

**LG301**

**LOCAL GOVERNMENT ACT 1995**

*Shire of Menzies*

**Activities in Thoroughfares 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 Menzies resolved on the 28 November 2013, to make the following local law.

**1. Citation**

This local law is cited as the *Shire of Menzies Activities in Thoroughfares 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. Principal Local Law**

In this local law, the *Shire of Menzies Activities in Thoroughfares and Public Places Local Law 2007* published in the *Government Gazette* on 6 July 2007 is referred to as the principal local law. The principal local law is amended as follows.

**4. Preliminary**

In the contents delete Part 3 and substitute with the following--

**PART 3—NIAGARA DAM RESERVE**

3.1 Interpretation

3.2 Permitted use of vehicles

3.3 Prohibition on use of firearms

3.4 Recovery of costs

**5. Clause 1.2 amended**

Clause 1.2 is amended as follows--

(a) Insert the following definition in alphabetical order--

“*firearm*” has the same meaning as in section 4 of the *Firearms Act 1973*;

“*missile*” has the same meaning as in section 4 of the *Firearms Act 1973*;

“*Schedule*” means a Schedule in this local law;

(b) Delete the definition for “vehicle” and replace with the following--

“*vehicle*” means-

(a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise, including car, truck, quad-bike, motorcycle or similar device; and

(b) an animal being ridden or driven;

but excludes--

(c) a wheel-chair or any device designed for use by a physically impaired person on a footpath;

(d) a pram, a stroller or a similar device; and

(e) bicycle or similar device.

## **6. Part 3 inserted**

Insert in order--

### **PART 3--NIAGARA DAM RESERVE**

#### **3.1 Interpretation**

In this Part, unless the context otherwise requires--

*"Niagara Dam Reserve"* means Reserve 5062, Lot 127, under the management and control of the local government:

#### **3.2 Permitted use of vehicles**

(1) An owner of a vehicle or the person in control or having charge of a vehicle in the Niagara Dam Reserve shall ensure that the vehicle remains on designated tracks and vehicle parking areas at all times,

(2) Clause (1) has no effect where a vehicle is being operated--

(a) with the express permission of the CEO; or

(b) in response to an emergency.

#### **3.3 Prohibition on use of firearms**

A person shall not discharge a firearm within or so as the missile crosses any part of the Niagara Dam Reserve for any reason, except with the express permission of the CEO.

#### **3.4 Recovery of costs**

In addition to any penalty imposed, a person responsible for damage in the Niagara Dam Reserve to the environment or infrastructure is liable to action to recover all costs associated with reinstatement of the environment, or infrastructure.

## **7. Schedule 1 amended**

Schedule 1 is amended as follows--

(a) Insert the following items in numerical order--

3.2 (1) Operation of a vehicle within the Niagara Dam Reserve not on a designated track or parking area 100

3.3 Discharge of a firearm within or so as to cross Niagara Dam Reserve 500

(b) Delete the clause reference "2.2(1)0" and substitute with "2.2(1)(j)".

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Dated: 12 December 2013.

The Common Seal of the Shire of Menzies was affixed by authority of a resolution of the Council in the presence of-

G. DWYER, Shire President. P. CRAWFORD, Chief Executive Officer.

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