

**CITY OF BAYSWATER**

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**LOCAL GOVERNMENT ACT 1995**

**LOCAL GOVERNMENT PROPERTY AMENDMENT  
LOCAL LAW 2024**

**DRAFT**

**Local Government Act 1995**

**City of Bayswater**

**Local Government Property Amendment Local Law 2024**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Bayswater resolved on (insert date) to make the following amendment local law.

**Part 1 - Preliminary**

**1. Citation**

This local law may be cited as the *City of Bayswater Local Government Property Amendment Local Law 2024*.

**2. Commencement**

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

**3. Principal Local Law**

This local law amends the *City of Bayswater Local Government Property Local Law 2016* published in the *Government Gazette* on 18 July 2016 ("Principal Local Law").

**Part 2 – Amendments**

**4. Clause 1.3 amended**

Clause 1.3 is amended by inserting the following definitions for "e-cigarette" and "smoke and/or smoking" in alphabetical order:

**e-cigarette** means a portable device that is designed to generate or release an aerosol or vapour for personal use;

**smoke and/or smoking** means to:

- (a) smoke, hold or otherwise have control over an ignited tobacco product;
- (b) light a tobacco product; or
- (c) use an e-cigarette;

**5. Clause 5.9 inserted**

Following Clause 5.8, insert the following new Clause 5.9, and renumber existing clauses 5.9 to 5.14:

**"5.9 Unclaimed Property in locker**

- (1) If an article in a locker is not claimed or collected within 48 hours after the date of hire, the article may be removed by an attendant or authorised person.
- (2) An attendant or authorised person must record in the Unclaimed Property Register, with respect to each article removed from a locker.
- (3) An attendant or authorised person must ensure that an article removed from the locker is stored at the place determined by the local government.
- (4) An attendant or authorised person may deliver to a person an article recorded in the Unclaimed Property Register on receiving:
  - a. satisfactory evidence of the person's right to obtain the article;
  - b. an accurate description of the article being claimed; and
  - c. payment of any outstanding fees or storage charges.
- (5) A person who receives delivery of an article from the Unclaimed Property Register must, by way of acknowledging receipt of the article, write their name and address and sign their name in the Unclaimed Property Register.
- (6) Neither the Manager or authorised person or employee of the local government shall in any way be responsible for any articles or money lost by or stolen from any person whilst in a centre or for any articles damaged whilst in or about a centre."

## 6. Schedule 1 amended

Delete the Table in Schedule 1 of the Principal Local Law and insert the following Table:

Item	Clause	Description	Modified Penalty (\$)
1	2.4	Failure to comply with determination	150
2	3.6	Failure to comply with conditions of permit	150
3	3.14(3)	Failure to obtain permit to camp outside a facility	150
4	3.15(1)	Failure to obtain permit for liquor	150
5	3.16	Failure of permit holder to comply with responsibilities	150
6	4.2(1)	Behaviour detrimental to property	200
7	4.3	Take, injure or kill fauna	350
8	4.4	Remove or damage flora on local government property	350
9	4.5	Under influence of liquor or prohibited drug	150
10	4.10	Failure to comply with sign on local government property	150
11	5.6	Failure to comply with sign or direction on beach	150
12	5.7	Unauthorised entry to fenced or closed local government property	150
13	5.8	Gender not specified using entry of toilet block or change room	150
14	5.11	Failure to comply with direction of controller or notice on golf course	150
15	6.2(1)	Unauthorised entry to function on local government property	150

16	7.3	Unauthorised use of any part of jetty which is closed or under repair or construction	150
17	7.4	Mooring of boats in unauthorised manner	150
18	7.5	Unauthorised mooring of a boat to jetty	150
19	7.6	Failure to remove moored boat on direction of authorised person	150
20	7.7	Launching of boat from jetty without consent	150
21	7.8	Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted	150
22	7.9	Unlawful storing of goods on jetty	150
23	7.10	Removing goods from jetty during other than permitted hours	150
24	7.11	Failure to remove cargo on jetty on direction of authorised person	150
25	7.12	Unauthorised deposit of bulk cargo on jetty	150
26	7.13	Tip or deposit anything on to a jetty so as to pollute the surrounding area	150
27	7.14	Fishing from jetty or bridge so as to obstruct a boat or another person	150
28	10.2	Failure to comply with notice	200

The COMMON SEAL OF THE CITY OF BAYSWATER was affixed by authority of a resolution of the Council in the presence of:

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 FILOMENA PIFFARETTI  
 MAYOR

Dated:

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 JEREMY EDWARDS  
 CHIEF EXECUTIVE OFFICER