

A large, bold, black letter 'G' is the central element of the logo. To its left, a white silhouette of the Western Australian coastline is set against a background of horizontal black lines.

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LOCAL GOVERNMENT ACT 1995

SHIRE OF EAST PILBARA

**LOCAL LAWS RELATING TO THE REMOVAL AND
DISPOSAL OF OBSTRUCTING ANIMALS OR VEHICLES**

LOCAL LAWS RELATING TO PARKING FACILITIES

**LOCAL LAWS RELATING TO RESERVES AND
FORESHORES**

The Council of the Shire of East Pilbara resolved on 28th February 1997 to adopt the following Local Laws—

Local Laws Relating to Reserves and Foreshores

Local Laws Relating to Parking Facilities

Local Laws Relating to the Removal and Disposal of Obstructing Animals or Vehicles

These Local Laws come into operation on 1st July 1997.

LOCAL GOVERNMENT ACT 1995*Shire of East Pilbara***LOCAL LAWS RELATING TO THE REMOVAL AND DISPOSAL OF
OBSTRUCTING ANIMALS OR VEHICLES**

Pursuant to the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the above Shire hereby records having resolved on 28th February 1997 to adopt the following Local Laws and repeal the Local Government model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7 adopted by resolution on 18th November, 1981 as published in the *Government Gazette* of 1st August, 1962 and amended on 26th August, 1977.

Section 1

These Local Laws may be cited as the Shire of East Pilbara Local Laws relating to the Removal and Disposal of Obstructing Animals or Vehicles.

Section 2

(1) In these Local laws—

“Act” means the Local Government Act, 1995;

“appointed place” means a yard or other piece of land set aside as a place to which obstructing vehicles may be removed pursuant to these Local Laws;

“authorised person” means a person authorised by the Council to enforce these Local Laws;

“Council” means the Council of the Shire of East Pilbara;

“public place” includes a street, way and any place which the public are allowed to use, whether the street, way or place is or is not on private property.

(2) An animal that is secured in any portion of a public place wherein animals may lawfully be secured and a vehicle that is parked in any portion of a public place wherein vehicles may lawfully be parked is not obstructing, for the purposes of these Local Laws, unless, in the case of an animal, it is so secured for any period exceeding eight hours and, in the case of a vehicle, it is so parked for any period exceeding twenty-four hours, without the consent in writing of the Chief Executive Officer of the Council.

Section 3.

A person shall not leave an animal or vehicle in a public place so as to obstruct any portion of that place.

Section 4.

A person who leaves an animal or vehicle in a public place, contrary to the provision of Section 3 of these Local Laws commits an offence.

Section 5.

The Council may appoint a person as an authorised person for the purposes of these Local Laws.

Section 6.

The Council may appoint a yard or other piece of land as a place to which vehicles may be removed pursuant to these Local Laws and shall give notice in the Gazette and in a newspaper circulating within its district of the situation of any appointed place.

Section 7.

Where an authorised person or a member of the Police Service finds an animal or vehicle left in a public place, contrary to the provisions of Section 3 of these Local Laws, he may remove the animal or vehicle therefrom and shall, thereupon—

(a) in the case of an animal, place it in a public pound;

(b) in the case of a vehicle, place it in an appointed place.

Section 8.

Where an authorised person places an animal in a public pound pursuant to Section 7 of these Local Laws, the animal shall thereafter be dealt with according to law.

Section 9.

Where an authorised person places a vehicle in an appointed place, pursuant to Section 7 of these Local Laws, he shall enter in a register to be provided by the Council for that purpose, details of the time and date, a description of the vehicle, and of the place which it was removed.

Section 10.

The Council shall notify the owner of an impounded vehicle in writing as to the whereabouts of the vehicle, and how the vehicle may be collected.

Section 10(a).

When the owner of a vehicle is unknown the Council shall exhibit on the notice board of the Council a notification that a vehicle therein described has been placed in the appointed place and shall, unless the vehicle is sooner claimed, keep that notification exhibited for a period of not less than seven (7) days.

Section 11.

A person, upon showing proof of ownership, may collect a vehicle from an appointed place within two (2) calendar months at no charge unless Council institutes a prosecution against the alleged offender. If a prosecution is instituted the vehicle will remain at the appointed place until prosecution is completed.

Section 11(a).

(1) The Court may order that all expenses incurred by the Council in removing and impounding a vehicle will be paid by the alleged offender prior to the release from the appointed place;

OR

(2) The Court may order that the vehicle be confiscated and the vehicle sold by the Council to recover the costs of removing and impounding the vehicle.

(3) Any monies received from the sale of a vehicle pursuant to this Section is to be paid into the Council's Municipal Fund.

Section 12.

A person may recover a seized vehicle from an appointed place after a period of two (2) calendar months, by paying to the Chief Executive Officer of the Council—

(a) the cost incurred by the Council in removing the vehicle thereto; and

(b) the sum of five dollars per day for each day or part of a day that the vehicle has remained in the appointed place over and above two calendar months, and upon payment of that cost and charge the Chief Executive Officer of the Council, if satisfied that the person is the owner of the vehicle or is a person entitled to possession of the vehicle, shall permit him to remove it.

Section 13.

Where a vehicle placed in an appointed place, in accordance with the provisions of these Local Laws, has not been recovered by the owner or a person entitled thereto within six (6) months from the day upon which it was there placed, the Council may cause the vehicle to be offered for sale by public auction or by public tender and thereupon accept the best offer made; and where no offer is made for the purchase of the vehicle, the Council may cause it to be destroyed or otherwise disposed of.

Section 14.

A person is not entitled to any claim, by way of damages or otherwise, against the authorised person, member of the Police Service or the Council in respect of any vehicle or animal seized and dealt with under the provisions of these Local Laws or against any person who purchased a vehicle sold by a Council under the provisions of Section 13 of these Local Laws.

Section 15.

(1) The proceeds of the sale of a vehicle under the provisions of Section 13 of these Local Laws shall be applied by the Council—

(a) firstly, in meeting the costs of the sale; and

(b) secondly, in meeting the cost of removal of the vehicle to the appointed place, and a sum of five dollars for each day or part of a day that the vehicle remained in that place, and those sums shall be paid into the Municipal Fund.

(2) Any surplus of the proceeds of the sale shall be paid by the Council into its trust fund, and may be paid within ten (10) years, to any person who satisfies the Council that he was the owner of the vehicle at the time of its sale by the Council.

(3) Any surplus of the proceeds of the sale may, if not paid to the owner within ten (10) years, be paid into the Municipal Fund.

Section 16.

(1) Any authorised person or Police Officer may demand from any person, whom he believes is in breach of these Local Laws, full name and place of residence.

(2) Any person who refuses to state his full name and place of residence or states a false name or place of residence on demand being so made by an authorised person or a member of the Police Service commits an offence.

Section 17.

A person who refuses to give his or her full name or place of residence or gives a false name or place of residence to an authorised person may without other warrant be apprehended by the person making the demand and taken before a Justice to be dealt with according to law.

Section 18.

Any person alleged to have committed an offence against Section 4 of these Local Laws may be given the opportunity to pay a modified penalty under section 9.16 of the Local Government Act 1995. The modified penalty for this offence is \$100.00.

Section 19.

(a) The form of a notice that may be given under Section 9.13 of the Act to the owner of a vehicle that is involved in an offence against these Local Laws shall be in or to the effect of Form 1 of the first schedule of these Local Laws.

(b) The form of an Infringement Notice that may be given under Section 9.16 of the Act for an offence against these Local Laws shall be in or to the effect of Form 2 of the first schedule of these Local Laws.

(c) The form of the notice that may be given under Section 9.20 of the Act to withdraw an Infringement Notice for an offence against these Local Laws shall be in or to the effect of Form 3 of the first schedule of these Local Laws.

Section 20.

A person committing a breach of these Local Laws shall be liable to a penalty not exceeding one thousand (\$1,000) dollars.

FIRST SCHEDULE—FORMS

Form 1

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date .../.../....

City/Town/Shire of

(1) To:

(2) Of:

(3) It is alleged that on .../.../.... at.....am/pm.....

(4) at.....

(5) Vehicle Registration No..... was involved in the commission of the following offences—

.....
.....
.....
.....

(6) contrary to regulation/Local Law of the

You are required under Section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise you will be deemed to have committed the offence unless—

(a) within 28 days after being served with this notice—

(i) you inform the Chief Executive Officer, or another authorised officer of the Local Government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or

(ii) you satisfy the Chief Executive Officer that the vehicle had been stolen or was being unlawfully used, at the time the offence is alleged to have been committed; or

(b) you were given an Infringement Notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice

Signature:

- (1) Name of owner or “owner of (vehicle identification)”
- (2) Address of owner (not required if owner not named)
- (3) Date and Time of which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Brief Description of Offence
- (6) Name of the Regulations/Local Laws

Form 2

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

INFRINGEMENT NOTICE

To Serial No

.....

..... Dated

You are hereby notified that it is alleged that on.....19.....

at about you did

.....

.....

.....
.....
.....

in contravention of the provisions of Local Law No.....of the Shire of East Pilbara
Removal and Disposal of Obstructing Animals or Vehicles Local Laws.

The Modified penalty prescribed for this offence is \$.....

If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay
the modified penalty within 28 days after the date of the service of this notice.

Unless payment is made within 28 days of the date of service of this notice Court proceedings may be
instituted against you.

Payment may be made either by posting this form together with the amount of \$..... mentioned
above, to the Chief Executive Officer of the Shire of East Pilbara or by delivering this form and paying
the amount at the Shire Office, Kalgan Drive, Newman, between the hours of 8.30a.m. and 4.30p.m.
Monday to Friday (except public holidays).

Signature of Authorised Person

Designation



Form 3.
Local Government Act 1995
Local Government (Functions and General) Regulations 1996
INFRINGEMENT NOTICE

To Serial No.
(not to be completed where notice is attached or left in or on vehicle).

..... Date

the owner of the vehicle make

Type Plate No.

You are hereby notified that it is alleged that on
the day of 19.....at about.....
you did

.....
in contravention of the provisions of Local Law No. of the Shire of
East Pilbara Removal and Disposal of Obstructing Animals or Vehicles Local Laws.

The modified penalty prescribed for this offence is \$ If you do not wish to have a com-
plaint of the above offence heard and determined by a Court you may pay the modified penalty within 28
days after the date of the service of this notice.

Unless within 28 days after the date of the service of this notice:—

- (a) the modified penalty is paid; or
- (b) you:—
 - (i) inform the Chief Executive Officer of the Shire of East Pilbara;
or
(designated or authorised person)

as to the identity and address of the person in charge of the above vehicle at the time of the
above offence; or

- (ii) satisfy the Chief Executive Officer of the Shire of East Pilbara that the above vehicle had
been stolen or was being unlawfully used at the time of the above offence,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and
Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$ men-
tioned above, to the Chief Executive Officer of the Shire of East Pilbara or by delivering this form
and paying the amount at the Shire Office between the hours of 8.30a.m. and 4.30p.m. Monday to
Friday (Public Holidays excepted).

Signature of Authorised Person

Designation

Name Address

..... Postcode

If your name and address do not appear in this notice please complete above to enable receipt to be
forwarded.

Form 4

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Date/...../.....

City/Town/Shire of

To:

of:

Infringement Notice No: Dated:/...../..... for the

alleged offence of

.....

.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed
- * has not been paid and should not be paid
- * Delete as appropriate

Name and title of authorised person giving this notice

Signature:

- (1) Name of alleged offender to whom infringement notice was given
- (2) Address of alleged offender.

The Common Seal of the Shire of East Pilbara was hereunto affixed by resolution of Council on the 7th day of April 1997 in the presence of:

A. COCHRANE, President.
P. A. ANNING, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

Shire of East Pilbara

LOCAL LAWS RELATING TO PARKING FACILITIES

PURSUANT to the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the above Shire hereby records having resolved on 28th February, 1997 to adopt the following Local Laws and repeal Council's By-laws relating to Parking Facilities adopted by resolution on 18th July, 1984 and published in the *Government Gazette* No 2 of 4 January, 1985.

Section 1

These Local Laws may be cited as the Shire of East Pilbara Local Laws relating to Parking Facilities.

Section 2.

In these Local Laws, unless the context otherwise requires—

“Act” means the Local Government Act, 1995;

“built up area” shall have the same meaning as defined in the Road Traffic Code 1975;

“bus” means an omnibus within the meaning of section 5 of the Road Traffic Act 1974;

“Local Law” means one of these Local Laws;

“Carriageway” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders and areas including embayments at the side or centre of the carriageway used for the standing or parking of vehicles, and where a road has two or more of those portions divided by a median strip, the expression means each of those portions separately;

“cattle” includes horses, mares, fillies, foals, geldings, colts, camels, bulls, bullocks, cows, heifers, steers, calves, asses, mules, sheep, lambs, goats, swine, emus, ostriches and alpaca's;

“commercial vehicle” means a vehicle designed for or used for commercial purposes, exceeding a load capacity of 1 tonne and includes any vehicle designed for or used for industrial purposes;

“Council” means the Council of the Shire of East Pilbara;

“driver” means any person driving or in control of a vehicle;

“footway” includes every footpath, lane or other place intended for the use of pedestrians only, or habitually used by pedestrians and not by vehicles;

“form” means a form in the second Schedule to these Local Laws;

“inspector” means a parking inspector appointed by the Council under these Local Laws and includes a chief parking inspector, an assistant parking inspector, a ranger and any person authorised by Council from time to time;

“Shire” means the Shire of East Pilbara;

“no parking area” means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words “No Parking” in red lettering or the international symbol for “no parking”, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words “No Parking” in red lettering or the international symbol for “No Parking” and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign.

“no standing area” means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words “No Standing” in red lettering or the international symbol for “No Standing” and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words “No Standing” in red lettering or the international symbol for “No Standing” and a dead end or an area in which standing is prohibited and that lies in the general direction by an arrow inscribed on the sign;

“notice” means a notice in the form of Form No. 1, 2, 3 and 4 issued pursuant to these Local Laws;

“owner” in relation to a vehicle, means the person who is the holder of the requisite vehicle licence under the Traffic Act in respect of the vehicle, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to possession of the vehicle.

“park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with the provisions of any law or of immediately taking up or setting down person or goods; and

“parking” has a correlative meaning;

“parking area” means a portion of the carriage way that -

- (a) lies between two consecutive white signs inscribed with the word “Parking” in green lettering, and each with an arrow pointing generally towards the other of them; or

- (b) extends from a white sign inscribed with the word "Parking" in green lettering, in the general direction indicated by an arrow inscribed on the sign, to any other sign inscribed with words "No Parking" or "No Standing" in red lettering or their international symbols or to a dead end or an area in which the parking or standing of vehicles is prohibited;
- "parking region" means a place where a local law to control parking applies;
- "parking stall" means a section or a part of a street or of a parking station, which is marked or defined by painted lines or by metallic studs or by similar devices for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered spaces or private garage;
- "parking station" means any land, building or other structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space or private garage;
- "property line" means the boundary between the land comprising a street and the land that abuts thereon;
- "road" means any highway, road, street, lane, thoroughfare or similar place open to, or used by the public and includes every carriageway, footway, reservation, median strip, traffic island or similar place and includes bridges and culverts appurtenant to it which is within the parking region.
- "schedule" means a schedule to these Local Laws;
- "stand" in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law when the vehicle is being driven;
- "standing" has a correlative meaning;
- "street" has the same meaning as road;
- "Traffic Act" means the Road Traffic Act 1974;
- "townsites of Marble Bar, Nullagine, Newman" means the townsites as declared under the Land Act 1933;
- "Vehicle" shall have the same meaning as defined in the Traffic Act;
- "verge" means that part of a road between the edge of the carriageway and the boundary of the road nearest that edge.

Section 3.

(1) These Local Laws apply to the parking region and all parking stations and parking facilities in the parking region other than a parking station or parking facility that—

- (a) is not owned, controlled or occupied by the Shire; or
- (b) is owned by the Shire but is leased to another person.

(2) Any sign that—

- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of these Local Laws within the Shire;
- (b) relates to the parking or standing of vehicles within the parking region; and

shall be deemed, for the purpose of these Local Laws, to have been erected by the Council under the authority of these Local Laws.

Section 4.

For the purpose of these Local Laws vehicles are divided into classes as follows:—

- (a) Buses;
- (b) Commercial vehicles including any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for the conveyance therein or thereon of goods;
- (c) Motorcycles and bicycles;
- (d) All other vehicles not otherwise classified.

Section 5.

Where, under these Local Laws the standing or parking of vehicles in a street is controlled by a sign, that sign shall be read as applying to the part of the street which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is that side of the carriageway of the street nearest to the sign.

Section 6.

The portion of the district of the Shire that is defined in the First Schedule is hereby constituted as a parking region to which these Local Laws shall apply.

Section 7.

(1) Subject to these Local Laws, and to any regulation for the time being in force under the Traffic Act, the Council may constitute, determine and vary, and also indicate by signs, from time to time:

- (a) parking stalls;
- (b) parking stations;

- (c) permitted times and conditions of parking in parking stalls and parking stations depending on and varying with locality;
- (d) permitted classes of vehicles to park in parking stalls and parking stations;
- (e) the manner of parking in parking stalls and parking stations.

(2) No person shall stand a vehicle in a parking stall in a street otherwise than parallel to the kerb and as close thereto as practicable and wholly within such stall and headed in the direction of the movement of traffic on the side of the street on which the stall is situated. Provided that where a parking stall is set out otherwise than parallel to the kerb, this sub-Local Law other than the provision that a vehicle shall stand wholly within such space, shall not apply.

Section 8.

Unless otherwise directed by an inspector, or attendant, no person shall park a vehicle in a parking station otherwise than wholly within a parking stall.

Section 9.

No person shall stand a vehicle so as to obstruct an entrance to, an exit from or a roadway within a parking station or beyond the limits of any defined row within a parking station.

Section 10.

No person shall stand a vehicle, except with the permission of the Council or an inspector or an attendant, on any part of a parking station whether or not such part be marked as a parking stall, if a sign is exhibited prohibiting standing of vehicles thereon.

Section 11.

No person shall stand or attempt to stand a vehicle in a parking stall in which another vehicle is standing, but this Local Law does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C" if the bicycle is parked in accordance with Local Law 13.

Section 12.

(1) No person shall permit a vehicle to stand in a parking stall which is at the time set aside for use by commercial vehicles unless—

- (a) the vehicle is a commercial vehicle; and
- (b) some person is actively engaged in loading or unloading goods to or from the vehicle, and in any case, for not more than a period of 30 minutes.

(2) In these Local Laws "goods" means an article, or collection of articles, weighing at least fourteen (14) kilograms of which the content is at least 0.2 (point two) cubic metres.

(3) A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

Section 13.

No person shall stand or permit to stand any bicycle—

- (a) in a parking stall other than in a stall marked "M/C"; or
- (b) in such stall other than against the kerb.

Standing and General Parking

Section 14.

The Council may, subject to these Local Laws, constitute, determine and vary and also indicate by signs, from time to time, prohibitions, regulations and restrictions of parking and standing of vehicles of a specified class or specified classes in all streets or specified streets or in specified parts of streets in the parking region at times or at specified times.

Section 15.

(1) A person shall not stand a vehicle in a parking stall, whether that parking stall is situated in a parking station or in a street—

- (a) if that parking stall is by any sign thereon or adjacent or referable thereto, set apart for the standing of vehicles of a different class; or
- (b) if by such a sign the standing of vehicles in that parking stall is prohibited or restricted during any period or periods during such a period or periods; or
- (c) if by such a sign the standing of vehicles in that parking stall is permitted for a specified time, for longer than that time.

(2) A person shall not stand a vehicle—

- (a) in a no standing area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or associated with the parking area (includes parking stalls) except as in the Local Laws provided, with reference to such parking stalls;
- (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
- (d) in a defined area marked "M/C" unless it is a motorcycle without a sidecar or a bicycle.

- (3) A person shall not stand a vehicle in a loading zone unless it is—
- (a) a commercial vehicle engaged in the picking up or setting down of goods; or
 - (b) a motor vehicle taking up or setting down passengers; and then only if it does not have a trailer attached.
- (4) A person shall not park a vehicle—
- (a) in a no parking area;
 - (b) if that vehicle, or any combination of vehicles that together with any projection on or load carried by the vehicle or combination of vehicles, is more than eight (8) metres in length, on a carriageway in a “built up area” for any period of time exceeding one (1) hour;
 - (c) Carrying “cattle” in a “built-up area” for any period of time exceeding ten (10) minutes;
 - (d) so that any part of the vehicle is on or over any footway or on the verge of any part of a road in a “built up area” if directed by an inspector or member of the Police Service to move it.
- (5) A person shall not park a vehicle on any portion of a street -
- (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
 - (b) if the vehicle is exposed for sale;
 - (c) to service that vehicle;
 - (d) if that vehicle is not licensed pursuant to the Traffic Act.
- (6) A person shall not stand a motorcycle without a sidecar or a bicycle in a parking stall unless the traffic sign “M/C” is marked on that stall.

Section 16.

A person standing a vehicle on a carriageway shall stand it—

- (a) on a two way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway and headed in the direction of the movement of the traffic on the side of the road on which the vehicle is standing;
- (b) on a one way carriageway, so that it is as near as practicable to, and parallel with, either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
- (c) so that it is not less than 1.2 (one point two) metres away from any other vehicle, except a motorcycle or a bicycle parked in accordance with these Local Laws;
- (d) so that at least three (3) metres of width of the carriageway between the vehicle and the farther boundary of the carriageway or between it and a vehicle standing on the far side of the carriageway is available for the passage of other vehicles;
- (e) so that it does not cause undue obstruction on the carriageway; and
- (f) so that it is entirely within the confines of any parking stall marked on the carriageway.

Section 17.

- (1) A person shall not stand a vehicle partly within and partly outside a parking area.
- (2) Where the traffic sign or signs associated with a parking area are not inscribed with the words “Angle Parking” then—
- (a) where the parking area is adjacent to the boundary of the carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and
 - (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that the vehicles are to stand in a different position.
- (3) Where a traffic sign associated with a parking area is inscribed with the words “Angle Parking” a person standing a vehicle in the parking area shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.
- (4) Sub-Local Law (3) of this Local Law does not apply to a person standing a motorcycle or a bicycle in a parking area.

Section 18.

- (1) A person shall not stand a vehicle so that any portion of that vehicle is—
- (a) between any other standing vehicle and the centre of the carriageway;
 - (b) adjacent to a median strip;
 - (c) in front of a right of way, passage or private drive or so close thereto as to deny any vehicle reasonable access to, or egress from, the right of way, passage or private drive;
 - (d) in front of a footway constructed across a reservation;
 - (e) alongside, or opposite any excavation in, or obstruction on the carriageway, if that vehicle would thereby obstruct traffic;
 - (f) on or within nine (9) metres of any portion of a carriageway bounded on one or both sides by a traffic island;
 - (g) on any footway or pedestrian crossing;

- (h) upon a bridge or other elevated structure or within a tunnel or underpass;
 - (i) between the boundaries of a carriageway and any double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway near to the continuous line unless there is a distance of at least three (3) metres clear between the vehicle and the double longitudinal line; or
 - (j) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.
- (2) The provisions of paragraph (c), (f) and (h) of sub-Local Law (1) of this Local Law do not apply to a vehicle that stands in a bus stand marked on the carriageway for the purpose of setting down or taking up passengers.
- (3) A person shall not stand a vehicle so that any portion of the vehicle is within one (1) metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug.
- (4) A person shall not stand a vehicle so that any portion of the vehicle is within six (6) metres of the nearest property line of any road intersecting the road on the side on which the vehicle is standing.
- (5) A person shall not stand a vehicle so that any portion of the vehicle is within eighteen (18) metres of the nearest rail of a railway level crossing.
- (6) The provisions of sub-Local Laws (1) to (5) inclusive of this Local Law do not apply to a vehicle standing in a parking stall established by the Shire, nor to a bicycle standing in a bicycle rack established by the Shire.

Section 19.

An inspector may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties and powers and no person shall remove a mark made by an inspector so that the purpose of the affixing of such mark is defeated or likely to be defeated.

Miscellaneous**Section 20.**

Every inspector shall be furnished with a certificate of his appointment in the form from time to time determined by Council.

Section 21.

A person who is not an inspector shall not in any way assume the duties of an inspector.

Section 22.

No person shall in any way obstruct or hinder an inspector in the execution of his duty.

Section 23.

Any person alleged to have committed an offence against these Local Laws may be given the opportunity to pay a modified penalty under Section 9.16 of the Local Government Act 1995. A table of offences and modified penalties is described in the first Schedule of the Local Law.

Section 23A.

- (i) The form of a notice that may be given under Section 9.13 of the Act to the owner of a vehicle that is involved in an offence against these Local Laws shall be in or to the effect of Form 1 of the second schedule of these Local Laws.
- (ii) The form of an Infringement Notice that may be given under Section 9.16 of the Act for an offence against these Local Laws shall be in or to the effect of Form 2 of the second schedule of these Local Laws.
- (iii) The form of the notice that may be given under Section 9.2 of the Act to withdraw an Infringement Notice for an offence against these Local Laws shall be in or to the effect of Form 3 of the second schedule of these Local Laws.

Section 24.

No person shall, without the authority of the Council, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council under the authority of these Local Laws.

Section 25.

No person shall, without the permission of the Council, affix any board, sign, placard, notice or other thing to or paint or write upon any part of a parking station.

Section 26.

Parking inspectors appointed by the Shire from time to time are authorised—

- (a) to carry into effect the provisions of these Local Laws;
- (b) to report to the Council on the working effectiveness and functioning of these Local Laws;
- (c) to institute and conduct prosecutions on behalf of the Council or the Chief Executive Officer.

Section 27.

(a) Any inspector or police officer may demand from any person, whom he believes is in breach of these Local Laws, full name and place of residence.

(b) Any person who refuses to state his full name and place of residence or states a false name or place of residence on demand being so made by an inspector or a member of the Police Service commits an offence.

Section 28.

A person who refuses to give his or her full name or place of residence to the person making the demand may without other warrant be apprehended by the person making the demand and taken before a Justice to be dealt with according to law.

Penalties

Section 29.

Any person who contravenes or fails to comply with any provision of these Local Laws commits an offence and is liable on conviction to a penalty not exceeding five hundred (500) dollars.

Section 30.

The modified penalty for an offence against these Local Laws if dealt with under Section 9.16 of the Act is fifty (50) dollars.

Section 31.

A penalty for an offence against these Local Laws (not being a modified penalty) may be recovered by Council by taking proceedings against the alleged offender in a Court of Petty Sessions.

Section 32.

The Council shall cause adequate records to be kept of all infringement notices served and modified penalties received under section 9.16 of the Act in respect to offences against these Local Laws.

FIRST SCHEDULE

Section 6.

The whole of the district of the Shire of East Pilbara with the exemption of:

- (a) Any road which comes under the control of the Commissioner of Main Roads.
- (b) Parking Restrictions associated with Traffic Control Signals based on an approved plan.
- (c) Prohibition areas applicable to all bridges and subways.

SECOND SCHEDULE—FORMS

Form 1

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date .../.../...

City/Town/Shire of

(1) To:

(2) Of:

(3) It is alleged that on .../.../... at.....am/pm.....

(4) at.....

(5) Vehicle Registration No.....

was involved in the commission of the following offence—

.....
.....
.....

(6) contrary to regulation/Local Law of the

You are required under Section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise you will be deemed to have committed the offence unless—

- (a) within 28 days after being served with this notice—
 - (i) you inform the Chief Executive Officer, or another authorised officer of the Local Government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen or was being unlawfully used, at the time the offence is alleged to have been committed; or
- (b) you were given an Infringement Notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice

Signature:

- (1) Name of owner or "owner of (vehicle identification)"
- (2) Address of owner (not required if owner not named)
- (3) Date and Time of which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Brief Description of Offence
- (6) Name of the Regulations/Local Laws

Form 2

Local Government Act 1995
 Local Government (Functions and General) Regulations 1996
 INFRINGEMENT NOTICE

To Serial No

..... Dated

You are hereby notified that it is alleged that on.....19.....
at about you did

in contravention of the provisions of Local Law No.....of the Shire of East Pilbara
Parking Facilities Local Laws.

The Modified penalty prescribed for this offence is \$.....

If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay
the modified penalty within 28 days after the date of the service of this notice.

Unless payment is made within 28 days of the date of service of this notice Court proceedings may be
instituted against you.

Payment may be made either by posting this form together with the amount of \$..... mentioned
above, to the Chief Executive Officer of the Shire of East Pilbara or by delivering this form and paying
the amount at the Shire Office, Kalgan Drive, Newman, between the hours of 8.30a.m. and 4.30p.m.
Monday to Friday (except public holidays).

Signature of Authorised Person

Designation

Form 3.

Local Government Act 1995
 Local Government (Functions and General) Regulations 1996
 INFRINGEMENT NOTICE

To Serial No
(not to be completed where notice is attached or left in or on vehicle).

..... Date

the owner of the vehicle (make)

Type Plate No.

You are hereby notified that it is alleged that on
the day of 19.....at about.....
you did

in contravention of the provisions of Local Law No of the Shire
of East Pilbara Parking Facility Local Laws.

The modified penalty prescribed for this offence is \$ If you do not wish to have a
complaint of the above offence heard and determined by a Court you may pay the modified penalty
within 28 days after the date of the service of this notice.

Unless within 28 days after the date of the service of this notice:—

(a) the modified penalty is paid; or

(b) you:—

(i) inform the Chief Executive Officer of the Shire of East Pilbara;

or

(designated or authorised person)

as to the identity and address of the person in charge of the above vehicle at the time of the above offence; or

(ii) satisfy the Chief Executive Officer of the Shire of East Pilbara that the above vehicle had been stolen or was being unlawfully used at the time of the above offence,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$ mentioned above, to the Chief Executive Officer of the Shire of East Pilbara or by delivering this form and paying the amount at the Shire Office between the hours of 8.30a.m. and 4.30p.m. Monday to Friday (Public Holidays excepted).

Signature of Authorised Person

Designation

Name Address

..... Postcode

If your name and address do not appear in this notice please complete above to enable receipt to be forwarded.

Form 4

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Date / /

City/Town/Shire of

To:

of:

Infringement Notice No: Dated: / / for the

alleged offence of

.....

.....

has been withdrawn.

The modified penalty of \$

* has been paid and a refund is enclosed

* has not been paid and should not be paid

* Delete as appropriate

Name and title of authorised person giving this notice

Signature:

(1) Name of alleged offender to whom infringement notice was given

(2) Address of alleged offender.

The Common Seal of the Shire of East Pilbara was hereunto affixed by resolution of Council on the 7th day of April 1997 in the presence of:

A. COCHRANE, President.
P. A. ANNING, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995*Shire of East Pilbara***LOCAL LAWS RELATING TO RESERVES AND FORESHORES**

PURSUANT to the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the above Shire hereby records having resolved on 28th February, 1997 to adopt the following Local Laws and repeal Council By-laws relating to public reserves adopted by resolution on 22nd June, 1990 and published in the *Government Gazette* No 101 of 22nd August, 1991.

Section 1

These Local-laws apply to Foreshores and Reserves within the boundaries of the Shire of East Pilbara.

Section 2

In these Local-laws unless the context otherwise requires 'Act' means the Local Government Act, 1995.

"Authorised Officer" means an officer of the Council who is authorised by the Council to:- serve notices and enforce these Local-laws under section 9.10 of the Local Government Act 1995.

"Building" means any permanent or temporary structure including tents, caravans, marquees and stalls.

"Council" means the Council of the Shire of East Pilbara.

"Foreshores" means all land within the Shire of East Pilbara which lies between the low water mark and the high water mark of the Indian Ocean.

"Function" includes any carnival, show, exhibition, gymkhana, sport, party or picnic or a match or contest between two opposing teams in any game.

"Owner" in relation to a vehicle means the person who is the holder of the requisite vehicle licence under the Road Traffic Act 1974 in respect of that vehicle or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession.

"Reserve" means park land, squares, reserves vested in or under the care, control and management of the Council.

"Vehicle" has the same meaning as if given to that word in the Road Traffic Act as amended from time to time, but includes trail bikes, beach buggies, trailers, caravans and other vehicles licensed or unlicensed but does not include any wheelchair or motorised chair used by a physically impaired person.

Section 3

On a reserve or foreshore a person shall not:

- (a) Commit or cause a nuisance.
- (b) Be in a state of intoxication.
- (c) Behave in a disorderly manner, create or take part in a disturbance, use foul or indecent language or commit any act of indecency.
- (d) Ride a horse over grounds prepared for a playing field or an established garden.
- (e) Use or operate a device causing a loud noise or any siren or starting gun in such a manner as to cause a nuisance or annoyance.
- (f) Use or operate any musical instrument, radio or loud speaker, in such manner as to create excessive noise or as to cause nuisance or annoyance.
- (g) Bet, gamble or call the odds or offer to bet or gamble.

Section 4a

On a reserve or foreshore a person other than a Council employee executing his/her normal duties or a person authorised by the Council shall not:

- (a) Throw or discharge any stone, arrow, bullet, spear gun or other missile.
- (b) Climb over or upon a fence or gate.
- (c) Unlock, unfasten or open, lock, fasten or close any gate.
- (d) Enter or use any dressing room or training room or ablution block for any purposes other than that which it is intended.
- (e) Destroy, damage, injure or cause harm to any bird, animal, or fish.
- (f) Damage or injure any plant, lawn, flower, shrub or tree.
- (g) Cut or damage any soil or turf.
- (h) Climb any tree.
- (i) Deposit or leave any rubbish, refuse, offal, paper, bottles, broken glass, china or litter of any kind whatsoever except in a receptacle provided for that purpose.
- (j) Remove, tamper with or relocate any structure or goal post.
- (k) Damage or deface any building.
- (l) Remove, damage, deface, mark or alter any sign.

Section 4b

On a Council reserve no person shall, without consent of Council, consume any alcoholic liquor, spirit or beverage.

Section 5

Any persons found in a state of intoxication on any public reserve or behaving in a disorderly manner or creating or taking part in any disturbance or using any foul or indecent language or committing any act of indecency therein, may forthwith be removed from such public reserve by an officer of the Council or by any member of the Police Service.

Section 6

A person other than an employee of the Council executing his/her normal duties shall not without the consent of Council:

- (a) Drive or ride or bring a vehicle onto a reserve or foreshore or permit any person to drive or ride or bring any vehicle onto a reserve or foreshore except on or over such parts of the reserve or foreshore as are set aside as roads or driveways or vehicle parking areas or as access to areas set aside for the use of the vehicle.
- (b) Park or stand any vehicle on a reserve or foreshore except in an area set aside for that purpose.

Section 7

On a foreshore or reserve a person shall not:

- (a) Sell, expose for sale or invite any offer to buy any goods, wares, vehicles, food, refreshments, fruit or other merchandise or things (whether of the like as foregoing or not) except in an area set apart for the purpose by the Council and then only with the prior consent of the Council.
- (b) Hire, expose for hire or invite any offer to take or hire any vehicle, boat or vessel or thing (whether of the kind as the foregoing or not) except in an area set apart for the purpose by the Council and then only with the prior consent of the Council.

Section 8

On a foreshore or reserve a person shall not without consent of Council:

- (a) Play or practice at golf or strike a golf ball except on an area set aside for that purpose.
- (b) Take part in a procession or demonstration.
- (c) Organise address or participate in a political meeting or rally.
- (d) Use or install a loud speaker or amplifier.
- (e) Distribute or exhibit any printed or written pamphlet, hand bill, placard or notice in any matter whatsoever.
- (f) Stamp, pencil, affix, construct or erect or cause to be stamped, stencilled, affixed, constructed or erected any signboard, hoarding, placard, hand bill, notice, advertisement or document whatsoever.
- (g) Light a fire other than in a fire place provided for that purpose.
- (h) Camp, lodge or tarry overnight, or frequent for the purpose of camping, lodging or tarrying overnight except with the approval of the Council.
- (i) Erect a tent or any other temporary cover for the purpose of entertainment or for the display of any merchandise.

Section 9

On a reserve or foreshore a person shall not practice or play in or at any game in such a way as to cause inconvenience or annoyance to any other person.

Section 10

- (a) In this Local-law reference to an "animal" does not include a dog.
- (b) The Council may set aside a reserve or foreshore or portion of a reserve or foreshore as an area upon which a person may lead, ride or drive an animal or onto which a person may bring an animal.
- (c) A person shall not lead, ride or drive an animal on any reserve that is not set aside for such a purpose.
- (d) A person shall not ride, drive, exercise, train, lead or race any animal on any part of a reserve or foreshore in a manner so as to create or become a nuisance.

Section 11

- (a) The Council may set aside a reserve or foreshore or portion thereof as an area from which the launching or recovery of boats is permitted.
- (b) The launching or recovery of boats by the use of a vehicle is prohibited from any reserve or foreshore except on or over such parts of the reserve or foreshore as are set aside for that purpose by the Council.

Section 12

- (a) The Council may set aside a reserve or foreshore or portion thereof as an area from which the playing of ball games is prohibited.
- (b) A person shall not play ball games in an area in which the playing of ball games has been prohibited pursuant to Sub Local Law (a) of this Local Law.

Section 13

- (a) Any officer of the Council may demand from any person, whom he believes is in breach of these Local Laws, full name and place of residence.

(b) Any person who refuses to state his full name and place of residence or states a false name or place of residence on demand being so made by an officer of the Council or a member of the Police Service commits an offence.

Section 14

A person who refuses to give his or her full name or place of residence to the person making the demand may without other warrant be apprehended by the person making the demand and taken before a Justice to be dealt with according to law.

Section 15

No person shall organise, arrange or take part in a function on a public reserve unless a permit to hold or organise a function has been granted by the Council.

Section 16

Council may set fees as it determines from time to time for:

- (a) The hire of a reserve or foreshore.
- (b) A bond for the restoration of the reserve or foreshore to its condition prior to hire and may use any or all of the bond to carry out such work as it deems necessary.

Section 17

The Council may grant a permit to a person to hold or organise a function on a public reserve, subject to such conditions, if any, as it may deem fit, and may authorise a charge to be made for admission to the function.

Section 18

A permit to hold a function on a public reserve shall specify:

- (a) the purpose for which such permit is granted;
- (b) the dates and times during which the function may be held;
- (c) the charge, if any, which has been authorised by the Council for admission to the function;

and shall be in or to the effect of form 4 of the second schedule of this Local Law.

Section 19

No permit shall be granted for a continuous period of more than fourteen days.

Section 20

Subject as hereinafter provided, no person to whom a permit has been granted shall exclude any member of the general public from attending the function if such person pays the authorised charge for admission.

Section 21

No person to whom a permit has been granted shall make a charge for admission to the function unless authorised to do so by the Council or shall make a charge for admission in excess of the amount of the charge authorised by the Council.

Section 22

No person under the influence of alcohol or drugs or acting in a riotous or disorderly manner shall attend a function.

Section 23

A person to whom a permit has been granted shall prevent persons under the influence of alcohol or drugs or persons acting in a riotous or disorderly manner from attending a function.

Section 24

Any person to whom a permit has been granted who commits or permits the commission of a breach of any of the terms or conditions of the permit commits an offence.

Section 25

The Council, if satisfied that the person to whom a permit has been granted has committed or permitted or authorised the commission of a breach of any of the terms or conditions of the permit or has committed a breach of any of these Local Laws, may by a notice in writing to such person cancel the permit and thereupon the permit shall be cancelled.

Section 26

No person shall erect or permit or authorise the erection of a building on a public reserve without the consent of the Council.

Section 27

Any person desirous of erecting a building on a public reserve shall make application to the Council for its consent thereto.

Section 28

The consent of the Council to the erection of a building on a public reserve shall specify:—

- (a) The purpose for which such building may be used;
- (b) The nature of the building which may be erected;

- (c) The time during which such building may be permitted to remain on the public reserve;
- (d) The times when such buildings may be used; and
- (e) The position in which such building may be erected.

Section 29

Any person who shall erect or use or permit or authorise the erection or use of any building on a public reserve without the written consent of the Council commits an offence.

Section 30

The Council may, after having given to the person to whom a consent to erect a building on a public reserve has been granted, with 24 hours notice of its intention to do so, withdraw such consent.

Section 31

The Council may by notice in writing to the owner, or to the person whom it believes to be the owner, of a building on a public reserve, direct that a building erected or used otherwise than in accordance with the terms of the consent of the Council or any building in respect of which the consent to erect the same has been withdrawn, be removed within a period of 24 hours after the date of service of the notice.

Section 32

In the event of non-compliance with a notice given in pursuance of the proceeding Local Law, the Council may sell the building in respect of which the notice has been given or may by its employees and contractors take down and remove the said building and may sell the materials of which it is constructed and shall hold the balance of the purchase money received by it after deducting all costs and expenses consequent upon such failure to comply with the notice and such taking down the removal and sale in trust for the person entitled thereto.

Section 33

Any person who fails to comply with a notice given by the Council to remove a building on a public reserve commits an offence.

Section 34

No unauthorised person shall cause any damage to a building on a public reserve.

Section 35

No person other than the owner or a person authorised in that behalf by the owner of a building on a public reserve shall use such a building.

Section 36

No person shall without the approval of the Council use a building on a public reserve as a dwelling or for sleeping purposes.

Section 37

No person who is the owner of or is a person authorised in that behalf by the owner of a building on a public reserve, shall use such building during the course of a function without the consent of the Council, or without the permission of the person to whom a permit to hold such function has been granted.

Section 38

No person shall assign or transfer his ownership of or his interest in a building on a public reserve without having first delivered to the Council a notice of transfer giving details of the full name and address of the transferor and of the transferee and a description of the building and its location.

Section 39

Any person who is convicted on an offence against these Local Laws excluding Local Law No. 6(a) and 6(b) shall be liable to:

- (a) a maximum penalty of \$1,000; and
- (b) a maximum penalty during the breach of \$100 per day.

Section 39(i)

Any person who is convicted of an offence against Local Law No. 6(a) or 6(b) shall be liable to:

- (a) a maximum penalty of \$500; and
- (b) a maximum penalty during the breach of \$100 per day.

Section 40

Any person alleged to have committed an offence against Sections 3, 4(a), 4(b), 6(a), 6(b), 7(a), 7(b), 8, 9, 10, 11, 12, 15 of these Local Laws may be given the opportunity to pay a modified penalty under section 9.16 of the Local Government Act 1995. A table of offences and modified penalties is described in the first Schedule of this Local Law.

Section 41

(a) The form of a notice that may be given under Section 9.13 of the Act to the owner of a vehicle that is involved in an offence against these Local Laws shall be in or to the effect of Form 1 of the second schedule of these Local Laws.

(b) The form of an Infringement Notice that may be given under Section 9.16 of the Act for an offence against these Local Laws shall be in or to the effect of Form 2 of the second schedule of these Local Laws.

(c) The form of the notice that may be given under Section 9.20 of the Act to withdraw an Infringement Notice for an offence against these Local Laws shall be in or to the effect of Form 3 of the second schedule of these Local Laws.

Section	First Schedule Modified Penalty
3	\$50
4(a)	\$50
4(b)	\$50
6(a)	\$50
6(b)	\$50
7(a)	\$50
7(b)	\$50
8	\$50
9	\$50
10	\$50
11	\$50
12	\$50
15	\$100

SECOND SCHEDULE—FORMS

Form 1

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

City/Town/Shire of

(1) To:

(2) Of:

(3) It is alleged that on / / at am/pm

(4) at

(5) Vehicle Registration No.
was involved in the commission of the following offence—

.....
.....
.....
.....

(6) contrary to regulation/Local Law of the

You are required under Section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise you will be deemed to have committed the offence unless—

(a) within 28 days after being served with this notice—

(i) you inform the Chief Executive Officer, or another authorised person of the Local Government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or

(ii) you satisfy the Chief Executive Officer that the vehicle had been stolen or was being unlawfully used, at the time the offence is alleged to have been committed; or

(b) you were given an Infringement Notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice

Signature:

- (1) Name of owner or “owner of (vehicle identification)”
- (2) Address of owner (not required if owner not named)
- (3) Date and Time of which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Brief Description of Offence
- (6) Name of the Regulations/Local Laws

Form 2
Local Government Act 1995
Local Government (Functions and General) Regulations 1996
INFRINGEMENT NOTICE

To: Inf No:.....
Of: Date:

You are hereby notified that it is alleged that on the day of Year.....
at aboutam/pm you did
.....in contravention of the provision of Section.....
of the Shire of East Pilbara Local Laws relating to Reserves and Foreshores.

The Modified Penalty for this offence is \$..... If you do not wish to have a complaint of the above
offence heard and determined by a Court you may pay the Modified Penalty within 28 days of the date
of this notice to the Chief Executive Officer at the address below.

Unless payment is made within twenty-eight days of the date of this notice Court proceedings may be
instituted against you.

Payment may be made either by posting this notice together with a cheque or Postal Money Order to the
Chief Executive Officer, Shire of East Pilbara, Kalgan Drive, Newman, W.A. 6753 or by delivering this
Notice intact, together with your remittance to Council's office between the hours of 8.30 am and 4.30
pm Monday to Friday.

Signature of Authorised Person
Designation

SECOND SCHEDULE

Form 3
Local Government Act 1995
Local Government (Functions and General) Regulations 1996
NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.
Date/..../.....

Shire of East Pilbara

To:
of:

Infringement Notice No: dated:/..../.... for the alleged offence of
.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed
* has not been paid and should not be paid
* Delete as appropriate

Name and designation of authorised person giving this notice

Signature:

- (1) Name of alleged offender to whom infringement notice was given
(2) Address of alleged offender.

SECOND SCHEDULE

Form 4

Local Government Act 1996

Local Government (Functions and General) Regulations 1996

PERMIT TO HOLD A FUNCTION

NAME OF APPLICANT (Phone)

ADDRESS

.....

.....

PURPOSE FOR USE OF RESERVE:

.....

.....

.....

.....

.....

DATE/TIME OF FUNCTION TO BE HELD:

.....

.....

.....

CHARGES (IF ANY) AUTHORISED BY COUNCIL:

.....

.....

.....

.....

.....

RESERVE NUMBER/LOCATION:

.....

.....

.....

.....

SIGNATURE

.....

DATE

PERMIT APPLICATION APPROVED/REJECTED

.....

Chief Executive Officer/or
Authorised Person

The Common Seal of the Shire of East Pilbara was hereunto affixed by resolution of Council on the 7th day of April 1997 in the presence of:

A. COCHRANE, President.
P. A. ANNING, Chief Executive Officer.

