

LOCAL GOVERNMENT ACT 1995

SHIRE OF MEEKATHARRA

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2021

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SCHEDULE 1—PRESCRIBED OFFENCES

LOCAL GOVERNMENT ACT 1995

SHIRE OF MEEKATHARRA

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES LOCAL LAW 2021

Under the power conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Meekatharra resolved on 20 August 2022 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Meekatharra Local Government Property and Public Places Local Law 2021*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Repeal

This local law repeals the:-

(1) *Shire of Meekatharra Local Government Property Local Law 2007* as published in the *Government Gazette* on 29 July 2008.

(2) *Shire of Meekatharra Activities in Thoroughfares and Public Places Local Law 2007* as published in the *Government Gazette* on 29 July 2008.

1.5 Definitions

In this local law, unless the context otherwise requires—

Act means the *Local Government Act 1995* (WA);

animal means any living thing that is not a human being, fly or plant;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

attendant means an employee of the local government with responsibility for the control and management of persons in a public swimming pool or recreation facility which is local government property;

built-up area has the meaning given to it in the *Road Traffic Code 2000*;

camera device means an apparatus for taking photographs or moving pictures and includes a mobile phone when used for this purpose;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

change room means a room designated for the changing of clothes and may include showers, toilets and hand washing basins;

charitable organisation means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other similar nature and from which no member receives any pecuniary profit except where the member is an employee or the profit is an honorarium;

CEO means the Chief Executive Officer of the local government;

closed thoroughfare means a thoroughfare wholly or partially closed by the local government under sections 3.50 or 3.50A of the Act;

commencement day means the day on which this local law commences under clause 1.2;

Council means the council of the local government;

determination means a determination made under clause 2.1;

detrimental to the property includes—

- (a) removing anything from the local government property such as a rock, plant, fixture, fitting, chattel, equipment or furniture provided for the use, enjoyment or safety of any person;
- (b) destroying, defacing or damaging a building or anything on the local government property, such as a plant, fixture, chattel, equipment or furniture provided for the use, enjoyment or safety of any person; and
- (c) causing environmental harm or nuisance on the local government property;

district means the district of the local government;

drunk has the meaning provided in the *Liquor Control Act 1988*;

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes, in relation to any such animal—

- (a) any class of animal or individual members;
- (b) the eggs or larvae; or
- (c) the carcass, skin, plumage or fur;

footpath has the meaning given in the *Road Traffic Code 2000* and includes a shared and dual use path;

intersection has the meaning given to it by the *Road Traffic Code 2000*;

local government means the Shire of Meekatharra;

local government policy means a policy or standard adopted by the local government;

local government property means anything except a thoroughfare which—

- (a) is owned by the local government;
- (b) is vested in the local government;
- (c) is otherwise under the care, control or management of the local government, including under the *Land Administration Act 1997* (WA); or
- (d) is an 'otherwise unvested facility' within the meaning of section 3.53 of the Act;

local public notice means notice given in accordance with the procedure set out in section 1.7 of the Act;

manager means the person for the time being employed, contracted or appointed by the local government to manage any swimming pool or recreation facility, and includes any assistant or deputy;

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at common law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

occupier has the meaning given to it by the Act, but does not include the local government;

owner has the meaning given to it by the Act;

prohibited drug has the meaning given to it in the *Misuse of Drugs Act 1981* (WA);

public place includes a thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include—

- (a) premises on private property from which trading is lawfully conducted under a written law; or
- (b) local government property;

Regulations means the *Local Government (Functions and General) Regulations 1996* (WA);

street market means a collection of stalls, stands and displays on local government property or a public place for the purposes of selling goods, wares, merchandise, produce or services, or carrying out any other transaction;

street numbering means a number or numbers with or without an alphabetical suffix assigned to identify the street address of a property;

thoroughfare has the meaning given to it by the Act, but does not include a private thoroughfare which is not under the management or control of the local government;

trader means a person who carries on trading;

trading means—

- (a) the selling or hiring of, the offering for sale or hire of, or the soliciting of orders for, goods or services in a public place or on local government property;
- (b) displaying goods in a public place or local government property for the purpose of—
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for them; or
 - (iv) carrying out any other transaction in relation to them,

and includes the setting up of a stall, or the conducting of a business at a stall;

vehicle includes—

- (a) every conveyance and every object capable of being propelled or towed on wheels, tracks or otherwise, including an off-road vehicle; and
- (b) an animal being ridden or driven;

but excludes—

- (c) a wheelchair or any device designed for use by physically impaired person on a footpath;
- (d) a pram, a stroller or a similar device;
- (e) a bicycle or wheeled recreational device; and
- (f) a shopping trolley;

1.6 Transitional

Any permit, licence, consent or authorisation issued in accordance with a local law listed in clause 1.4—

- (a) is taken to be as a consent or authorisation granted under this local law; and
- (b) is to be valid for the period specified on the permit, licence, consent or authorisation.

1.7 Application as to assistance animals

This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Cth).

PART 2—DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY*Division 1—Determinations***2.1 Determinations as to use of local government property**

The local government may make a determination in accordance with clause 2.2—

- (a) permitting or prohibiting activities on specified local government property
- (b) as to any matter ancillary or necessary to give effect to a determination.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice must state that—
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received under clause 2.2(2)(c), the local government is to decide—
 - (a) to give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) to amend the proposed determination, in which case clause 2.2(5) will apply; or
 - (c) not to continue with the proposed determination.
- (4) If submissions are received under clause 2.2(2)(c), the local government—
 - (a) is to consider those submissions; and
 - (b) is to decide—
 - (i) whether to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the local government decides to amend the proposed determination, it is to give local public notice—
 - (a) of the effects of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the local government decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed amendment is to have effect as a determination on and from the date of publication of the local public notice referred to in clauses 2.2(3), 2.2(5) and 2.2(6).
- (8) A decision under clauses 2.2(3) or 2.2(4) is not to be delegated by Council.

2.3 Discretion to erect a sign

The local government may erect a sign on local government property to give notice of the effect of a determination.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in clause 2.5(1) and for that purpose, the register is taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The local government may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.

(3) If the local government revokes a determination, it must give local public notice of the revocation and the determination will cease to have effect on and from the date of publication.

Division 2—Transitional

2.7 Existing signs to have effect as a determination

(1) Where a sign erected on local government property has been erected under a local law that is repealed by this local law, then it is to be taken to have effect as a determination under this local law on and from the commencement day, except to the extent that the sign is inconsistent with any provisions of this local law or any determination made under clause 2.1.

(2) Clause 2.5 does not apply to a sign referred to in clause 2.7(1).

PART 3—BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY

Division 1—Behaviour on and interference with local government property

3.1 Behaviour which interferes with others

A person must not, in or on local government property, behave in a manner which—

- (a) is likely to or does interfere with, interrupt or disturb the enjoyment of a person who might use the property or who is using the property;
- (b) causes or is likely to cause a disturbance to nearby residents;
- (c) otherwise creates a nuisance; or
- (d) places the public at risk or interferes with the safety of others.

3.2 Behaviour detrimental to property

A person must not, in or on local government property, behave in a way which is or might be detrimental to the local government property

3.3 Removing or injuring any fauna

A person must not take, injure or kill, or attempt to take, injure or kill, any fauna which is on or above any local government property unless that person is authorised under a written law to do so.

3.4 Drunk persons not to enter local government property

A person must not enter or remain on local government property while drunk or under the influence of a prohibited drug.

3.5 Prohibited drugs

A person must not take a prohibited drug onto or consume or use a prohibited drug on local government property.

3.6 Appropriate behaviour and adequate clothing

(1) A person over the age of 6 years shall not on or in any local government property—

- (a) appear in public unless properly dressed in clothing which covers the body to prevent indecent exposure, except where the property is set aside for the wearing of no clothes under clause 2.1;
- (b) loiter outside or act in an inappropriate manner in any portion of a toilet block or change room facility; or
- (c) without the consent of the occupier, enter or attempt to enter any toilet or other compartment which is already occupied.

(2) Where an authorised person, an attendant or a manager considers that the clothing of any person on local government property is not proper or adequate to cover the body so as to prevent indecent exposure, the authorised person may direct that person to put on adequate clothing and that person shall comply with that direction immediately.

3.7 Refusal of entry to local government property

(1) Subject to clauses 4.3 and 4.4, an authorised person, manager or attendant may refuse to allow entry, or suspend admission, to any local government property to any person whom he or she reasonably suspects has behaved in a manner contrary to the provisions of this Part.

(2) A refusal or suspension under subclause (1) can be for any period of up to 12 months as determined by an authorised person.

(3) Subclause (1) does not apply to a venue where Council or Committee meetings are held.

Division 2—Signs

3.8 Signs

(1) The local government may erect a sign on local government property specifying any conditions of use which apply to that property.

(2) A person must comply with a sign erected under clause 3.8(1).

(3) A condition of use specified on a sign erected under clause 3.8(1) must not be inconsistent with any provision of this local law or any determination.

PART 4—SPECIFIC MATTERS RELATING TO TYPES OF LOCAL GOVERNMENT PROPERTY*Division 1—Public swimming pools and other recreation facilities***4.1 General prohibitions**

A person shall not—

- (a) obstruct an authorised person, manager or attendant in carrying out his or her duties;
- (b) fail to comply with a direction given by an authorised person, manager or attendant—
 - (i) refusing admission to a person;
 - (ii) directing a person to leave the public swimming pool or recreational facility; or
 - (iii) directing a person in relation to his or her use of the public swimming pool or recreation facility;
- (c) fail to comply with a direction given by an authorised person or manager suspending admission to a person;
- (d) permit an animal to enter or remain in or about a public swimming pool or recreational facility where such entry is prohibited by a sign;
- (e) consume any food or drink in an area where consumption is prohibited by a sign; or
- (f) foul or pollute the water in a public swimming pool.

4.2 Use of all or part of a public swimming pool or recreation facility

An authorised person, manager or attendant may—

- (a) direct that all or part of a public swimming pool or recreation facility is for the use of certain persons to the exclusion of others; and
- (b) direct a person as to that person's use of the public swimming pool or recreation facility.

4.3 When entry and use may be refused

(1) An authorised person, manager or attendant may—

- (a) refuse admission to; or
- (b) direct to leave; or
- (c) cause to be removed from,

a public swimming pool, the water at a public swimming pool or recreation facility any person where any of the requirements set out in clause 4.3(2) are not being complied with or for any reason set out in clause 4.3(3).

(2) For the purposes of clause 4.3(1), the requirements are—

- (a) children under the age of 5 years must be accompanied into the public swimming pool or recreation facility by a responsible adult, and must be supervised by that responsible adult within arms' length at all times while within the public swimming pool or recreation facility;
- (b) a responsible adult can only be responsible for a maximum of 3 children under the age of 5 years at any one time; and
- (c) subject to clause 4.3(2)(a), children under the age of 12 years must be accompanied into the public swimming pool or recreation facility by a responsible adult of age, and must be supervised by that responsible adult within line of sight at all times while within the public swimming pool or recreation facility.

(3) For the purposes of clause 4.3(1), the reasons are—

- (a) where the authorised person, manager or attendant reasonably suspects the person is—
 - (i) suffering from any gastrointestinal disease, contagious, infectious or cutaneous disease or complaint or has unhealed wounds;
 - (ii) in an unclean condition;
 - (iii) wearing unclean clothes; or
 - (iv) under the influence of liquor and/or a prohibited drug; or
- (b) if in the opinion of the authorised person, manager or attendant—
 - (i) such action is necessary or desirable to prevent a contravention of this local law; or
 - (ii) the person is committing a breach of any provision of this local law;
- (c) by reason of his or her past or present conduct within or about the public swimming pool or recreation facility, has created or is creating a nuisance.

4.4 Suspension of admission

An authorised person or manager may suspend admission for a minimum period of one day to any person who has committed a breach of any provision of this local law in relation to the public swimming pool or recreation facility.

*Division 2—Fenced or closed property***4.5 No entry to fenced or closed local government property**

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise unless authorised by the local government.

*Division 3—Toilet blocks and change rooms***4.6 No use of camera devices in toilet blocks or change rooms**

A person must not operate a camera device in any portion of a toilet block or change room to record or transmit an image.

PART 5—FEES FOR ENTRY ONTO LOCAL GOVERNMENT PROPERTY**5.1 Payment of applicable fees for entry or participation**

(1) Subject to clause 5.1(2), where a fee is payable for entry to local government property or participation in an activity on or in any local government property, a person shall not enter that property or participate in the activity without first paying the applicable fee.

(2) The local government may exempt a person from compliance with clause 5.1(1) on the application of that person.

PART 6—ACTIVITIES IN PUBLIC PLACES*Division 1—General***6.1 General prohibitions**

(1) Subject to this local law, a person shall not—

- (a) plant any plant on a thoroughfare—
 - (i) within the vicinity of an intersection that creates a sight line hazard in relation to pedestrians or drivers of vehicles using that intersection and which is not maintained at or below 0.5 metres in height; or
 - (ii) so that it is within 2 metres of a carriageway, except in the case of grass or a similar plant to grass;
- (b) damage a lawn or garden on or in a public place or remove any plant or part of a plant from a lawn or garden on or in a public place unless—
 - (i) the person is the owner or occupier of the lot abutting that portion of the thoroughfare and the lawn, garden or the particular plant was installed or planted by that owner or occupier; or
 - (ii) the person is acting under the authority of a written law;
- (c) on a verge, repair or service any vehicle;
- (d) place, allow to be placed or allow to remain on a thoroughfare or verge anything that results in a hazard for any person using the thoroughfare or verge;
- (e) cause or permit any water from a hose or sprinkler to interfere with the use of any street, way or footpath by pedestrians;
- (f) play or participate in any game or sport so as to—
 - (i) cause danger to any person on a thoroughfare; or
 - (ii) obstruct the movement of vehicles or persons on a thoroughfare;
- (g) within a mall, arcade or verandah of a shopping or service centre, ride any bicycle, wheeled recreational device or similar device; or
- (h) use anything or do anything so as to create a nuisance on or in a public place.

*Division 2—Driving on a closed thoroughfare***6.2 No driving on closed thoroughfare**

A person must not drive or take a vehicle on a closed thoroughfare unless—

- (a) it is in accordance with any limit or exception specified in the order made under section 3.50 of the Act; or
- (b) the person has first obtained the consent of the local government.

*Division 3—Property numbers**Subdivision 1—Preliminary***6.3 Interpretation**

In this Division, unless the context requires otherwise—

number means a number of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

*Subdivision 2—Assignment and marking of numbers***6.4 Assignment of number**

The local government may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.

*Division 4—Signs erected by the local government***6.5 Signs**

(1) The local government may erect a sign on a public place specifying any conditions of use which apply to that place.

- (2) A person must comply with a sign erected under clause 6.5(1).
- (3) A condition of use specified on a sign erected under clause 6.5(1) is to be for the purpose of giving notice of the effect of the provision of a local law.

6.6 Transitional

Where a sign erected on a public place has been erected under a local law of the local government repealed by this local law, then on and from the commencement day, it is to be taken to be a sign erected under clause 6.6 if the sign is not inconsistent with any provisions of this local law.

PART 7—OBSTRUCTING ANIMALS OR VEHICLES ON OR IN LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES

Division 1—Animals

7.1 Leaving an animal on local government property or in a public place

A person must not leave an animal on local government property or a public place so that it obstructs the use of any part of that local government property or public place unless that person—

- (a) has first obtained permission from the local government; or
- (b) is authorised to do so under a written law or a determination made under this local law.

7.2 Prohibitions relating to animals

(1) In this clause, **owner** in relation to an animal includes—

- (a) the owner of the animal;
- (b) a person who has the animal in his or her possession or under his or her control; or
- (c) the occupier of any premises where the animal is ordinarily kept or ordinarily permitted to live.

(2) An owner of an animal must not—

- (a) allow the animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare and unless it is led, ridden or driven;
- (b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in or on local government or a public place;
- (c) train or race the animal on a thoroughfare; or
- (d) subject to clause 7.2(4), allow the animal to defecate on local government property or in a public place.

(3) An owner of a horse must not lead, ride or drive the horse on a thoroughfare in a built-up area, unless the person does so with the permission of the local government or under the authority of a written law.

(4) An owner of an animal does not commit an offence if the defecation is immediately removed.

7.3 Removal of animals

An authorised person may impound an animal left on or in local government property or a public place contrary to clause 7.2.

Division 2—Vehicles

7.4 Leaving a vehicle in a public place

A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit from the local government or is authorised to do so under a written law.

PART 8—TRADING IN PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY

8.1 Restrictions and requirement to obtain authorisation

(1) A person must not carry on trading on local government property or in a public place unless—

- (a) subject to clause 8.1(2), that person is—
 - (i) the holder of written permission by the local government for that purpose; or
 - (ii) an assistant specified in the written permission for trading; and
- (b) if required by the local government, public liability insurance in respect of the trading activity has been taken out by the relevant person; and
- (c) if the person is trading in food, the place of trading must comply with the requirements of the local governments Health Local Laws including but not limited to access to a supply of potable water and/or the disposal of wastewater.

(2) The local government may by written notice exempt a person or class of persons from the need to obtain a permit.

(3) In determining whether to grant an exemption under clause 8.1(2), the local government may have regard to the matters set out in any local government policy.

8.2 Exemptions from requirement to pay a fee

(1) The local government may waive any fee required to be paid for the purpose of trading on local government property if the trading is carried on—

- (a) a portion of local government property or a public place adjoining the normal place of business of the applicant; or
- (b) by a charitable organisation that—
 - (i) does not sublet space to commercial participants; or
 - (ii) does not involve commercial participants in the conduct of the stall or trading.

(2) In this clause 8.1, **commercial participant** means any person who is involved in operating or in conducting any trading activity for personal gain or profit.

8.3 Insurance

If required by the local government to hold public liability insurance in respect of the permit holder's trading activities, a permit holder must produce to an authorised person a current certificate of insurance upon the direction of that authorised person.

PART 9—OBJECTIONS AND APPEALS

9.1 Objection and appeal rights

Where the local government makes a decision as to whether it will—

- (a) grant a person consent; or
- (b) renew, vary or cancel that consent that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

PART 10—MISCELLANEOUS

Division 1—Authorised person

10.1 Authorised person to be obeyed

A person in or on local government property or a public place—

- (a) must obey any lawful direction of an authorised person; and
- (b) must not in any way obstruct or hinder an authorised person in the execution of his or her duties.

10.2 Persons may be directed to leave local government property or a public place

An authorised person may direct a person to leave local government property or a public place where he or she reasonably suspects that the person has contravened a provision of this local law.

Division 2—Notices

10.3 Liability for damage to local government property or a public place

(1) Where a person unlawfully damages local government property or a public place, the local government may by notice in writing to that person require that person within the time specified in the notice to, at the option of the local government, pay the costs of—

- (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
- (b) replacing that property.

(2) On a failure to comply with a notice issued under clause 10.3(1), the local government may recover the costs referred to in the notice as a debt due to it.

10.4 Notice to remove thing unlawfully placed on thoroughfare

Where anything is placed on a thoroughfare contrary to this local law, the local government or an authorised person may give a notice to—

- (a) the owner or the occupier of the property which abuts that portion of the thoroughfare where the thing has been placed; or
- (b) such other person who may be responsible for the thing being so placed, requiring the relevant person to remove the thing.

10.5 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare has been damaged, the local government or an authorised person may by notice to the person who caused the damage order the person to repair or replace that portion of the thoroughfare.

PART 11—ENFORCEMENT

Division 1—Notices given under this local law

11.1 Offence to fail to comply with a notice

A person who fails to comply with a notice given to him or her under this local law commits an offence.

11.2 Local government may undertake requirements of a notice

If a person fails to comply with a notice given to him or her under this local law, the local government may do, or arrange to be done, the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in doing so.

*Division 2—Offences and penalties***11.3 Offences and general penalty**

- (1) A person who—
- fails to do anything required or directed to be done under this local law; or
 - does an act or omits to do an act contrary to this local law,
- commits an offence.
- (2) A person who commits an offence under this local law is liable, upon conviction to—
- a penalty not exceeding \$5,000; and
 - if the offence is a continuing offence, an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

11.4 Prescribed offences

- (1) An offence against an item specified in Schedule 1 is a prescribed offence for the purposes of section 9.16 of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the item in Schedule 1.

11.5 Form of notices

- (1) For the purposes of this local law—
- where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

*Division 3—Person to give name and address on demand***11.6 Requirement to give name and address on demand**

- (1) An authorised person may—
- upon finding a person committing or having committed; or
 - on reasonable grounds suspecting a person of having committed, an offence against this local law, demand from the person the person's name, place of residence and date of birth.
- (2) A person from whom information is demanded in accordance with clause 14.6(1) commits an offence if the person—
- refuses without lawful excuse to give the information; or
 - gives information that is false or misleading in any material particular.

SCHEDULE 1—PRESCRIBED OFFENCES

[Clause 11.4(1)]

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
1.	2.4	Failure to comply with a determination	\$300
2.	3.1	Behaviour on local government property which interferes with others	\$300
3.	3.2	Behaviour on local government property detrimental to property	\$300
4.	3.3	Removing or injuring any fauna on local government property	\$300
5.	3.4	Entering or remaining on local government property while drunk or under the influence of a prohibited drug	\$300
6.	3.5	Taking or consuming a prohibited drug on local government property	\$300
7.	3.6(1)(a)	Failing to wear adequate clothing to prevent indecent exposure on local government property	\$300
8.	3.6(1)(b)	Loitering outside or acting in an inappropriate manner in a toilet block or change room facility on local government property	\$300
9.	3.6(1)(c)	Entering or attempting to enter an occupied toilet or other compartment without the consent of the occupier	\$300

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
10.	3.6(2)	Failing to comply with a direction to put on adequate clothing	\$300
11.	3.7	Unauthorised entry to local government property	\$300
12.	3.8(2)	Failure to comply with a sign on local government property regarding conditions of use	\$300
13.	4.1	Carrying out a prohibited activity at a public swimming pool or recreation facility	\$300
14.	4.5	Unauthorised entry to fenced off or closed local government property	\$300
15.	4.6	Using a camera device to record or transmit an image in a toilet, shower or change room	\$300
16.	5.1(1)	Entering local government property without paying the required fee	\$300
17.	6.1(a)	Planting a plant on a thoroughfare in a prohibited manner	\$300
18.	6.1(b)	Damaging a lawn or garden or removing any plant or part of a plant on or in a public place	\$300
19.	6.1(c)	Repairing or servicing any vehicle on a verge	\$300
20.	6.1(d)	Placing, allowing to be placed or allowing to remain on a thoroughfare or verge an obstructive or hazardous thing	\$300
21.	6.1(e)	Causing or permitting water from a hose or sprinkler to interfere with the use of any street, way or footpath by pedestrians	\$300
22.	6.1(f)	Playing games or sport in a prohibited manner on or in a thoroughfare	\$300
23.	6.1(g)	Riding a bicycle or wheeled recreational device within a mall, arcade or verandah of a shopping or service centre	\$300
24.	6.1(h)	Creating a nuisance on or in a public place	\$300
25.	6.2(b)	Driving or taking a vehicle on a closed thoroughfare without consent of the local government	\$500
26.	6.5(2)	Failure to comply with a sign on a public place	\$300
27.	7.1	Leaving an animal in a public place or local government property without permission from the local government	\$300
28.	7.2(2)(a)	Allowing an animal to enter or remain on a thoroughfare	\$300
29.	7.2(2)(b)	Allowing an animal with a contagious or infectious disease to enter local government property or a public place	\$300
30.	7.2(2)(c)	Training or racing an animal on a thoroughfare	\$300
31.	7.2(2)(d)	Allowing an animal to defecate on local government property or a thoroughfare and failing to remove defecation	\$300
32.	7.2(3)	Leading, riding or driving a horse on a thoroughfare in a built-up area without authorisation	\$300
33.	7.4	Leaving a vehicle in a public place which causes an obstruction without authorisation	\$300
34.	8.1	Carrying on trading in a restricted area without the express written consent of the local government	\$300
35.	8.1(1)	Carrying on trading in a public place or on local government property contrary to local law	\$300
36.	10.1(b)	Obstructing or hindering an authorised person in the execution of his or her duties	\$300
37.	11.1	Failure to comply with a notice	\$300
38.	11.6(2)(a)	Refusing to give name and address contrary to local law	\$300
39.	11.6(2)(b)	Giving false or misleading information regarding name and address etc.	\$300

Dated this 22nd day of August 2022

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

HARVEY NICHOLS, Shire President.
KELVIN MATTHEWS, Chief Executive Officer.