



Western Australia

Liquor Control Act 1988

Liquor Control (Kunawarritji Restricted Area) Regulations 2011

Liquor Control (Kunawarritji Restricted Area) Regulations 2011

Contents

1.	Citation	1
2.	Commencement	1
3.	Terms used	1
5.	Declaration of restricted area	2
6.	Notice of restricted area	2
7.	Prohibitions as to liquor in the Kunawarritji Aboriginal Community	3
8.	Exception for tourists using Well 33 camping grounds	3
9.	Seizure and disposal of containers of liquor	3
10.	Period during which these regulations have effect	4

Notes

Compilation table	5
Other notes	5

Defined terms

Liquor Control (Kunawarritji Restricted Area) Regulations 2011

1. Citation

These regulations are the *Liquor Control (Kunawarritji Restricted Area) Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Terms used

In these regulations —

Kunawarritji Aboriginal Community means the area of land up to a 50 kilometre radius measured from the telecommunications aerial located on Lot 333 on Deposited Plan 55302 at the point with the following Geocentric Datum of Australia 2020 (GDA2020) coordinates —

- (a) 22.329212°S;
- (b) 124.725571°E;

tourist means a person who is —

- (a) staying at a place that is at least 50 kilometres from his or her usual place of residence for a period of at least one night; and
- (b) intending to stay away from his or her usual place of residence for a period of less than 12 months; and

- (c) not in the course of travelling on a regular journey between his or her usual place of residence or his or her place of work or education; and
- (d) travelling in the course of a holiday or for leisure, business, to visit friends or relatives or for any other reason; and
- (e) not usually a resident in a community declared a restricted area under section 175(1a) of the Act;

Well 33 camping grounds means the Kunawarritji Camp at Well 33 on the Canning Stock Route located at the point with the following Geocentric Datum of Australia 2020 (GDA2020) coordinates —

- (a) 22.341876°S;
- (b) 124.775199°E.

[Regulation 3 amended: SL 2021/18 r. 8.]

[4. *Deleted: SL 2021/18 r. 9.]*

5. Declaration of restricted area

The Kunawarritji Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

6. Notice of restricted area

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Kunawarritji Aboriginal Community continues to be a restricted area by operation of regulation 5 to be kept posted, at each place where a customary access route enters the Kunawarritji Aboriginal Community a notice —
 - (a) describing the offences set out in regulation 7; and
 - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 5.

7. Prohibitions as to liquor in the Kunawarritji Aboriginal Community

- (1) Subject to subregulation (3) and regulation 8, a person who —
- (a) brings liquor into, or causes liquor to be brought into, the Kunawarritji Aboriginal Community; or
 - (b) has liquor in his or her possession in the Kunawarritji Aboriginal Community,

commits an offence.

Penalty:

- (a) if subregulation (2) applies, a fine of \$5 000;
 - (b) in any other case, a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.
- (3) A person does not commit an offence under subregulation (1) if the person —
- (a) is a tourist; and
 - (b) does not consume the liquor in his or her possession; and
 - (c) continuously maintains possession of the liquor until such time as he or she has left the Kunawarritji Aboriginal Community.

8. Exception for tourists using Well 33 camping grounds

Despite regulation 7, a tourist using the Well 33 camping grounds may possess and consume alcohol while on the grounds.

9. Seizure and disposal of containers of liquor

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of

r. 10

any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 7.

10. Period during which these regulations have effect

Unless sooner repealed, these regulations have effect for the period that ends at the close of 3 May 2025.

[Regulation 10 inserted: SL 2021/18 r. 10; amended: SL 2024/46 r. 6.]

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Notes

This is a compilation of the *Liquor Control (Kunawarritji Restricted Area) Regulations 2011* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Liquor Control (Kunawarritji Restricted Area) Regulations 2011</i> ¹	3 May 2011 p. 1597-9	r. 1 and 2: 3 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 4 May 2011 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2014</i>	2 May 2014 p. 1365	r. 1 and 2: 2 May 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 3 May 2014 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2015</i>	10 Apr 2015 p. 1262	r. 1 and 2: 10 Apr 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 11 Apr 2015 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2018</i>	13 Apr 2018 p. 1288-9	r. 1 and 2: 13 Apr 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Apr 2018 (see r. 2(b))
<i>Racing and Gaming Regulations Amendment (Liquor Control) Regulations 2021 Pt. 3</i>	SL 2021/18 2 Feb 2021	3 Feb 2021 (see r. 2(b))
<i>Racing and Gaming Regulations Amendment (Liquor Control) Regulations (No. 2) 2024 Pt. 3</i>	SL 2024/46 17 Apr 2024	18 Apr 2024 (see r. 2(b))

Other notes

¹ These regulations expire at the close of 3 May 2025 (see r. 10).

Defined terms

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
Kunawarritji Aboriginal Community	3
tourist	3
Well 33 camping grounds	3

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