

LOCAL GOVERNMENT ACT 1995

CITY OF WANNEROO

LOCAL GOVERNMENT AND PUBLIC PROPERTY AMENDMENT
LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Wanneroo resolved on 10 February 2009 to make the following local law.

1. Citation

This local law may be cited as the *City of Wanneroo Local Government and Public Property Amendment Local Law 2008*.

2. Commencement

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

3. Principal Local Law

In this local law, the *City of Wanneroo Local Government and Public Property Local Law 1999* as published in the *Government Gazette* on 18 January 2000 is referred to as the principal local law. The principal local law is amended as follows.

4. Clause 24 amended

Paragraph (a) delete "Liquor Licensing Act 1988" and insert—
"*Liquor Control Act 1988*".

5. Clause 25 amended

- (a) In paragraph (c) after the semicolon delete "or".
- (b) After paragraph (d) insert—
 - (e) fly a powered model aircraft;
 - (f) use a powered model boat; or
 - (g) use a powered model vehicle."

6. Clause 30 amended

- (a) In paragraph (j) delete "Liquor Licensing Act 1988" and insert—
"*Liquor Control Act 1988*".
- (b) In paragraph (l) delete "Gaming Act 1987" and insert—
"*Gaming and Wagering Commission Act 1987*".

7. Clause 31 amended

In paragraph (f) delete "Liquor Licensing Act 1988" and insert—
"*Liquor Control Act 1988*".

8. Clause 36 deleted

Clause 36 and its heading "Limit on liability" are deleted.

9. Clause 48 amended

- (a) In paragraph (a) after the semicolon delete "or".
- (b) In paragraph (b) delete "time." and insert—
"time; or";
- (c) After paragraph (b) insert—
"(c) lay gravel, crushed brick or loose stone."

10. Clause 50 amended

Paragraph (a) is deleted and paragraph numbers "(b)" through to "(f)" are redesignated as "(a)" to "(e)" consecutively.

11. Clause 53 amended

Delete “may” and insert—
“shall”.

12. Clause 65 deleted

Clause 65 and its heading “Limit on liability” are deleted.

13. Clause 73 amended

Delete “Court of Petty Sessions” and insert—
“Magistrates Court”.

14. Renumbering of clauses

- (a) Clause numbers “37” through to “64” are redesignated as “36” to “63” consecutively; and
- (b) Clause numbers “66” through to “74” are redesignated as “64” to “72” consecutively.

15. First Schedule amended

Delete the First Schedule and insert—

“First Schedule**CITY OF WANNEROO*****Local Government and Public Property Local Law 1999*****OFFENCES AND MODIFIED PENALTIES**

Item No	Clause No	Nature of Offence	Modified Penalty \$
1	11(c)	Fail to comply with a notice	125
2	13	Fail to obtain a written approval	125
3	14(a)	Behaviour likely to interrupt, disturb or interfere with enjoyment of other persons	125
4	14(b)	Behaviour which interrupts, disturbs or interferes with enjoyment of other persons	125
5	15(1)(c)	Without consent of the occupier, enter or attempt to enter a dressing room already occupied	125
6	20(1)	Fail to comply with a lawful direction of an authorised person	125
7	22(a)	Kill, injure or interfere with any fauna	125
8	22(b)	Take on to, set or use any animal, bird or fish trap while on any local government property	125
9	22(c)	Take on to, or allow any animal to remain on any local government property unless permitted by other written law applying in the district	125
10	24(e)	Be under the influence of liquor or a prohibited drug	125
11	24(d)	Use any volatile, explosive or flammable matter	125
12	24(e)	Smoke inside a building where smoking is prohibited	125
13	24(g)	Enter any place that has been fenced off, obstructed or closed to the public	125
On any reserve or local government property not set aside for the purpose:			
14	25(a)	Play/practise golf, archery, pistol or rifle shooting	125
15	25(b)	Ride a skateboard or roller blades	125
16	25(c)	Ride a sandboard or similar device	125
17	25(d)	Launch a personal watercraft or boat	125
18	25(e)	Fly a powered model aircraft	125
19	25(f)	Use a powered model boat	125
20	25(g)	Use a powered model vehicle	125
21	26(a)	Enter or leave any local government property or building other than by the public entrance or exit ways	125
22	26(b)	Enter or remain on any local government property or building except during times access is available to the public	125
23	27	Enter local government property or building without first paying the applicable fee or charge	125
24	31	Fail to meet responsibilities of hirer of local government property or building	125

Item No	Clause No	Nature of Offence	Modified Penalty \$
25	31(h)	Fail to comply with conditions of hire of local government property or building	125
26	32(a)	Fail to observe the etiquette and rules of golf, varied local rules on scorecard or public notice board	125
27	32(b)	Fail to observe reasonable direction of controller	125
Without approval of the controller:			
28	33(a)	Be accompanied by a non playing spectator whilst playing golf	125
29	33(b)	Cross or trespass on any portion of the golf course prepared for play	125
30	33(c)	Offer himself for employment or be employed for a fee as a caddie	125
31	33(d)	Sell, offer or expose for sale or exchange any golf ball or any golf equipment or other goods or services	125
32	34	Fail to produce written authority to play golf for number of holes, day and time on the golf course	125
33	35(a)	Take a vehicle onto golf course without approval of controller	125
34	35(d)	Take any golf buggy with wheels less than 25mm wide on to any part of the golf course	125
35	35(g)	Leave on the golf course any vehicle, object or animal	125
36	36(3)	Fail to leave pool premises quietly and peaceably when requested to do so	125
37	38	Fail to meet responsibilities of swimming pool users	125
38	39(a)	Use a sandboard, other board or thing to slide down sand dunes	125
39	39(c)	Traverse sand dunes other than along designated paths	125
40	39(d)	Take a vehicle onto any beach or sand dunes	125
41	40(1)	Launch a boat into sea from area not approved or not permitted by signs	125
42	40(2)	Launch personal water craft into sea other than from a boat launching ramp	125
43	43(a)	Fail to comply with a sign erected on a beach	125
44	44(1)(a)	Fish in an area where fishing is prohibited and designated by signs	125
45	44(1)(b)	Fish in an area set aside as designated permitted bathing area	125
46	44(2)(a)	Clean fish or cut bait on any seat or hand rail	125
47	44(2)(b)	Leave or deposit fish offal on land or in sea within 200m of any beach	125
48	45	Ride a surfboard, drive a personal watercraft or boat in a designated permitted bathing area	125
49	47(b)	Cover or obstruct any manholes, gullies or inspection pits serviced from time to time	125
50	47(c)	Lay gravel, crushed brick or loose stone	125
51	49(a)	Fail to keep verge treatment in good or tidy condition and avoid obstruction of any sort	125
52	49(c)	Place any obstruction on or around any verge treatment	125
53	49(d)	Water or maintain a verge treatment to cause nuisance or hazard to person using footpath, accessway	125
54	52	Failure to install a permissible vehicle crossing treatment	125
55	53(a)	Failure to use permissible treatments in residential zone	125
56	53(b)	Failure to use permissible treatments in commercial/industrial zone	125
57	53(c)	Failure to use permissible treatments in rural zone	125

Item No	Clause No	Nature of Offence	Modified Penalty \$
58	55(1)(a)	Fail to take necessary precautions to ensure footpath is not damaged during works	125
59	55(1)(b)	Fail to notify local government of existing footpath damage prior to commencement of works	125
60	57	Leave a shopping trolley in a public place other than an area set aside for the storage of shopping trolleys	125
61	58	Failure of owner to remove shopping trolley within 24 hours of being advised by local government	125
62		Other offences not specified	125"

Dated: 4 March 2009.

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

JON KELLY, Mayor.
DANIEL SIMMS, Chief Executive Officer.
