



**WAKEFIELD REGIONAL COUNCIL**  
**LOCAL GOVERNMENT LAND AMENDMENT BY-LAW 2023**  
**By-law No. 7 of 2023**

*A By-law to amend the Local Government Land By-Law of the Wakefield Regional Council to address matters raised by the Legislative Review Committee*

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**PART 1 – PRELIMINARY****1. Title**

This By-law may be cited as the '*Local Government Land Amendment By-law 2023*' and is By-law No. 7 of the Wakefield Regional Council.

**2. Authorising Law**

This By-law is made under sections 246 and 249 of the *Local Government Act 1999*.

**3. Purpose**

The objective of this By-law is to make minor amendments, as requested by the Legislative Review Committee and as set out in Part 2, to various provisions in the Council's Local Government Land By-law that was made by the Council on 29 June 2022 and published in the *Government Gazette* on 21 July 2022.

**4. Commencement, Revocation and Expiry**

4.1 Pursuant to section 249(6)(d) of the *Local Government Act 1999*, this By-law will take effect on the date that it is published in the *Government Gazette*.

4.2 This By-law will expire on 1 January 2030.

**5. Interpretation**

In this By-law, unless the contrary intention appears:

5.1 **Act** means the *Local Government Act 1999*;

5.2 **Council** means the Wakefield Regional Council; and

5.3 **LGL By-law** means the *Local Government Land By-law 2022* made by the Council on 29 June 2022 and published in the *Government Gazette* on 21 July 2022.

**PART 2 – AMENDMENT TO LOCAL GOVERNMENT LAND BY-LAW****6. Amendment to 'Boats and Mooring' clause**

As and from the date that this By-law takes effect the word 'bat' as it appears in subclause 9.9.3 of the LGL By-law is deleted and replaced with the word 'boat'.

**7. Amendment to 'Donations' clause**

As and from the date that this By-law takes effect, subclause 9.18 of the LGL By-law is deleted and substituted with the following:

**9.18 Donations**

*Ask for or receive or indicate that the person desires a donation of money or any other thing.*

**8. Amendments to 'Overhanging articles' clause**

As and from the date that this By-law takes effect, subclause 9.28 of the LGL By-law is deleted and substituted with the following:

**9.28 Overhanging Articles**

*Suspend or hang an article or object from a building, verandah, pergola, post or other structure where it might, in the reasonable opinion of an authorised person:*

*9.28.1 present a nuisance or danger to a person using the land; or*

*9.28.2 cause an unsightly condition.*

**9. Amendments to 'Toilets' clause**

As and from the date that this By-law takes effect, subclause 10.12.4 of the LGL By-law (including the note that appears thereafter) is deleted and substituted with the following:

*10.12.4 enter any public convenience (including toilets, showers, change rooms or similar facilities) unless the person is of the gender indicated in writing or on a sign located on that facility except:*

*10.12.4.1 in the case of a genuine emergency; or*

*10.12.4.2 where a vulnerable person is being assisted by the vulnerable person's caregiver, parent or guardian; or*

*10.12.4.3 if the person is intersex, transgender or gender diverse; or*

*10.12.4.4 if the person is a person with a disability; or*

*10.12.4.5 if the person is assisting a person with a disability.*

**10. Amendments to 'Directions' clause**

As and from the date that this By-law takes effect, subclause 11.2 of the LGL By-law is deleted and substituted with the following:

*11.2 A person who, in the reasonable opinion of an authorised person, is likely to commit or has committed a breach of this By-law must immediately comply with a reasonable direction of the authorised person to leave that part of Local Government land.*

This By-law was duly made and passed at a meeting of the Wakefield Regional Council held on **28 June 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



ANDREW MCDONALD  
Chief Executive Officer