

LOCAL GOVERNMENT ACT 1995

Shire of Derby/West Kimberley

LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Derby/West Kimberley resolved on 16th December, 2010 to make the following local law.

1. Citation

This local law is the *Shire of Derby/West Kimberley Local Government Property Amendment Local Law 2011*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Derby/West Kimberley Local Government Property Local Law* published in the *Government Gazette* on 5 October 2001, as amended and published in the *Government Gazette* on 6 December 2002, is referred to as the principal local law. The principal local law is amended.

4. General correction

Throughout the principal local law delete “authorized” where it appears and insert “authorised”.

5. Clause 1.2 corrections

In clause 1.2—

- (a) in the definition “authorised person” delete “person authorised by the local government” and insert “person appointed by the local government”.
- (b) in the definition for “liquor”; delete “*Liquor Licensing Act 1988*” and insert “*Liquor Control Act 1988*”.

6. Title of statute updated

Delete “*Licensing*” and insert “*Control*” instead in—

- (a) clause 3.4(2)(h);
- (b) clause 3.15(1)(a)
- (c) clause 3.16(d)

7. Clause 3.13 amended

In clause 3.13(1)(a) delete “subclause 3,” and insert “subclause (3),”.

8. Divisions redesignated

In Part 5, redesignate Divisions “3”, “4” and “5” as Divisions “2”, “3” and “4”.

9. Section numbering redesignated

In Part 5 redesignate clauses “5.5”, “5.6” and “5.7” as sections “5.2”, “5.3” and “5.4”.

10. Clause 7.9 amended

In clauses 7.9(a) and (b) delete “Local Government” and insert “local government”—

11. Clause 7.10 amended

In clause 7.10 delete “Local Government” and insert “local government”—

12. Clause 8.1 amended

In clause 8.1 delete “regulations 33 and 34” and insert “regulation 33”.

14. Clause 9.4 amended

In clause 9.4, delete subclause (2) and re-designate subclause “(3)” as subclause “(2)”.

15. Schedule 1 amended

Delete Schedule 1 and insert—

Schedule 1—Prescribed Offences

[cl 10.4(1)]

OFFENCES AND MODIFIED PENALTIES

Item No.	Clause	Description of Offence	Modified Penalty \$
1	2.4	Failure to comply with determination	125
2	3.6	Failure to comply with conditions of permit	125
3	3.13(1)	Failure to obtain a permit	125
4	3.14(3)	Failure to obtain permit to camp outside a facility	125
5	3.15(1)	Failure to obtain permit for liquor	125
6	3.16	Failure of permit holder to comply with responsibilities	125
7	4.2(1)	Behaviour detrimental to property	125
8	4.4	Under influence of liquor or prohibited drug	125
9	4.6(2)	Failure to comply with sign on local government property	125
10	5.5	Unauthorised entry to fenced or closed local government property	125
11	5.6	Gender not specified using entry of toilet block or change room	125
12	5.7(1)	Unauthorised presence of animal on aerodrome	300
13	5.7(2)	Animal wandering at large on aerodrome—person in charge	300
14	5.7(3)	Animal wandering at large on aerodrome—owner	300
15	6.1(1)	Unauthorised entry to function on local government property	125
16	10.1	Failure to comply with notice	200

Dated: 31st March, 2011.

The Common Seal of the Shire of Derby/West Kimberley was affixed under the authority of a resolution of Council in the presence of—

**E. M. ARCHER, Shire President.
S. BURGE, Chief Executive Officer.**
