

LOCAL GOVERNMENT ACT 1995

City of Joondalup

Local Government and Public Property Amendment Local Law 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Joondalup resolved on _____ to make the “*City of Joondalup Local Government and Public Property Amendment Local Law 2007*”.

In this local law, the *City of Joondalup Local Government and Public Property Local Law 1999* as published in the *Government Gazette* on 18 January 2000 and as amended and published in the *Government Gazette* on 15 January 2002 is referred to as the principal local law. The principal local law is amended as follows –

ARRANGEMENT

PART 1 – PRELIMINARY.....	Clauses 1 – 3
PART 2 – RESERVES, BEACHES AND BATHING.....	Clauses 4 – 4.2

PART 1 – PRELIMINARY

Title

- 1 This title may be referred to as the *City of Joondalup Local Government and Public Property Amendment Local Law 2007*.

Commencement

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

Purpose

- 3 The purpose of this local law is to amend various clauses in the *Local Government and Public Property Local Law* to prohibit smoking on the City of Joondalup beaches.

PART 2 – RESERVES, BEACHES AND BATHING

Amendment

- 4 The *City of Joondalup Local Government and Public Property Local Law 1999* published in the *Government Gazette* on 18 January 2000 and as amended and published in the *Government Gazette* on 15 January 2002, is hereby amended in the following manner:

DEFINITIONS

- 4.1 Insert the following definition:

““beach” means the area from the western side of the dual use pathway to the high water mark, except Hillarys Boat Harbour, where the area extends from the pedestrian pathway to the high water mark and Burns Beach where the area covers the sandy shoreline to the high water mark;” ~~sandy shoreline of~~

~~an ocean body that includes beach access pathways and arks directly adjoining the shoreline where dunal systems are not present;~~

COMPLIANCE WITH SIGNS AND DIRECTIONS

4.2 Insert the following clause:

“44A Notwithstanding 44(a), a person shall not contravene a sign erected on the beach which prohibits the act of smoking.”

PENALTIES

First Schedule – Offences and Modified Penalties

Amend First Schedule by inserting the following:

“Clause 44A Failing to comply with sign erected on beach that prohibits the act of smoking.....50”