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OF

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No. 133]

PERTH: WEDNESDAY, 31st DECEMBER

[1969

LOCAL COURTS ACT, 1904-1964.

Crown Law Department,
Perth, 17th December, 1969.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Local Courts Act, 1904-1964, has been pleased to make the Rules of Court set out in the Schedule hereunder to have and take effect at the expiration of one month from the publication thereof in the *Government Gazette*.

W. J. ROBINSON,
Under Secretary for Law.

Schedule.

RULES OF COURT

Principal rules.

1. In these rules the Local Court Rules, 1961, published in the *Government Gazette* on the 6th June, 1961 and amended from time to time thereafter by notices so published are referred to as the principal rules.

Order 26 amended.
(Rule 13A added).

2. Order 26 of the principal rules is amended by adding after rule 13, a rule and heading as follows:—

Consent Affidavit under Judgment Summons.

Form 119A.

13A. (1) Where a judgment debtor consents to pay the amount in respect of which an order is sought under a judgment summons, he may make and forward to the clerk of the court from which the summons is issued an affidavit setting forth any facts which he may wish to be before the court prior to any order being made on the summons and the

Magistrate or clerk delegate may, if he thinks fit, on the hearing of the judgment summons, admit the affidavit, as the evidence of the judgment debtor.

(2) An affidavit for the purposes of subrule (1) of this rule may be in accordance with the form in the Appendix.

Part I of Appendix amended.

3. Part I of the Appendix to the principal rules is amended by adding after form No. 119, a form as follows:—

119A—CONSENT AFFIDAVIT UNDER JUDGMENT SUMMONS. (Heading as in Form 3.)

I, of in the State of Western Australia, being duly sworn make oath and say as follows:—

1. I am the abovenamed defendant, and am over the age of 21 years.

(a) insert marital status. (b) strike out that which is not applicable. (c) strike out which clause not applicable.

2. I am a (a) with dependants, and I pay (b) rent/board at the rate of \$ per week.

3. My average nett earnings are \$ per week.

4. (c) I am at present paying instalments of \$ per week in respect of previous orders of commitment made against me,

OR

There are no orders of commitment outstanding against me.

5. I am justly and truly indebted to the abovenamed plaintiff in the sum of \$ being the sum due on the judgment summons issued in this action with the addition of a fee of cents for filing this Affidavit.

6. I admit that I have, or have had, since the date of the judgment (or order) the means to pay the sum in respect of which I have made default.

7. I (b) am/am not in receipt of assistance from the Department of Social Services.

8. I am aware that on the hearing of the said judgment summons an order for imprisonment may be made against me to be suspended so long as I continue to pay the sum due by instalments of \$ per , the first of such payments to be made on the day of 19

9. I am also aware that should I default in payment of any one such instalment I am liable to be imprisoned in accordance with the said order.

SWORN AT IN THE STATE OF WESTERN AUSTRALIA THIS DAY OF 19

Clerk of the Local Court, Commissioner of the Supreme Court for taking Affidavits or Justice of the Peace.

POLICE ACT, 1892-1968.

Police Department,
Perth, 8th December, 1969.

File 62/4084.

ACTING pursuant to the powers conferred by section 9 of the Police Act, 1892-1968 I make the orders set out in the schedule hereunder.

R. T. NAPIER,
Commissioner of Police.

Acting pursuant to the powers conferred by section 9 of the Police Act, 1892-1968, I have approved the orders set out in the Schedule hereunder.

J. F. CRAIG,
Minister for Police.

Dated the 8th day of December, 1969.

Schedule.

POLICE STANDING ORDERS.

Principal
orders.

1. In these standing orders the Police Standing Orders, 1968, as printed in the *Government Gazette* on the 22nd July, 1968 and also published in the special *Police Gazette* of the 7th August, 1968 and thereafter from time to time amended by notices so printed and published, are referred to as the principal orders.

Orders
1003-1006
substituted.

2. The principal orders are amended by substituting for orders 1003, 1004, 1005 and 1006, orders as follow—

Promotional
Examina-
tions—
General.

1003. (1) For the purpose of determining the suitability and eligibility for promotion of a member within the ranks of the Force the following promotional courses and examinations shall be conducted:—

- (a) Qualifying Examination;
- (b) Promotional Examination for Appointment to 3rd Class Sgt.;
- (c) Promotional Examination for Appointment to 1st Class Sgt.; and
- (d) Administration Examination for Appointment to Superintendent.

(2) The course for the Qualifying Examination shall be conducted by the W.A. Correspondence School on behalf of the Department and all other courses shall be conducted by the Department.

(3) Applications for enrolment in any of the courses shall be in the form issued for that purpose by the Commissioner and shall be lodged with him not later than the 22nd January in any year or such other date as he may from time to time fix for the purpose by a notice published in the *Police Gazette*.

(4) (a) The fees payable in respect of the promotional courses and examinations shall be

- (i) \$9.00 per subject for the Qualifying Examination; and
- (ii) \$4.50 per subject for all other promotional courses, and shall be paid by the member in respect of each subject as and when he commences his course of study on that subject.

(b) The fees paid by a member under paragraph (a) of this suborder in respect of a period within the time limit specified in sub-order (7) of this order shall be refunded to him if he successfully completes the course within that period.

(5) The pass mark for each subject in any of the courses is 60% of the marks allotted to that subject.

(6) The formal examination required to be taken in respect of any course shall be held at such times and places as the Commissioner may from time to time determine but until he so determines otherwise the examinations for promotion to 3rd Class Sgt. and 1st Class Sgt. shall be held during November in each year.

(7) A member is required to complete the course for which he is enrolled and to pass the formal examinations that are held in respect of that course within a period of three years from the date of his enrolment or re-enrolment for the course, as the case may be, and where he fails to do so, any subject that he may have passed or have been credited with during that period is lost to him.

(8) An exemption in respect of any subject of any of the courses shall not be granted.

Qualifying
Examina-
tion.

1004. (1) The Qualifying Examination shall comprise the following subjects:—

- (a) Arithmetic;
- (b) English; and
- (c) Geography of Western Australia.

(2) A member shall not be eligible to be credited with having passed the Qualifying Examination until he has completed at least twelve months' service in the Force.

(3) A formal examination shall not be held in respect of this course and a pass shall be obtained by assessment under an accrediting system whereby the candidate shall be assessed on the work submitted by him for marking during his progress through the course.

(4) Subject to the provisions of sub-order (7) of order 1003 a candidate may proceed in his studies for the course at a speed commensurate to his capabilities and may take the subjects concurrently or in any order that he desires.

Promotional
Examina-
tions for
appointment
to 3rd
Class Sgt.
or 1st
Class Sgt.

1005. (1) The courses for the examinations for appointment to 3rd Class Sgt. and 1st Class Sgt. shall comprise the following subjects—

- (a) Statutes; and
- (b) Reporting.

(2) A member is not eligible to sit for the examinations for appointment to 3rd Class Sgt. or 1st Class Sgt. unless he is enrolled for the particular course and has, by the 1st October in the year in which he intends to sit at the examination, completed and submitted for assessment and making not less than two-thirds of the papers set and distributed in respect of the subject for which he will sit and—

- (a) in the case of the examination for appointment to 3rd Class Sgt. he has —
 - (i) passed the Qualifying Examination; and
 - (ii) completed five years service in the Force; or
- (b) in the case of the examination for appointment to 1st Class Sgt. he has—
 - (i) passed the Qualifying Examination;
 - (ii) passed the examination for appointment to 3rd Class Sgt.; and
 - (iii) completed ten years service in the Force.

Adminis-
tration
Examina-
tion.

1006. For the purpose of an Inspector seeking promotion to the rank of Superintendent an examination in Administration shall be conducted at such times and places as the Commissioner may from time to time determine.

WESTERN AUSTRALIAN MARINE ACT, 1948-1966.

Harbour and Light Department,
Fremantle, 23rd December, 1969.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of section 182C of the Western Australian Marine Act, 1948-1966, has been pleased to make the regulations set out in the Schedule hereunder.

A. M. FULLER,
Manager.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the Limited Coast-trade Vessels regulations, published in the *Government Gazette* on the 9th August, 1967, are referred to as the principal regulations.

Regulation 13 revoked and remade. 2. Regulation 13 of the principal regulations is revoked and remade as follows—

13. (1) Subject to subregulation (3) of this regulation, every vessel shall be equipped with an efficient compass in accordance with the following table:—

Length of Vessel.	Minimum Diameter of card in inches.
Less than 30 feet	4
Over 30 feet	5

(2) Where a vessel of more than 25 feet in length is equipped with a compass pursuant to subregulation (1) of this regulation, the compass shall be swung for deviation by a qualified compass adjuster—

- (a) in the case of a vessel constructed after the coming into operation of this subregulation—before the vessel is put into service;
- (b) where any major structural alteration, modification or repair is effected to the vessel—before the vessel is put back into service;
- (c) where the surveyor, having reasonable grounds for believing that in the interests of safety, the compass of the vessel ought to be so swung—when the surveyor so directs the owner or master of the vessel; and
- (d) in any event, so that not more than three years have elapsed since the compass was last so swung,

and in every case, a certificate of efficiency of the compass shall be issued by the qualified compass adjuster.

(3) The Department may, by instrument in writing, exempt a vessel from the requirements of this regulation where it is satisfied that, because of the use to which the vessel is put or the size and design of the vessel, the equipping of the vessel with a compass would be unreasonable or impracticable.

Regulation 14 revoked and remade. 3. Regulation 14 of the principal regulations is revoked and remade as follows—

14. Every vessel shall be equipped with a means of taking bearings and facilities for laying off courses and plotting positions.

Regulation 25 revoked and remade. 4. Regulation 25 of the principal regulations is revoked and remade as follows—

25. (1) Every vessel shall carry a boat, or a self-inflating liferaft or a rigid liferaft of a type, and in a manner approved by the Department, or may, if the Department so approves, be fitted with polyurethane or other approved substance in a manner and position approved by a surveyor.

(2) Any such liferaft carried in pursuance of subregulation (1) of this regulation shall be capable of carrying all persons using it clear of the water.

- Regulation 38 amended. 5. Regulation 38 of the principal regulations is amended by substituting for the figure "20" in line two, the figure "25".
- Regulation 39 amended. 6. Regulation 39 of the principal regulations is amended by deleting the words "alien or" in line one.
- Regulation 44 amended. 7. Paragraph (b) of subregulation (2) of regulation 44 of the principal regulations is amended by substituting for the words "to find the error of the compass by land running fix" in lines six and seven, the passage "to find the ship's position by means of a running fix".
- Regulation 52A added. 8. The principal regulations are amended by adding after regulation 52 a regulation as follows:—
- 52A. Where a person desires to be examined for a certificate of competency under these regulations and that person does not have the prescribed qualifications or service that he is required to have under these regulations before being so examined, if the Department is satisfied that the qualifications or service that the person does have, substantially comply with the prescribed qualifications or service and are of such a kind as to render the person suitable to be admitted to be so examined, the Department may so admit the person accordingly.

LOCAL GOVERNMENT ACT, 1960-1969.

By-law No. 64—Town Planning Classification or Zoning By-law for the land and/or building in the North Perth, Mount Hawthorn, Wembley, Leederville Area, being part of the City of Perth Municipal District—Amendment.

The Municipality of the City of Perth.

By-law Relating to Zoning.

L.G. 606/68B.

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 20th day of October 1969, to make and submit for confirmation by the Governor the following amendment to By-law No. 64:—

That piece of land being—

Portion of Swan Location 388 and being Lot 38 on plan 3083 and being the whole of the land comprised in Certificate of Title Volume 1009 Folio 223,

be and is hereby excised from No. 7 Classification and reclassified to be included in No. 2 Classification and that the North Perth-Mount Hawthorn-Wembley-Leederville Zoning Plan No. 64 is amended accordingly.

Dated the 28th day of October, 1969.

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

C. N. HARRIS,
Deputy Lord Mayor.
G. O. EDWARDS,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day of December, 1969.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1969.

Local Government Department,
Perth, 18th December, 1969.

L.G. 398/69.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1969, has been pleased to cause the Draft Model By-laws set out in the schedule hereto to be prepared and published.

Councils proposing to adopt these Draft Model By-laws should, in addition to complying with the requirements of section 258(4) of the Act, ensure that—

- (a) the necessary ministerial approval is first obtained in respect of the matters mentioned in section 231 (2) (g) and section 231 (3) of the Act; and
- (b) the adopting resolution is so framed to complete—
 - (i) the definitions "Council" and "Municipality" in by-law 2; and
 - (ii) the First, Second and Third Schedules.

R. C. PAUST,
Secretary for Local Government.

Schedule.

DRAFT MODEL BY-LAWS.

1. These by-laws may be cited as Local Government Model By-laws (Parking Facilities), No. 19.

2. In these by-laws, unless the context otherwise requires—

"bus" means an omnibus within the meaning of section 4 of the Traffic Act;

"by-law" means one of these by-laws;

"carriageway" means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders and areas, including embayments at the side or centre of the carriageway, used for the standing or parking of vehicles; and where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

"commercial vehicle" means a vehicle which comes within the description of a motor wagon as set out in the Second Schedule to the Traffic Act;

"Council" means the Council of the Municipality of

"driver" means any person driving or in control of a vehicle;

"footway" includes every footpath, lane or other place intended for the use of pedestrians only, or habitually used by pedestrians and not by vehicles;

"form" means a form in the Fourth Schedule to these by-laws;

"inspector" means a parking inspector appointed by the Council under these by-laws and includes a chief parking inspector and an assistant parking inspector;

"metered space" means a section or part of a metered zone that is adjacent to a parking meter and that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge;

"metered zone" means any street or reserve, or part of any street or reserve, in which parking meters are installed;

"Municipality" means the Municipality of

"no parking area" means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words, "No Parking", in red lettering, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words, "No Standing", in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"no standing area" means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words, "No Standing", in red lettering, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words, "No standing", in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"notice" means a notice in the form of Form No. 1 or Form No. 2 issued pursuant to by-law 54;

"owner" in relation to a vehicle, means the person who is the holder of the requisite vehicle license under the Traffic Act in respect of the vehicle, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to the possession of the vehicle;

"park" means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with provisions of any law or of immediately taking up or setting down persons or goods; and "parking" has a correlative meaning;

"parking area" means a portion of a carriageway that—

- (a) lies between two consecutive white signs inscribed with the word, "Parking", in green lettering, and each with an arrow pointing generally towards the other of them; or
- (b) extends, from a white sign inscribed with the word, "Parking", in green lettering, in the general direction indicated by an arrow inscribed on the sign, to any other sign inscribed with the words, "No Parking", or "No Standing", in red lettering, or to a dead end or an area in which the parking or standing of vehicles is prohibited;

"parking facilities" includes land, buildings, shelters, metered zones, metered spaces, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection therewith;

"parking meter" includes the stand on which the meter is erected;

"parking region" means that portion of the district of the Municipality that is constituted a parking region pursuant to these by-laws;

"parking stall" means a section or part of a street, or of a parking station, which is marked or defined by painted lines or by metallic studs or by similar devices for the purpose of indicating where a vehicle may stand or be parked whether on payment of a fee or charge or otherwise, but does not include a metered space;

"parking station" means any land, building or other structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space or private garage;

"property line" means the boundary between the land comprising a street and the land that abuts thereon;

"road" means any highway, road, street, lane, thoroughfare or similar place open to, or used by the public and includes every carriageway, footway, reservation, median strip, traffic island or similar place thereon which is within the parking region;

"Schedule" means a schedule to these by-laws;

"stand", in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law; and "standing" has a correlative meaning;

"street" has the same meaning as road;

"the Act" means the Local Government Act, 1960;

"ticket issuing machine" means a parking meter that is installed by the Council and that issues, as a result of a prescribed coin or coins being inserted in the machine, a ticket showing the period during which it shall be lawful to remain parked in the metered space or parking stall to which it is appurtenant;

"Traffic Act" means the Traffic Act, 1919.

3. (1) These by-laws apply to the parking region and all parking stations, parking facilities and metered zones in the parking region other than a parking facility or parking station that—

- (a) is not owned, controlled or occupied by the Municipality; or
- (b) is owned by the Municipality but is leased to another person.

(2) Any sign that—

- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of these by-laws within the Municipality; and
- (b) relates to the parking or standing of vehicles within the parking region,

shall be deemed, for the purposes of these by-laws, to have been erected by the Council under the authority of these by-laws.

4. For the purpose of these by-laws vehicles are divided into classes as follow:—

- (a) Buses.
- (b) Commercial vehicles including any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for conveyance therein or thereon of goods.
- (c) Motor bicycles and bicycles.
- (d) All other vehicles not otherwise classified.

5. Where under these by-laws the standing or parking of vehicles in a street is controlled by a sign, that sign shall be read as applying to the part of the street which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is that side of the carriageway of the street nearest to the sign.

6. The portion of the district of the Municipality that is defined in the First Schedule is hereby constituted as a parking region to which these by-laws shall apply.

7. The streets, or portions thereof, and the public places set out in the Third Schedule are hereby declared to be a metered zone.

Metered Zones.

8. Subject to these by-laws, to subsection (3) of section 231 of the Local Government Act, 1960, and to any regulations for the time being in force under the Traffic Act, 1919, the Council may constitute, determine and vary and also indicate by signs, from time to time—

- (a) metered spaces, metered zones and parking stalls;
- (b) permitted times and conditions of parking therein depending on and varying with locality;
- (c) permitted classes of vehicles to park therein;
- (d) the amount payable for parking therein; and
- (e) the manner of parking therein.

9. Subject to by-law 12, a person shall not park or stand a vehicle in a metered space during the hours specified in the Second Schedule unless the appropriate fee as indicated by a sign on the parking meter appurtenant thereto is inserted, forthwith, in the parking meter on each occasion the vehicle is so parked or stood.

10. The payment of a fee pursuant to by-law 9 shall entitle the owner or person in charge of a vehicle to park or stand the vehicle in the metered space for the period specified in the Second Schedule but does not authorise the parking of the vehicle during any time when parking or standing at that space may be otherwise prohibited in accordance with these by-laws.

11. Subject to by-law 12, a person shall not permit a vehicle to remain parked or standing in a metered space during the hours specified in the Second Schedule when the parking meter appurtenant to that space exhibits the sign "Expired".

12. The Council may from time to time by a resolution declare that the provisions of by-laws 9 and 10 shall not apply during the periods and days specified in the resolution.

13. No person shall stand a vehicle in a metered space in a road otherwise than parallel to the kerb and as close thereto as practicable and with the front of the vehicle in line with the parking meter appurtenant to such space and wholly within such space, provided that where a metered space is set out otherwise than parallel to the kerb the provisions of this clause other than the provisions that a vehicle shall stand wholly within such space shall not apply thereto.

14. (1) No person shall insert or cause to be inserted or attempt to insert into the coin slot of a parking meter anything other than the prescribed coin or coins.

(2) For the purpose of this by-law and by-law 15 the following coins and none other shall be prescribed coins, namely—

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

15. No person shall operate or attempt to operate a parking meter by any means other than the insertion of the prescribed coin or coins in the slot provided therefor.

16. No person shall stand or attempt to stand a vehicle in a metered space in which another vehicle is standing.

17. Where a parking stall is marked with the symbol "M/C", that stall is reserved for the parking of motor bicycles and bicycles and no person shall stand in any part of that stall any vehicle other than a motor bicycle or bicycle to which no side-car or side-box is attached but such motor bicycle or bicycle may be parked in such stall without payment of fee.

18. Notwithstanding any other provision of these by-laws and notwithstanding any other sign or notice, no person without the permission of the Council or an inspector shall stand a vehicle in a metered space if the parking meter adjacent to such metered space is hooded with a hood marked "No Parking", "Reserved Parking" or "Temporary Bus Stand".

PARKING STALLS AND PARKING STATIONS.

19. (1) Subject to these by-laws, to subsection (3) of section 231 of the Local Government Act, 1960 and to any regulations for the time being in force under the Traffic Act, the Council may constitute, determine and vary, and also indicate by signs, from time to time—

- (a) parking stalls;
- (b) parking stations;
- (c) permitted times and conditions of parking in parking stalls and parking stations depending on and varying with locality;
- (d) permitted classes of vehicles to park in parking stalls and parking stations;
- (e) the amount (if any) payable for parking in parking stalls and parking stations depending on and varying with locality; and
- (f) the manner of parking in parking stalls and parking stations.

(2) No person shall stand a vehicle in a parking stall in a street otherwise than parallel to the kerb and as close thereto as practicable and wholly within such stall and headed in the direction of the movement of traffic on the side of the street on which the stall is situated, provided that where a parking stall is set out otherwise than parallel to the kerb the provisions of this by-law other than the provision that a vehicle shall stand wholly within such space, shall not apply.

20. Subject to by-law 22—
- (a) a person shall not park a vehicle or permit a vehicle to remain parked in any of the parking stations specified in the Third Schedule between the hours specified in that Schedule unless—
 - (i) in the case of a parking station having an inspector on duty, the appropriate fee prescribed in that Schedule is paid when demanded;
 - (ii) in the case of a parking station equipped with meters, the appropriate fee is inserted in the meter; or
 - (iii) in the case of a parking station equipped with a ticket issuing machine, the appropriate fee is inserted in the machine; and
 - (b) a person shall not park a vehicle or permit a vehicle to remain parked in any of the parking stations specified in the Third Schedule if the parking station is in that Schedule declared to be set aside for vehicles of a different class.
21. (1) No person shall insert or cause to be inserted or attempt to insert into the coin slot of a ticket issuing machine anything other than the prescribed coin or coins.
- (2) For the purpose of this by-law the following coins and none other shall be prescribed coins, namely:—
- Five cents (5c), ten cents (10c) and twenty (20c); and also a sixpence (6d.), one shilling (1s.) and two shillings (2s.) so long as same are legal tender throughout the Commonwealth.
- (3) The insertion of a prescribed coin or coins into any ticket issuing machine shall be effected only in accordance with the instructions printed on that particular machine.
22. The Council may by resolution declare that the provisions of by-law 23 do not apply during periods on particular days specified in such resolution.
23. No person shall permit a vehicle to remain parked in a parking station after the expiration of the period for which the prescribed fee has been paid and during a period for which a fee is prescribed.
24. No person shall remove a vehicle which has been parked in a parking station until there has been paid the fee appropriate to the period for which the vehicle has been parked.
25. A person paying a fee at a parking station shall be entitled to receive a receipt showing the period of parking covered by such payment.
26. A driver of a vehicle in a parking station which is equipped with a ticket issuing machine shall on purchasing from the machine a ticket or tickets for a period or periods of parking, place such ticket or tickets inside his vehicle in such a position that the time of issue printed on the ticket or tickets by the machine shall be clearly visible and legible to an inspector examining the ticket or tickets from outside the vehicle.
27. A driver of a vehicle in a parking station not equipped with meters shall, on demand, produce to an inspector or attendant a receipt showing that the appropriate parking fee has been paid in respect of that vehicle.
28. Unless otherwise directed by an inspector or attendant, no person shall park a vehicle in a parking station otherwise than wholly within a parking stall.
29. No person shall stand a vehicle so as to obstruct an entrance to, an exit from, or a roadway within, a parking station or beyond the limits of any defined row within a parking station.
30. No person shall stand a vehicle except with the permission of the Council or an inspector or an attendant on any part of a parking station, whether or not such part be marked as a parking stall, if a sign is exhibited prohibiting the standing of vehicles thereon.

31. No person shall permit a vehicle to stand on any part of a parking station, whether or not that part is marked as a parking stall, if an inspector or attendant directs the driver of such vehicle to move the vehicle.

32. No person shall stand or attempt to stand a vehicle in a parking stall in which another vehicle is standing, but this by-law does not prevent the parking of a motor bicycle and a bicycle together in a stall marked "M/C" if the bicycle is parked in accordance with by-law 34.

33. (1) No person shall permit a vehicle to stand in a parking stall which is at the time set aside for use by commercial vehicles unless—

- (a) the vehicle is a commercial vehicle; and
- (b) some person is actively engaged in loading or unloading goods to or from the vehicle,

and in any case, for more than a period of thirty minutes.

(2) In this by-law "goods" means an article, or collection of articles, weighing at least thirty pounds of which the content is at least six cubic feet.

(3) A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

34. No person shall stand or permit to stand any bicycle—

- (a) in a parking stall other than in a stall marked "M/C"; or
- (b) in such stall other than against the kerb.

STANDING AND PARKING GENERALLY.

35. The Council may, subject to these by-laws, constitute, determine and vary, and also indicate by signs, from time to time, prohibitions, regulations and restrictions of parking and standing of vehicles of a specified class or of specified classes in all streets or specified streets or in specified parts of streets in the parking region at all times or at specified times.

36. (1) A person shall not stand a vehicle in a metered space or in a parking stall, whether that metered space or parking stall is situated in a parking station or in a street—

- (a) if that metered space or parking stall is by any sign thereon or adjacent or referable thereto, set apart for the standing of vehicles of a different class;
- (b) if by such a sign the standing of vehicles in that metered space or parking stall is prohibited or restricted during any period or periods, during such a period or periods; or
- (c) if by such a sign the standing of vehicles in that metered space or parking stall is permitted for a specified time, for longer than that time.

(2) A person shall not stand a vehicle—

- (a) in a no standing area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area and where the parking area includes metered spaces and parking stalls, except as in these by-laws provided, with reference to such metered spaces and parking stalls;
- (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
- (d) in a defined area marked "M/C", unless it is a motor bicycle without a side-car, or bicycle.

(3) A person shall not stand a vehicle in a loading zone unless it is—

- (a) a commercial vehicle engaged in the picking up or setting down of goods; or

- (b) a motor vehicle taking up or setting down passengers; and then only if it does not have a trailer attached.
 - (4) A person shall not park a vehicle in a no parking area.
 - (5) A person shall not park a vehicle on any portion of a street—
 - (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
 - (b) if the vehicle is exposed for sale.
 - (6) A person shall not stand a motor bicycle without a side-car or a bicycle in a parking stall unless the traffic sign "M/C" is marked on that stall.
37. Subject to the provisions of by-law 31, a person standing a vehicle on a carriageway shall stand it—
- (a) on a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
 - (b) on a one-way carriageway, so that it is near as practicable to, and parallel with, either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
 - (c) so that it is not less than four feet from any other vehicle, except a motor bicycle or a bicycle parked in accordance with these regulations;
 - (d) so that at least ten feet of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
 - (e) so that it does not cause undue obstruction on the carriageway; and
 - (f) so that it is entirely within the confines of any parking stall marked on the carriageway.
38. (1) A person shall not stand a vehicle partly within and partly outside a parking area.
- (2) Where the traffic sign or signs, associated with a parking area are not inscribed with the words "Angle Parking", then—
- (a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and
 - (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area indicates, or marks on the carriageway indicated, that vehicles are to stand in a different position.
- (3) Where a traffic sign associated with a parking area is inscribed with the words, "Angle Parking" a person standing a vehicle in the parking area shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.
- (4) Sub-by-law (3) of this by-law does not apply to a person standing a motor bicycle or a bicycle in a parking area.
39. (1) A person shall not stand a vehicle so that any portion of the vehicle is—
- (a) between any other standing vehicle and the centre of the carriageway;
 - (b) adjacent to a median strip;
 - (c) in front of a right-of-way, passage or private drive or so close thereto as to deny any vehicle reasonable access to, or egress from, the right-of-way, passage or private drive,
 - (d) in front of a footway constructed across a reservation;

- (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
 - (f) on, or within 30 feet of, any portion of a carriageway bounded on one or both sides by a traffic-island;
 - (g) on any footway or pedestrian crossing;
 - (h) upon a bridge or other elevated structure or within a tunnel or underpass;
 - (i) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway near to the continuous line, unless there is a distance of at least ten feet clear between the vehicle and the double longitudinal line; or
 - (j) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.
- (2) The provisions of paragraphs (c), (f) and (h) of sub-by-law (1) of this by-law do not apply to a vehicle that stands in a bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.
- (3) A person shall not stand a vehicle so that any portion of the vehicle is—
- (a) within three feet of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
 - (b) within ten feet of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box
- (4) A person shall not stand a vehicle so that any portion of the vehicle is within 20 feet of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.
- (5) A person shall not stand a vehicle so that any portion of the vehicle is within 30 feet of the departure side of—
- (a) a sign inscribed with the words "Bus Stop," or "Hail Bus Here," unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children's crossing established on a two-way carriageway.
- (6) A person shall not stand a vehicle so that any portion of the vehicle is within 60 feet of—
- (a) the approach side of a sign inscribed with the words "Bus Stop" or "Hail Bus Here," unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) the approach side of a pedestrian crossing or children's crossing; or
 - (c) the nearest rail of a railway level crossing.
- (7) the provisions of sub-by-laws (1) to (6) (inclusive) of this by-law do not apply to a vehicle standing in a metered space or a parking stall established by the Municipality, nor to a bicycle standing in a bicycle rack established by the Municipality.
40. A person shall not permit a vehicle to stand in any part of a street if an inspector or a member of the Police Force directs the driver of such vehicle to move it.
41. An inspector may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties and powers and no person shall remove a mark made by an inspector so that the purpose of the affixing of such mark is defeated or likely to be defeated.
42. (1) A person shall not insert or cause to be inserted a second or subsequent fee in the parking meter appurtenant to a metered space unless the vehicle in respect of which the first fee was inserted has been removed from that metered space.
- (2) Where a vehicle has been parked in a metered space or in a street in an area where by any sign the standing of vehicles is permitted for a limited time, a person shall not—
- (a) move it to any position within the same parking area; or,

- (b) by arrangement with any person either exchange the space used by the vehicle for space in the same or another area previously occupied by another vehicle,

so that the total time for which that first mentioned vehicle is parked within that parking area exceeds the maximum time allowed for parking in the space first occupied by that first mentioned vehicle.

43. The Council may—

- (a) permit a person who requires the use of a metered space or other space, in order to carry out urgent or essential work, for a longer period or periods than that prescribed as the maximum period for which the space may ordinarily be used, to use that space for such a longer period or periods upon payment of the normal fee or fees, if any, for that longer period or periods plus a service charge of twenty-five cents in each case; and
- (b) prohibit the standing of any other vehicle in that space during the period or periods in which the space is set aside pursuant to paragraph (a) of this by-law.

MISCELLANEOUS.

44. Every inspector shall be furnished with a certificate of his appointment in form from time to time determined by the Council.

45. A person who is not an inspector shall not in any way assume the duties of an inspector.

46. No person shall in any way obstruct or hinder an inspector in the execution of his duty.

47. No person other than the driver of the vehicle shall remove from such vehicle any notice affixed thereto or left therein or thereon by an inspector or a member of the Police Force.

48. No person shall, without the authority of the Council, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council under the authority of these by-laws.

49. No person shall remove, damage, deface or misuse any parking meter or parking station or any part thereof.

50. No person shall, without the permission of the Council, affix any board, sign, placard, notice or other thing to or paint or write upon any part of a parking meter or parking station.

51. Parking inspectors appointed by the Municipality from time to time are authorised—

- (a) to carry into effect the provisions of these by-laws;
- (b) to report to the Council on the working effectiveness and functioning of these by-laws;
- (c) to recommend to the Council the institution of prosecutions; and
- (d) to institute and conduct prosecutions as directed by the Council or the Clerk from time to time.

PENALTIES.

52. Any person who contravenes or fails to comply with any provision of these by-laws commits an offence and is liable on conviction to a penalty not exceeding Forty Dollars.

53. (1) Any person who does not contest an allegation that he committed an offence against a provision of these by-laws may, subject to sub-by-law (2) of this by-law, pay to the Council within the time hereinafter prescribed the modified penalty prescribed for that offence and the production of an acknowledgment from the Council of the payment of the modified penalty shall be a defence to a charge of the offence in respect of which that modified penalty was paid.

(2) Where the Council is of opinion that an alleged offence cannot be adequately punished by the payment of the modified penalty, the Council may refrain from accepting the modified penalty and may in lieu take proceedings against the alleged offender in a Court of Petty Sessions.

(3) The modified penalty shall be two dollars.

54. The modified penalty may be inflicted and collected by the Council in any of the following ways:—

- (1) An inspector may leave in or on a vehicle a notice in or to the effect of Form 1 in the Fourth Schedule.
- (2) The alleged offender may complete the notice by filling in his full name and address and by signing his name to the admission at the foot thereof and may, within the time specified in the notice, send or deliver the notice to the Council together with the amount of the modified penalty.
- (3) Where that amount is sent or delivered to the Council within the time specified in the notice, or within such extended time as the Council allows, the Council may inflict a penalty of that amount and appropriate the amount in satisfaction of the penalty and shall thereupon issue an acknowledgment accordingly.
- (4) Where it appears to the Council that a person has committed an offence against these by-laws and that the modified penalty for the offence has not been paid, the Council may cause to be served on the alleged offender a notice in or to the effect of Form 2 in the Fourth Schedule.
- (5) The Council may cause service of the notice to be effected in any manner mentioned in section 31 of the Interpretation Act, 1918, the provisions of which shall apply in respect of service of notices under these by-laws as if these by-laws were an Act.
- (6) In the notice the Council shall—
 - (a) give particulars of the offence alleged to have been committed;
 - (b) specify the amount of the modified penalty which may be inflicted and collected by the Council under and in accordance with these by-laws; and
 - (c) specify a time within which the alleged offender upon whom the notice is served may send a reply in accordance with sub-law (7) of this by-law.
- (7) An alleged offender on whom a notice has been so served may, within fourteen days of the service of such notice, send or deliver to the Council a reply in or to the effect of Form 3 in the Fourth Schedule together with the amount of the modified penalty specified in the notice.
- (8) Where that amount is sent or delivered to the Council within the time specified in the notice, or within such extended time as the Council allows, the Council may inflict a penalty of that amount and appropriate the amount in satisfaction of the penalty and shall thereupon issue an acknowledgment accordingly.

55. Where an alleged offender upon whom a notice has been served under by-law 54—

- (a) informs the Council that he declines to pay the modified penalty; or
- (b) omits to send or deliver to the Council payment of the modified penalty specified in the notice within the time specified in the notice or within such extended time as the Council allows,

the Council may take proceedings against the alleged offender in a Court of Petty Sessions.

56. The Council shall cause adequate records to be kept of all cases in which modified penalties have been inflicted and collected under these by-laws.

FIRST SCHEDULE.

By-law 6.

(This Schedule is a description of the Parking Region of the Municipality).

SECOND SCHEDULE.

By-law 9.

City/Town/Shire of Parking Facilities By-laws.

(This Schedule details the hours of operation and parking fees as and where determined by Council).

THIRD SCHEDULE.

By-law 7.

(This Schedule details the location of parking stalls and parking stations).

FOURTH SCHEDULE.

Form 1.

City/Town/Shire of Parking Facilities By-laws.

Date Time Brief No.

Vehicle No. Type

Place

To the Driver of Motor No.

You have committed a breach of by-law No. of the City/Town/Shire of Parking Facilities By-laws.

The modified penalty for this offence is \$.....

Subject to the Council's right to refuse to accept such payment, if you complete the admission hereunder with your full names and address and sign the same and return this form with the modified penalty to the Municipal Offices within seven days of the above date no further proceedings will be taken.

If you wish for a Court hearing you are at liberty to ignore this notice.

Inspector No.....

I,

of

agree to its being recorded that I committed the above offence and tender herewith the sum of \$

by*

*(Insert "cash", "cheque", "postal note").

being the modified penalty for such offence.

Date Signature

Form 3.

I, Serial No.
..... Brief No.
..... Date

do not wish to contest the allegation that on
the day of 19.....
at about in
..... I did

in contravention of the provisions of by-law No.
of the City/Town/Shire of Parking
Facilities By-laws.

For the purpose of the by-laws I agree to its being recorded that I committed
the offence and tender the sum of \$..... by*.....
being the penalty prescribed for this offence.

*(Insert "postal note", "money order", "cheque", etc.)

Date Signature

To Town/Shire Clerk,
City/Town/Shire of.....

LOCAL GOVERNMENT ACT, 1960-1969.

The Municipality of the Shire of Cockburn.

By-laws for the Control and Management of Halls and Equipment and Property
under the Control of the Council.

L.G. 51/65.

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 28th day of October, 1969, to make and
submit for confirmation by the Governor the following by-laws:—

The By-laws published in the *Government Gazette* of the 23rd March, 1965,
and amended in the *Government Gazette* of the 31st October, 1968 are further
amended:—

- 1. By repealing and re-enacting Schedule of Charges 2 as follows:—

Schedule 2—Jandakot Hall.

1. Socials	\$	15.00
2. Wedding Receptions and Breakfast, Birthday Parties		12.00
3. Meetings		2.00
4. Sports		4.00

Dated this 28th day of November, 1969.

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 17th day
of December, 1969.

W. S. LONNIE,
Clerk of the Council.

TRAFFIC ACT, 1919-1969.

Police Department,
Perth, 17th December, 1969.

File T.O. 69/511.

HIS Excellency the Governor in Executive Council acting pursuant to the powers conferred by the Traffic Act, 1919-1969, has been pleased to make the regulations set out in the schedule hereunder.

R. T. NAPIER,
Commissioner of Police.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and amended from time to time thereafter by notices so published are referred to as the principal regulations.
- Reg. 1101 amended 2. Regulation 1101 of the principal regulations is amended by adding after subregulation (1) a subregulation as follows:—
- (1a) The provisions of paragraph (a) of subregulation (1) of this regulation do not apply to a person in charge of an omnibus who stops or stands the omnibus within 60 feet of the approach side, or 30 feet of the departure side, of a sign inscribed with the words "Bus Stop" or "Hail Bus Here" for the sole purpose of taking up or setting down passengers.