LOCAL GOVERNMENT ACT 1995

City of Gosnells

THOROUGHFARES AND PUBLIC PLACES AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the City of Gosnells resolved on [Date] to make the following local law.

1. Title

This local law is the City of Gosnells *Thoroughfares and Public Places 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. Application

This local law applies throughout the district.

4. Principal local law amended

This local law amends the City of Gosnells *Thoroughfares and Public Places Local Law 2021* as published in *Government Gazette* No.167 on 28 September 2021.

5. Clause 2.2 amended

Clause 2.2(1) is amended as follows—

(a) In paragraph (g) insert ";" immediately after the word thoroughfare

6. New clause 2.2A added

After clause 2.2, add a new clause 2.2A as follows—

"**2.2A Street tree protection**

(1) A person who undertakes works on a private property adjacent to a street tree, must—

(a) provide a tree protection zone around the trunk of the tree comprising of temporary fixed barricade/fencing, extending at least 2m from the trunk in each direction, to protect the root zone and tree during the works; and

(b) not place or store any building materials or debris within the tree protection zone."

7. New clause 2.2B added

After clause 2.2A, add a new clause 2.2B as follows—

"**2.2B Notice to remove thing unlawfully placed on thoroughfare**

Where anything is placed on a thoroughfare in contravention of this local law, an authorised person may, by notice in writing to the owner or the occupier of the property

which abuts on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, require the relevant person to remove the thing."

8. New clause 2.2C added

After clause 2.2B, add a new clause 2.2C as follows—

"**2.2C Liability for damage to thoroughfare**

(1) Where a person damages any portion of a thoroughfare, an authorised person may, by notice in writing, require that person within the time stipulated in the notice to pay the costs, at the option of the local government, of either—

(a) reinstating the thoroughfare to the state it was in prior to the occurrence of the damage; or

(b) replacing that portion of the thoroughfare.

(2) Unless there is evidence establishing on the balance of probabilities to the contrary, a person is to be taken to have damaged a thoroughfare for the purposes of subclause (1) if—

(a) in a case where a vehicle or a boat caused the damage, the person is the person responsible for the control of the vehicle or boat at the time the damage occurred; or

(b) in a case where the damage occurred when an approval, permit or permission was in force authorising a person to occupy or use the thoroughfare, the person is the person who was granted the approval, permit or permission."

9. Clause 8.3 deleted

Delete clause 8.3.

10. Clause 8.4 deleted

Delete clause 8.4.

11. Clause 9.3 amended

Clause 9.3(2) is amended as follows—

(a) Delete "$5,000" and replace it with "$10,000"

12. Schedule 1 – Prescribed offences amended

Schedule 1 is amended by deleting the table of prescribed offences and replacing it with the following table of prescribed offences—

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
1	2.1(a)	Plant any plant (except lawn or prostrate ground cover) within 6m of intersection	300

Document Set ID: 9468349
Version: 1, Version Date: 17/11/2026

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
2	2.1(b)	Plant (except lawn or prostrate ground cover) on thoroughfare within 2m of carriageway	300
3	2.1(c)	Damage a lawn or garden on a thoroughfare	300
4	2.1(d)	Damaging or interfering with signpost or structure on thoroughfare	750
5	2.1(f)	Place hazard on path	300
6	2.2(1)(a)	Digging a trench through a kerb or path without a permit	300
7	2.2(1)(b)	Throwing or placing anything on a verge without a permit	300
8	2.2(1)(c)	Causing obstruction to vehicle or person on a thoroughfare without a permit	300
9	2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	500
10	2.2(1)(e)	Damage a thoroughfare	1000
11	2.2(1)(f)	Lighting a fire on a thoroughfare without a permit	750
12	2.2(1)(g)	Fell a tree onto a thoroughfare without a permit	300
13	2.2(1)(h)	Remove, damage or kill street tree on a thoroughfare without a permit	2000
14	2.2(1)(i)	Installing pipes on thoroughfare without a permit	300
15	2.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	750
16	2.2(1)(k)	Placing a bulk rubbish container on a thoroughfare without a permit	300
17	2.2(1)(l)	Placing a bulk container on a thoroughfare without a permit	300
18	2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	300
19	2.2(1)(n)	Erect a structure on a thoroughfare without a permit	300

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
20	2.2(1)(o)	Deposit or discharge any material including dust, sand, wastewater, storm water, waste, mud, concrete, paint, oil, or chemicals in, on or across a public place or local government property whether by hand, vehicle, or otherwise without a permit	300
21	2.2A(1)(a)	Failure to provide a tree protection zone	500
22	2.2A(1)(b)	Storage of building materials or debris within a tree protection zone	500
23	2.3(1)	Construct a temporary crossing without a permit	500
24	2.4(2)	Failure to comply with notice to remove crossing and reinstate kerb	1000
25	2.5(2)	Driving or taking a vehicle on a closed thoroughfare	750
26	2.8(1)	Installation of verge treatment other than permissible verge treatment	500
27	2.9	Failure to comply with obligations regarding verge treatment	300
28	2.10	Failure to comply with notice to rectify default	300
29	2.14(3)	Using a street number not assigned	300
30	2.15(2)	Incorrectly displaying a street number	300
31	3.2(2)	Failure to comply with sign on public place	300
32	3.4(2)	Placing sign or affixing any advertisement on a thoroughfare without a permit	300
33	3.4(3)	Erecting or placing of advertising sign in a prohibited area	300
34	4.1(1)	Leaving an animal in a public place	300
35	4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	300
36	4.2(2)(b)	Animal on public place with infectious disease	300
37	4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	300

ITEM	CLAUSE	DESCRIPTION	MODIFIED PENALTY
38	4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	300
39	4.3	Repairing vehicle on thoroughfare when not an emergency	300
40	4.5(2)	Failure to remove shopping trolley upon being advised of location	300
41	4.7	Person leaving a shopping trolley in a public place other than a trolley bay	300
42	5.2(1)	Trading in public place without a permit	750
43	5.5(1)(a)	Failure of trader to display or carry permit	300
44	5.5(1)(b)	Trader not displaying valid permit	300
45	5.5(2)	Trader engaged in prohibited conduct	300
46	5.7(1)	Fail to comply with conditions to perform as a street entertainer	300
47	5.7(2)	Fail to comply with a direction of an authorised person to cease performance	300
48	5.9(2)	Establishment or conduct of outdoor eating facility without a permit	750
49	5.11(1)	Failure of permit holder of outdoor eating facility to comply with obligations	300
50	6.5(1)	Failure to comply with a condition of a permit	300
51	6.9	Failure to produce permit on request of authorised person	300
52	9.1	Failure to comply with notice given under local law	2000

DATED: _____2026

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

_____
TERRESA LYNES
MAYOR

_____
IAN COWIE PSM
CHIEF EXECUTIVE OFFICER

Document Set ID: 9468349
Version: 1, Version Date: 17/11/2026