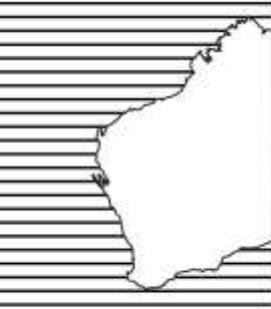


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LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

CITY OF FREMANTLE

**CAT MANAGEMENT LOCAL
LAW 2020**

LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

CITY OF FREMANTLE

CAT MANAGEMENT LOCAL LAW 2020

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LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

CITY OF FREMANTLE

CAT MANAGEMENT LOCAL LAW 2020

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Fremantle resolved on Wednesday 13 May 2020 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Fremantle Cat Management Local Law 2020*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person means a person authorised by the local government to perform the functions conferred on an authorised person under this local law;

cat prohibited area means the land—

- (a) described in Schedule 3;

cat management facility means—

- (a) a facility operated by a local government that is, or may be, used for keeping cats;
- (b) a facility for keeping cats that is operated by a person or body prescribed; or
- (c) a facility for keeping cats that is operated by a person or body approved in writing by a local government;

cattery means any premises where more than 3 cats are kept, bred, boarded, housed or trained temporarily, whether for profit or otherwise, and where the occupier of the premises is not the ordinary owner of the cats;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the City of Fremantle;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under Part 3;

permit holder means a person who holds a valid permit under Part 3;

premises includes the following—

- (a) land (whether or not vacant);
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature); and
- (c) a vehicle;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

Scheme means a planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents; and

Veterinarian means a registered veterinary surgeon as defined in section 2 of the *Veterinary Surgeons Act 1960*

PART 2—CAT CONTROL

2.1 Cat prohibited areas

(1) A cat shall not be in the places specified in Schedule 3 at any time, whether or not under effective control.

(2) If a cat is in a cat prohibited area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the Local Government.

PART 3—PERMITS FOR KEEPING CATS

3.1 Interpretation

In this part, and for the purposes of applying the definition of ‘cattery’, *cat* does not include a cat less than 6 months old.

3.2 Cats for which a permit is required

(1) Subject to subclause (2) a person is required to have a permit to—

- (a) keep more than 3 cats on any premises; or
- (b) use any premises as a cattery or cat management facility.

(2) A permit is not required under subclause (1) if the premises concerned are—

- (a) a refuge of the RSPCA
- (b) a cat management facility which has been approved by the local government;
- (c) a veterinary surgery.

3.3 Application for permit

An application for a permit under clause 3.2 shall be—

- (a) made in writing by an occupier of the premises in relation to those premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) accompanied by a brief reason and justification for the request;
- (d) accompanied by the plans of the premises to which the application relates in the form determined by the local government from time to time;
- (e) accompanied by the consent in writing of the owner of the premises where the occupier is not the owner of the premises to which the application relates; and
- (f) accompanied by the application fee for the permit determined by the local government from time to time.

3.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.3.

3.5 Factors relevant to the determination of application

(1) In determining an application for a permit the local government may have regard to—

- (a) the reasons and justification provided for the request;
- (b) the physical suitability of the premises for the proposed use;
- (c) the suitability of the zoning of the premises under any Scheme which applies to the premises for the proposed use;
- (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
- (e) the structural suitability of any enclosure in which any cat is to be kept;
- (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
- (g) the likely effect on the amenity of the surrounding area of the proposed use;
- (h) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the use;
- (i) any submissions received under subclause (2) within the time specified in subclause (2); and
- (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.

- (2) The local government may require an applicant to—
- (a) consult with nearby landowners; or
 - (b) advise nearby landowners that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice, before determining the application for the permit.
- (3) The local government may specify the extent of consultation with nearby residents, as specified in subclause 3.5(2)(a) and may specify which properties should be consulted.

3.6 Decision on application

- (1) The local government may—
- (a) approve an application for a permit as it was submitted, in which case it shall approve it subject to the conditions in clause 3.7 and may approve it subject to any other conditions it sees fit;
 - (b) approve an application but specify an alternative number of cats permitted to be housed at the address; or
 - (c) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue a permit to the applicant in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1) then it shall advise the applicant accordingly in writing.

3.7 Conditions

- (1) Every permit is issued subject to the following conditions—
- (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) each cat shall be contained on the premises unless under the effective control of a person;
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (e) those conditions contained in Schedule 1.
- (2) In addition to the conditions in subclause (1) of this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

3.8 Compliance with conditions of permit

A permit holder shall comply with each condition of a permit.

3.9 Duration of a permit

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires—

- (a) if it is revoked; or
- (b) if the permit holder ceases to reside at the premises to which the permit relates.

3.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

3.11 Permit not transferable

A permit is not transferrable either in relation to the permit holder or the premises.

3.12 Permit to be kept at premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

PART 4—OFFENCES AND PENALTIES

4.1 Serving of infringement notices

An infringement notice served under section 62 of the Act or this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

4.2 Objections and Appeals

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

4.3 General offence and penalty provisions

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of Section 84 of the Act.
- (3) Unless otherwise specified, any person who commits an offence under this local law is liable on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite an offence described in that Schedule, is the modified penalty for that offence.
- (5) Where an authorised person has reason to believe that a person has committed an offence under this local law in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.
- (6) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012* to the person named in the infringement notice.
- (7) A penalty for an offence against this local law may be recovered by the local government taking proceedings against the alleged offender in a Magistrate's Court.
- (8) The local government shall cause to be kept adequate records of all infringement notices given, and all modified penalties paid under this local law.

4.4 Defence

It is a defence to a charge of an offence of contravening clause 3.2(1), if the owner charged satisfies the court that at the material time some other person (whom he or she shall identify) over the age of 18 years was the owner of the cat(s).

4.5 Forms

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Part 4, Division 4 of the Act.
- (2) An infringement notice in respect of an offence against this local law may be given under Section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the *Cat Regulations 2012*.
- (3) A notice sent under Section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the *Cat Regulations 2012*.

Schedule 1

ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

[Clause 3.7]

A. Permit to keep more than 3 cats

Additional conditions—

- (1) In the case of a grouped dwelling where there is no suitable dividing fence or multiple dwellings on the same level, the written consent to the application for a permit of the occupier of the adjoining dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat that is the subject of a permit once that cat—
 - (a) dies; or
 - (b) is permanently removed from the premises.

B. Permit to use premises as a Cattery or Cat Management Facility

Additional conditions—

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Washing basins with a minimum of running cold water are to be available to the satisfaction of the local government.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) A register is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;

- (c) breed, age, colour and sex; and
 (d) name and residential address of the owner.
- (9) The register is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

Schedule 2
 PRESCRIBED OFFENCES

[Clause 4.3]

Item No.	Clause No.	Nature of Offence	Modified Penalty
1	2.1	Cat in prohibited area	\$200
2	3.2	Failure of a person to hold a permit when required	\$200
3	3.8	Breach of a condition of a permit	\$200

Schedule 3
 CAT PROHIBITED AREAS

[Clause 2.1]

Places where cats are prohibited—

#	Common Name	Location	Description
1	Booyeembara Park	80 Montreal Street Fremantle	Reconstructed landscape of natural bushland local to the area. Established to create a representative landscape and increase local biodiversity. Managed as a natural bushland area and refuge for native wildlife, includes formal turfed parkland with native vegetation garden beds.
2	Sir Fredrick Samson Park	McCombe Avenue, Samson	Remnant bushland. Bush Forever site.
3	Bathers Beach Reserve	Arthur Head, Fleet St Fremantle	Reconstructed dune vegetation
4	Port Beach reserve	Port Beach Road, North Fremantle	Reconstructed dune vegetation
5	Leighton Beach Reserve	Port Beach Road, North Fremantle	Reconstructed dune vegetation
6	South Beach Reserve	Ocean Drive, South Fremantle	Reconstructed dune vegetation
7	Cantonment Hill	135 Queen Victoria Street, Fremantle	Reconstructed natural landscape. Bush Forever site.
8	Rocky Bay Reserve	Rocky Bay, North Fremantle	Swan River foreshore and part of the Swan and Canning Riverpark.
9	North Fremantle Foreshore Reserve (including Prawn Bay)	Johannah St, North Fremantle	Swan River foreshore and part of the Swan and Canning Riverpark. Migratory birds.
10	Hollis Park, Sandown Park and other land within the boundary of the former South Fremantle landfill site	Lot 39 Daly Street, 17 Cockburn Road and Hollis Park Reserve Fremantle	Hollis Park, Sandown Park and other land within the boundary of the former South Fremantle landfill site contains habitat and refuge for native wildlife.
11	Royal Fremantle Golf Course,	359 High Street, Fremantle	Managed as a golf course with mature, significant trees providing habitat and refuge for native wildlife.

#	Common Name	Location	Description
12	Fremantle Public Golf Course	20 Montreal Street, Fremantle	Managed as a golf course with mature, significant trees providing habitat and refuge for native wildlife.

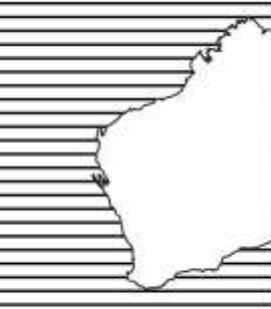
Dated 20 May 2020.

The Common Seal of the City of Fremantle was affixed by authority of a resolution of the Local Government in the presence of—

BRAD PETTITT, Mayor.

PHILIP ST JOHN, Chief Executive Officer.

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LOCAL GOVERNMENT ACT 1995
WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007

SHIRE OF NORTHAM

WASTE LOCAL LAW 2020

LOCAL GOVERNMENT ACT 1995
WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007

SHIRE OF NORTHAM

WASTE LOCAL LAW 2020

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LOCAL GOVERNMENT ACT 1995
WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007

SHIRE OF NORTHAM

WASTE LOCAL LAW 2020

Under the powers conferred on it by the *Waste Avoidance and Resource Recovery Act 2007*, the *Local Government Act 1995* and under all other enabling powers, the Council of the Shire of Northam resolved on 20 May 2020 to make the following local law.

PART 1—PRELIMINARY

1.1 Short title

This is the Shire of Northam Waste Local Law 2020

1.2 Commencement

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Northam Waste Local Law 2009, published in the *Government Gazette* on 28 July 2009 and all amendments from time to time, including the Shire of Northam Waste Amendment Local Law 2011, are repealed.

1.5 Meaning of terms used in this local law

(1) In this local law—

authorised person means a person appointed by the local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;

collectable waste means local government waste that is not—

- (a) liquid refuse;
- (b) liquid waste; or
- (c) non-collectable waste;

collectable waste receptacle means a receptacle for the deposit and collection of collectable waste that is—

- (a) a recycling waste receptacle;
- (b) a general waste receptacle; or
- (c) an organic waste receptacle;

collection, when used in relation to a receptacle, means the collection and removal of collectable waste from the receptacle by the local government or its contractor;

collection day means the day determined by the local government for the collection of collectable waste in the district or a part of the district;

collection time means the time on the collection day determined by the local government for the collection of collectable waste in the district or a part of the district;

costs of the local government include administrative costs;

Council means the council of the local government;

district means the district of the local government;

general waste receptacle means a receptacle for the deposit and collection of collectable waste that is not recycling waste;

LG Act means the *Local Government Act 1995*;

LG Regulations means the *Local Government (Functions and General) Regulations 1996*;

local government means the Shire of Northam;

local government waste has the same meaning as in the WARR Act;

non-collectable waste has the meaning set out in Schedule 1;

occupier in relation to premises, means any or all of the following—

- (a) a person by whom or on whose behalf the premises are actually occupied; or
- (b) a person having the management or control of the premises;

organic waste means waste that decomposes readily, such as garden waste or food waste;

organic waste receptacle means a receptacle for the deposit and collection of organic waste;

owner has the same meaning as in the LG Act;

public place includes a place to which the public ordinarily have access, whether or not by payment of a fee;

receptacle, means a receptacle—

- (a) that has been supplied for the use of the premises by the local government or its contractor, or which has otherwise been approved by the local government; and
- (b) the waste from which is collected and removed from the premises by the local government or its contractor;

recycling waste receptacle means a receptacle for the deposit and collection of recycling waste;

recycling waste means—

- (a) paper and cardboard;
- (b) plastic containers comprised of polyethylene terephthalate or high density polyethylene;
- (c) glass containers;
- (d) steel containers;
- (e) aluminium containers;
- (f) liquid paper board; and
- (g) any other waste determined by the local government to be recycling waste;

specified means specified by the local government or an authorised person, as the case may be;

street alignment means the boundary between the land comprising a street and the land that abuts the street;

WARR Act means the *Waste Avoidance and Resource Recovery Act 2007*;

WARR Regulations means the *Waste Avoidance and Resource Recovery Regulations 2008*;

waste has the same meaning as in the WARR Act;

waste facility means a waste facility, as defined in the WARR Act, that is operated by the local government; and

waste service has the same meaning as in the WARR Act.

(2) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.

1.6 Local public notice of determinations

Where, under this local law, the local government has a power to determine a matter—

- (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined;
- (b) the determination becomes effective only after local public notice has been given;
- (c) the determination remains in force for the period of one year after the date that local public notice has been given under subclause (a);
- (d) after the period referred to in subclause (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and
- (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the local government.

1.7 Rates, fees and charges

The local government's powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and sections 6.16 and 6.17 of the LG Act.

1.8 Power to provide waste services

The local government's power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.

PART 2—LOCAL GOVERNMENT WASTE

2.1 Supply of receptacles

(1) The local government is to supply, for the use of each premises that are, or are capable of being, occupied or used for residential purposes, one or more receptacles for the collection and removal, from those premises, of collectable waste.

- (2) The owner of premises to which subclause (1) applies must—
- (a) ensure that the fee or charge (if any) imposed by the local government in relation to each receptacle is paid to the local government; and
 - (b) ensure that each receptacle is used, in respect of those premises, in accordance with this local law.

2.2 Deposit of waste in receptacles

- (1) An owner or occupier of premises must not deposit or permit to be deposited in a receptacle any non-collectable waste.
- (2) A person must not deposit waste in a receptacle that has been provided for the use of other premises without the consent of the owner or occupier of those premises.

2.3 General waste receptacles

- (1) An owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle—
- (a) where the receptacle has a capacity of 240 litres—more than 70 kilograms of collectable waste; or
 - (b) where the receptacle has any other capacity—more than the weight determined by the local government.
- (2) Where the local government supplies recycling waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any recycling waste.
- (3) Where the local government supplies organic waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any organic waste.

2.4 Recycling waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in a recycling waste receptacle—

- (a) anything other than the particular type of recycling waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres— more than 70 kilograms of recycling waste; or
- (c) where the receptacle has any other capacity—more than the weight determined by the local government.

2.5 Organic waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in an organic waste receptacle—

- (a) anything other than the particular type of organic waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres—more than 70 kilograms of organic waste; or
- (c) where the receptacle has any other capacity—more than the weight determined by the local government.

2.6 Direction to place or remove a receptacle

- (1) The local government or an authorised person may give a written direction to an owner or occupier of specified premises—
- (a) to place a receptacle in respect of those premises for collection; or
 - (b) to remove a receptacle in respect of those premises after collection.
- (2) The direction under subclause (1) may specify when the placement or removal is to occur, or where the receptacle is to be placed, or both.
- (3) An owner or occupier of premises must comply with a direction given under this clause.

2.7 Duties of owner or occupier

An owner or occupier of premises must—

- (a) except for a reasonable period before and after collection time, keep each receptacle in a storage space or area that is behind the street alignment;
- (b) take reasonable steps, if placing a receptacle for collection on the verge adjoining the premises, or other area as determined by the local government, ensure that, within a reasonable period before collection time, each receptacle is—
 - (i) within 1 metre of the carriageway;
 - (ii) placed so that it does not unduly obstruct any footpath, cycle way, right-of-way or carriageway; and
 - (iii) facing squarely to the edge of and opening towards the carriageway,or in such other position as is approved in writing by the local government or an authorised person;
- (c) take reasonable steps to ensure that the premises are provided with an adequate number of receptacles; and
- (d) if the receptacle is lost, stolen, damaged or defective, notify the local government, as soon as practicable, after the event.

2.8 Exemption

- (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.7(a) or (b).
- (2) The local government or an authorised person may grant, with or without conditions, or refuse an application for exemption from compliance under this clause.
- (3) An exemption granted under this clause must state—
 - (a) the premises to which the exemption applies;
 - (b) the period during which the exemption applies; and
 - (c) any conditions imposed by the local government or the authorised person.
- (4) An exemption granted under this clause ceases to apply—
 - (a) if the local government decides, on reasonable grounds, that there has been a failure to comply with a condition of the exemption; and
 - (b) from the date that the local government informs the owner or occupier of its decision under clause 2.8(4)(a).

2.9 Damaging or removing receptacles

A person, other than the local government or its contractor, must not—

- (a) damage, destroy or interfere with a receptacle; or
- (b) except as permitted by this local law or as authorised by the local government or an authorised person, remove a receptacle from any premises to which it was delivered by the local government or its contractor.

2.10 Building Construction

(1) In this clause—

building waste receptacle means a receptacle—

- (a) that has been supplied for the use of the premises by a person other than the local government or its contractor.
- (b) the waste from which is collected and removed from the premises by a person other than the local government or its contractor;

building work has the same meaning as in the *Building Act 2011* and includes demolition work;

building work waste means all waste from building work that is capable of being windblown; and

demolition work has the same meaning as in the *Building Act 2011*.

(2) During all periods of building work on a premises the owner or occupier of the premises shall—

- (a) provide and maintain on such premises a building waste receptacle with adequate capacity suitable for the collection and disposal of building work waste;
- (b) ensure building work waste is deposited and kept in the building waste receptacle; and

(3) The owner or occupier of the premises shall ensure that within 2 days of completion of works on site—

- (a) the site and the thoroughfare verge immediately adjacent to it is cleared of all refuse generated or originating from the building or development site; and
- (b) that all building waste receptacles are permanently removed from the site.

2.11 Verge collections

(1) Where the local government has advertised a verge waste collection (such as a green waste, or a bulk waste, verge collection) a person, unless with and in accordance with the approval of the local government or an authorised person—

- (a) must deposit waste only during the period of time, and in accordance with other terms and conditions, as advertised by the local government in relation to that verge waste collection; and
- (b) must otherwise comply with those terms and conditions.

(2) Where waste has been deposited on a verge for a verge waste collection, a person must not remove any of that waste for a commercial purpose but may remove it for any other purpose.

(3) Except where waste is lawfully removed from a verge under this clause, a person must not disassemble or tamper with any waste deposited on a verge for a verge waste collection so as to increase the risk of harm to any person.

(4) Clause 2.11(2) does not apply to the local government or a person engaged or contracted by the local government in relation to the verge waste collection.

PART 3—GENERAL DUTIES

3.1 Duties of an owner or occupier

An owner or occupier of premises must—

- (a) take reasonable steps to ensure that a sufficient number of receptacles are provided to contain all waste which accumulates or may accumulate in or from the premises;
- (b) ensure that each receptacle is kept in good condition and repair;

- (c) take all reasonable steps to—
 - (i) prevent fly breeding and keep each receptacle free of flies, maggots, cockroaches, rodents and other vectors of disease;
 - (ii) prevent the emission of offensive or noxious odours from each receptacle; and
 - (iii) ensure that each receptacle does not cause a nuisance to an occupier of adjoining premises; and
- (d) whenever directed to do so by the local government or an authorised person, thoroughly clean, disinfect, deodorise and apply a residual insecticide to each receptacle.

3.2 Removal of waste from premises

- (1) A person must not remove any waste from premises unless that person is—
 - (a) the owner or occupier of the premises;
 - (b) authorised to do so by the owner or occupier of the premises; or
 - (c) authorised in writing to do so by the local government or an authorised person.
- (2) A person must not remove any waste from a receptacle without the approval of—
 - (a) the local government or an authorised person; or
 - (b) the owner or occupier of the premises at which the receptacle is ordinarily kept.

3.3 Receptacles and containers for public use

A person must not, without the approval of the local government or an authorised person—

- (a) deposit household, commercial or other waste from any premises on or into; or
- (b) remove any waste from,

a receptacle provided for the use of the general public in a public place.

PART 4—OPERATION OF WASTE FACILITIES

4.1 Operation of this Part

This Part applies to a person who enters a waste facility.

4.2 Hours of operation

The local government may from time to time determine the hours of operation of a waste facility.

4.3 Signs and directions

- (1) The local government or an authorised person may regulate the use of a waste facility—
 - (a) by means of a sign; or
 - (b) by giving a direction to a person within a waste facility.
- (2) A person within a waste facility must comply with a sign or direction under subclause (1).
- (3) The local government or an authorised person may direct a person who commits, or is reasonably suspected by the local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.
- (4) A person must comply with a direction under subclause (3).

4.4 Fees and charges

- (1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
- (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
- (3) Subclause (1) does not apply—
 - (a) to a person who disposes of waste in accordance with the terms of—
 - (i) a credit arrangement with the local government; or
 - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
 - (b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.

4.5 Depositing waste

- (1) A person must not deposit waste at a waste facility other than—
 - (a) at a location determined by a sign and in accordance with the sign; and
 - (b) in accordance with the direction of an authorised person.
- (2) The local government may determine the classification of any waste that may be deposited at a waste facility.

4.6 Prohibited activities

- (1) Unless authorised by the local government, a person must not—
 - (a) remove any waste or any other thing from a waste facility;

- (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law;
 - (c) light a fire in a waste facility;
 - (d) remove, damage or otherwise interfere with any flora in a waste facility;
 - (e) remove, injure or otherwise interfere with any fauna in a waste facility; or
 - (f) damage, deface or destroy any building, equipment, plant or property within a waste facility.
- (2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.

PART 5—ENFORCEMENT

5.1 Objection and appeal rights

Division 1 of Part 9 of the LG Act applies to a decision under this local law to grant, renew, vary or cancel—

- (a) an approval under clause 2.7(b);
- (b) an exemption under clause 2.8(2);
- (c) an approval under clause 2.9(b);
- (d) an approval under clause 2.11(1);
- (e) an authorisation under clause 3.2(1)(c);
- (f) an approval under clause 3.2(2); and
- (g) an approval under clause 3.3.

5.2 Offences and general penalty

(1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.

(2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

5.3 Other costs and expenses

(1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 5.2, to pay to the local government the costs and expenses incurred by the local government in taking remedial action such as—

- (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or
- (b) making good any damage caused to a waste facility.

(2) The costs and expenses incurred by the local government are to be recoverable, as a debt due to the local government, in a court of competent civil jurisdiction.

5.4 Prescribed offences

(1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the LG Act.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.

5.5 Form of notices

(1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the LG Act is that of Form 1 in Schedule 1 of the LG Regulations.

(2) The form of the infringement notice given under section 9.16 of the LG Act is that of Form 2 in Schedule 1 of the LG Regulations.

(3) The form of the infringement withdrawal notice given under section 9.20 of the LG Act is that of Form 3 in Schedule 1 of the LG Regulations.

Schedule 1

MEANING OF 'NON-COLLECTABLE WASTE'

[Clause 1.5(1)]

non-collectable waste means—

- (a) hot or burning material;
- (b) household hazardous waste, including paint, acids, alkalis, fire extinguishers, solvents, pesticides, oils, gas cylinders, batteries, chemicals and heavy metals;
- (c) any other hazardous material, such as radioactive waste;
- (d) any explosive material, such as flares or ammunition;
- (e) electrical and electronic equipment;
- (f) hospital, medical, veterinary, laboratory or pathological substances;

- (g) construction or demolition waste;
- (h) sewage;
- (i) 'controlled waste' for the purposes of the *Environmental Protection (Controlled Waste) Regulations 2004*;
- (j) any object that is greater in length, width, or breadth than the corresponding dimension of the receptacle or that will not allow the lid of the receptacle to be tightly closed;
- (k) waste that is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious and leak-proof container; and
- (l) any other waste determined by the local government to be non-collectable waste.

Schedule 2
PRESCRIBED OFFENCES

Item No.	Clause No.	Description	Modified Penalty
1	2.1(2)(a)	Failing to pay fee or charge	\$350
2	2.1(2)(b)	Failing to ensure lawful use of receptacle	\$350
3	2.2(1)	Depositing non-collectable waste in a receptacle	\$350
4	2.2(2)	Depositing waste in another receptacle without consent	\$350
5	2.3(1)	Exceeding weight capacity of a general waste receptacle	\$350
6	2.3(2) and (3)	Depositing unauthorised waste in a general waste receptacle	\$350
7	2.4(a)	Depositing unauthorised waste in a recycling waste receptacle	\$350
8	2.4(b) and (c)	Exceeding weight capacity of a recycling waste receptacle	\$250
9	2.5(a)	Depositing unauthorised waste in an organic waste receptacle	\$350
10	2.5(b) and (c)	Exceeding weight capacity of an organic waste receptacle	\$350
11	2.6(3)	Failing to comply with a direction concerning placement or removal of a receptacle	\$250
12	2.7(a)	Failing to keep a receptacle in the required location	\$250
13	2.7(b)	Failing to place a receptacle for collection in a lawful position	\$250
14	2.7(c)	Failing to provide a sufficient number of receptacles	\$250
15	2.7(d)	Failing to notify of a lost, stolen, damaged or defective receptacle	\$50
16	2.9(a)	Damaging, destroying or interfering with a receptacle	\$400
17	2.9(b)	Removing a receptacle from premises	\$400
18	2.11(1)	Failing to comply with a term or condition of verge waste collection	\$400
19	2.11(2)	Removing waste for commercial purposes	\$350
20	2.11(3)	Disassembling or leaving in disarray waste deposited for collection	\$250
21	3.1(a)	Failing to provide a sufficient number of receptacles	\$250
22	3.1(b)	Failing to keep a receptacle clean and in a good condition and repair	\$250
23	3.1(c)(i)	Failing to prevent fly breeding and vectors of disease in a receptacle	\$350
24	3.1(c)(ii)	Failing to prevent the emission of offensive odours from a receptacle	\$350
25	3.1(c)(iii)	Allowing a receptacle to cause a nuisance	\$350
26	3.1(d)	Failing to comply with a direction to clean, disinfect or deodorise receptacle	\$300
27	3.2(1)	Unauthorised removal of waste from premises	\$250
28	3.2(2)	Removing waste from a receptacle without approval	\$250
29	4.3(2)	Failing to comply with a sign or direction	\$500
30	4.3(4)	Failing to comply with a direction to leave	\$500

Item No.	Clause No.	Description	Modified Penalty
31	4.4(1)	Disposing waste without payment of fee or charge	\$500
32	4.5(1)	Depositing waste contrary to sign or direction	\$500
33	4.6(1)(a)	Removing waste without authority in a waste facility	\$250
34	4.6(1)(b)	Depositing toxic, poisonous or hazardous waste at a waste facility	\$500
35	4.6(1)(c)	Lighting a fire in a waste facility	\$300
36	4.6(1)(d)	Removing or interfering with any flora in a waste facility	\$300
37	4.6(1)(e)	Removing or interfering with any fauna without approval in a waste facility	\$300
38	4.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	\$500
39	4.6(2)	Acting in an abusive or threatening manner	\$300

Dated this 22nd of May, 2020.

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

CHRISTOPHER ANTONIO, President.
 JASON WHITEAKER, Chief Executive Officer.

Consented to—

MIKE ROWE, Chief Executive Officer, Department of
 Water and Environmental Regulation.

Dated this 7th day of April, 2020.

LOCAL GOVERNMENT ACT 1995

City of Vincent

PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2020

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on 10 December 2019 to make the following local law.

1. Citation

This local law may be cited as the *City of Vincent Parking and Parking Facilities Amendment Local Law 2020*.

2. Commencement

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

3. Principal local law amended

This local law amends the *City of Vincent Parking and Parking Facilities Local Law 2007* published in the *Government Gazette* on 21 November 2007 and as amended on 5 August 2008, 27 February 2009, 12 July 2011, 30 October 2012, 26 July 2013 and 9 January 2018.

4. Clause 1.6(1) amended

Clause 1.6(1) is amended as follows—

(a) Insert in alphabetical order—

electronic parking detection device means an electronic device placed in a position to detect and record the parking time of a vehicle on any road, parking facility, or other public place and includes any instrument, display panel or transmitting apparatus associated with the device;

electronic parking ticket means a ticket which is issued from a ticket issuing machine or ticket issuing device, and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station and includes the date and time of which the authorisation expires, whether or not the payment of a fee is required;

mobile device means a portable computing device such as a smartphone or tablet computer;

money means any legal tender under the *Currency Act 1965* (Cth);

parking app means a mobile app or mobile application designed to operate on a mobile device for the purpose of purchasing or obtaining an electronic parking ticket;

parking permit means a permit issued by the local government or an authorised person and includes a written or electronic permit;

(b) in the definition of ***parking ticket*** after “ticket issuing machine” insert “or ticket issuing device,” and after “part of a parking station” insert “and includes the date and time of which the authorisation expires, whether or not the payment of a fee is required”; and

(c) in the definition of ***ticket issuing machine*** after “machine or,” insert “mobile” and delete “which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket”.

5. Clause 1.10 added

After clause 1.9 insert—

1.10 Alternative methods of payment for parking

(1) The local government may authorise a person to park, or to pay for parking, in advance or in arrears by issuing (electronically or otherwise) a permit, invoice, ticket or pass (referred to in this clause as an Alternative Method of Payment).

(2) A person who has been authorised by the local government to make an Alternative Method of Payment for parking is exempt from paying fees at the relevant parking facility providing that he or she complies with the terms of the Alternative Method of Payment.

(3) An Alternative Method of Payment may not be used by any person other than the person who received authorisation by the local government.

(4) The local government may introduce and apply methods of payment for parking fees which may include but not limited to payment by—

(a) Australian currency including coins and or bank notes;

- (b) credit card or debit card;
 - (c) payment by telephone; or
 - (d) any other approved method of payment.
- (5) The local government may introduce various paid parking processes which may include but not limited to the following—
- (a) ticket parking;
 - (b) pay by vehicle registration number;
 - (c) pay by parking bay; or
 - (d) pay on foot.

6. Clause 4.13 amended

Delete clause 4.13 and insert—

4.13 Parking in a parking station

(1) This clause does not apply to a person who parks a vehicle, or who permits a vehicle to remain parked, in a parking station in accordance with the terms of an Alternative Method of Payment under clause 1.10.

(2) Subject to subclause (3) a person shall not stop or park a vehicle in any part of a parking station equipped with a ticket issuing machine or a parking facility during any permitted period unless—

- (a) the appropriate fee has been accepted by a ticket issuing machine or the required payment is made in such other form as may be permitted;
- (b) a valid parking ticket or valid parking tickets applicable to that part of the parking station and issued on that day; and
- (c) the date and time of issue or expiry of the ticket, as the case may be, and the number of the ticket, if any, printed thereon, are displayed inside the vehicle and clearly visible to and be able to be read by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in that part of the parking station; or
- (d) in the case of an electronic parking ticket, the date and time of issue or expiry of the ticket, as the case may be, and the number of the ticket, if any, printed thereon is able to be read on a mobile device by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in that part of the parking station.

(3) For the purposes of subclause (2), a parking ticket issued in respect of any parking station or any part of a parking station which has been set aside under this local law shall be applicable only to that parking station or that part of that parking station, as the case may be.

(4) A reference in this clause to—

- (a) **permitted period** means the period stated on the ticket issuing machines in the parking station during which the parking of vehicle is permitted upon the purchase of a parking ticket;
- (b) **valid parking ticket** means a parking ticket on which—
 - (i) a date and expiry time is printed and that time has not expired; or
 - (ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(5) A person shall not—

- (a) deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket or any information, printing or imprint thereon;
- (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking ticket which has been defaced, altered, added to, erased, obliterated, expired or otherwise interfered with; or
- (c) produce to an authorised person or the local government to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or otherwise interfered with.

(6) A fee payable for the parking of a motor cycle and the period of application of the fee in a parking station may be determined and imposed by the local government.

(7) The local government shall not be obliged to accept payment of any fee referred to in this clause.

(8) A person shall not stop or park a motor cycle in a parking station equipped with a ticket issuing machine unless—

- (a) wholly within a parking stall marked with the symbol “M/C” or otherwise designated as being set aside for the parking of motor cycles;

(b) that person has paid to the local government the fee; and

(c) during the period for which the fee is applicable.

(9) The local government in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying at least one other person in addition to the driver.

(10) The local government may determine and impose a fee payable for the parking of a vehicle in any parking station or part of a parking station at any time or for specified times.

(11) A person shall not stop or park a vehicle in any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless the vehicle is carrying at least one other person.

(12) A person shall not enter any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless that person is the driver of or passenger in a vehicle carrying at least one other person.

7. Clause 6.3 amended

Delete clause 6.3(2) and insert—

(2) A person must not stop or park a vehicle in a ticket machine zone unless the appropriate fee as indicated by a sign on the ticket issuing machine referable to the zone is inserted into the ticket issuing machine or is otherwise paid under clause 1.10.

8. Clause 6.4 amended

Delete clause 6.4 and insert—

6.4 Display of tickets

(1) This clause does not apply to a person who parks a vehicle in a ticket machine zone in accordance with the terms of an Alternative Method of Payment under clause 1.10.

(2) A person shall not stop or park a vehicle in a ticket machine zone during any permitted period unless—

(a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and

(b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket,

are displayed inside the vehicle and are clearly visible to and able to be read by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in the zone.

(3) In the case of an electronic parking ticket, the date and time of issue or expiry of the ticket, as the case may be, and the number of the ticket, if any, printed thereon is able to be read on a mobile device by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in that part of the ticket machine zone.

(4) A reference in this clause to—

(a) **permitted period** means the period stated on the ticket issuing machines in the ticket machine zone during which the parking of vehicle is permitted upon the purchase of a parking ticket;

(b) **valid parking ticket** means a parking ticket on which—

(i) A date and expiry time is printed and that time has not expired;

(ii) A date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(5) For the purpose of this clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in subclause (2)(b) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

9. Clause 6.7 added

After clause 6.6 insert—

6.7 No parking when cover on ticket machine

Despite any other provision of this local law and despite any other sign or notice, a person must not park a vehicle in a ticket machine zone, if the ticket issuing machine referable to the ticket machine zone has a cover marked 'No Parking', 'Reserved Parking' or 'Temporary Bus Stand' or an equivalent symbol depicting one or more of these purposes, except with the permission of the local government or an authorised person.

10. Clause 7.9 amended

Delete clause 7.9 and insert—

7.9 Display of parking permits

(1) A person shall not stop or park a vehicle in an area set aside for persons or vehicles of a particular class during any permitted period unless a valid permit is either displayed inside the vehicle or available to be viewed on a mobile device.

(2) The permit must be clearly visible to and able to be read by an authorised person from either outside the vehicle, or from a mobile device at all times while the vehicle remains stopped or parked in the zone.

11. Clause 8.8 amended

Delete clause 8.8 and insert—

8.8 Vehicles not to obstruct a public place or thoroughfare

(1) A person shall not park or leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.

(2) A vehicle is so parked in any portion of a public place where vehicles may be lawfully parked, is deemed to cause an obstruction and may be impounded where—

- (a) the vehicle is so parked during any period in which the parking of vehicles is prohibited or restricted by a sign; or
- (b) the vehicle is abandoned, unregistered or disused;
- (c) In the opinion of an authorised person, the presence of the vehicle presents a hazard to public safety or restricts the lawful use of any place.

12. Schedule 2 Prescribed offences

Delete the existing “Schedule 2—Prescribed Offences” and insert—

SCHEDULE 2—PRESCRIBED OFFENCES

[Cl. 9.1(4)]

Item No.	Clause No.	Nature of Offence	Modified Penalty (Amended) \$
1	2.2(1), (2)	Failure to comply with signs	60
2	2.3(a)	Unauthorised display, marking, setting up, exhibiting of a sign	135
3	2.3(b)	Unauthorised removal, defacing or misuse of a sign	80
4	2.3(c)	Unauthorised affixing anything to a sign	70
5	3.2(1)(a)	Failure to park parallel to and as close to the kerb as practicable in a parking stall	70
6	3.2(1)(b)	Failure to park wholly within parking stall	70
7	3.2(1)(c)	Failure to park in the direction of the movement of traffic in a parking stall	70
8	3.2(4)	Failure to park wholly within parking area	60
9	3.3(1)(a)	Causing obstruction in parking station	135
10	3.3(1)(b)	Parking contrary to sign in parking station	60
11	3.3(1)(c)	Parking contrary to directions of authorised person in a parking station	160
12	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
13	4.1(1)(a)	Parking by vehicles of a different class	95
14	4.1(1)(b)	Parking by persons of a different class	95
15	4.1(1)(c)	Parking during prohibited period	95
16	4.1(3)(a)	Parking in no parking area	95
17	4.1(3)(b)	Parking contrary to signs or limitations	60
18	4.1(3)(c)	Parking vehicle in motor cycle only area	60
19	4.1(3)(d)	Parking within head of cul-de-sac	95
20	4.1(4)	Park or stop motor cycle in stall not marked ‘M/C’	60
21	4.1(5)	Parking without permission in an area designated for ‘Authorised Vehicles Only’	95

Item No.	Clause No.	Nature of Offence	Modified Penalty (Amended) \$
22	4.1(6)	Park or stop in bicycle lane or path	135
23	4.2(1)(a)	Failure to park on the left of two-way carriageway	70
24	4.2(1)(b)	Failure to park on boundary of one-way carriageway	70
25	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	70
26	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	110
27	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
28	4.2(1)(e)	Causing obstruction	135
29	4.3(b)	Failure to park at approximate right angle	60
30	4.4(2)	Failure to park at an appropriate angle	60
31	4.5(2)(a)	Double parking	135
32	4.5(2)(b)	Parking on or adjacent to a median strip	70
33	4.5(2)(c)	Denying access to private drive or right of way	135
34	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	135
35	4.5(2)(e)	Parking within 10 metres of traffic island	70
36	4.5(2)(f)	Parking on footpath/pedestrian crossing	160
37	4.5(2)(g)	Parking closer than 3 metres to double longitudinal lines	135
38	4.5(2)(h)	Parking on intersection	160
39	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
40	4.5(2)(j)	Parking within 3 metres of public letter box	60
41	4.5(2)(k)	Parking within 10 metres of intersection	70
42	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
43	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
44	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
45	4.6	Parking contrary to direction of authorised person in a thoroughfare	160
46	4.7(1), (2) or (3)	Moving vehicle to avoid time limitation	95
47	4.8(a)	Parking in thoroughfare for purpose of sale	135
48	4.8(b)	Parking unlicensed vehicle in thoroughfare	110
49	4.8(c)	Parking a trailer/caravan on a thoroughfare	110
50	4.8(d)	Parking in thoroughfare for purpose of repairs	135
51	4.9(2)	Parking on land that is not a parking facility without consent	135
52	4.9(3)	Parking on land not in accordance with consent	135
53	4.10	Driving or parking on a reserve	135
54	4.11	Parking on a verge	70
55	4.13(1)	Failure to display a valid parking ticket (Parking Station)	70
56	4.13(2)(a)	Deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket	160

Item No.	Clause No.	Nature of Offence	Modified Penalty (Amended) \$
57	4.13(2)(b)	Display a defaced, altered obliterated or otherwise interfered with parking ticket	160
58	4.13(2)(c)	Produce a defaced, altered obliterated or otherwise interfered with parking ticket	160
59	5.1(1)(a)	Stopping contrary to a "no stopping sign"	135
60	5.1(1)(b)	Stopping during the times a sign specifies a "no stopping" or "clearway" restriction is in operation	270
61	5.1(2)	Parking contrary to a no parking sign	95
62	5.1(3)	Stopping within continuous yellow lines	135
63	5.2	Stopping unlawfully in a loading zone	95
64	5.3(1)	Stopping unlawfully in a taxi zone or bus zone	110
65	5.3(3)	Leave taxi unattended in taxi zone/rank	110
66	5.4	Stopping unlawfully in a mail zone	80
67	5.5	Stopping in a zone contrary to a sign	60
68	5.6	Stopping in a shared zone	60
69	5.7(1)	Double parking	135
70	5.8	Stopping near an obstruction	135
71	5.9	Stopping on a bridge or tunnel	110
72	5.1	Stopping on crests/curves etc	110
73	5.11	Stopping near fire hydrant	80
74	5.12(1)	Stopping near bus stop	95
75	5.13	Stopping on path, median strip or traffic island	135
76	5.14(1)	Stopping on verge	70
77	5.15	Obstructing path, a driveway etc	135
78	5.16	Stopping near letter box	60
79	5.17	Stopping heavy or long vehicles on carriageway	95
80	5.18	Stopping in bicycle parking area	70
81	5.19	Stopping in motorcycle parking area	70
82	5.20	Stopping or parking in a stall set up as an eating area	95
83	5.21	Stopping or parking contrary to requirements of a permit	70
84	5.22	Stopping or parking a vehicle (other than a bicycle or motor cycle) in a parking stall approved for motor cycles	70
85	6.2(1)	Damaging or interfering with ticket issuing machine	160
86	6.2(2)	Affixing a board, sign, placard or notice or marking any ticket issuing machine	70
87	6.2(3)	Inserting other than a coin in a ticket issuing machine	60
88	6.2(4)	Operating a ticket issuing machine contrary to instructions	60
89	6.3(2)	Failure to pay appropriate fee	70
90	6.4(2)(a)	Failure to display an unexpired parking ticket	70
91	6.4(2)(b)	Failure to clearly display a valid parking ticket	70
92	6.4(2)(c)	Failure to obtain a valid parking ticket	70
93	6.5(1)	Stopping or parking for longer than the maximum period	70

Item No.	Clause No.	Nature of Offence	Modified Penalty (Amended) \$
94	6.6(1)(a)	Failure to stop or park parallel to the kerb in a ticket machine zone	70
95	6.6(1)(b)	Failure to stop or park as close to the kerb as practicable in a ticket machine zone	70
96	6.6(1)(c)	Failure to stop or park wholly within a parking stall in a ticket machine zone	70
97	6.6(1)(d)	Failure to stop or park in direction of movement of traffic in a ticket machine zone	60
98	6.7	Parking contrary to a covered ticket issuing machine	95
99	7.9	Failure to display a valid permit	95
100	8.3	Failure to comply with a lawful direction of an authorised person	160
101	8.4	Failure to leave local government property when lawfully directed to do so by an authorised person	160
102	8.5(2)	Removing or interfering with a lawful mark on a tyre	160
103	8.6	Removing a notice on a vehicle	135
104	8.8(1)	Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction	135
105	8.9	Attempting to or removing, damaging, defacing, misusing or interfering with any part of a parking station or parking facility	160

Dated: 8 May 2020.

The Common Seal of the City of Vincent was affixed in the presence of—

EMMA COLE, Mayor.
DAVID MacLENNAN, Chief Executive Officer.
