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SHIRE OF CARNAMAH

LOCAL GOVERNMENT ACT 1995

LOCAL LAWS RELATING TO STANDING ORDERS

LOCAL LAWS (VARIOUS)

CEMETERIES ACT 1986

**LOCAL LAWS RELATING TO THE WINCHESTER PUBLIC
CEMETERY**

DOG ACT 1976

LOCAL LAWS RELATING TO DOGS

LOCAL GOVERNMENT ACT 1995

SHIRE OF CARNAMAH

LOCAL LAWS RELATING TO STANDING ORDERS

Under the Powers conferred by the Local Government Act 1995 and by all other powers, the Council of the Shire of Carnamah resolved on the twentieth day of August 1997, to make the following local laws—
The Shire of Denmark local laws relating to standing orders published in the *Government Gazette* on the 25th June 1997, are adopted as local laws of the Shire of Carnamah, with such alterations as are here set out—

Substitute "Carnamah" wherever "Denmark" appears.

Substitute "rises" for "speaks" in line one of clause 7.3.

Re-number clause "8.1" to "8.2", "8.2" to "8.3"; and "8.3" to "8.4"; and

Insert new clause—

"8.1 Members to Address the President

Any member moving a motion or amendment or taking part in the discussion thereof shall, except when prevented by sickness or physical disability, rise and address the president."

Delete item (h) clause 11.1

Delete clause 12.8

Add sub clause—

"17.6.3. A recommendation made by or contained in the minutes of a committee may be adopted by the Council without amendment or modification, failing which, it may be—

- (a) rejected by the Council and replaced by an alternative resolution;
- (b) amended or modified and adopted with such amendment or modifications; or
- (c) referred back to the committee for further consideration."

In sub clause 17.14.1 in line three after 7.2 add "8.1," before 9.2 etc.

In clause 19 in line two delete "12th December 1995" and substitute "7th December 1967".

Dated this twelfth day of September 1997.

The common seal of the Shire of Carnamah was hereunto affixed by authority of a resolution of the Council in the presence of—

R. D. BOWMAN, President.
M. L. CROFT, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995**SHIRE OF CARNAMAH****SHIRE OF CARNAMAH (LOCAL GOVERNMENT ACT) LOCAL LAWS**

Pursuant the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Shire of Carnamah hereby records having resolved on the twentieth day of August 1997, to make the following local laws—

PART I—REVOCATION AND CITATION AND APPLICATION OF LOCAL LAWS**1.1 Revocation**

The following local laws are hereby revoked—

By-law re Fencing, published in the *Government Gazette* on 30 July, 1926

By-laws for the Management and Use of the Road Board Hall and other Buildings under the Control of the Board, published in the *Government Gazette* on 27 August, 1926

Discount on Rates By-law, published in the *Government Gazette* on 27 August, 1926.

Pound By-laws, published in the *Government Gazette* on 1 July, 1927.

General and Buildings By-laws, published in the *Government Gazette* on 2 May, 1930, as amended 17 November, 1933.

By-law re Minutes of Meetings, published in the *Government Gazette* on 21 July, 1933.

By-laws for the Management of Reserves Under the Control of the Board and the Playing of Games thereon, published in the *Government Gazette* on 30 July, 1937.

By-law re Appointment of Employees, published in the *Government Gazette* on 28 November, 1941.

By-law with Reference to Abatement of Nuisances, published in the *Government Gazette* on 2 March, 1945, as amended 3 May, 1946.

Long Service Leave, published in the *Government Gazette* on 20 July, 1951;

By-laws Governing the General Control, Management, and Preservation of Public Reserves, Parks and other Places of Recreation, the Control or Management of which is vested in the Carnamah District Road Board, published in the *Government Gazette* on 20 March, 1953, as amended 29 June, 1955.

By-laws for the Control and Management of the Coorow Hall and Equipment and Property, published in the *Government Gazette* on 23 October, 1956.

Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7, published in the *Government Gazette* on 7 December, 1967.

By-laws Relating to Trading in Public Places, published in the *Government Gazette* of 7 August, 1992.

By-laws relating to Swimming Pools, published in the *Government Gazette* on 24 December, 1996.

1.2 Citation

These local laws may be cited as “Shire of Carnamah (Local Government Act) Local Laws” or as “Shire of Carnamah (LGA) Local Laws.”

1.3 General Application

These local laws shall apply to the whole of the district of the Shire of Carnamah, unless otherwise stated.

1.4 Read as a whole.

These local laws shall be read as a whole and the treatment of a subject matter in one part does not exclude the treatment of the same subject matter in another part.

PART II—GENERAL DEFINITIONS

2.1 In these local laws, unless the context otherwise requires—

2.1.1 “Act” means the Local Government Act 1995;

“Authorised Person” means in respect of a particular function to be performed under these local laws an employee of the Shire of Carnamah authorised by the Council to perform that function;

“CEO” means the Chief Executive Officer or Acting Chief Executive Officer for the time being, of the Shire of Carnamah.

“Council” means the Council of the Shire of Carnamah.

“district” means the district of the Shire of Carnamah.

“licence” means a licence issued pursuant to these local laws;

“member of the police force” means a member of the police force of Western Australia.

“person” and words applying to any person or individual include a body corporate and in the plural a group of persons and a club, association or other body of persons;

“Shire” means the Shire of Carnamah;

“vehicle” includes;

(a) every conveyance, not being a train, boat, aircraft or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means;

(b) where the context permits, an animal driven or ridden.

2.1.2 Unless otherwise defined herein the terms and expressions used in these local laws shall have the meanings given to them in the Act.

PART III—SWIMMING POOLS (MANAGEMENT AND CONTROL)

Division 1—Preliminary

3.1 In this part, unless the context otherwise requires—

“Article” includes money.

“Attendant” means an employee of the Council performing any duties on or in connection with the Pool premises.

“Pool Manager” means the Manager or other person appointed for the time being by the Council to have the control and management of the Pool premises and shall include the assistant Manager.

“Pool Premises” means the places or premises provided for the purpose of swimming by the public in water specifically provided and known as the Carnamah Swimming Pool and Eneabba Swimming Pool and includes any changerooms or toilets appurtenant thereto.

Division 2—Use and Control of Pool Premises

3.2 The Pool premises shall be open for use of the public during such hours and periods as the Council may from time to time by resolution appoint, the Council reserving to itself the right to refuse admission to any person at any time, subject to the provisions of the Act and these local laws. No person under the age of nine years shall be permitted to enter or remain at the Pool Premises unless that person is and continues to be under the care and control of a person over the age of fourteen years.

3.3 The Pool premises or any part thereof may at any time at the direction of the Council be set aside for the use of certain persons to the exclusion of others.

3.4 The Pool Manager may temporarily suspend admittance to or clear the Pool premises or any part thereof of any person or persons if in his or her opinion such action is necessary or desirable.

3.5 No person, other than an officer, employee or invitee of the Council, shall enter the Pool premises without first having paid to an Attendant the charge determined by the Council from time to time or produced to an attendant a valid period ticket.

3.6 No person using the Pool premises shall fail to comply with any direction of the Pool Manager given in relation to such use.

3.7 No person shall obstruct the Pool Manager in his or her control of the Pool Premises and of persons therein.

3.8 The Pool Manager shall refuse admission to or remove or cause to be removed from the Pool Premises any person who, in the opinion of the Pool Manager, is guilty of a breach of any of the provisions of these local laws or who, by his or her past or present conduct, is deemed by the Pool Manager to be undesirable and any such person shall, upon the request of the Pool Manager, forthwith withdraw from the Pool Premises.

3.9 Any person who has been refused admission to the Pool Premises or who is aggrieved by any action of the Pool Manager may object and appeal in accordance with the provision of Part 9 Division 1 of the Act.

3.10 No person shall enter or depart from any part of the Pool Premises except by means of the respective entrances or exits set apart for such purposes.

3.11 No male above the age of six years shall enter any part of the Pool Premises set apart for the exclusive use of females and no female above the age of six years shall enter upon any part of the Pool Premises set apart for the exclusive use of the males.

3.12 No person shall enter or attempt to enter any toilet cubicle on the Pool Premises that is already occupied.

3.13 No person shall dress or undress on the Pool Premises except in a changeroom provided for that purpose.

3.14 No person shall be in the Pool Premises unless properly attired in a costume so as to preserve public decency. Any person who in the opinion of the Pool Manager is not properly attired may be directed by the Pool Manager to forthwith withdraw from the Pool Premises.

3.15 No person shall enter or be in the Pool premises while in an intoxicated condition.

- 3.16 No person shall bring alcohol into the Pool Premises or consume alcohol in the Pool Premises, except with the written approval of the Council.
- 3.17 No person affected or appearing to the Pool Manager to be affected or suffering from any infectious, contagious or offensive disease or skin complaint shall enter any changeroom or enter or remain in any pool on the Pool Premises.
- 3.18 No person shall deposit any filth or rubbish on the Pool Premises except in a rubbish receptacle provided for that purpose.
- 3.19 No person shall consume any food, drink or confectionery in or within two metres of the edge of any Pool on the Pool Premises.
- 3.20 No person shall smoke tobacco or any other substance in or within two metres of the edge of any Pool on the Pool Premises.
- 3.21 No person shall disfigure or write upon any part of the Pool Premises.
- 3.22 No person shall behave in an unseemly, improper, disorderly or riotous manner or use indecent, obscene or abusive language or gamble on the Pool Premises.
- 3.23 No person shall climb up, or onto any fence, wall, partition or roof of the Pool Premises.
- 3.24 No person shall wastefully use fresh water in the Pool Premises.
- 3.25 No person shall expectorate in the Pool Premises or commit any nuisance therein.
- 3.26 No person shall damage, interfere with or use improperly any part of the Pool Premises or the furniture therein.
- 3.27 No person shall in any way annoy or interfere with any other person in the Pool Premises.
- 3.28 No person shall cause or permit any dog other than a registered guide dog or other animal to enter or remain in any part of the Pool Premises.
- 3.29 No person shall approach or enter any pool on the Pool Premises without first having thoroughly cleansed and washed himself or herself in one of the showers provided and the Pool Manager may direct a person not to approach, enter or remain in any pool if in his or her opinion that person is dirty or unfit to use a pool.
- 3.30 No person shall—
- use soap in any part of the Pool Premises other than in the shower baths or toilet facilities;
 - use any detergent, oil or other substance in any pool in the Pool Premises if the substance may discolour, contaminate or render turbid the water therein or if in the opinion of the Pool Manager the substance is unfit for use in such pool;
 - foul or pollute the water in any shower or pool on the Pool Premises;
 - bring into or place on any part of the Pool Premises any chemical substance, liquid or powder;
 - wilfully or negligently break, injure, damage, destroy or tamper with any equipment, or other property of the Council on the Pool Premises.

Division 3—Coaching

- 3.31 (a) No person shall for profit teach, coach or train any other person in any pool on the Pool Premises without the prior written permission of the Council.
- (b) The Council may grant such permission subject to conditions and may at any time withdraw such permission subject to the provisions of Part 9 Division 1 of the Act.

Division 4—Depositing of Articles and Lost Property

- 3.32 A person may deposit with the Pool Manager or an Attendant any article for safe keeping subject to the following terms and conditions and any person making such a deposit shall be deemed to agree that such conditions shall be applicable thereto—
- Should any article deposited be damaged, destroyed, lost or stolen, neither the Council nor its employees shall be in any way liable for any such damage, destruction, loss or theft, however occurring.
 - Should any article deposited not be reclaimed, within three months from the date of the deposit, the Council or a person duly authorised in that behalf by the Council may sell or otherwise dispose of the article and shall be under no liability to the owner or depositor thereof by reason of such sale or disposal and may apply the proceeds of any sale as the Council sees fit.
- 3.33 (a) The Pool Manager shall keep a Lost Property Register.
- (b) Any person who finds any article which has been left in the Pool Premises shall forthwith deliver it to the Pool Manager or Attendant.
- (c) Upon receipt of such article, the Pool Manager or Attendant shall forthwith take charge thereof and enter or cause to be entered in the Lost Property Register a description of the article together with the time and date of its receipt and the name of the finder.
- (d) Upon receiving satisfactory proof of ownership of any such article from a person, the Pool Manager or Attendant may deliver the article to that person and upon delivery that person shall by way of acknowledging receipt of the article sign his or her name and enter his or her residential address in the Lost Property Register.
- 3.34 Neither the Council nor any officer or employee of the Council shall be in any way responsible for any article lost by or stolen from any person in the Pool Premises or for any article damaged or destroyed in or about the Pool Premises.

Division 5—Fees

3.35 The Council shall by resolution determine from time to time the charges to be imposed for admission to, use of, and services rendered in connection with the Pool Premises.

PART IV—MANAGEMENT AND USE OF RESERVES

4.1 No person shall drive any vehicle in or through any reserve except on such portions as are reserved or set apart for such a purpose, and then at a speed not exceeding 16 kilometres per hour.

4.2 No person except the officers or servants of the Council acting in the discharge of their duty, shall light any fire within a reserve without consent of the Council, except in such place as is provided on the reserve for such a purpose.

4.3 No unauthorized person shall camp, lodge, tarry overnight, or frequent for the purpose of camping, lodging, or frequent for the purpose of camping, lodging, or tarrying overnight, on a reserve.

**PART V—HALLS, EQUIPMENT AND PROPERTY
(MANAGEMENT AND CONTROL)***Division 1—Preliminary***DEFINITION**

5.1 In this Part, unless the context otherwise requires—

“building” includes any hall, room or corridor, or stairway, or annexe of any such hall or room under the care, control or management of the Council.

Division 2—Permissions

5.2 A person shall not, without permission to hire granted by Council, use any building or use or borrow the furniture, plant, fittings, effects, cutlery, crockery, glassware or other utensils or property of any kind within or on any building.

5.3 Every application for permission to hire under clause 5.2 shall be made to the CEO in writing at least 24 hours before the time that such building, furniture or other property are required and shall specify—

- (a) the name and place of abode of the applicant who seeks to hire a building, furniture or other property specified in clause 5.2;
- (b) the purpose for which the building, furniture or other property is required.

5.4 The fees to be charged for an application for permission to hire, for the hiring of any building furniture or other property shall be those set by the Council from time to time under section 6.16 of the Act. No permission to hire is valid until the fees have been paid.

5.5 The holder of the permission to hire any building, furniture or property shall—

- (a) maintain and keep such building, furniture or other property in good order;
- (b) be solely and entirely responsible for the carrying out of the provisions of this Part;
- (c) be solely responsible for any damage done to the building, furniture or other property;
- (d) pay such damages as shall be assessed by the Council, and furniture or other property damaged or not accounted for shall be paid for at current replacement cost or the actual cost of the repair as the case may be;
- (e) leave the building, furniture, or other property in a clean and tidy condition and remove decorations by 10am on the day following the hire;
- (f) pay such cleaning costs and costs of removing decorations as shall be assessed by the Council where the CEO is of the opinion that the building, furniture, or other property have not been left in a satisfactory condition under paragraph (e) above in addition to any penalty which may be imposed under clause 9.12 of these local laws.

5.6 The Council may at any time demand that the hirer shall prior to the term of engagement, deposit an amount estimated to cover—

- (a) any damage that might occur during the term of the engagement; and/or
- (b) the costs of cleaning and removal of decorations after the engagement.

5.7 Any deposit demanded under clause 5.6 shall be repaid to the hirer after the term of engagement to the extent that damage or costs were not incurred.

Division 3—Conduct in Hired Building

5.8 No person shall smoke in any area where signs indicate that smoking is not permitted.

PART VI—TRADING IN PUBLIC PLACES*Division 1—Preliminary***DEFINITIONS**

6.1 In this Part, unless the context otherwise requires—

“Public Place” includes a thoroughfare, park, reserve, and place which the public are allowed to use, whether or not it is private property.

“Trading” means the selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a thoroughfare or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire, soliciting orders or carrying out any other transaction therein.

“Community Association” means an institution, association, club, society or body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and the members of which are not entitled or permitted to receive any pecuniary profit from the transactions thereof.

“Stall” means a moveable or temporarily fixed structure, stand or table in, on or from which goods, wares, merchandise or services are sold, hired or offered for sale or hire.

APPLICATION

6.2 These local laws shall not apply to—

- (a) The selling or offering for sale of newspapers or magazines unless they are sold or offered for sale from a stall;
- (b) The selling or offering for sale of vegetable produce from a stall on the property on which that produce is grown; or,
- (c) The selling or offering for sale or hire of goods, wares, merchandise or services by community associations.

Division 2—Licensing requirement

6.3 No person shall carry on trading in any public place unless that person is acting within the specifications of a current licence issued under these local laws and for which fees and charges have been paid.

6.4 An application for a licence shall be in writing and shall contain such information as the Council may require.

6.5 In considering an application for a licence the Council shall have regard for any relevant policy statements, and for the desirability of the proposed activity and its location and for the circumstances of the case, and may refuse to issue a licence, in which case it shall provide the applicant with its reasons of refusal in writing.

6.6 The Council may issue a licence, in the form determined by the Council from time to time, specifying such requirements, terms and conditions as the Council sees fit, including—

- (a) The place to which the licence applies;
- (b) The days and hours when the trading may be carried on;
- (c) The number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used for trading;
- (d) The particulars of the goods or services or transaction in respect of which trading may be carried on;
- (e) The number of persons and the names of persons permitted to carry on trading, and any requirements concerning personal attendance at the place of trading and the nomination of assistants, nominees or substitutes;
- (f) Whether and under what terms the licence is transferable;
- (g) Any prohibitions or restrictions concerning the causing of any nuisance, the use of signs, the making of noise, and the use of amplifiers, sound equipment, sound instruments and lighting apparatus;
- (h) Any requirements concerning the display of licence holders name and other details of the licence, the care and maintenance and cleansing of the place of trading and the vacating of the place when trading is not taking place;
- (i) Any requirements regarding the acquisition of public risk insurance by the licence holder;
- (j) The period not exceeding twelve months, during which the licence is valid.

6.7 The Council may refuse to issue a licence if—

- (a) The applicant has committed an offence and is convicted under clause 9.9 of these local laws;
- (b) The proposed activity or place of trading is in the opinion of Council undesirable;
- (c) The needs of the District or portion thereof for which the licence is sought are in the opinion of Council adequately catered for.

Division 3—Charges and Fees

6.8 The amount of charges and fees shall be as determined by the Council from time to time.

Division 4—Revocation of licence

6.9 The council may at any time revoke a licence subject to the provisions of Part 9 Division 1 of the Act.

6.10 Where a licence is revoked the Council shall refund the charges having first deducted the charge applicable to the period from the issuing of the licence to its revocation.

PART VII—REMOVAL AND DISPOSAL OF OBSTRUCTING VEHICLES OR ANIMALS*Division 1—Preliminary***7.1 Definitions**

In this Part, unless the context otherwise requires—

“Public place” includes a thoroughfare and place which the public are allowed to use, whether the thoroughfare or place is or is not on private property;

An animal that is secured in any portion of a public place wherein animals may lawfully be secured and a vehicle that is parked in any portion of a public place wherein vehicles may lawfully be parked is not obstructing, for the purposes of these local laws unless, in the case of an animal, it is so secured for any period exceeding eight hours and, in the case of a vehicle, it is so parked for any period exceeding twenty-four hours, without the consent in writing of the CEO.

Division 2—Removal of Vehicles or Animals

7.2 A person shall not leave a vehicle or animal in a public place so as to obstruct any portion of that place.

7.3 A person who leaves a vehicle or animal in a public place, contrary to the provisions of clause 7.2 of these local laws commits an offence.

7.4 Where an Authorised Person or a member of the police force finds a vehicle or animal left in a public place, contrary to the provisions of clause 7.2 of these local laws, that person may remove the vehicle or animal therefrom and shall thereupon—

- (a) in the case of a vehicle, place it in a place appointed by the CEO for that purpose;
- (b) in the case of an animal, place it in a public pound and deal with it according to law.

PART VIII—OBJECTIONS & APPEALS

8.1 When the Council makes a decision under these local laws as to whether it will—

- (a) grant a person an authorisation; or
- (b) renew, vary, or cancel an authorisation that a person has under these local laws;

the provisions of Part 9 Division 1 of the Act shall apply.

PART IX—ENFORCEMENT OF LOCAL LAWS*Division 1—Authorised Persons*

9.1 The Council may appoint a person as an Authorised Person for the purposes of performing particular functions under these local laws and a person shall not hinder or interfere with an Authorised Person in the course of that person's duties.

9.2 An Authorised Person shall on demand show an identification of that person as such.

Division 2—Impounding

9.3 Where an Authorised Person places a vehicle or animal in a municipal depot, public pound or other place set aside for that purpose, details of the time and date, a description of the vehicle or animal, and of the place from which it was removed, shall be entered in a register provided by the Council for that purpose, and the CEO shall be notified.

9.4 The procedural provisions of Part 3, Division 3, Subdivision 4 of the Act shall apply generally when a vehicle or animal is impounded.

9.5 The CEO shall exhibit on the notice board of the Council notification that a vehicle or animal therein described has been taken into custody and shall, unless the vehicle or animal is sooner recovered, keep that notification exhibited for a period of not less than 7 days.

9.6 Every person who unlawfully removes a vehicle or animal from an appointed place without the authority of the CEO commits an offence.

Division 3—Infringement Notices

9.7 An infringement notice in respect of an offence prescribed in these local laws—

- (a) may be given under section 9.13 of the Act and shall be in or to the effect of Form 1 of Schedule 1;
- (b) may be given under section 9.16 of the Act and shall be in or to the effect of Form 2 of Schedule 1.

9.8 A notice sent under section 9.20 of the Act withdrawing an infringement notice shall be in or to the effect of Form 3 of Schedule 1.

Division 4—General Offence and Penalty Provisions

9.9 Any person failing to do any act directed to be done, or doing any act forbidden to be done by these local laws, or any notice or order under these local laws commits an offence.

9.10 The maximum penalty for an offence under Part III of these local laws shall be \$500.00.

9.11 The maximum penalty for an offence under Part VI of these local laws shall be \$1,000.00 and the minimum penalty shall be \$100.00.

9.12 Subject to clauses 9.10 and 9.11, any person who commits an offence against these local laws shall be liable to a penalty not exceeding a fine of \$5,000.00, and if the offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

9.13 The offences and modified penalties prescribed, with respect to offences against these local laws, shall be as specified in Schedule 2.

Schedule 1

Form 1

Local Government Act 1995

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE.

Date...../...../.....

Shire of Carnamah

To: (1)

of: (2)

It is alleged that on...../...../.....at (3)

at (4) your vehicle (5)

was involved in the commission of the following offence—

.....
.....
.....

contrary to local law.....of the (6)

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless—

- (a) within 28 days after being served with this notice—
 - (i) you inform the Chief Executive Officer, or another authorised officer, of the Local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed ;or
- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice

.....

Signature.....

- (1) Name of owner or owner of (vehicle identification)
- (2) Address of owner (not required if owner not named)
- (3) Time at which offence allegedly committed.
- (4) Place at which offence allegedly committed.
- (5) Vehicle identification.
- (6) Name of the regulations.

Form 2

Local Government Act 1995

INFRINGEMENT NOTICE

Serial No.....

Date...../...../.....

Shire of Carnamah

To: (1)

of: (2)

It is alleged that on...../...../.....at (3)

at (4)

you committed the following offence—

.....
.....
.....
contrary to local law.....of the ⁽⁵⁾
The modified penalty for the offence is \$
If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to an authorised person at ⁽⁶⁾within a period of 28 days after the giving of this notice.
Name and title of authorised person giving the notice
.....
Signature.....

- (1) Name of alleged offender “owner of (vehicle identification)” suffices if notice given with a notice under section 9.13 of the Act.
- (2) Address of alleged offender (not required if notice given with a notice under section 9.13 of the Act).
- (3) Time at which offence allegedly committed.
- (4) Place at which offence allegedly committed
- (5) Name of the regulations
- (6) Place where modified penalty may be paid.

Form 3
Local Government Act 1995
NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE.

Serial No.....
Date...../...../.....

Shire of Carnamah

To: ⁽¹⁾
of: ⁽²⁾
Infringement Notice No dated/...../..... for the alleged offence of
..... has been withdrawn.

The modified penalty of \$.....
* has been paid and a refund is enclosed.
* has not been paid and should not be paid.
* delete as appropriate.

Name and title of authorised person giving this notice
.....
Signature.....

- (1) Name of alleged offender to whom infringement notice was given
- (2) Address of alleged offender.

Schedule 2

ITEM NO.	LOCAL LAW	OFFENCE	MODIFIED PENALTY \$
1.	3.18	Deposit filth or rubbish	20.00
2.	3.27	Annoy or interfere with any person	50.00
3.	4.1	Unauthorised driving or speed on a reserve	100.00
4.	4.2	Unauthorised lighting of a fire	100.00
5.	7.2	Obstruction of a public place	75.00
6.	6.3	Trading without or contrary to licence.	100.00
7.		All other offences not specified	50.00

Dated this twelfth day of September 1997

The common Seal of the Shire of Carnamah was hereby affixed by authority of a resolution of the Council in the presence of—

R. D. BOWMAN, President.
M. L. CROFT, Chief Executive Officer.

CEMETERIES ACT, 1986**SHIRE OF CARNAMAH****LOCAL LAWS RELATING TO THE WINCHESTER PUBLIC CEMETERY**

Under the powers conferred by the Cemeteries Act 1986 and of all other powers, the Council of the Shire of Carnamah hereby records having resolved on the 20th day of August 1997, to make the following local laws—

The Shire of Denmark local laws relating to Denmark Cemetery (Reserve 11655) published in the Government Gazette on 25th June 1997, are adopted as local laws of the Shire of Carnamah, with such alterations as are here set out—

In clause 1 line two delete “Denmark Cemetery (Reserve 11655) By-laws” and substitute “By-laws Relating to the Winchester Public Cemetery;” and

In line two and three delete “ 2 May 1986” and substitute “ 24 April, 1980”

Delete the heading “APPLICATION” and clause 2

Wherever appearing substitute “Carnamah” for “Denmark”

In clause 3 “single funeral permit” definition delete 23 and substitute 22

In clause 10 delete “fifty (50) years or any such other term decided by Council” and substitute “twenty-five (25) years”

In clause 11 (a) delete “body”

In clause 19 (c) delete “23” and substitute “22”

In clause 24 delete “23” and substitute “22”

In clause 27 delete “14” and substitute “13”

In clause 29 delete “25km” and substitute “16km”

In clause 30 delete “29” and substitute “28”

After heading PART X—MEMORIALS AND OTHER WORK delete “Division 1—General “; and delete the sentence “With the exception of sites reserved prior to 23 December 1982, memorials permitted will be headstones only.”

In clause 37 delete “38” and substitute “37”

Delete clause 38

In clause 39 delete “37” and substitute “36”

In clause 40 delete “37” and substitute “36”

Delete the heading “DIVISION 2 – LAWN CEMETERY HEADSTONES” and all of clauses 51, 52, and 53.

In clause 54 delete “55” and substitute “50”

In clause 55 delete “54” and substitute “49”

In clause 56 delete “57” and substitute “52”

In clause 60 in the second line delete “or unbecoming”

In clause 61 delete “60” and substitute “55”

Delete the First Schedule, Second Schedule, Third Schedule, and forms relating to “GRANT OF EXCLUSIVE RIGHT OF BURIAL”, “APPLICATION FOR SINGLE PERMIT”, “APPLICATION FOR GRANT OF EXCLUSIVE RIGHT OF BURIAL”, and “FUNERALS LICENCE,” and substitute the schedules following hereafter.

Renumber clause “3” to “2” and each subsequent clause to the integer which is less by one than the integer shown against that clause up to and including clause 37.

Renumber clause “39” to “37” and each subsequent clause to the integer which is less by two than the integer shown against that clause up to and including 50.

Renumber clause “54” to “49” and each subsequent clause to the integer which is less by five than the integer shown against that clause.

First Schedule
Cemeteries Act, 1986
Shire of Carnamah

Local laws relating to the Winchester Public Cemetery

Table with 4 columns: Item No., Clause, Nature of Offence, Modified Penalty. Lists 10 items with corresponding clauses and penalties ranging from \$20.00 to \$50.00.

Second Schedule
Cemeteries Act, 1986
Shire of Carnamah

Local laws relating to the Winchester Public Cemetery.

Infringement Notice

TO: (Name)

..... (Address)

It is alleged that at : hours on day
of 19 at

you committed the offence indicated hereunder by an (x) in breach of local law number

..... (Authorised Officer)

- Offence
Animal at large
Dumping rubbish
Excessive speed in vehicle
Leaving uncompleted works in an untidy or unsafe condition
Non removal of rubbish
Riding of bicycle
Unauthorised advertising or trading
Unauthorised damage and removal of property
Unauthorised vehicle use
Other Offence
\$

You may dispose of this matter—
By payment of the penalty as shown within 21 days of the date of this notice to the Shire of Carnamah,
MacPherson Street (PO Box 80), Carnamah, between the hours of 9.00am to 4.30pm Monday to
Friday.

If neither the prescribed penalty is paid nor representation is made within the time specified, court proceedings may be instituted against you. Please make cheques payable to Shire of Carnamah. Payments by mail should be addressed—

The CEO
Shire of Carnamah
P.O. Box 80
Carnamah, WA 6517

Third Schedule
Cemeteries Act, 1986

Shire of Carnamah.

Local laws relating to the Winchester Public Cemetery.

Withdrawal of Infringement Notice

No.
Date/...../.....

To ⁽¹⁾
Infringement Notice No dated/...../..... for the alleged offence
of ⁽²⁾
Penalty ⁽³⁾ \$.....is hereby withdrawn.

(Delete whichever does not apply)

- * No further action will be taken
- * It is proposed to institute court proceedings for the alleged offence.

- ⁽¹⁾ Insert name and address of alleged offender
- ⁽²⁾ Insert short particulars of offence alleged.
- ⁽³⁾ Insert amount of penalty prescribed.

Dated this twelfth day of September 1997.

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

R. D. BOWMAN, President.
M. L. CROFT, Chief Executive Officer.

DOG ACT 1976

SHIRE OF CARNAMAH

LOCAL LAWS RELATING TO DOGS

Pursuant to the powers conferred upon it by the above mentioned Act and all other powers enabling it, the Council of the Shire of Carnamah hereby records having resolved on the twentieth day of August 1997, to make the following local laws—

The by-laws for the control of dogs within the area of the Carnamah Road District published in the Government Gazette on 6 April, 1959, are hereby revoked.

Dated this twelfth day of September 1997

The common seal of the Shire of Carnamah was hereunto affixed by authority of a resolution of the Council in the presence of—

R. D. BOWMAN, President.
M. L. CROFT, Chief Executive Officer.

