

LG301

**LOCAL GOVERNMENT ACT 1995**

*City of Albany*

**JETTIES, BRIDGES, BOAT PENS AND SWIMMING STRUCTURES AMENDMENT  
LOCAL LAW 2021**

**1. Enabling Legislation**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Albany resolved on 27 April 2021 to make the following local law.

**2. Citation**

This local law may be cited as the City of Albany Jetties, Bridges, Boat Pens and Swimming Structures Amendment Local Law 2021.

**3. Commencement**

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

**4. Principal local law amended**

In this local law, the City of Albany Jetties, Bridges, Boat Pens and Swimming Structures Local Law 2020, as published in the *Government Gazette* on 6 October 2020 is referred to as the principal local law. The principal local law is amended.

**5. Clause 1.5 amended**

In clause 1.5, insert the definition of 'Land', and a definition of 'Ellen Cove Jetty'.

***Ellen Cove Jetty*** means the structure located at, and extends from the coastal boundary of Lot 651, 2 Flinders Parade, Middleton Beach WA.

***land*** means that part of the earth's surface that is not covered by water, for the purpose of this local law land vested in the care and control of the local government above the mean high water mark;

**6. Clause 1.5 amended**

In clause 1.5 amend the definition of *designated area* by deleting "4.6" and inserting "4.5".

**7. Clause 2.2 amended**

In clause 2.2, delete each occurrence of the words 'the jetties' and replace them with the words 'a jetty'.

**8. Clause 2.3 amended**

In clause 2.3(2), delete "3.2(2)(a)" and insert "3.5".

**9. Clause 2.19 amended**

In clause 2.19(a), delete the word "filth,".

**10. Clause 3.8 amended**

In clause 3.8(1), delete '4.8' and insert "4.7".

**11. Clause 3.9 amended**

In clause 3.9(3) delete both instances of "7 days" and replace with "28 days".

**11. Clause 4.4 amended**

Delete clause 4.4, renumber following clauses accordingly.

**12. Clause 5.2 amended**

In clause 5.2(3), insert the words 'by resolution' after the word 'decide'.

**13. Clause 5.2 amended**

After clause 5.2(8), insert the following—

(9) This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Cth).

(10) The prohibition of animals in or on any part of the pen system does not apply to assistance animals.

Dated this 24th day of May 2021.

The Common Seal of the City of Albany was affixed by the authority of the resolution of Council in the presence of—

DENNIS WELLINGTON, Mayor.  
ANDREW SHARPE, Chief Executive Officer.

