) The hirer of any building shall comply with the provisions of the Health Act, Entertainment Tax Act, and any other Act in force for the time being applicable to such hirings and use of the building. If, in the opinion of the Council, all the necessary actions have not been taken to comply with the provisions of the Acts abovementioned or any other Acts in force, the Council may at any time prior to or during the term of engagement forbid and prevent the use of such building. The hirer must accept full responsibility in the event of any dispute arising in connection with the compliance of the provisions necessary under this by-law.

(13) In the event of the use of any building being forbidden or prevented under the last preceding by-laws, the hirer shall forfeit the full amount payable for the hire of such building as if the hire had been duly fulfilled and the Council shall not be responsible to the hirer for any loss or damage incurred by the hirer.

(14) No spirituous liquors, wine, ale, beer, cider, porter or perry shall be brought into or consumed on any building except when permitted by the Council, in writing, and then only in the terms of the permit.

(15) No person shall smoke any tobacco, cigar, cigarette, or objectionable substance, nor strike or otherwise ignite any light in any hall during any public entertainment, or at any gathering of persons in the said building, whether such persons have been admitted by payment of money or otherwise, except at a banquet, smoke social, private entertainments, or meeting.

(16) No furniture shall be removed, except with the permission of the Clerk and under the supervision of the caretaker or other person appointed by the Council.

(17) No person shall, in any part of any building—

(a) enter or be allowed to enter whilst intoxicated;

(b) use profane or improper language;

(c) be guilty of any misbehaviour whatsoever;

(d) damage, mark, or deface any wall or other part of the building;

(any person who does, permits or suffers any such damage shall be liable to pay the cost of all such damage in addition to any penalty imposed by these by-laws);

(e) stand, loiter, or cause any obstruction whatsoever in the entrance halls, exits, or passageways of any buildings;

(any person doing so shall immediately desist, on being requested to do so by the Clerk or police constable, whether in uniform or otherwise).

(18) No offensive impersonations or representations of living persons, or anything calculated to produce a disturbance, riot or breach of peace, shall be permitted in any building.

(19) The hirer of any hall, building or room shall maintain and keep good order and decent behaviour in such hall, building or room, and shall be solely and entirely responsible for the carrying out of these by-laws, and for any damage done to the buildings, fixtures, fittings, furniture or crockeryware and shall pay such damage as shall be assessed by the Council.

(20) The Clerk or police constable shall be permitted free ingress to the building or any part thereof, and every facility shall be given them for enforcing these by-laws.

(21) Every person who does, permits, or suffers any act, matter or thing contrary to these by-laws or commits or permits any breach or neglect thereof, shall be liable to a penalty not exceeding \$100 for every such offence.

Schedule.

KATANNING TOWN HALL.

Theatrical Concert, etc. (Main Hall and Gallery with exception supper room and kitchen):

	\$
1. Visiting Companies:	
1st Night ....	10.50
2nd Night ....	8.40
Matinees ....	6.30
2. Local Companies:	
(a) For individual profit ....	9.00
(b) Funds, Society, Assoc., Charities ....	7.00
(c) Matinees under (a) and (b) ....	4.20

Car Parties and Dances (Main Hall only) until midnight:

(a) For individual profit—per hour or portion thereof after midnight ....	1.25
(b) For individual profit until midnight Friday and Saturday ....	10.50
(c) Funds, Society, Assoc., Charities until midnight ....	8.40
(d) Funds, Society, Assoc., Charities—per hour or portion thereof after midnight ....	1.25

Where charge does not exceed 99 cents Double.  
Supper Room, \$2.10 extra; Gallery, \$1.50 extra.

(Main Hall.)

Balls:	
(a) For individual profit ....	12.60
(b) Funds, Society, Assoc., Charities ....	10.50
Friday and Saturday ....	12.60
Supper Room \$2.10 extra and same charge as above after midnight (\$1.25 per hour or portion thereof).	
Bazaar or Exhibition (9 a.m. to 11 p.m., Main Hall with use stage, kitchen and supper room):	
Organised for benefit, Charities, Funds, Society, Assoc. ....	6.30
9 a.m. to 5 p.m. ....	4.30
Banquets (Main Floor and Kitchen):	
Day ....	4.20
Night till 11 p.m. ....	8.40
Lectures (Main Hall and Stage only)—Public Meeting, Political and Commercial:	
Day ....	3.15
Night ....	6.30
Educational Lectures:	
Exclusively or approval—Day ....	1.05
Single Lecture—Night ....	2.10
Religious Services or Addresses (Main Hall with Stage):	
Sunday—	
Day ....	0.50
Night ....	1.00

Rehearsals: No rehearsals permitted on Sunday. Engagements for rehearsals are accepted on condition that they must give place to other engagements, minimum of three hours on any rehearsal (unless full Hall Hire is paid)—	
Day (per hour) .....	1.00
Night (per hour) .....	1.00
Gallery: Where gallery is not provided for, this can be made available at the cost of .....	
	1.50
Supper Room.	
Samples (Display) .....	2.00
Banquets or Receptions (with use of Kitchen):	
Day .....	1.50
Night .....	2.10
Sample Room: Supper room to be let as Sample Room for Wholesalers only .....	
	2.00
Meetings (Local Clubs, Societies, Assoc., etc.):	
Day .....	0.50
Night .....	0.75
Engagements accepted only subject to cancellation in event of Supper Room being required in conjunction with the Hall.	
Cloak Room—Local Bodies, etc.:	
Day .....	0.50
Night .....	1.00

#### By-laws Relating to the Removal of Refuse, etc.

24. (1) If there is—

- (a) on any vacant land within the district any trees, scrub, undergrowth, or rubbish; or
- (b) on any land within the district any refuse, rubbish or disused material, whether of the same kind as or a different kind from those here specified, which in the opinion of the Council is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof;

the Council may cause a notice under the hand of the Shire Clerk to be served on the owner of land referred to in subclause (a) and on the owner or occupier of land referred to in subclause (b) within the time specified in such notice, to clear such trees, scrub, undergrowth or rubbish or remove such refuse, rubbish or disused material from such land.

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

(3) Where any owner or occupier fails to clear the land or remove the refuse rubbish or disused material within the time specified in such notice the Council may clear such land or remove such refuse, rubbish or disused material at the expense of the owner or occupier and may dispose of it without payment of any compensation thereof and may recover from such owner or occupier the amount of the expense in a court of competent jurisdiction in addition to any penalty he may be liable to under these by-laws.

(4) Any person who fails to comply with any notice served under subclause 1 of these by-laws commits an offence against these by-laws and on conviction shall be liable to a penalty not exceeding forty dollars.

#### PART 5—PROPERTY VESTED IN OR UNDER THE CONTROL OF THE COUNCIL.

##### Prevention of Damage to, Obstruction of and Misuse of Roads.

25. No person shall without the written authority of the Council commit any of the following acts:—

- (1) Break up, damage or destroy any road, footway, bridge, gutter, drain or culvert.
- (2) Throw, place or deposit any obstruction, box, case, crate, milk bottle, coal, sand, firewood, timber, brick or other material on or in any road, footway, bridge, gutter, drain or culvert.

- (3) Throw, place or deposit any rubbish, vegetable substance, garden clippings or any offensive, noxious or dangerous substance or any bottles or utensils or glass or any litter on any road, footway, bridge, gutter, drain or culvert.
- (4) Light any fire or burn any rubbish or other material on any road, footway or bridge.
- (5) Fell any tree on or across any road, footway, bridge or culvert.
- (6) Cause any obstruction to, or prevent vehicles and persons having the free or unhindered use of any road, footway or bridge.
- (7) Cause or permit any water from a hose or sprinkler to interfere with the use of any road or footway by pedestrians.
- (8) The Council may, by its officers, workmen and contractors, remove any tree lying upon, or any obstruction or thing thrown, placed or deposited on any road, footway, bridge, gutter, drain, or culvert, contrary to the provisions of this by-law.

#### Weight Restriction on Bridges.

26. If on a bridge a notice is legibly and clearly displayed by the Council or by an authority acting under the Traffic Act, limiting the weight of any vehicle using the bridge, no person shall drive or draw any vehicle exceeding that weight on or over that bridge.

#### Stock on Roads.

27. Any person being the owner of or having in his possession any animal shall prevent such animal from straying, grazing or pasturing on any road, reserve or unfenced land.

28. Any person being the owner of or having in his possession any animal, shall prevent such animal from entering or remaining on any road except for the normal use of the said road and unless—

- (a) it is led, ridden or driven; and
- (b) it remains on the said road only for a period reasonably necessary for the normal use of the said road.

#### Transport of Sand, Ash, Dust and Sawdust.

29. No person shall transport or carry on any road any sand, ash, dust, sawdust or any substance which gives off dust or fumes unless the vehicle or container in which the same is carried is sufficiently covered to prevent such substance or part thereof or the fumes from blowing from or escaping from such vehicle or container.

#### Vehicles and Animals on Footways.

30. No person shall ride or drive any horse or cattle or drive any vehicle upon or along any footway.

#### Prevention of Damage to Property.

31. No person shall without first having obtained the written consent of the Council cut down, damage, destroy or remove any tree, plant, gate, fence, post, lantern, lamp-post, implements, material, buildings or other property vested in or under the control of the Council.

#### Defacing Property.

32. No person shall, whether by means of writing, drawing, painting, stencilling or by poster, or by causing any paper or other substance to adhere or otherwise place any notice, sign, advertisement, design, writing, or picture on any building, structure, lavatory, shelter-shed, fence or seat vested in, or under the control of the Council, without the consent in writing of the Council.

33. No person shall deface or damage, or do any act which has the effect of defacing or damaging any building, structure, lavatory, appliance, apparatus, shelter-shed, fence or seat vested in, or under the control of the Council.

34. No person shall construct or erect any advertisement, notice, sign, or placard on any road, public place or reserve vested in, or under the control of the Council, without the consent in writing of the Council.

35. No person shall construct or erect any advertisement, notice, sign or placard in such manner that it overhangs any road, public place or reserve vested in, or under the control of the Council, without the consent in writing of the Council.

#### Sand and Timber.

36. No person shall remove any sand, stone or other materials from any lands or reserves belonging to or in charge of or under the control of the Council, without the authority of the Council.

37. No person shall cut or remove any timber or bush on or from any lands or reserves belonging to, or in charge of, or under the control of the Council without the authority of the Council.

#### Preservation of Trees.

38. No person shall injure, destroy, carry away, or remove from its place any tree, shrub or plant standing in any of the roads, reserves, enclosures or public places belonging to, or under the care of superintendence of the Council, or shall injure, destroy, carry away or remove out of its place, or ride or drive against any of the tree-guards, fences or other protection to any such trees, shrubs or plants as aforesaid.

#### Crossing Places.

39. The owner of any land adjoining a road which is paved or partly paved who wishes vehicles to pass to or from his land shall make application to the Council for the construction of a crossing place.

40. The Council may construct the crossing place or may authorise the construction of the crossing place by the owner in accordance with specifications approved by the Council.

#### Prevention of Damage to Footpaths.

41. In by-laws 41 to 46 the term "footpath" shall mean and include that portion of a surveyed road which is between the kerb or edge of the portion of a road paved for the use of vehicular traffic and the boundary of the surveyed road.

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

43. No person shall trench through or under a footpath without first obtaining the written consent of the Katanning Shire Council.

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

45. Any person referred to in by-law 46 (hereinafter called the applicant) who desires—

- (a) to cross a footpath with a vehicle at a place not specially constructed crossing place; or
- (b) to carry out building or other operations or works necessitating the crossing of a footpath with vehicles which are likely to cause damage to the paving of the footpath whether at a specially constructed crossing place or not,

shall make application in writing to the Council specifying the place at which such crossing is to be made and with his application pay to the Council a deposit of thirty dollars.

46. If the permission of the Council shall be granted to the applicant he shall comply with the following conditions:—

- (1) If the paved portion of the footpath shall be constructed of concrete slabs he shall carefully remove them from the footpath for a width of 16 feet at the proposed crossing and neatly stack them on the adjoining land.

- (2) He shall place in the position from which the slabs have been removed a temporary crossing of 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section, of which the ends shall be chamfered downwards, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true to the level of the original footpath.
- (3) When the necessity no longer exists for such temporary crossing or when called upon to do so by notice in writing from the Council the applicant shall remove the planking, replace the slabs in a proper workmanlike manner to original level and line and shall replace with new slabs of equal quality and size any slabs which have been lost, damaged or broken.
- (4) In the case of a footpath constructed in total or part of bitumen surfaced gravel, gravel, limestone or crushed metal, he shall place in position where the crossing is to be made a temporary crossing 16 feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section, of which the ends shall be chamfered downwards to the existing footpath surface, securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true.
- (5) When the necessity no longer exists for such a temporary crossing or when called upon to do so by notice in writing from the Council, the applicant shall remove the planking and clean off the footpath.

#### Use of Amplifiers.

47. (1) In this by-law the term "public place" shall mean a road or reserve, beach, jetty or public place or building vested in or under the control of the Council.

(2) No person shall—

- (a) take on to or erect or install on a public place any loud speaker or other device for the amplification of sound; or
- (b) operate or use on a public place any loud-speaker or device for the amplification of sound; or
- (c) speak or make a noise on a public place so as knowingly to cause such speech or noise to be amplified by a loud speaker or other device for the amplification of sound;

without the written consent of the Council.

(3) No person to whom written consent has been granted in pursuance of this by-law shall take on to, or erect, or install or operate or use on a public place any loud-speaker or device for the amplification of sound, or speak or make any noise on a public place so as knowingly to cause such speech or noise to be amplified by a loud-speaker or other device for the amplification of sound, otherwise than at the place and time and in accordance with the terms specified in the written consent granted by the Council.

#### Street Collections.

48. No person shall without the written license of the Council use any road, street, footway or bridge for the purpose of collecting any money or goods, whether for charity or otherwise except with the written permit of the Council.

#### General Offences.

49. No person shall—

- (1) damage, or destroy, any building, dam, well, bore, tank, pump, windmill, windlass, bucket, rope, piping, troughing, fences, gate, machinery, or appliances or other property of or under the control of the Council;
- (2) place any placard or other document, writing or printing on or otherwise deface any house or building abutting or contiguous to any road;
- (3) place or affix any bill, placard, or advertisement upon any private property, or upon any public place; provided always that by resolution of the Council a license may be granted to any person to affix bills, placards, or advertisements approved by the Council upon any road or other place vested in or under the control of the Council. The fee



for every such license shall be two cents per annum for every square foot of such bill, placard, or advertisement, with a minimum of twenty-five cents;

- (4) blast any rock, stone or timber in or near any road without the permission of the Council, and under such conditions and agreement in regard thereto as the Council may direct when giving such permission;
- (5) place, stack, or store within the limits of any townsite not within a fire District in the open air, any cases, paper, shavings, crates packed with straw or dangerous or inflammable substance of any kind likely to become a source of danger by fire;
- (6) being the owner of any vacant lot within the Central Ward of the district, permit or suffer such lot or any part thereof to become overgrown with scrub or undergrowth which is or likely to become of an inflammable nature;
- (7) carelessly, wilfully, or wantonly injure, destroy, remove from its place, and/or carry away, any tree or shrub in or upon any road or reserve, or so remove out of its place or ride or drive against any of the tree guards, fences, or other protection to any such trees, shrubs, or plant;
- (8) light, put out when lighted, or in any other way interfere with any lamp belonging to the Council, or damage or destroy any such lamp;
- (9) waste, or allow to escape, foul, pollute, or taint any water contained in any bore, dam, pipe, tank or place of storage, or pollute, or cause to be polluted, any water-course, pool or other water within the district, or leave open the lid of any well or any gate of any enclosure surrounding any dam, or other water supply under the control of the Council;
- (10) remove any water from any such well, bore, dam, tank, or other place of storage, except in the course of watering stock at any trough provided thereat, or for *bona fide* camping use, or except with the written consent of the Council and payment of such reasonable fee for such consent as may be demanded;
- (11) remove any sand, gravel, timber, or other materials from any land under the control of the Council without the permission of the Council;
- (12) without the permission of the Council, erect or retain any barbed wire on the outer or roadside, or top of any fence along any road within any townsite;
- (13) bathe in any river or open public water within the limits or abutting on the boundary of the district without suitable bathing costume or clothing;
- (14) turn loose, or suffer any kind of animal belonging to him or in his control to stray or go about, or to be tethered or depastured in or upon any road or reserve in the district; and notwithstanding any penalty hereinafter provided, if any such animal shall be a bull, boar, or stallion, the penalty for an offence against this by-law shall not be less than four dollars;
- (15) permit any animal suffering from any infectious or contagious disease to be ridden or allowed to stray on any road, unfenced land, or reserve within the district, and any animal found so suffering on any road may be slaughtered and destroyed without notice, and the expense of such slaughtering and destruction shall be recoverable from the owner or person in whose control such animal was at the time of its being so found, in any court of competent jurisdiction;
- (16) keep any goat within the boundaries of the Central Ward of the district unless such goat shall have been registered and a registration fee of five cents paid to the Shire Clerk of the Council. Every such registration shall be renewed in the month of July in each year, and the Council may refuse to register any goat if in the opinion of the Council suitable accommodation has not been provided for the keeping of such goat;
- (17) keep bees within the Central Ward of the district if such bees are of a savage nature or a nuisance to the neighbourhood. If any bees are in the opinion of the Council of such nature or a nuisance, it may, by resolution, direct the owner thereof to remove the same, and such owner shall forthwith carry out such direction;

- (18) construct any crossing in any townsite from any road or way to any land adjoining the same, across any existing footpath, kerbing, channel, or gutter; provided always, that if any sole owner or the majority of owners, if more than one, of land, require access from any such road or way to any such land adjoining, he or they may make application to the Council for the construction of a crossing for that purpose, and the Council may, in its discretion permit the crossing to be constructed under the superintendence and to the satisfaction of the Council or may construct the crossing, subject to the liability of the owner or owners of the said land to pay the cost or a proportion of the cost of construction in accordance with section 360 of the Local Government Act, 1960-1969;
- (19) wilfully or negligently damage or destroy any road under construction or repair, or drive any vehicle into or over any such road at a speed greater than twelve miles per hour;
- (20) take any plough, cultivator, or other implement, or draw upon any road any vehicle the wheel or wheels of which are locked so as thereby to damage or mark such roads in such a manner as in the opinion of the Council may cause ultimate damage to the road;
- (21) light any fire (except by the order of the Council), or place any rushes, or inflammable substance of any kind, under, near, or against any bridge in the district for any purposes;
- (22) make or leave any fire upon or near any road or reserve without taking proper precautions against such fire spreading, or ring-bark or set fire to any standing tree upon or near any road or track;
- (23) without the consent of the Council, draw or drive any vehicle across the water table of any road, or across any drain, except over a properly constructed approach or culvert;
- (24) draw upon any road any timber, stone, or other material otherwise than on a wheeled vehicle, or suffer any such materials when so carried to drag or trail upon any road, or draw upon any road a whim or timber carriage, any portion of which trails or drags upon a road;
- (25) load any vehicle with mallee or other roots, sawn or other firewood, timber, bricks, or stone in such a manner that any portion of such load is likely to or in fact does fall on to any road or way;
- (26) make or have any cellar door or other opening from the footway of any road, without the permission of the Council and carrying out such conditions as the Council may reasonably require;
- (27) interfere or obstruct any officer or person employed by the Council in carrying out any of the provisions of these by-laws.

In addition to any penalty hereinafter provided, every person convicted of any offence against paragraphs (1), (6) or (9) of this clause shall be liable to pay to the Council a sum equal to any damage sustained by the Council by reason of any such offence.

50. Every person shall—

- (1) when ordered by the Council, remove any verandah or balcony which obstructs the footway or roadway, or is dangerous, and all other obstructions on footways and roadways, or over the same, or any part thereof, within such time as shall be directed by the Council, and if any person shall, within such time as aforesaid, fail to remove such verandah, balcony, or obstruction, the Council shall be at liberty to remove the same and recover the cost of such removal;
- (2) within fourteen days or such extended time as the Council may permit, after receiving the order of the Council in writing directing the removal of any building, fence, obstruction, or encroachment, in or upon any roadway, or reserve under the control of the Council, remove such building, fence, obstruction, or encroachment, and if such building, fence, obstruction or encroachment is not removed or in course of removal within the time aforesaid it shall be lawful for the Council to remove the same, and the cost of such removal shall be paid to the Council by such person, and shall be recoverable by the Council in any court of competent jurisdiction;
- (3) being the owner of any land, fence all boundaries of such land abutting on any road within any townsite, with such description of fence as may be directed by the Council, and maintain every such boundary fence so erected in good order. If any person shall fail or neglect

to repair or erect any such fence as aforesaid, the Council may erect or repair the same, and recover the cost thereof from such person in any court of competent jurisdiction.

51. Any person who as owner or otherwise while in charge of an entire horse, bull or ass shall cause or allow or suffer or permit any such entire horse, bull or ass to try to cover any mare or cow within any townsite within the district, or shall cause, permit, allow, or suffer any such entire horse, bull or ass to be turned loose in any yard or in any other place with any mare or cow for the purpose of allowing such mare or cow to be tried, or covered, except in some yard, building, or other premises as shall be entirely and sufficiently screened from public view, shall forfeit and pay on conviction a sum not exceeding \$20.00.

#### Offences.

52. Any person who shall fail to comply with the terms of a notice or order given to him in pursuance of the provisions in any part of these by-laws within the time specified in the notice or order, or if no time is specified therein within two months from the service of the notice upon him, shall be guilty of an offence.

Any person who shall commit a breach of any of the terms or conditions of a license granted to him under any part of these by-laws shall be guilty of an offence.

#### Penalties.

53. Any person who shall commit a breach of any of these by-laws (except where otherwise provided in these by-laws) shall be liable to—

- (a) a maximum penalty of \$100.00; and
- (b) a maximum daily penalty during the breach of \$10.00 per day.

### DOG ACT, 1903.

#### The Municipality of the Shire of Katanning.

#### By-laws.

PURSUANT to an Order in Council promulgated in the *Government Gazette* on the 23rd day of October, 1953, under section 35A of the Dog Act, 1903, and in exercise of all other powers thereto enabling it, the Council of the Shire of Katanning doth hereby make and publish the following by-laws for the establishment of a dog pound and the control of dogs within the area of the Katanning Shire Council:—

1. In these by-laws "Council" shall mean the "Katanning Shire Council".  
Every person having a dog in his possession or in his control or being the occupier of any house or premises where a dog is kept or harboured or permitted to live or remain shall be deemed to keep and be the owner of the dog.
2. The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1903.
3. A dog seized by the Police or by an officer authorised by the Council may be placed in a pound.
4. Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Council shall if the owner or person usually in charge of the dog is known to him forthwith notify such person that the dog has been impounded.
5. The pound-keeper shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the Council.
6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog, then, upon payment of the fees specified in the schedule hereto, the dog shall be released to such person.

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

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

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

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

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

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

13. No person shall—

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

Penalty for breach of this clause \$40.

14. The owner or person having the charge or control of a dog shall keep such dog chained or under effective control from sunset to sunrise. Any dog not so kept under control and found wandering at large may be instantly destroyed.

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

- (a) A public building.
- (b) A theatre or picture gardens.
- (c) A house of worship.
- (d) A shop or other business premises.

Notwithstanding paragraph (d) dogs may be taken into veterinary or chemists' premises for the express purpose of obtaining veterinary treatment or advice.

16. Except for the purpose of taking part in sheep dog trials or dog shows the owner of a dog shall prevent that dog from entering or being in any of the following places unless on a leash held by a person:—

- (a) A sports ground.
- (b) An area set aside.
- (c) A car park.
- (d) A school.
- (e) Any land vested in or under the control of the Council other than a road.

17. Dogs used as Guide Dogs by blind persons are exempt from the requirements of clauses 15 and 16.

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

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

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The Schedule.

FEES.

	\$
For the seizure or impounding of a dog ....	1.00
For the sustenance and maintenance of a dog in a pound per day ....	0.50
For the destruction of a dog ....	0.25

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Dated the 17th day of February, 1969.

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

[L.S.]

R. C. OLD,  
President.  
W. E. BROUGHTON,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 4th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

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First Schedule.

REPEALED BY-LAWS.

By-laws published in the following *Government Gazettes*:—

- 27th October, 1933 (General).
- 11th April, 1956 (Minute Book).
- 27th November, 1953 (Amendment to Poundage Fees, etc.).
- 30th December, 1953 (Hawking).
- 21st October, 1938 (Swimming Pool).
- 14th November, 1941 (Appointment of Employees).
- 23rd April, 1937 (General—Amendment).
- 3rd October, 1952 (Dogs).
- 20th March, 1953 (General—Engineer's Duties).
- 2nd November, 1917 (Straying Stock).
- 15th October, 1920 (Discount on Rates).
- 20th June, 1924 (Discount on Rates).
- 25th July, 1924 (Discount on Rates).
- 24th January, 1930 (Dogs).

## CEMETERIES ACT, 1897-1966.

## Karrakatta General Cemetery (Reserve 745) By-laws.

L.G. 144/70.

IN pursuance of the powers conferred upon them by the abovementioned Act, the Trustees of the Karrakatta Cemetery hereby record having resolved on the 12th day of March, 1970, to make and submit for the confirmation by the Governor the following by-laws:—

1. The by-laws made by the Trustees of the Karrakatta Cemetery under the provisions of the Cemeteries Act, 1897-1966, published in the *Government Gazette* on the 17th November, 1944, and amended from time to time are hereby repealed.

2. The following by-laws are made in substitution therefor and may be cited as the "Karrakatta General Cemetery (Reserve 745) By-laws".

## Karrakatta General Cemetery (Reserve 745) By-laws

### PART I.—PRELIMINARY.

#### Division I.—Arrangement and Definitions.

1. These by-laws are divided into parts as follows:—

#### PART I.—Preliminary:

Division I.—Arrangement and Definitions.

Division II.—Administration.

#### PART II.—Rights of Burial:

Division I.—General.

Division II.—Private Graves.

Division III.—Public Graves.

#### PART III.—Applications for Funerals:

Division I.—Application.

Division II.—Time for Burials.

#### PART IV.—UNDERTAKERS.

#### PART V.—FUNERALS:

Division I.—General.

Division II.—Cremation.

Division III.—Disposal of Ashes.

Division IV.—Burial.

Division V.—Disinterment and Exhumation.

#### PART VI.—MONUMENTAL AND OTHER WORK:

Division I.—Dressing of Graves.

Division II.—Application for and Performance.

Division III.—Lawn Section.

Division IV.—General.

#### PART VII.—GENERAL.

2. In these by-laws unless the contrary intention appears—

"Administrator" means the administrator of the cemetery appointed pursuant to by-law 3.

"Cemetery" means the Karrakatta General Cemetery.

"Dressing" means embellishing a grave in any manner whatsoever including by the planting of bushes, shrubs, grass, flowers or other vegetable matter or the erecting of monumental work upon the grave.

"Funeral" includes the burial or cremation of a dead body and all associated processions and ceremonials but does not include so much of a ceremonial that is solely a religious rite.

"Monument" includes tombstone or enclosure.

"Monumental Work" when the term is used as an abstract noun shall include the erection, alteration or removal of or other working upon a monument on a grave.

"Personal Representative" includes the administrator and executor of an estate of a deceased person and any person who, by law or practice, has the best right to apply for administration and any person having the lawful custody of a dead body.

"Superintendent" means the superintendent of the cemetery appointed pursuant to by-law 4.

"Trustees" means the trustees of the cemetery appointed pursuant to section 10 of the Cemeteries Act.

“Undertake a Funeral” means to manage a funeral for reward.

“Undertaker” means a person firm or company the holder of a current undertaker’s license.

“Vehicle” includes any motor car motor truck motor cycle carriage cart bicycle or other means of conveyance of whatsoever kind or nature and howsoever ridden driven or impelled.

“Work” includes the erection of monumental work and the dressing and attending of graves.

#### Division II.—Administration.

3. The Trustees shall appoint an Administrator who shall, at their direction, exercise a general supervision and control over all matters concerning the administration of the cemetery and the carrying out and enforcement of these by-laws. Until such time as the Trustees otherwise resolve all directions of the Administrator shall be deemed to have been given by order of the Trustees.

4. The Trustees shall appoint a Superintendent who shall supervise all work within the cemetery and carry out such work as is required for the general care of the cemetery and otherwise as directed by these by-laws the Trustees or the Administrator.

5. The Trustees shall keep at their office at the cemetery:—

- (i) A plan of the cemetery showing the situation and distinctive number of every burial place or grave and the distribution of the land, compartments and sections.
- (ii) A register book containing the distinctive numbers of graves in numerical order and the names and descriptions of the persons buried therein which register shall be open to inspection to members of the public during working hours on payment of the fee prescribed in the first schedule hereto.
- (iii) A register of grants of exclusive rights of burial which register shall be open to inspection to grantees and assignees of grants on payment of the fee prescribed in the first schedule hereto.
- (iv) A register of cremations containing the names and descriptions of the persons cremated and the number of the permit to cremate.

### PART II.—RIGHTS OF BURIAL.

#### Division I.—General.

6. The Trustees may, and at the request of the trustees or recognised head of any religious denomination, shall, by an instrument in writing, set apart a portion of the cemetery for the burial of deceased persons of the same religious denomination exclusively, and may vary from time to time the boundaries of any portion of the cemetery so set aside.

7. Graves within the cemetery shall be either private or public.

#### Division II.—Private Graves.

8. A private grave is one in respect of which an exclusive right of burial has been granted by the Trustees. The Trustees may grant an exclusive right of burial in respect of a grave upon receipt of an application in writing and payment by the applicant of the fee prescribed in the first schedule hereto. The grant of an exclusive right of burial shall be for a term of 50 years from the date of granting and shall be in the name of one person only, who shall be termed the holder of the grave.

9. The holder of a grave (which term shall include his successors and assigns) shall subject to obtaining the prior approval of the Trustees have the exclusive right—

- (a) to bury the deceased persons in that grave;
- (b) to carry out monumental work on the grave during the term of the grant.

The holder shall produce to the Trustees the deed of grant for their inspection on each occasion before the exercise of such right.

10. On being satisfied by statutory declaration by the holder of a grave that his deed of grant has been lost or destroyed the Trustees may issue to him a copy thereof. Such copy shall replace and for the purposes of these by-laws shall be treated by the Trustees as if it were the original deed of grant.

11. If the holder of a grave is unavailable or not immediately ascertainable or if on the death of the holder a grave is not specifically bequeathed then at that time his next of kin, an undertaker or any responsible person may exercise the rights of the holder provided that such person shall assure the Trustees that there will be no objection to the use of the grave and undertakes to be liable for and indemnify the Trustees from any costs expenses or damages resulting from the exercise of such rights.

Division III.—Public Graves.

12. A public grave is one for which the ground has been granted free of charge by the Trustees.

13. Such a grant of a public grave shall not confer any right upon the grantee other than the right to inter in the grave the deceased person for whom it was requested, and the Trustees shall retain all rights and powers in respect of the grave as were held by them prior to the grant. Without prejudice to the generality of the preceding provision of this by-law the Trustees shall have power to re-open the grave to disinter or reinter the remains buried therein or to inter further remains of other deceased persons.

PART III.—APPLICATION FOR FUNERALS.

Division I.—Application.

14. A person desiring a funeral within the cemetery shall make application to the Trustees and lodge with the application the following:—

- (i) A Doctor's Certificate for burial or disposal of body; or
- A Coroner's Order for burial; or
- An Undertaker's guarantee pursuant to by-law 28 hereof.

If the remains are to be cremated:—

- (ii) A Permit to Cremate.

If the remains are to be interred:—

- (iii) (a) The Deed of Grant of exclusive Right of Burial and the written permission of the holder of the grave (or an undertaker purporting to act on his behalf) to use the grave; or
- (b) An indemnity pursuant to by-law 11 hereof; or
- (c) An application for the granting of a private or public grave.

15. All applications made must be lodged at the office of the Trustees in such time as to permit at least 5 working hours' notice to be given to the Superintendent prior to the time requested to be fixed for the funeral.

16. Applications for Saturday funerals must be lodged at the office of the Trustees no later than 2.30 p.m. on the day before the funeral.

Division II.—Time for Funerals.

17. Upon receipt of a properly completed application and all other things required by these by-laws the Trustees shall—

- (i) cause such graves to be dug or reopened as required;
- (ii) fix a time for the funeral.

18. The time to be fixed for a funeral shall be in the discretion of the Trustees but subject to these by-laws will be as near as possible to the time requested by the applicant.

19. Burial or cremations shall not take place on Christmas Day or Good Friday or, except with the permission of the Trustees, at times other than the following:—

Burials:

Weekdays—

9 a.m. to 11.30 a.m.  
1 p.m. to 4 p.m.

Saturdays—

8.30 a.m. to 11.30 a.m.

Cremations:

Weekdays—

8 a.m. to 11.30 a.m.  
1 p.m. to 4 p.m.

Saturdays—

8 a.m. to 11.30 a.m.

The Trustees may, by notice displayed at their offices at least a week before a Public Holiday, close the cemetery on that Public Holiday and whilst the cemetery is so closed no work or funerals may take place within it.



20. The principal entrance to the cemetery shall, unless otherwise ordered by the Trustees, be open between the hours of 8 a.m. and 4 p.m. on weekdays and 8 a.m. and 11.30 a.m. on Saturdays. A coffin shall not be brought into the cemetery other than within these hours except with the written permission of the Trustees.

#### PART IV.—UNDERTAKERS.

21. A person shall not undertake a funeral within the cemetery, or otherwise may use of the cemetery for any purpose connected with undertaking unless he is the holder of an undertaker's license or does so as the employee of such a person or as the employee or principal of a person firm or company of undertakers which holds such a license.

22. Subject to by-law 26 the Trustees may upon receipt of an application in writing in the form in the second schedule hereto from a person firm or company issue to such person firm or company an undertaker's license.

23. Any license issued pursuant to by-law 22 hereof shall from the date specified therein and during good behaviour entitle the holder thereof to undertake funerals within the cemetery until the 30th day of June next following the date of commencement of the license.

24. The Trustees may by notice in writing to an undertaker determine his license forthwith if in their opinion his conduct or the conduct of his employees or agents in undertaking funerals is inappropriate or unbecoming.

25. An undertaker's license shall absolutely cease and determine on the holder being convicted of an offence under either these by-laws, the Cemeteries Act or the Cremation Act.

26. The Trustees may refuse to licence an undertaker whose license has been determined in accordance with either of the last two preceding by-laws or may issue the same subject to such conditions as they deem fit.

27. The holder of an undertaker's license shall ensure compliance with all the requirements of these by-laws and the conditions of his license by persons employed by him or otherwise engaged in undertaking funerals pursuant to the rights conferred by the license issued to him.

28. When an undertaker is unable to produce a doctor's certificate or coroner's order for burial as required by by-law 14—

(i) he may in lieu thereof give to the Trustees his written guarantee that he will produce such certificate or order within five days.

If an undertaker fails to meet the terms of his guarantee his license shall be automatically suspended until the certificate or order is produced.

29. (1) Notwithstanding by-law 14 the Trustees shall accept an application signed by an undertaker in lieu of the written permission or assurance and indemnity required by subparagraphs (a) and (b) of paragraph (iii) of that by-law.

(2) Such an application by an undertaker shall be deemed to be a representation by the undertaker that he either on his own behalf or as agent for another—

(a) is giving the written permission of the holder as required; or

(b) is exercising the rights of the holder pursuant to by-law 11 and is thereby giving an assurance as required by that by-law;

and in either case he shall indemnify the Trustees from any costs expenses or damages resulting from the acceptance of his application.

#### PART V.—FUNERALS.

##### Division I.—General.

30. A dead body may not be brought into the cemetery unless—

(i) the Trustees have accepted an application for its interment or cremation; and

(ii) it is enclosed in a substantial coffin bearing the name of the deceased person stamped (or otherwise indelibly inscribed) in legible characters on metal plate on the coffin's lid.

31. Where a procession does not arrive at the entrance gates at the time fixed for the funeral the applicant for the funeral shall pay the fee prescribed in the first schedule or make application for another time to be fixed.

32. Where a procession fails to proceed to the graveside or crematorium within seven minutes of its arrival at the entrance gates the applicant for the funeral shall pay the fee prescribed in the first schedule.

Pallbearers must be arranged during these seven minutes.

33. All funeral processions shall enter the cemetery by the principal entrance unless otherwise ordered by the Administrator.

34. Each funeral may include an undertaker's hearse and up to four mourning coaches.

#### Division II.—Cremation.

35. Metal or metal-lined coffins will not be accepted for cremation.

36. The undertaker shall deposit the coffin for cremation upon the catafalque in the crematorium and all further services will be rendered by and be under the sole control of the Trustees.

37. The trustees shall remove the name plate from the coffin prior to cremation and shall place it in the container for the ashes.

38. The Trustees may remove any metal fittings on coffins for cremation which in their opinion could impede the cremation or cause damage to the crematorium retorts.

#### Division III.—Disposal of Ashes.

39. The personal representative, if he has not given directions for the disposal of ashes in the application to cremate, may do so by lodging an authorisation for disposal at the office of the Trustees and the Trustees shall accept such an authorisation as evidence that the person signing the authorisation is in fact entitled to dispose of the ashes.

40. The personal representative may at any time, insofar as it is possible and in the opinion of the Trustees reasonable, vary his directions for disposal of ashes on payment of all fees and expenses arising therefrom.

41. Ashes will be made available to the personal representative 24 hours after the completion of the cremation.

42. If within six months of the date of cremation ashes have not been claimed or no arrangements have been made for their disposal they may be disposed of by the Trustees.

43. Ashes held by the Trustees at the request of the personal representative after the expiration of six months from the date of cremation shall be subject to a holding fee payable monthly in advance. In the event of default being made in payment the Trustees may dispose of the ashes.

#### Division IV.—Burial.

44. Every grave shall be dug at least 7 feet and no more than 7 feet 6 inches deep at the first interment except in the Jewish portion of the cemetery or in sections where graves are specifically set aside for the interment of two persons only.

45. Graves set aside for the burial of two persons only shall be dug no more than 5 feet 4 inches deep at the first interment.

46. Brick graves, catacombs or vaults may not be constructed within the cemetery.

47. A coffin may not be buried in such a manner that the distance from the top of the coffin to the original surface of the ground is less than 3 feet.

#### Division V.—Disinterment and Exhumation.

48. If for the purpose of reopening a grave the Trustees find it necessary to remove edging, tiles, plants, grass, shrubs or other like matter from the grave then the person ordering the reopening shall bear the cost of the removal.

49. A coffin may not be disinterred for reburial within 12 months of the date of its interment.

50. A coffin shall not be disinterred for the exhumation of a body except under warrant or order issued pursuant to the Cemeteries Act.

51. A coffin may not be opened in the cemetery except for the purposes of exhumation or with the approval of the Trustees upon production of an order signed by the Commissioner of Police.

### PART VI.—MONUMENTAL AND OTHER WORK.

#### Division I.—Dressing of Graves.

52. Public graves other than military graves shall not be dressed. Military graves may only be dressed by the Commonwealth War Graves Commission and shall be exempt from grave dressing fees.

53. Private graves may be dressed with the permission of and in a manner approved by the Trustees.

54. Graves in the lawn section shall not be enclosed with kerbing.

55. The Trustees may set aside other sections of the cemetery in which graves shall not be enclosed with kerbing.

56. The holder of a grave other than in those sections referred to in by-laws 54 and 55 shall enclose the grave with an approved kerbing of tiles slate or stone within three months of the date of the deed of grant or within such further time as the Trustees permit and in any case before any grass shrubs or flowers are planted upon the grave or any monumental work is erected upon it.

57. The Trustees shall enclose a grave other than a grave in the sections referred to in by-laws 54 and 55 with a standard kerbing upon the application of the holder of the grave. Such application shall be made by the holder in person and no person may be authorised to apply on the holder's behalf.

58. The outside edge of any grave kerbing shall follow as nearly as possible the boundaries of the grave.

#### Division II.—Application for and Performance.

59. Monumental work shall not be carried out except in accordance with plans and specifications approved by the Trustees.

60. All applications to the Trustees for their approval to plans and specifications for monumental work shall be in writing and shall be accompanied by—

- (a) the plans and specifications which shall include precise details of all words designs and pictures intended to be inscribed upon or attached to the monumental work;
- (b) the written consent of the holder of the grave or an assurance and indemnity under by-law 11;
- (c) an estimate of the fees payable to the Trustees;
- (d) if a charge is to be made for the monumental work the amount of that charge.

61. The Trustees may in their discretion withhold their approval from any monumental work they consider to be inappropriate or unbecoming.

62. Where monumental work has been carried out otherwise than in accordance with plans and specifications approved by them the Trustees may by written notice to the holder of the grave require him to carry out such work of alteration replacement or removal of monuments as is specified in the notice. The holder shall comply with the terms of such a notice within the time specified therein.

63. The holder of a grave shall keep the grave and all monuments upon it in good repair and condition.

64. The Trustees may by notice in writing to the holder of a grave require him to carry out such work or repairs or removal as they deem fit to be carried out on the grave or the monuments upon it and the holder of the grave shall comply with such notice within 28 days of receipt thereof.

65. If the Trustees are unable to serve notice of a requisition upon the holder of a grave pursuant to these by-laws or if the holder fails to comply with the terms of a notice of a requisition served upon him within the time specified therein, the Trustees may carry out such work as is required by the notice and recover the cost of so doing from the holder of the grave and may prohibit the rights of the holder to be exercised until such costs are paid to them.

66. A person carrying out monumental work within the cemetery may be required by the Trustees to deposit with them a bond of \$10.00. Such bond shall be forfeited to the Trustees if in the opinion of the Superintendent the work does not comply with the specifications submitted or is not carried out in a workmanlike manner.

67. The materials used in monuments or for monumental work shall be of the highest quality and shall be inspected by the Superintendent before they may be used. The Superintendent may reject any material that in his opinion is not of such quality. Such rejected materials shall be removed from the cemetery forthwith by the person bringing them into the cemetery.

## Division III.—Lawn Section.

68. (a) Monuments in the lawn section of the cemetery must be of natural stone and placed upon a base of natural stone and must conform with the following specifications:—

Overall height of base and monument above original surface of grave—  
not more than 3 feet. 6 inches.

Height of base above original surface of grave—not less than 6 inches nor  
more than 18 inches.

Width of base—not less than 4 feet.

Length of base—not less than 1 foot.

(b) A bronze memorial plaque may be attached to a monument erected or being erected in the lawn section of the cemetery in conformity with the provisions of paragraph (a) hereof provided that the monument is a granite headstone and that the plaque is—

(i) not less than 15 inches in length and 11 inches in width;

(ii) made of Admiralty bronze.

69. The number of a grave in the lawn section shall be indelibly and legibly inscribed on the base of all monuments erected upon it.

70. Trade names or marks may not be displayed on any monumental work in the lawn section.

71. All monuments in the lawn section must have foundations extending to the bottom of the grave.

## Division IV.—General.

72. Wooden fences, railings, crosses or other wooden erections shall not be permitted within the cemetery.

73. All material required in the erection or completion of any work shall be prepared as far as possible before being brought into the cemetery. Such material shall be admitted at such entrances and times as the Administrator shall direct.

74. All monumental work shall be placed on proper and substantial foundations which if required by the Administrator shall extend to the bottom of the grave.

75. All monuments exceeding 6 feet in height when erected or 10 cwt. in weight must have foundations extending to the bottom of the grave.

76. Rubbish, soil, sand or any other surplus material resulting from work on a grave may not be placed upon any other grave and shall be removed from the cemetery upon completion of the work.

77. Save as provided by by-law 76 sand, soil or loam shall not be taken from any portion of the cemetery except with the permission of the Trustees.

78. All work within the cemetery shall be carried out subject to the direction and/or supervision of the Superintendent and all workmen whether or not they are employed by the Trustees shall obey his directions.

79. Any workman failing to comply with these by-laws and in particular failing to comply with a direction of the Superintendent may be ordered to leave the cemetery by the Administrator and in the event that the workman fails to comply with such an order forthwith the officers or servants of the Trustees shall forthwith expel such workman from the cemetery.

80. All work shall be carried out with reasonable despatch but may not take place in the cemetery outside the hours laid down for burials or cremations nor on Saturdays and Public Holidays.

81. Any work not completed before a weekend or Public Holiday shall be left in a neat and safe condition to the satisfaction of the Superintendent.

## PART VII.—GENERAL.

82. All vehicles, other than those authorised by these by-laws or the Trustees, are prohibited from entering the cemetery.

83. A vehicle shall not be driven in the cemetery at a speed exceeding 15 miles an hour.

84. Vehicles shall proceed within the cemetery by such roads as they are directed by the Superintendent or other officer of the Trustees authorised to direct traffic.

85. Vehicles shall not leave the cemetery by way of the principal entrance unless so directed by the Superintendent.

- 86. No vehicle may stand in the principal entrance.
- 87. Children under the age of 10 years may not enter the cemetery unless they are in the company of an adult.
- 88. No dog may enter the cemetery. Any dog found within the cemetery will be impounded and handed over to the local municipal council pound keeper.
- 89. Fireworks or firearms shall not be allowed or discharged within the cemetery except in the case of a military funeral when firearms subject to the control of an officer of Her Majesty's Armed Forces may be brought in and discharged.
- 90. No tree, plant, shrub or flowers (other than withered flowers) or any other object on any grave or belonging to the Trustees may be plucked or removed from the cemetery without the written permission of the Trustees nor may any person attempt to do so without such permission.
- 91. Withered flowers that are removed from a grave shall be placed in the receptacles provided by the Trustees for that purpose.
- 92. No person may promote or advertise or carry on within the cemetery any trade, business or profession, either by solicitation, distribution of circulars or cards, or otherwise or by any system of advertisement whatsoever, without the written permission of the Trustees first had and obtained which permission it shall be in their absolute discretion to grant or withhold.
- 93. No person employed by the Trustees may accept any gratuity or receive any financial benefit from any work within the cemetery other than the remuneration received directly or indirectly from the Trustees.
- 94. Any person infringing these by-laws or behaving in a manner that in the opinion of the Trustees or one of their officers is inappropriate or unbecoming in a cemetery may, in addition to any penalty provided by these by-laws be ordered by the Trustees or their officer to leave the cemetery. Any person failing to comply with such an order to leave shall be expelled from the cemetery and may not re-enter it for a period of 24 hours.
- 95. Where a penalty is not expressly mentioned a person who commits an offence against these by-laws shall be liable to a fine of \$10.00.
- 96. The fees and charges set forth in the first schedule shall in respect of the matters to which they relate be taken at the office of the Trustees.
- 97. An application or any other matter in respect of which a fee is payable or a charge provided under these by-laws shall not be filed or otherwise dealt with unless all fees payable and charges provided under these by-laws in respect of that matter or application have been paid.
- 98. The several forms in the second schedule shall be used for the several purposes to which they are respectively applicable.

By-law 96.

First Schedule.

SCALE OF FEES AND CHARGES PAYABLE TO THE TRUSTEES.

- 1. On application for an order for burial or cremation the following fees shall be payable in advance:—
  - (a) In public grave:
 

	\$
For interment in grave .....	12.00
For interment of any stillborn child in ground set aside for such purpose .....	1.50
  - (b) In private grave including issue of a Grant of Right of Burial—
 

Ordinary land for grave (8 ft. x 4 ft.) where directed .....	12.00
Ordinary land for grave (8 ft. x 8 ft.) where directed .....	20.50
Ordinary land for grave (extra 8 ft. x 1 ft.) where directed .....	2.00
Special land for grave (8 ft. x 4 ft.) selected by the applicant according to position .....	20.00 to 40.00
Special land for grave (8 ft. x 8 ft.) selected by the applicant according to position .....	40.00 to 50.00
Special land for grave (8ft. x 1 ft.) selected by the applicant according to position .....	4.00
For interment in grave .....	12.00
For interment of stillborn child .....	1.50

	\$
(c) In Lawn Area including maintenance—	
Land for grave (8 ft. x 4 ft.)	100.00
Land for grave (8 ft. x 8 ft.)	155.00
For interment in grave	12.00
For interment of stillborn child	1.50
(d) On application for an Exclusive Right of Burial. Land in special reserved selected by the applicant subject to special application to the Trustees—	
8 ft. x 12 ft.	50.00
8 ft. x 16 ft.	80.00
16 ft. x 12 ft.	140.00
16 ft. x 16 ft.	190.00
For grant of Deed of the Exclusive Right	1.00
2. Re-opening an ordinary grave:	
For each interment	12.00
For each interment of stillborn child	1.50
3. Re-opening a brick grave	12.00
4. Minister's fee for each interment	4.00
5. Fee of exhumation	20.00
Re-opening of grave for exhumation	12.00
Re-interment in new grave after exhumation	12.00
6. Fees for Monumental:	
For permission to construct a 7 ft. foundation	1.50
For permission to construct a monument on any such foundation	4.20
For permission to erect each head-stone	1.50
For permission to erect a headstone or monument over any brick grave	4.20
For permission to enclose with a kerb each 8 ft. x 4 ft. grave	0.50
For permission to erect a cement bed, with or without chips, each 8 ft. grave	0.50
For permission to cut additional inscription	0.50
Plus a super charge on all memorial work erected, including lettering of 5 per cent. on the cost of the same exceeding the amount of \$100. For permission to erect any name plate	0.50
7. For enclosing with tiles, by the Trustees:	
8 ft. x 4 ft. grave	10.00
8 ft. x 8 ft. grave	15.00
8 ft. x 10 ft. grave	17.00
8. For Planting Graves:	
8 ft. x 4 ft. grave (inside kerb only)	4.00
8 ft. x 8 ft. grave (inside kerb only)	6.00
Larger graves or areas according to the work required.	
9. For Maintenance of Graves (per annum):	
8 ft. x 4 ft. graves (per annum)	6.00
8 ft. x 4 ft. inside and outside kerbing (per annum)	8.00
8 ft. x 4 ft. (flowers inside kerbing) (per annum)	7.00
8 ft. x 4 ft. (flowers inside kerbing grass outside) (per annum)	9.00
8 ft. x 8 ft. graves (per annum)	9.00
8 ft. x 8 ft. inside and outside kerbing (per annum)	12.00
8 ft. x 8 ft. (flowers inside kerbing) (per annum)	11.00
8 ft. x 8 ft. (flowers inside kerbing grass outside) (per annum)	14.00
Larger graves or areas according to work required.	
For attending to grave after planting, etc., by Trustees for term up to 50 years:	
8 ft. x 4 ft.	120.00
8 ft. x 8 ft.	180.00
Larger graves or areas according to work required.	
For removing and replacing edging tiles on an 8 ft. x 4 ft. grave, required to be opened	2.00
For cleaning up neglected graves	4.00
For removal and replanting grass, shrubs, plants, etc., on an 8 ft. x 4 ft. grave required to be re-opened	4.00
10. Funeral director's annual license fee	20.00
11. Registration of Transfer of Grant of Right of Burial	0.50
For copy of Grant of Right of Burial	0.50

12. Penalty fees chargeable in addition to the fees scheduled above:	\$
For each interment in open ground without due notice under by-law	2.00
For each interment in private ground without due notice under by-law	2.00
For each interment not in usual hours as prescribed by by-law 14	2.00
For late arrival at cemetery gates of funeral as per by-law 31	5.00
For late moving off from entrance gates as per by-law 32	5.00
For each interment on a Saturday, Sunday or gazetted holiday	7.00
13. Cremations:	
(a) Persons seven years and over	24.00
Children under seven years of age	18.00
Stillborn child	9.00
Old age and invalid and service pensioners upon production of pension card	17.25
(b) Disposal of Ashes:	
Single niches, walls 1 to 10, including container, brass plate, and inscription. Inspection, name, date of death and age if desired—	
Lower three rows	21.00
Upper rows	26.00
Columbarium walls "A to V"	31.50
Double niches, Walls No. 1 to No. 10, including container, brass plate and first inscription only—	
Lower three rows	32.00
Upper rows	50.00
Second inscription	10.00
Columbarium walls "A to V"	52.50
Second inscription	10.00
Ground Niche	75.00
Interment Gardens of Remembrance, including Memorial Tablet and Inscription and reservation for one further interment	30.00
Second interment in Garden of Remembrance	15.00
Interment at foot of rose-bush or shrub including Memorial Tablet and Inscription	100.00
Second interment at foot of rose-bush or shrub	30.00
Military niche, not including plate and inscription	27.30
Memorial granite seat in garden plus cost of memorial tablet	300.00
For removal of ashes from cemetery in container	1.00
Holding ashes, per month, or part thereof	1.00
Scattering of ashes to winds or over rose-bed	1.00
Interment of ashes in private grave, including container	2.00
Acceptance and registration of ashes from other crematoria	4.00
For transfer of ashes to any new position after original disposal, plus cost of new tablet if required	4.00
Additional fee for cremations on Saturdays, Sundays or gazetted holidays	7.00

By-law 98.

## Second Schedule

## CEMETERIES ACT, 1897.

## Form 1.

Karrakatta General Cemetery (Reserve 745).

## DECLARATION OF OWNERSHIP OF MISSING "GRANT OF EXCLUSIVE RIGHT OF BURIAL".

I, (a)

of (b)

do solemnly and sincerely declare as follows:—

1. I am the person described as (c) in the Grant of Right of Burial numbered \_\_\_\_\_ issued by the Trustees of the Karrakatta Cemetery on the day of \_\_\_\_\_ One thousand nine hundred and \_\_\_\_\_
2. (d)

3. I have not transferred any of my rights under the said Grant to any person.

And I make this solemn declaration by virtue of Section 106 of the Evidence Act 1906.

DECLARED at Perth in the State of Western Australia this day of 19 before me:

- (a) Full name of Declarant.
(b) Address and Occupation of Declarant.
(c) State whether Grantee or Assignee.
(d) Set out circumstances leading to loss or destruction of grant and if lost action taken by Declarant to ascertain whereabouts of grant.

CEMETERIES ACT, 1897.

By-law 14.

Form 2a.

Karrakatta General Cemetery (Reserve 745).

INSTRUCTION FOR GRAVE AND APPLICATION FOR BURIAL.

Answers to the following Questions are to be supplied at the time of making Application.

Name of the Deceased Date of Application 19
Age of the Deceased Date when death occurred
Late Place of Residence of the Deceased
Place where death occurred
Rank or Occupation of Deceased Sex
Birthplace of the Deceased
Will a Doctor's Certificate be forthcoming? Yes/No.
Is it a sudden death and, or, a case for the Coroner? Yes/No.
What Denominal ground?
What Compartment?
No. of Grave on Plan
Is it a public grave? Is it a private grave?
Is it a reopened grave?
Size of Ground Depth of Grave
Is the ground to be selected by Application or by Trustees?
Size of Ground? Depth of Grave
Is a grant required, and if so, to whom?
If already granted, give No. of Grant and Name of Grantee

Table with columns for 'Length and width of Coffin', 'Is it the first interment in the grave?', 'Date of last Interment in Grave', 'Day of Burial', 'At what hour, and if usual or extra'. Includes 'OFFICE USE ONLY' sub-columns for 'Other' and 'Burials'.

Name of minister or person to officiate at grave
From where is funeral to start?
Name of undertaker
Name in full and signature of person making application



Occupation .....  
 Address .....  
 Application received ..... day of ..... 19....., at .....  
 o'clock ..... m.

**FEES PAYABLE**

**ADMINISTRATOR**

References: No. of Receipt ..... No. of Grant .....  
 No. in Register of Burials .....

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

**SUPERINTENDENT.**

**CEMETERIES ACT, 1897.**

By-law 14.

Form 2b.

Karrakatta General Cemetery (Reserve 745).

**APPLICATION FOR CREMATION.**

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

- Date of Application.....
1. Name of the deceased .....
  2. Age of the deceased ..... Date when death occurred .....
  3. Last place of residence of the deceased .....
  4. Place where death occurred .....
  5. Rank or occupation of deceased .....
  - Sex .....
  6. Nature of the disease or supposed cause of death .....
  7. Date of Cremation Permit issued under the Cremation Acts, 1929-1935 .....
  8. No. of Cremation Permit .....
  9. Day of Cremation desired ..... At what hour? .....
  10. Is DECEASED OLD AGE OR INVALID PENSIONER? .....
  11. Name of Minister or person to officiate at service .....
  12. Denomination .....
  13. Name of Undertaker .....
  14. Name of administrator within the meaning of the Cremation Acts, 1929-1935 .....
  15. Address of Administrator .....
  16. Was deceased a Cremation Agreement holder? .....
  - If so what number? .....
  17. Method of disposal of ashes .....
  18. Date of Disposal of ashes .....
  19. If and when given to administrator.....
- Office Use Only
- Signature of Administrator ..... Advise .....  
 ..... Tel. No .....  
 ..... Ordered .....  
 Occupation ..... Ordered No. ....  
 Address ..... Completed .....  
 Application received this ..... day of ..... 19.....  
 at ..... o'clock ..... m.

**ADMINISTRATOR**

I, the undersigned, certify that a coffin purporting to contain the above  
 remains was cremated on the ..... day of ..... 19.....  
 at ..... o'clock ..... m.

**SUPERINTENDENT**

Receipt No. ....

CEMETERIES ACT, 1897.

By-law 22.

Application No.

Form 3.

Karrakatta General Cemetery (Reserve 745).

Date

APPLICATION FOR UNDERTAKER'S LICENCE.

(a) hereby applies for the issue of a licence for the period beginning day of 19 (b) and ending the 30th day of June 19 (b) to undertake funerals within the Karrakatta General Cemetery (Reserve 745) and in support of such application supplies the following particulars:—

- 1. To be completed by all Applicants: (a) Address from which business will be carried on... Tel. No... (b) Number of years for which Applicant has previously held an undertaker's licence (c) Details of offences under the Cemeteries Act, Cremation Act or the by-laws of this Cemetery for which the Applicant or his or its servants have been convicted (d) Full name, address and capacity of person completing this application (c)
2. To be completed if Applicant is a Company: (a) Full names and addresses of: (i) Directors (ii) Manager (iii) Secretary (b) Registered Office
3. To be completed if Applicant is a Partner: Full names and addresses of partners
4. To be completed if Applicant is neither Company nor Partnership: Full name (d) Address Signature of Person Completing Application.

DIRECTIONS FOR COMPLETION.

- (a) Name of Company or business name.
(b) The maximum period is one year.
(c) State whether applying in person on own behalf, or as a partner of a firm, or as manager of a company.
(d) If this information already given under item 1 (d) write "as from item 1 (d)".

OFFICE USE ONLY

Received
Referred to Board
Approved
Licence issued No.

CEMETERIES ACT, 1897.

By-law 22.

Form 4.

No.

Karrakatta General Cemetery (Reserve 745).

LICENCE.

(a).....  
of.....

is hereby licensed to undertake funerals within the Karrakatta General Cemetery—(Reserve 745) from the ..... day of ..... 19 until the 30th day of June 19 ..

Place of business .....  
Given this ..... day of ..... 19 by authority of the Trustees of the Cemetery.

.....  
Administrator

CEMETERIES ACT, 1897.

By-law 28.

Form 5.

14.

Karrakatta General Cemetery (Reserve 745).

UNDERTAKER'S GUARANTEE PURSUANT TO BY-LAW 28.

I guarantee that within 5 days of the date hereof I will produce to the Trustees the Doctor's Certificate for burial or disposal of a body/Coroner's Order for burial\* in respect of Application No.

Dated the ..... day of ..... 19

Name of Licensed Undertaker.....

Licence No. ....

Signature .....

\* Strike out whichever is inapplicable.

CEMETERIES ACT, 1897.

By-law 39.

Form 6.

No.

Karrakatta General Cemetery (Reserve 745). Date

DIRECTION FOR DISPOSAL OF ASHES.

To the Trustees

re the late .....

I authorise you to dispose of the ashes of the abovenamed in the following manner.

.....  
Personal Representative

Note: The disposal must be in one of the methods provided for in the First Schedule.

OFFICE USE ONLY	
Application No. ....	.....
Holding Fee .....	.....
Fee .....	.....

CEMETERIES ACT, 1897.

By-law 40.

Form 7.

No.

Karrakatta General Cemetery (Reserve 745). Date

VARIATION OF DIRECTION FOR DISPOSAL OF ASHES.

To the Trustees

re the late .....

I request and authorise you to vary the method for disposal of the ashes of the abovenamed in the following manner:—

I have ready By-law 40 and understand that this variation can only be made on payment by me of all fees and expenses arising therefrom.

..... Personal Representative

Note: The disposal must be in one of the methods provided for in the First Schedule.

OFFICE USE ONLY

Application No. ....

Direction No. ....

Approved .....

Fees .....

Other charges .....

CEMETERIES ACT, 1897.

By-laws 59, 60

Form 8.

Karrakatta General Cemetery (Reserve 745).

OWNER'S REQUEST TO ERECT MONUMENT.

TO

The Administrator  
The Karrakatta Cemetery Board,  
KARRAKATTA.

I hereby apply for permission to erect a.....  
.....in accordance with the Plan and  
Specifications ..... submitted  
herewith on the Section of ground described as Grave Number.....  
Compartment Number..... Section Number.....  
in the..... Denominational Ground of which I am  
the Registered Owner, and hold the Grant of Right of Burial Numbered.....

The work is to be executed by.....  
and I will be obliged by your giving..... on completion  
a Certificate, that it is completed to your satisfaction.

It is clearly understood that the giving of such certificate by you is not  
any guarantee by your Board to me that the work has been executed in accordance  
with the Plan and Specifications submitted to me.

Dated the ..... day of ..... 19.....

Name.....

Address.....

The above by-laws were made on the day first aforesaid at a duly convened meeting of The Trustees.

H. L. DOWNE,  
Chairman.

W. MANNERS,  
Administrator.

Given under the Common Seal of the Karrakatta Cemetery Board by authority of the Trustees.

[L.S.]

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.Approved by His Excellency the Governor in Executive Council this 17th  
day of June, 1970.W. S. LONNIE,  
Clerk of the Council.

## CEMETERIES ACT, 1897.

The Municipality of the Shire of Mt. Marshall.

By-laws Relating to Bencubbin and Beacon Cemeteries.

L.G. 714/53, 34/61.

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 September, 1969, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws relating to Bencubbin and Beacon Cemeteries published in the *Government Gazette* on 3rd October, 1963, are referred to in these by-laws as the principal by-laws.

The principal by-laws are amended—

(i) by substituting for Schedule A the following schedule:—

## Schedule A.

Bencubbin and Beacon Public Cemeteries.

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

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

(a) In open ground:	\$
For interment in grave six feet deep .....	25.00
For interment of any child under seven years of age in grave six feet deep .....	15.00
For interment of any still-born child in ground set aside for such purpose .....	15.00
(b) In private ground, including the issue of a grant of "Right of Burial"—	
Ordinary land for grave, 8 ft. x 4 ft., where directed .....	2.10
Ordinary land for grave 8 ft. x 8 ft., where directed .....	4.20
Ordinary land for grave (extra), 8 ft. x 1 ft. where directed .....	1.05
Special land for grave, 8 ft. x 4 ft. selected by applicant, according to position .....	2.10
Special land for grave, 8 ft. x 8 ft. selected by applicant, according to position .....	4.20
Special land for grave, 8 ft. x 12 ft. selected by applicant .....	6.30
Special land for grave (extra), 8 ft. x 1 ft., selected by appli- cant according to position .....	1.05
For interment in grave 6 ft. deep .....	10.00
For interment of any child under the age of seven years in grave 6 ft. deep .....	7.00
If graves are required to be sunk deeper than 6 ft. the follow- ing additional charges shall be payable:—	
For the first additional foot .....	6.00
For the second additional foot .....	8.00
For the third additional foot .....	10.00
And so on in proportion for each additional foot.	
(c) Re-opening an ordinary grave—as for new interment .....	10.00
(d) Re-opening a brick grave—as for new interment .....	10.00

	\$
(e) Extra Charges—	
For each interment without due notice, under by-law 6	3.00
For each interment in private ground without due notice, under by-law 6	3.00
For copy of "Grant of Right of Burial", under by-law 12	.25
For each interment on a Sunday, public holiday, or other than the hours defined in clause 15—additional fee	10.50
For late arrival at cemetery gates of funeral, under by-law 16	1.05
For late moving off from entrance gates of funeral, under by-law 17	1.05
For removing tiles, etc., under by-law 40	3.00
Re-opening grave for exhumation	21.00
Child under seven years	15.00
Re-interment in new grave after exhumation	10.00
Child under seven years	6.00

Dated the 15th May, 1970.

The Common Seal of the Municipality was hereby affixed in the presence of—

[L.S.]

B. M. GILLETT,  
President.  
C. G. ELLIS,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.

#### CEMETERIES ACT, 1897-1966.

Shire of Yalgoo.

Yalgoo Public Cemetery By-laws.

L.G. 984/53.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of April, 1970, to make and submit for confirmation by the Governor the following by-laws:

To delete Schedule "A"—Scale of Fees as published in the *Government Gazette* of the 20th January, 1911, and substitute the following:—

#### Schedule "A".

Yalgoo Public Cemetery.

Scale of Fees and Charges Payable to the Shire Council.

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

	\$
For sinking a grave of any adult	30.00
For sinking a grave of any adult if buried by Government contract	30.00
For sinking a grave of any child under seven years	20.00
In private ground including the issue of a grant of Right of Burial, ordinary land for grave 9 ft. x 5 ft. where directed	4.00
Ordinary land for grave 9 ft. x 10 ft. where directed	6.00
Special land for grave 9 ft. x 5 ft. selected by applicant in section where burials take place	5.00
Special land for grave 9 ft. x 10 ft.	10.00

	\$
2. For interment without due notice .....	10.00
3. For sinking an adult grave beyond six feet, for each additional foot	4.00
4. For permission to erect any monuments .....	4.00
5. For permission to construct a brick grave .....	4.00
6. For permission to construct a vault .....	5.00
7. Re-opening grave for exhumation .....	30.00
8. Re-interment in new grave after exhumation ..	30.00
9. Miscellaneous charges—	
For grave number plate .....	1.50
Undertaker's annual license fee .....	10.00
Undertaker's single license fee .....	2.00
Grave reservation fee .....	3.00
Copy of by-laws ..	50

Dated the 15th day of April, 1970.

N. H. MITCHELL,  
President.  
L. M. PHIEL,  
Shire Clerk.

Recommended—

G. C. MacKINNON,  
Acting Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of June, 1970.

W. S. LONNIE,  
Clerk of the Council.