

LOCAL GOVERNMENT ACT 1995

SHIRE OF 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 23 March 2016 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**

This local law amends the *Shire of Augusta Margaret River Local Government Property Local Law 2013* as published in the *Government Gazette* on 23 December 2013.

**4. Clause 3.1 amended**

Delete Clause 3.1 and insert—

**3.1 Application of this Part**

This Part does not require a permit or an application for a permit for any activity carried on—

- (a) by a person who occupies local government property under a written lease or written licence; and
- (b) where such activity is expressly permitted under the lease or licence; and
- (c) where such activity takes place on the local government property subject to the lease or licence

**5. 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.

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Dated: 23 March 2016.

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

IAN EARL, Shire President.  
GARY EVERSHED, Chief Executive Officer.

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