LOCAL GOVERNMENT ACT 1995

SHIRE OF BROOME

LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2013

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Broome resolved on [insert date] to make the following local law.

1. Citation
This local law may be cited as the Shire of Broome Local Government Property and Public Places Amendment Local Law 2013.

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

3. Local law amended
The Shire of Broome Local Government Property and Public Places Local Law 2012 as published in the Government Gazette on 23 October 2012 is referred to as the principal local law. The principal local law is amended.

4. Clause 6.1 amended
Delete clause 6.1 and insert the following:

6.1 Use of all or part of a pool premises
The manager or attendant of a pool premises may –
(a) set aside all or part of the pool premises for the use of certain persons to the exclusion of others; and
(b) direct a person as to that person’s use of the pool premises.

6.1A When entry to and use of pool premises must be refused
The manager or attendant of a pool premises shall refuse admission to, direct to leave or shall remove, or cause to be removed from the pool premises any person who in the opinion of the manager or attendant –
(a) is under the age of 10 years and who is unaccompanied by a responsible person over the age of 16 years; or
(b) is -
   (i) suffering from any contagious, infectious or cutaneous disease or complaint; or
   (ii) in an unclean condition; or
   (iii) wearing unclean clothes; or
   (iv) is under, or apparently, under the influence of intoxicating liquor or drugs; or
(c) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.

6.1B When entry to and use of pool premises may be refused
The manager or attendant of a pool premises may –
(a) temporarily suspend admission to, direct to leave or remove from the pool premises all persons or any person, if in her or his opinion such action is
necessary or desirable;
(b) refuse admission to, direct to leave or remove, or cause to be removed from the pool premises any person who, in the opinion of the manager or attendant –
(i) is committing a breach of any provision of this local law; or
(ii) is by reason of her or his past, or present conduct, within or about the pool premises, has created or is creating a nuisance; and
(c) suspend admission for a minimum period of one week to any person who has committed a breach of any provision of this local law in relation to the pool premises.

5 Clause 6.4 amended
Clause 6.4 is amended as follows –
(a) In subclause 6.4(1) delete “6.1(c)” and insert “6.1B(b)”; and
(b) In subclause 6.4(2) delete “6.1(d)” and insert “6.1B(c)”.  

Dated:[insert date]

The Common Seal of the Shire of Broome was affixed under the authority of a resolution of Council in the presence of –

G T CAMPBELL, Shire President
K R DONOHOE, Chief Executive Officer