

LOCAL GOVERNMENT ACT 1995

City of Armadale

STREET NUMBERING LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* as amended from time to time the Council of the City of Armadale resolved on 23 August 2010 to make the City of Armadale Street Numbering Local Law 2010.

1. Title

This Local Law may be referred to as the *City of Armadale Street Numbering Local Law 2010*.

2. Commencement

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

3. Repeal

The Armadale-Kelmscott Road Board *Numbering of Housing and Buildings Local Law*, prepared under the *Road Districts Act 1919* adopted by the Armadale-Kelmscott Road Board at a meeting held on 21 November 1960 and as published in the *Government Gazette* on 20 December 1960 is repealed on the day this Local Law comes into operation.

4. Application of the Local Law

This Local Law applies to all the land throughout the district.

5. 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;

“**notice of breach**” means a notice referred to in Clause 9 of this Local Law;

“**street**” means a public roadway in a town, city or urban area, especially a sealed thoroughfare with footpaths and buildings along one or both sides;

“**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.

“**urban**” relates to an area which, by jurisdiction of the Local Government in accordance to the Australian/New Zealand Standards, requires application of urban street addressing. This includes simple (non-complex) address sites; complex (non-simple) address sites; utility addresses and ranged addresses, and includes locations which are defined by Clause 3.4.2 in the Australian/New Zealand Standards—Types of urban address. Industrial and commercial sites are included within the definition of complex address sites.

6. Assignment of street number

The Local Government or an authorised person shall assign a street number to each property in a street, thoroughfare or way in the district in accordance with its policy

on street numbering 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.

7. 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, or kerb adjacent to the street fronting the property.

8. 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.

9. Notices of breach

(1) Where a breach of this Local Law has occurred in relation to street numbering, the Local Government may serve a notice on the owner or occupier of that property as per Section 3.25(1) Schedule 3.1(2) of the *Local Government Act 1995*—

- a. Specifying details of the breach of these Local Laws;
- 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 to Section 3.26(2) of the *Local Government Act 1995*.

- (i) 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.

10. 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.

11. 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 these Local Laws is \$200.

12. 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 or substantially 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 or substantially in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Dated: 6 September 2010.

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

LINTON REYNOLDS, Mayor.
RAY TAME, Chief Executive Officer.
