

# LOCAL GOVERNMENT ACT 1995

## SHIRE OF TRAYNING

### PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Trayning resolved on \_\_\_\_\_ 2026 to adopt the following local law.

#### 1. Citation

This local law may be cited as the *Shire of Trayning Public Places and Local Government Property Amendment Local Law 2026*.

#### 2. Commencement

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

#### 3. Clause 1.4 amended

In clause 1.4 delete subclause (1) and replace with –

- (1) The *Shire of Trayning Public Places and Local Government Property Local Law 2015* is revoked.

#### 4. Clause 1.5 amended

In clause 1.5 –

- (a) delete the definitions of “eating house”, “food” “*Health Act 1911*” and “proprietor”;
- (b) after the definition of “Act” insert the following definition –  
**animal** means any living thing that it not a human being or a plant, but excludes a cat;
- (c) in the definition of **district** delete the words ‘Health Act’ and replace with the words “*Health (Miscellaneous Provisions) Act 1911*”;
- (d) in the definition of **permissible verge treatment** delete the words ‘off the 4’ and replace with the words ‘of the’.

#### 5. Clause 2.2 amended

In clause 2.2(2) delete the words ‘local government’ and replace with the word ‘Council’.

#### 6. Clause 2.7 amended

In clause 2.7(1)(f)(ii) delete the numeral ‘1973’ and replace with the numeral ‘2024’.

#### 7. Clause 3.2 amended

In clause 3.2(4) delete the words ‘regulation 11(2)(a)’ and replace with the words ‘regulation 11’.

#### 8. Clause 4.3 amended

In clause 4.3(2) in the definition of **animal** after the word ‘plant’ insert the words ‘but does not include a cat’.

#### 9. Clause 4.5 amended

In clause 4.5(2) after the word ‘dog’ insert the words ‘or a cat’.

#### 10. Clause 4.10 amended

In clause 4.10(b) delete the numeral ‘1987’ and replace with the numeral ‘2015’.

#### 11. Part 10 deleted

Delete Part 10.

**12. Clause 11.10 amended**

In clause 11.10(2) –

- (a) delete the words ‘, unless the contrary is proved,’; and
- (b) after the word ‘satisfied’ insert the words “, unless evidence to the contrary is provided”.

**13. Schedule 1 amended**

In Schedule 1 –

- (a) in clause 1.1 in the definition of *local law* delete the words ‘*Public Places and Local Government Property Local Law*’ and replace with the words ‘*Shire of Trayning Public Places and Local Government Property Local Law 2025*’.
- (b) in clause 2.1(1)(d) renumber subclauses (iii), (iv) and (v) as subclauses (i), (ii) and (iii).

**14. Schedule 2 amended**

In Schedule 2

- (a) in the clause reference after the title replace the numeral ‘10.8’ with the numeral ‘11.8’; and
- (b) in the column headed ‘Clause’–
  - (i) delete the reference ‘4.8’ and replace with ‘4.7’; and
  - (ii) delete the reference ‘4.9’ and replace with ‘4.8’.

Dated \_\_\_\_\_ 2026

The Common Seal of the Shire of Trayning was affixed by authority of a resolution of Council in the presence of –

Melanie BROWN, President

Peter NAYLOR, Chief Executive Officer