

— PART 1 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Augusta Margaret River

STREET NUMBERING LOCAL LAW 2015

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Augusta Margaret River resolved on 28 October 2015 to adopt the following local law.

1. Title

This local law may be referred to as the *Shire of Augusta Margaret River Street Numbering Local Law 2015*.

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. Interpretation

In this local law, unless the context requires otherwise—

authorised person means a person authorised by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under this local law;

district means the district of the local government;

local government means the Shire of Augusta Margaret River;

notice of breach means a notice referred to in Clause 8 of this local law;

street includes a thoroughfare as defined in the *Local Government Act 1995* and a highway as defined under the *Main Roads Act 1930*;

street number means a number with or without an alphabetical suffix indicating the street address of land as assigned by the local government from time to time, in accordance with this local law.

5. Assignment of street number

The local government or an authorised person shall assign a street number to each property in a street in the district so as to ensure unambiguous and easy identification of every individual property. The local government or an authorised person may from time to time assign another street number to a property instead of that which was previously assigned, including all properties in a street whether previously numbered or not.

6. Street number to be displayed

The owner or occupier of each property shall display and maintain the current street number assigned by the local government, in a conspicuous place on the front of the building, letterbox, fence, retained wall, kerb, or road verge adjacent to the street fronting the property.

7. Location of number not to be misleading

A person shall not place or display a street number in such a location as to cause confusion or be misleading. Where in the opinion of an authorised person the location of a street number causes confusion or is misleading, or an unauthorised street number is being used or displayed on a property, the local government or an authorised person may serve notice in writing on the owner or occupier of the land.

8. Notices of breach

(1) Where a person fails to comply with clause 6 of this local law, the local government may serve a notice on the owner or occupier of that property in accordance with section 3.25(1) and schedule 3.1(2) of the *Local Government Act 1995*—

- (a) Specifying details of the breach of this local law;

- (b) Requiring the owner or occupier to remedy the breach within the time period specified in the notice; and
- (c) Advising that where the owner or occupier fails to comply with the requirements of the notice, the local government or an authorised person may enter the property and undertake the required work.

(2) Where the owner or occupier of the property fails to comply with the requirements of the notice, the local government may by its employees, agents or contractors enter upon the property and carry out all works and do all things necessary to comply with the requirements of the notice, in accordance with section 3.26(2) of the *Local Government Act 1995*.

(3) The local government may recover the expenses incurred in carrying out the works in accordance with section 3.26(3) of the *Local Government Act 1995* from the owner or occupier of the property in a court of competent jurisdiction.

9. Offences and penalties

(1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

(2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

10. Modified penalties

(1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.

(2) Unless otherwise specified, the amount of the modified penalty for an offence against any provision of this local law is \$200.

11. Form of Notices

For the purposes of this local law—

- (a) the form of the infringement notice referred to in section 9.17 of the *Local Government Act 1995* is to be in the form of Form 2 of schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the notice referred to in section 9.20 of the *Local Government Act 1995* is to be in the form of Form 3 in schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Dated: 28 October 2015.

The Common Seal of the Shire of Augusta Margaret River was affixed by authority of a resolution of the Council in the presence of—

IAN EARL, President.
GARY EVERSLED, Chief Executive Officer.
