

City of Busselton

**LOCAL GOVERNMENT PROPERTY
AMENDMENT LOCAL LAW 2021**

Local Government Act 1995

City of Busselton

Local Government Amendment Property Local Law 2021

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Local Government Act 1995

City of Busselton

Local Government Property Amendment Local Law 2021

Under the powers conferred on it by the *Local Government Act 1995* and under all powers enabling it, the Council of the City of Busselton resolved on [add date] to make the following local law.

1. Short title

This is the *Local Government Property Amendment Local Law 2021*.

2. Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

3. Local law amended

This local law amends the *Shire of Busselton Local Government Property Local Law 2010*.

4. Clause 1.1 amended

In clause 1.1, delete “*Shire of Busselton Local Government Property Local Law 2010*” and insert:

City of Busselton Local Government Property Local Law 2010

5. Clause 1.5 amended

In clause 1.5 –

(a) delete the definition of “Shire”; and

(b) insert, in their appropriate alphabetical sequence:

“**City**” means the City of Busselton;

“**drone**” means a powered aerial vehicle that does not carry a human operator and is piloted remotely;

6. Clause 2.2 amended

In clause 2.2(2)(b), delete “Shire’s offices” and insert:

City’s offices

7. Clause 2.7 amended

In clause 2.7(1)(b), delete “fly or use a motorised model aeroplane;” and insert:

fly or use a motorised model aeroplane, helicopter, drone or other similarly remotely piloted device;

8. Clause 2.8 amended

In clause 2.8(1) –

- (a) at the end of paragraph (g), delete “and”;
- (b) at the end of paragraph (h), insert:
and
- (c) after paragraph (h), insert:
 - (i) fly or use a motorised model aeroplane, helicopter, drone or other similarly remotely piloted device.

9. Clause 3.13 amended

In clause 3.13(1)(d), after “beach,” insert:

reserve,

10. Clause 5.1(1) amended

In clause 5.1(1)(a)(i) and (ii) –

- (a) delete each reference to “12 years” and insert:
18 years
- (b) delete each reference to “10 years” and insert:
12 years

11. Various references to “Shire” amended

In the provisions listed in the Table, delete “Shire” (each occurrence) and insert:

City

Table

Clause 1.5 definitions of – “authorised person” “CEO” “Council” “district” “local government property” “Manager” “person”	Clause 3.10(4)
	Clause 3.13(1)(f)
	Clause 3.14(2)
	Clause 5.3(1)
	Clause 5.4 (heading and text)
	Clause 9.1
Clause 1.7	Clause 9.4 (heading and subclauses (1) and (2))
Clause 2.7(1)(f)(iii)	Clause 9.7 (heading)
Clause 2.8(1)(f)(ii) and (h)	Clause 9.9(3)

Clause 2.9(1)	Schedule 2 – (a) opening words; (b) clause 1.1; (c) clause 2.1(b); (d) clause 2.4(a); and (e) clause 2.5(1).
Clause 3.1	
Clause 3.4(1)(b) and (f)	
Clause 3.4(2)(k)	
Clause 3.5(1)	
Clause 3.7	

12. Schedule 1 amended

In Schedule 1, delete the Table and insert:

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.4	Failure to comply with determination	\$250
3.6	Failure to comply with conditions of permit	\$250
3.13(1)	Failure to obtain a permit	\$250
3.14(3)	Failure to obtain permit to camp outside a facility	\$250
3.15(1)	Failure to obtain permit for liquor	\$250
3.16	Failure of permit holder to comply with responsibilities	\$250
4.2(1)	Behaviour detrimental to property	\$250
4.3	Taking, Injuring, Killing any Fauna	\$375
4.4	Removing, damaging, interfering, with any flora or planting or depositing any flora	\$375
4.5	Under influence of liquor or prohibited drug	\$250
4.7(2)	Failure to leave local government property	\$250
4.8(1)	Tethering animal to tree etcetera or permitting animal to enter local government property	\$250
4.9	Depositing or discarding waste on local government property	\$250
4.10	Taking a glass container within 5m of pool, to a children's playground or within local government property as indicated by a sign	\$250
4.11(2)	Failure to comply with sign on local government property	\$250
5.2	Consuming food or drink in prohibited area	\$250
5.5	Failure to comply with sign or direction on beach	\$250
5.6	Unauthorised entry to fenced or closed local government property	\$250
5.7	Gender not specified using entry of toilet block or change room	\$250
6.1(1)	Unauthorised entry to function on local government property	\$250
8.5	Making a false or misleading statement	\$250
9.6	Failure to comply with notice	\$250

Dated **[add date]**

The Common Seal of the)
City of Busselton was)
affixed by authority of a)
a resolution of the Council)
in the presence of)

MICHAEL STEPHEN LEE ARCHER
Chief Executive Officer

GRANT HENLEY
Mayor