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SHIRE OF CRANBROOK

LOCAL GOVERNMENT ACT 1995

**ACTIVITIES ON THOROUGHFARES AND TRADING IN
THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**

LOCAL GOVERNMENT PROPERTY LOCAL LAW

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LAW**

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CEMETERIES LOCAL LAW 2001**

LOCAL GOVERNMENT ACT 1995

SHIRE OF CRANBROOK

**ACTIVITIES ON THOROUGHFARES AND TRADING IN
THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Cranbrook resolved on the fifteenth day of June 2001, to make the following local law—

The Shire of Kojonup Activities On Thoroughfares And Trading In Thoroughfares and Public Places Local Law as published in the *Government Gazette* of 16 May 2000, is adopted as a local law of the Shire of Cranbrook, with the modifications which follow:—

1. Preliminary

- 1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.
- 1.2 Wherever the “Shire of Kojonup” is mentioned in the local law substitute “Shire of Cranbrook”.

2. Clause 1.2—Definitions

- 2.1 Delete the definitions of “bulk rubbish container”, “crossing”, “garden”, “intersection” “lawn”, “lot”, “owner or occupier”, “permissible verge treatment”, “town planning scheme”, and “verge”.
- 2.2 In the definition of “townsite” delete “Kojonup and Muradup” and substitute “Cranbrook and Frankland”.

3. Clause 1.4—Repeal

After clause 1.3, delete “Repeal” and subclause (1) under that heading and substitute—

“1.4 Repeal

- (1) The following local laws are repealed—

Local Laws Relating to—

- (a) Removal and Disposal of Obstructing Animals or Vehicles published in the *Government Gazette* of 19 May 1971; and
- (b) Hawkers, published in the *Government Gazette* of 12 December 1980.

4. Clause 2.1—General prohibitions

- 4.1 Delete paragraphs (a) to (d) inclusive and paragraph (g).
- 4.2 Renumber paragraphs (e) and (f) to “(a)” and “(b)” respectively.
- 4.3 In renumbered paragraph (b) after “thoroughfare” delete “; or “ and substitute “.”.

5. Clause 2.2—Activities allowed with a permit—general

- 5.1 In subclause (1) delete paragraphs (b) to (e) inclusive and “(i) to (l)” inclusive.
- 5.2 Renumber paragraphs (f) to (h) inclusive to “(b)” to “(d)” respectively and paragraph (m) to “(e)”.
- 5.3 In renumbered paragraph (d) after “thoroughfare;” insert “or”.

6. Part 2 Division 2—Vehicle crossing

Delete the whole of this Division

7. Part 2 Division 3—Verge treatments

Delete the whole of this Division.

8 Part 4 Division 2—Shopping Trolleys

Delete the whole of this Division and delete the heading to Part 3 and substitute—

“OBSTRUCTING ANIMALS OR VEHICLES”.**9. Clause 6.5—Relevant considerations in determining application for Permit**

In subclause (2)—

- (a) after “;” in subparagraph (iii) of paragraph (c) delete “or”;
- (b) renumber paragraph (d) to paragraph (e);

(c) insert a new paragraph (d) as follows—

“(d) that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall; or”.

10. Clause 6.8—Conduct of stallholders and traders

In subclause (2)—

(a) renumber paragraphs (a) to (d) inclusive to “(b)” to “(e)” respectively;

(b) insert a new paragraph (a) as follows—

“(a) attempt to conduct a business within a distance of 300m of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader;”.

11. Part 6 Division 2—Street Entertainers

Delete the whole of this Division.

12. Part 8—MISCELLANEOUS NOTICES

Delete clauses 9.1, 9.2 and 9.4 and renumber clause 9.3 to “9.1”.

13. SCHEDULE 1—PRESCRIBED OFFENCES

Delete Schedule 1 and substitute—

“

Schedule 1
PRESCRIBED OFFENCES

Clause	Description	Modified Penalty \$
2.1(a)	Damaging or interfering with signpost or structure on thoroughfare	300
2.1(b)	Playing games so as to impede vehicles or persons on thoroughfare	100
2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	100
2.2(1)(c)	Lighting a fire on a thoroughfare without a permit	300
2.2(1)(d)	Felling tree onto thoroughfare without a permit	100
2.2(1)(e)	Interfering with anything on a thoroughfare without a permit	100
2.3(1)	Consumption or possession of liquor on thoroughfare	100
2.17(2)	Failure to comply with sign on public places	100
2.19(1)	Driving or taking a vehicle on a closed thoroughfare	300
3.1(1)	Animal or vehicle obstructing a public place or local government property	100
3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	100
3.2(3)	Erecting or placing of advertising sign in a prohibited area	100
4.1(1)	Animal or vehicle obstructing a public place or local government property	100
4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	100
4.2(2)(b)	Animal on public place with infectious disease	100
4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	100
4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	100
5.6(1)	Driving a vehicle on other than the carriageway of a flora road	200
5.9	Planting in thoroughfare without a permit	200
5.11	Failure to obtain permit to clear a thoroughfare	500
5.13	Burning of thoroughfare without a permit	500
5.17	Construction of firebreak on thoroughfare without a permit	500
5.19	Commercial harvesting of native flora on thoroughfare	500
5.20(1)	Collecting seed from native flora on thoroughfare without a permit	300
6.2(1)	Conducting of stall in public place without a permit	300
6.3(1)	Trading without a permit	300
6.8(1)(a)	Failure of stallholder or trader to display or carry permit	100
6.8(1)(b)	Stallholder or trader not displaying valid permit	100

Clause	Description	Modified Penalty \$
6.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	100
6.8(2)	Stallholder or trader engaged in prohibited conduct	100
6.16	Establishment or conduct of outdoor eating facility without a permit	300
6.18	Failure of permit holder of outdoor eating facility to comply with obligations	100
6.20(1)	Use of equipment of outdoor eating facility without purchase of food or drink from facility	50
6.20(2)	Failure to leave outdoor eating facility when requested to do so by permit holder	50
7.5	Failure to comply with a condition of a permit	100
7.9	Failure to produce permit on request of authorized person	100
10.1	Failure to comply with notice given under local law	100

”.

14. Forms

Delete Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

Dated this ninth day of January 2002.

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

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF CRANBROOK

LOCAL GOVERNMENT PROPERTY LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cranbrook resolved on fifteenth day of June 2001 to make the following local law—

The Shire of Exmouth Local Government Property Local Law as published in the *Government Gazette* of 10 July 2000, is adopted as a local law of the Shire of Cranbrook, with the modifications which follow—

1. Preliminary

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the “Shire of Exmouth” is mentioned in the local law substitute “Shire of Cranbrook”.

2. Clause 1.4—Application

In clause 1.4(1) delete all words and brackets after “district” where it first occurs.

3. Clause 1.5—Repeal

Delete clause 1.5(1) and substitute—

“1.5(1) The following local laws are repealed—

- (a) the Control and Management of Lake Nunijup Reserve 29175 published in the *Government Gazette* of 28 May 1969, as amended in the *Government Gazette* of 16 September 1988;
- (b) the Control and Management of Lake Poorarecup Reserve A 24853, published in the *Government Gazette* of 4 June 1970, as amended in the *Government Gazettes* of 12 December 1980 and 18 August 1988;
- (c) control of Traffic on Reserve Land, published in the *Government Gazette* of 12 July 1974, as amended in the *Government Gazette* of 2 September 1988;
- (d) control and Management of the Cranbrook Memorial Hall, Supper Room and kitchen, published in the *Government Gazette* of 10 April 1981; and
- (e) control and Management of the Frankland Hall, Supper Room and Kitchen, published in the *Government Gazette* of 8 May 1981.

4. Clause 3.13—Activities needing a permit

4.1 In subclause (1)—

- (a) In paragraph (g) subparagraph (ii) delete “stand” and substitute “stop”.
- (b) In paragraph “(n)”, after “;” delete “or”;
- (c) In paragraph “(o)” delete “.” and substitute “;”;
- (d) Insert the paragraph—

“(p) conduct or take part in any gambling game or contest, or bet, or offer to bet, publicly.”.

5. Part 5—Matters Relating to Particular Local Government Property

5.1 Delete the whole of Division 2 and renumber Divisions 3 to 5 inclusive to “2” to “4” respectively.

5.2 In Division 1, immediately after clause 5.1 insert—

“Consumption of food or drink may be prohibited

5.2 A person shall not consume any food or drink in an area where consumption is prohibited by a sign.”.

5.3 Renumber clauses 5.5 to 5.7 inclusive to “5.3” to “5.5” respectively.

5.4 After Division 4, insert the following—

“Division 5—Lake Poorarecup and Lake Nunijup Reserves

Application

5.6 This Division applies to each of the following—

- (a) Lake Poorarecup Reserve A 24853 and the Lake waters within the reserve; and
- (b) Reserve 29175 and to the waters of Nunijup Lake which adjoin this reserve, including the area between high water mark and low water mark and for a distance of 200 metres into the Lake waters from low water mark.

Interpretation

5.7 In this Division, unless the context otherwise requires—

“bathing” includes entry into the Lake and emerging therefrom;

“defined area” means the areas to which the division applies, under clause 5.6.

Boats not to interfere with persons bathing

5.8 A person shall not, within the defined area, drive a boat into an area where persons are bathing, in such a manner as to cause, or be likely to cause, annoyance or injury to any person bathing or about to bathe.

Animals prohibited

5.9 (1) Except with the permission of the local government, a person shall not bring an animal into or allow an animal under her or his control to enter, the defined area.

(2) Subclause (1) shall not apply to dogs used by blind or partially blind people, deaf or partially deaf people and trainers who are bona fide engaged in the training of guide and hearing dogs.

(3) Any animal found in the defined area in contravention of this clause may be removed and dealt with in accordance with the provisions of the Dog Act 1976, or as the case may require, any other law relating to the impounding of animals.

Signs may regulate use.

5.10 A person shall not, within the defined area, park a caravan or erect a camp (as those terms are defined in the Caravan Parks and Camping Grounds Act 1995) other than in the area set aside for that purpose by the local government and any such area shall be indicated by signs erected by the local government.

5.11 The local government may erect signs—

- (a) indicating beach areas on which vehicles are not to be driven or parked; and
- (b) speed limits to be observed by persons driving vehicles within the defined area.

Application of Navigable Waters Regulations

5.12 Nothing in this Division derogates from the effect of the Navigable Waters Regulations and to the extent that there is any inconsistency between the provisions of this local law and any of those regulations, the provisions of the latter prevail.”

6. Schedule 1—Prescribed offences

6.1 Under the headings “Clause”, “Description” and “Modified Penalty \$”—

- (a) insert in the appropriate numerical position—

“5.2 Consuming food or drink in prohibited area	100”.
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- (b) delete—

“5.4 Failure to comply with sign or direction on beach	100”.
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6.2 Under the headings “Clause”—

- (a) renumber the clause designations 5.5 and 5.6 to “5.3” and “5.4” respectively;
- (b) renumber the clause designations 5.7(1) to 5.7(3) inclusive to “5.5(1)” to “5.5(3)” respectively.

6.3 Under the headings “Clause”, “Description” and “Modified Penalty \$” insert in the appropriate numerical positions—

- | | |
|--|-------|
| “5.8 Driving a boat so as to cause annoyance or injury | 300 |
| 5.9(1) Unauthorized presence of animal in defined area | 100 |
| 5.10 Parking a caravan or erecting a camp in unauthorized area | 200 |
| 5.11(a) Driving or parking on prohibited beach area | 100 |
| 5.11(b) Exceeding speed limit | 200”. |

7. Schedule 2—Determinations

7.1 Delete determination 1.3 relating to the Speed of Vehicles on Recreation Grounds.

7.2 Add the following—

“Part 2—Speed Limit on Reserves

2.1 A person shall not drive any vehicle at a speed exceeding 15 kilometres per hour—

- (a) on or through any reserve which is local government property, within a townsite; or

- (b) within a distance of 200 metres from the hall or Reserve 29175 (Lake Nunijup).

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995**SHIRE OF CRANBROOK****STANDING ORDERS LOCAL LAW 2001**

Under the powers conferred by the Local Government Act 1995, the Council of the Shire of Cranbrook hereby records having resolved on the fifteenth day of June 2001, to adopt the Model Local Law (Standing Orders) 1998 published in the *Government Gazette* on 3 April, 1998, with such modifications as are here set out—

Part 1

1. In clause 1.4, after “of the” insert “Shire of Cranbrook” and after “on” insert “28 November 1968, as amended in the *Government Gazettes* of 24 November 1972 and 22 March 1974”.

Part 2

2. Delete the whole of Part 2.

Part 3

3. In clause 3.2(1), delete paragraphs (a) to (m) and substitute—

- (a) Declaration of opening/Announcement of visitors
- (b) Record of attendance/Apologies/Leave of absence (previously approved)
- (c) Response to previous public questions taken on notice
- (d) Public question time
- (e) Applications for leave of absence
- (f) Petitions
- (g) Confirmation of minutes
- (h) Announcements by the person presiding without discussion
- (i) Matters for which meeting may be closed
- (j) Reports
- (k) Motions of which previous notice has been given
- (l) Questions by members of which due notice has been given
- (m) Urgent business approved by the person presiding or by decision
- (n) Matters behind closed doors
- (o) Closure.

4. In clause 3.3(3) delete “copy is to be included in the agenda of the next meeting” and substitute “summary of the question raised and the response given are to be included in the agenda and minutes of the next meeting”.

5. Delete clause 3.8.

6. In clause 3.9(2), delete “four (4)” and substitute “seven (7)”.

7. In clause 3.10(1), delete “four (4)” and substitute “seven (7)”.

Part 5

8. Delete the whole of Part 5.

Part 9

9. In clause 9.1, delete the heading “9.1 Members to Rise” and substitute “9.1 Members Wishing to Speak”; and delete the whole of the second sentence.

Part 10

10. In clause 10.16, in the last sentence, delete “rises to explain” and substitute “makes a personal explanation”.

Part 12

11. In clause 12.7—

- (a) delete subclause (3) and renumber subclause (4) to “(5)”.

- (b) Insert in the appropriate numerical position new subclauses—
- “(3) Upon the public again being admitted to the meeting the person presiding is to cause to be read out, in relation to decisions made by the Council or committee behind closed doors—
- (a) the recommendation of the CEO or an employee as defined in section 5.70 of the Act in regard to a matter decided;
 - (b) details of each motion moved, the mover and outcome of the motion;
 - (c) details of each decision made;
 - (d) reasons for each decision made that is significantly different from the relevant recommendation of the CEO or an employee as defined in section 5.70 of the Act; and
 - (e) the names of members voting against a motion or decision.
- (4) The matters to be read out under subclause (3) are to be recorded in the minutes of the meeting”.

Part 13.

12. In clause 13.2, after the heading, insert before “If” the subclause designation (1) and insert the following after subclause (1)—

- “(2) Subclause (1) has no effect in regard to a secret ballot conducted under Schedule 2.3 of the Act.”.

Part 14

13. Delete the whole of Part 14.

Part 15

14. In clause 15.3, delete “and be seated”.

15. In paragraph 15.4 (c) insert “or code of conduct” immediately after “policy” in both places where it occurs.

16. Delete clause 15.8.

Part 17

17. In clause 17.6, delete paragraph (b).

Part 19

18. Delete subclause 19.1(4).

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995**SHIRE OF CRANBROOK****REPEAL LOCAL LAW 2001**

Under the powers conferred by the Local Government Act 1995 and by all other powers, the local government of the Shire of Cranbrook resolved to make the following local laws on the fifteenth day of June 2001.

Repeal

The following local laws are repealed—

By-laws relating to—

Halls, published in the *Government Gazette* on 3 June, 1927;

Long Service Leave, published in the *Government Gazette* of 30 June 1950;

Signs, Hoardings and Bill Posting, published in the *Government Gazette* of 21 June 1966;

Appointment of Employees, published in the *Government Gazette* of 6 October 1970;

Petrol Pumps, published in the *Government Gazettes* of 1 December 1970, as amended by publication in the *Government Gazette* of 24 December 1975 and 30 April 1976;

Sick Leave, published in the *Government Gazette* of 13 January 1971;

Brick Areas, published in the *Government Gazette* of 24 September 1982;

Caravan Parks and Camping Grounds, published in the *Government Gazette* of 22 August 1975; and

Clearing of Land and Removal of Refuse, Rubbish and Disused Materials, published in the *Government Gazette* of 15 December 1992.

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.

GRAHAM PHILLIP STANLEY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF CRANBROOK

NOXIOUS WEED AND PEST PLANTS REPEAL LOCAL LAW

Under the powers conferred by the Local Government Act 1995 and by all other powers, the local government of the Shire of Cranbrook resolved to make the following local laws on the fifteenth day of June 2001.

Noxious Weed and Pest Plants Repeal

The following local laws are repealed—

By-laws relating to—

Pest Plants, published in the *Government Gazettes* on the 10th October 1986 and the 7th August 1987.

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

BUSH FIRES ACT 1954**SHIRE OF CRANBROOK****BUSH FIRE BRIGADES LOCAL LAW**

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Cranbrook resolved on the fifteenth day of June 2001 to make the following local law.

The Bush Fire Brigades Local Law of the Shire of Bridgetown—Greenbushes published in the *Government Gazette* of 20 October 2000, is adopted as a local law of the Shire of Cranbrook with the modifications which follow—

1. Preliminary

- 1.1. Wherever the “Shire of Bridgetown—Greenbushes” is mentioned in the local law substitute “Shire of Cranbrook”.
- 1.2. In clause 1.2 delete the definition of “Bush Fire Management Committee”.
- 1.3. Wherever “Bush Fire Management Committee” or “Management Committee” are mentioned in the local law substitute “Bush Fire Advisory Committee” and “Advisory Committee” respectively.

2. Clause 1.3—Repeal

Delete clause 1.3 and substitute—

“ All previous local laws of the Shire of Cranbrook relating to the Organisation, Establishment, Maintenance and Equipment of Bush Fire Brigades, are repealed.

3. First Schedule—Rules Governing The Operation of Bush Fire Brigades.**3.1 Clause 2.4—Applications for membership**

Delete “of that in Appendix 1” and substitute “determined by the local government from time to time.”

3.2 Clause 2.9—Existing liabilities to continue

In subclause (1) delete “2.6” and substitute “2.7”

3.3 Delete Appendixes I & II.

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

DOG ACT 1976**SHIRE OF CRANBROOK****DOGS LOCAL LAW**

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the Shire of Cranbrook resolved on the fifteenth day of June 2001 to make the following local law—

The Shire of Moora Dogs Local Law as published in the *Government Gazette* of 29 November 1999, is adopted as a local law of the Shire of Cranbrook, with the modifications which follow—

1. Preliminary

Wherever the “Shire of Moora” is mentioned in the local law substitute “Shire of Cranbrook”.

2. Clause 1.2—Repeal

Delete clause 1.2 and substitute—

“The Shire of Cranbrook Local Laws Relating to Dogs published in the *Government Gazette* of 12 June 1981 and amended by publication in the *Government Gazette* of 22 July 1988, are repealed.”.

3. Clause 3.2—Limitation on the number of dogs

3.1 In subclause (2), paragraph (a) delete “a townsite” and substitute “the townsites of Cranbrook, Tenterden and Frankland”.

In subclause (2), paragraph (b)—

- (a) delete “4 dogs” and substitute “6 dogs”; and
- (b) delete “a townsite” and substitute “the townsites of Cranbrook, Tenterden and Frankland”.

4. Clause 5.1—Places where dogs are prohibited absolutely

Delete subclause (1) and substitute—

“(1) Dogs are prohibited absolutely from entering or being in any of the following places—

- (a) a public building, unless permitted by a sign;
- (b) a theatre or picture gardens;
- (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993*;
- (d) a public swimming pool;
- (e) the Cranbrook and Frankland Caravan Parks;
- (f) Lake Poorarecup Reserve No 24853; and
- (g) Lake Nunijup Reserve No 29175.

5. Clause 5.2—Places which are dog exercise areas

In subclause (1) delete paragraphs (a), (b) and (c) and substitute—

- (a) Reserve 5349—Salt River Road, Cranbrook;
- (b) Reserve 5546—Toovey Street, Tenterden;
- (c) Pt Location 440—Trent Street, Frankland—easterly from the northern road reserve boundary or Toovey street to the Frankland/Rocky Gully Road.

Dated this ninth day of January 2002.

The Common Seal of the Shire of Cranbrook was affixed in the presence of—

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.

CEMETERIES ACT 1986**SHIRE OF CRANBROOK****CEMETERIES LOCAL LAW 2001**

Under the powers conferred by the Cemeteries Act 1986, the Shire of Cranbrook resolved on the fifteenth day of June 2001 to adopt the Model Local Law (Cemeteries) 1998 published in the *Government Gazette* on 12 May 1998 in relation to the Cranbrook, Frankland, Tenterden and Yeriminup Cemeteries, with such modifications as are here set out.

1. Preliminary

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the name of the Local Government is to be inserted, insert "Shire of Cranbrook".

1.3 Wherever the name of the Local Law is to be inserted, insert "Cemeteries Local Law 2001".

1.4 Wherever the address of the Local Government is to be inserted, insert "Gathorne St (PO Box 21) Cranbrook".

2. Application clause inserted

2.1 Renumber clauses 1.2 and 1.3 to "1.3" and "1.4" respectively.

2.2 Insert the following new clause—

"1.2 Application

This Local Law applies to each of the Cranbrook, Frankland, Tenterden and Yeriminup Cemeteries."

3. Renumbered Clause 1.4 Repeal

Delete renumbered clause 1.4 and substitute—

"The following Local Laws are repealed—

- (a) Local Laws Relating to the Cranbrook Cemetery published in the *Government Gazette* of 9 May 1966, as amended; and
- (b) Local Laws Relating to the Frankland Cemetery published in the *Government Gazette* of 9 May 1966, as amended."

4. Clause 3.2—Application for Cremation

4.1 Delete the whole of this clause.

4.2 Renumber clauses 3.3 to 3.5 inclusive to "3.2" to "3.4" respectively.

4.3 In renumbered clause 3.2—

- (a) delete "clauses 3.1 and 3.2" and substitute "clause 3.1"; and
- (b) delete "clause 3.4" and substitute "clause 3.3".

5. Clause 3.3—Certificate of Identification

In subclause (1) delete "or crematorium within the cemetery,".

6. Clause 4.2—Single Funeral Permits

Delete ", or crematorium".

7. Clause 4.3—Application refusal

Delete "or crematorium,".

8. Clause 5.1—Requirements for Funerals and Coffins

In paragraph (a) delete "or cremation".

9. Clause 5.2—Funeral Processions

Delete "or cremation" and "or clause 3.2".

10. Clause 5.6—Conduct of Funeral by Board

Delete paragraph (d).

11. Part 5,—Division 2—Cremation

In Part 5, delete the whole of Division 2—Cremation.

12. Part 5, Division 3—Placement of Ashes

In Part 5—

- (a) renumber Division 3 to “Division 2”;
- (b) renumber clause 5.12 to “5.7”;
- (c) in subclause (1) of renumbered clause 5.7 delete—
 - “Memorial Wall
 - Garden of Remembrance
 - Ground Niche
 - Memorial Rose, Tree or Shrub
 - Family Shrub
 - Memorial Desk
 - Granite Seat
 - Book of Remembrance
 - Memorial Gardens”;
- (d) delete clauses 5.13 and 5.14.

13. Clause 7.12—Placing of Glass Domes and Vases

Delete all words after the heading and substitute—

“A person shall not place glass domes, vases or other grave ornaments outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40 (2) of the Act”.

14. Part 7, Division 2—Lawn Section

In Part 7, delete the whole of Division 2—Lawn Section.

15. Part 7, Division 3—Memorial Plaque Section

In Part 7, delete the whole of Division 3—Memorial Plaque Section.

16. Part 7, Division 4—Licensing of Monumental Masons

In Part 7—

- (a) renumber Division 4 to “Division 2”;
- (b) renumber clauses 7.16 to 7.20 inclusive to “7.13” to “7.17” respectively;
- (c) in renumbered clause 7.14, paragraph (a), delete “7.20” and substitute “7.17”;
- (d) in renumbered clause 7.15, paragraph (a), delete “7.16” and substitute “7.13”.

17. Second Schedule

In the Second Schedule, delete the prefix “19” where it is used as part of the date an alleged offence occurred and substitute “20”.

Dated this ninth day of January 2002.

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

NICHOLAS ARTHUR BURGESS, President.
GRAHAM PHILLIP STANLEY, Chief Executive Officer.



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