

LOCAL GOVERNMENT ACT 1995

SHIRE AUGUSTA MARGARET RIVER

LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL
LAW 2016

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Augusta Margaret River resolved on [insert date] to make the following local law:

1. Citation

This local law is cited as the *Shire of Augusta Margaret River Local Government Property Amendment Local Law 2016*.

2. Commencement

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

3. Principal local law

In this local law the *Shire of Augusta-Margaret River Local Government Property Local Law 2013* as published in the *Government Gazette* on 23 December 2013 is referred to as the principal local law. The principal local law is amended.

4. Clause 3.14 amended

Delete clause 3.14 and insert –

3.14 Permit Required To Camp Outside a Facility

(1) In this clause –

facility has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

goods has the same meaning as is given to it in section 3.38 of the Act.

(2) This clause does not apply to a facility operated by the local government.

(3) A person shall not without a permit –

- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
- (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day;
- (c) erect anything on local government property that is ancillary or connected to camping or overnight stay; or
- (d) park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.

(5) Any tent, camp, hut or similar structure erected in contravention of paragraph (b) and (c) of subclause (3) and associated goods may, subject to Regulation 29 of the Regulations, be impounded.

(6) A vehicle parked in contravention of paragraph (d) of subclause (3) may, subject to the provisions of Regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.

(7) An authorised person who impounds a vehicle under subclause (6) shall attach a notice to a vehicle advising the owner of the vehicle that the vehicle will be released upon payment of the costs of impounding and the place where and hours during which the costs can be paid.

(8) The notice attached to the impounded vehicle under subclause (6) shall also advise the owner that if the impounding costs are not paid within 24 hours the vehicle may be removed to the local government pound.

(9) Notices issued under this clause shall be in the form determined by the CEO.

Dated [insert date]

The Common Seal of the Shire of Augusta Margaret River was affixed by authority of a resolution of the Council in the presence of –

MICHAEL SMART, Shire President

GARY EVERSHED, Chief Executive Officer