

LG401

**LOCAL GOVERNMENT ACT 1995**

*City of Busselton*

**LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2022**

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 23 March 2022 to make the following local law.

**1. Short title**

This is the *Local Government Property Amendment Local Law 2022*.

**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), delete “.” and 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—  
16 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**

<b>Clause 1.5 definitions of—</b>	<b>Clause 3.10(4)</b>
“authorised person”	Clause 3.13(1)(f)
“CEO”	Clause 3.14(2)
“Council”	Clause 5.3(1)
“district”	Clause 5.4 (heading and text)

“local government property” “Manager” “person”	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 23 March 2022.

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

MICHAEL STEPHEN LEE ARCHER, Chief Executive Officer.  
GRANT HENLEY, Mayor.