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LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

LOCAL LAWS RELATING TO SIGNS, HOARDINGS AND BILL
POSTING

LOCAL LAW RELATING TO PREVENTION AND ABATEMENT OF
SAND DRIFT

LOCAL LAW RELATING TO TRADING IN PUBLIC PLACES

LOCAL LAWS RELATING TO STALLHOLDERS AND THE STALLS
THEY OPERATE

LOCAL LAWS RELATING TO THE FILLING OF LAND

LOCAL LAWS RELATING TO FENCING

LOCAL LAWS RELATING TO THE CLEARING AND REMOVAL OF
TREES, SCRUB, UNDERGROWTH, REFUSE, RUBBISH AND
VEHICLE BODIES FROM LAND

LOCAL LAW RELATING TO THE REPEAL OF LOCAL LAWS

LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

LOCAL LAWS RELATING TO SIGNS, HOARDINGS AND BILL POSTING

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001.

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PART 1—PRELIMINARY

Title

1 This local law may be referred to as the *Shire of Greenough Signs Local Law*.

Commencement

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

Purpose

3 The purpose of this local law is to provide for—

- 3.1 the regulation, control and management of signs within the district;
- 3.2 the preservation of public safety and the amenity of the district; and
- 3.3 appropriate exposures of activities and services available in the district.

Repeal

4 The following By-law of the former Shire of Greenough—By-laws Relating to Signs, Hoardings and Bill Posting published in the *Government Gazette* 2/4/1993, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Act” means the *Local Government Act 1995* (as amended).

“Advertising” means any object or structure on which words or numbers or figures or drawings are written, placed, affixed, attached or painted for the purpose of advertising any business, function, operation, development, event undertaking or any product or thing whatsoever, and includes any vehicles or trailer or such other similar object or objects placed or located so as to serve the purpose of advertising any business, function, operation, development, event, undertaking or any product or thing whatsoever.

“Bill Posting” means the attaching, sticking, application, painting, stenciling or affixing of any bill, poster, placard, or advertisement on any building, structure, fence, wall, hoarding, signpost, pole, blind or awning, whether erected upon private property or in or upon a public place so as to be visible to any person in a street, public place, private property, reserve or other land.

- “Council” means the Council of the local government.
- “Commercial Area” means an area where business or trade is conducted, to the exclusion of any purpose falling within the definition of industry.
- “Development sign” means a sign or signs erected on an area of land which land has been approved for subdivision into a number of smaller lots, advertising such lots for sale but upon which land no building development has taken place at the time of approval of the sign or signs.
- “Display Home sign” means a sign erected on a lot on which lot a house or other residential building is erected or is to be erected which house or other residential building has been approved by the Council as a display home under the District Zoning Scheme of the local government.
- “District Zoning Scheme” means the Shire of Greenough’s Town Planning Scheme No 4 (District Zoning Scheme) published in the *Government Gazette* on the 18 January 1984 as amended from time to time or such other Town Planning Schemes or Local Laws for the time being in force whereby the Shire of Greenough or any part thereof is classified and zoned.
- “Fly Posting” without limiting the generality of the provisions on these Local Laws relating to bill posting means advertising by means of more than one bill poster placed or placard attached, applied, painted, stenciled or affixed on fences, walls, buildings, structure, trees, rocks and any like places, or things without authority and “fly post” has a like meaning.
- “Hoarding” means a detached or detachable structure including a poster panel, wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying a sign or signs but excluding hoardings referred to in Section 377 of the Act.
- “Horizontal sign” means a sign affixed or attached parallel to the wall of a building or structure to which it is attached with its largest dimensions horizontal.
- “Illuminated sign” means a sign that is so arranged as to be capable of being lit either from within or from without the sign by artificial light provided, or mainly provided for that purpose.
- “Information panel” means a panel used for displaying government and local government notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travelers and general commercial advertising.
- “Institutional sign” means a sign erected or placed on any private property, public place or building used for or in connection with a medical or dental surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature.
- “Licensee” means the holder of a licence issued by the Council pursuant to these Local Laws.
- “Light Industrial Area” means an area classified as a light industry zone by Council’s District Zoning Scheme.
- “Portable sign” means a sign not permanently attached to the ground or to a structure, wall, fence or building and including but not limited to a sandwich board sign consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means.
- “Pylon sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers to which sign infill may be added.
- “Residential Area” means an area classified as a residential zone by Council’s District Zoning Scheme.
- “Roof sign” means a sign erected on the roof of a building.
- “Rural Producers sign” means a sign erected in an area classified as a Special Rural Zone or General Farming Zone in accordance with Council District Zoning Scheme which sign only advertises goods or products produced or grown upon the same land on which the sign is erected.
- “Sale sign” means a sign indicating that the private property or premises whereon the sign is affixed, are for sale, for letting or to be auctioned.
- “Semaphore sign” means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only.
- “Service Station sign” means signs used solely for the purpose of advertising the price of petrol, diesel or other products sold from land used as a motor vehicle service station.
- “Sign” includes a signboard, a portable sign, a bunting sign, a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags, and bunting which carry no written message and every other type or style of sign defined or referred to in these Local Laws.
- “Sign Infill” means a panel which can be fitted into a pylon sign framework.
- “Surveyor” means the Council’s Building Surveyor appointed pursuant to the Act.
- “Tower sign” means a sign affixed to or placed on a chimney stack or an open structural mast or tower.
- “Verandah” for the purpose of these Local Laws, includes cantilever awnings, cantilever verandahs and balconies whether in, on or above a street, way, footpath, public place or private property.
- “Verandah signs” includes signs attached or affixed on or above verandah fascias and signs under verandahs.

“Vertical sign” means a sign affixed or attached to the wall of a building or a structure, of which the vertical dimension of the sign exceeds the horizontal dimension of the sign exclusive of the back projection of the sign.

“Wall panel” means a panel used for displaying a bill poster or painted advertisement which panel is attached or affixed to the wall of a business premises or which panel erected in or about the forecourt of such business premises.

Where applicable, words and expressions used in Local Law 2. hereof have the same respective meaning as is given to them in the Act.

PART 2—LICENCES AND EXEMPTIONS

7 A person shall not erect, attach, affix or maintain a sign, of whatsoever nature, and the owner or the occupier of premises or private property shall not suffer or permit a sign of whatsoever nature or advertising device to be erected, attached, affixed or maintained in, on or above such premises, or private property, or within 100 metres of a street, way, footpath or other public place, except pursuant to a licence issued under these Local Laws.

8 The following signs are exempt from the requirements of these Local Laws—

- 8.1 sign erected or maintained pursuant to any Act having operation within the State;
- 8.2 a sale sign not exceeding 1 m² in area;
- 8.3 a plate not exceeding 0.2 m² in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the private property or premises;
- 8.4 advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- 8.5 signs within a building unless such signs are deemed to be objectionable by the Council;
- 8.6 signs not larger than 0.7 m x 0.9 m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
- 8.7 building name signs on residential flats or home units when such signs are of a single line of letters not exceeding 300 mm in height, fixed to the façade of the building;
- 8.8 signs for use solely for the direction and/or control of people, animals and/or vehicles or to indicate the name, and/or street number of a premises, providing the area of any such sign does not exceed 0.2 m² and the sign is located wholly within the boundaries of a private property or premises owned by a person who erected or who has maintained the sign;
- 8.9 signs that are required by the Builders Registration Board or other Government bodies or authorities on building sites, providing the area of any such sign does not exceed 1.5 m² and no part of the sign is of a distance greater than 2 metres above the ground directly below it, and that any such sign is removed within seven (7) days of completion of the building works on the building site;
- 8.10 signs erected by the Council of the Shire of Greenough on land under the care, control and management of the Council.

9 Notwithstanding the provisions of Sub Local Law 7 the following signs are not required to have a licence issued under these Local Laws, but are nevertheless to be erected and maintained so as to comply with the requirements of these Local Laws and with Main Roads Department regulations relating to Main Roads under the control and management of the Main Roads Department—

- 9.1 display centre directional signs;
- 9.2 portable signs;
- 9.3 service station Roster signs.

10 Every licence that is granted pursuant to these Local Laws shall exist subject only to the provisions of these Local Laws.

11 Notwithstanding that a sign or hoarding complies with the provisions of these Local Laws the Council may refuse a licence if—

- 11.1 such sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to the locality to be injurious to the amenity or natural beauty or safety of the locality; or
- 11.2 such sign or hoarding advertises goods or services which are not produced, displayed or offered for sale or otherwise available to the public upon or from the premises where such sign or hoarding is erected, attached or affixed.

PART 3—REVOCATION OF LICENCES

12 The Council may, without limiting its power to prosecute for any breach of these Local Laws or to recover any penalty arising therefrom, by notice in writing to the licensee revoke any licence granted by the Council pursuant to these Local Laws where—

- 12.1 anything purporting to be done pursuant to a licence issued under these Local Laws is not done in conformity with the licence or with these Local Laws or a sign or hoarding the subject of a licence is so altered that, in the opinion of the Council, it is objectionable or contravenes Local Law 11; or
- 12.2 the licensee is guilty of an offence against these Local Laws in respect to such licence.

PART 4—INSPECTION OF LICENCES

13 A licensee shall, on demand by an officer of the Council produce for inspection any licence issued by the Council pursuant to these Local Laws.

14 Every sign or hoarding the subject of a licence issued by the Council pursuant to the Local Laws shall bear on its face (bottom left hand corner as viewed) in clearly legible figures (minimum 25 mm high) the number of the licence applicable to the said sign or hoarding as provided by Council.

PART 5—APPLICATION OF LICENCES

15 An application to the Council for a licence pursuant to these Local Laws shall be made in the form of an application set out in the First Schedule hereto.

16 An application for the first issue of a licence in respect to a sign or hoarding shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or hoarding to a building or structure, setbacks of the sign or hoarding from a street, way, footpath or other public place, boundaries where applicable together with such further information as Council may require.

17 An application for the first issue of a licence, in respect of a roof sign shall be accompanied by a certificate from an architect or structural engineer certifying that the building and roof thereof upon which it is proposed to erect the roof sign is in all respects of sufficient strength to support the roof sign, under all conditions and that the roof sign is itself of structurally sound design.

18 Every applicant for a licence pursuant to these Local Laws shall furnish in writing such further particulars as to the sign or hoarding the subject of a licence application as may be required by the Building Surveyor.

19 If so required by the Council an applicant for a licence in respect of an illuminated sign shall produce to the Council a written consent to the erection of the said sign, signed by or on behalf of the relevant person authority or body having for the time being the management of traffic control lights within the district of the Shire of Greenough.

20 Subject to Local Law 12 and except where otherwise provided in these Local Laws, a licence issued pursuant to these Local Laws remains valid until an alteration is proposed to be made to the structure or area of the sign or hoarding in respect of which a licence has been issued and in such event the licensee shall apply for a new licence.

21 The Council may impose any conditions it thinks fit to a licence issued pursuant to these Local Laws.

PART 6—LICENCE FEES

22 A licence pursuant to these Local Laws shall only be issued and valid upon payment of the appropriate fee as set out in the Second Schedule to these Local Laws, but the prior payment of a licence fee pursuant to any Local Laws that were in operation prior to the coming into operation of these Local Laws shall be deemed to be a payment for the purpose of this Local Law.

PART 7—SPECIAL PERMITS

23 Notwithstanding anything contained or provided in these Local Laws the Council may, by written permit issued by the Building Surveyor, allow the display of—

23.1 advertisements at churches, theatres and other places of public entertainment, or of advertisements of meetings or other matters of public interests.

23.2 a sign or advertising device in the form of search lights, flood lights, pennants, flags, banners and the like used to call attention to, or from the purpose of advertising any service, business, function, operation, event or undertaking, upon such terms and for such period as the Council may in each case think fit.

24 Such terms and conditions imposed by the Council pursuant to Local Laws 23 hereto and the period of the permit shall be specified in the permit.

25 Council may revoke any such permit at any time without assigning any reason for such revocation.

26 Upon the expiration or revocation of a permit issued under this Local Law the persons to whom the permit was issued shall forthwith remove the advertisement sign or advertising device to which the permit relates and failure by the holder of the permit to remove the advertisement within a reasonable time shall be an offence.

PART 8—MISCELLANEOUS

27 Restrictions

A sign or advertising device shall not be erected or maintained—

27.1 so as to obstruct or impede all or part of the view which may be enjoyed from a street, way, footpath, public place or private property or a river, the sea or any other place of feature of natural beauty;

27.2 so as to obstruct or impede the sight lines required for the free and safe movement of traffic in, to, or from any street, way, footpath, public place or private property.

27.3 so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the Main Roads Act 1982 or the Regulations made thereunder.

- 27.4 except with the approval of the Council on any ornamental tower, spire, dome or similar architectural feature or on a lift machinery room, bulkhead over stairs or other superstructure over the main roof of a building or structure.
- 27.5 on any land that is zoned in the District Zoning Scheme as residential or used for residential purposes other than a site of lawful non-conforming use other than residential, unless specifically permitted in these Local Laws.
- 27.6 on or to any building or structure of which the stability of the building or structure is, in the opinion of the Building Surveyor, likely to be detrimentally affected by the sign or advertising device.
- 27.7 as a movable or portable sign upon a carriageway, dividing strip or traffic island.
- 27.8 on a light or power pole without the approval of the relevant authority responsible for the erection of that pole.
- 27.9 upon or inside a vehicle adapted and exhibited primarily to facilitate advertising.
- 27.10 in the form of balloons or blimps.
- 27.11 so as to have all or any part thereof projected, flashing, animated, moving or rotating.
- 27.12 in or at any site, location or position where, in the opinion of the Council, the advertisement will not be harmonious with the surroundings in the locality in which the advertisement is proposed to be sited, located or positioned or where Council considers it will be undesirable for reasons to be stated by the Council.
- 27.13 as an election sign.

28 Inscriptions on Signs

Except in the case of a direction sign, sale sign, information panel and a development sign, signs attached or affixed to a premises, or building generally shall only display one or more of the following—

- 28.1 the name of one or more of the occupiers of the same premises or building;
- 28.2 details of the business or businesses carried on, in, or at the same premises or building;
- 28.3 details of the goods sold in or at the same premises or building to which it is affixed and nothing more.
- 28.4 any other matter approved by the Council.

29 Existing Signs

Where an existing sign fails to conform to the requirements of these Local Laws a person receiving a direction from the Council to remove the sign shall remove it immediately upon receiving the direction. A person receiving such a direction may within 14 days of his receipt thereof appeal in writing to the Council.

30 Fixing Signs

Every sign shall be securely fixed to the structure by which it is supported to the satisfaction of the Surveyor and shall be safely maintained.

31 Obstruction of Doors etc

A sign shall not be erected or maintained so as to obstruct access to or from any door, fire escape or window, other than a window designed for the display of goods.

32 Glass Signs

Glass shall not be used in any sign except for the purpose of illumination of an illuminated sign.

33 Readily Combustible Material

Except in the case of posters securely affixed to a signboard or hoarding, readily combustible materials including, but not exclusively paper, cardboard or cloth shall not form part of or be attached to any sign.

34 Signs to be Kept Clean

Every sign shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order free of dilapidation.

35 Bill Posting

A person shall not bill post within the district of the Shire of Greenough except on a hoarding approved for the purpose by the Council.

36 Fly Posting

36.1 a person shall not fly post at any site, place or location within the district of the Shire of Greenough.

36.2 when an offence against these Local Laws occurs in respect to fly posting, any person authorizing the fly posting advertisement shall be deemed to be the person who committed the offence if within seven (7) days of being requested to do so by an officer of the Shire of Greenough, he fails to identify the person he employed or authorised to display the bills, the subject of the offence.

37 Design Principles

Any sign or advertising device erected and maintained in accordance with these Local Laws shall—

- 37.1 be simple and provide for instant recognition;

- 37.2 in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed;
- 37.3 be placed and constructed so as not to endanger public safety;
- 37.4 have all sign writing, design work, lettering and colouring thereto carried out in a competent and professional manner.

38 Road Reserves and Open Space Reserves Under the Care and Control of Council

38.1 Unless otherwise allowed pursuant to these Local Laws or approved by Council, an advertising sign or hoarding shall not be permitted to be erected or maintained on road or open space reserves under the care and control of the Council.

38.2 The Council may grant approval for the erection of an advertising sign or hoarding on road or open space reserves under the care and control of the Council and impose any such conditions or enter into any such contract or agreement with the owner or licensee of the advertising sign or hoarding as it sees fit to ensure the proper control and maintenance of any such advertising sign and hoarding.

PART 9—REQUIREMENTS FOR PARTICULAR SIGNS

39 Clocks

A clock shall—

- 39.1 if suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway, access way or footpath thereunder;
- 39.2 comply as regards with the following table—

Height of Bottom of Clock above Footway	Maximum diameter or Width of Clock Face and Depth of Clock including lettering
2.75 m and under 4 m	300 mm
4 m and under 6 m	750 mm
6 m and under 12 m	1 m
12 m and over	1.5 m

- 39.3 be affixed or attached either parallel or at right angles to the wall to which it is affixed or attached;
- 39.4 not project from the wall to which it is affixed or attached;
 - 39.4.1 if parallel to the wall, more than 300 mm; or
 - 39.4.2 if at right angles to the wall, more than 2 metres.
- 39.5 afford a minimum headway of 2.75 metres;
- 39.6 be maintained so as to show the correct time;
- 39.7 be illuminated from sunset to midnight; and
- 39.8 if fitted with chimes, not be permitted to strike between midnight and 7.00 am.

40 Development Signs

Development signs shall—

- 40.1 only be erected where more than 10 subdivisional lots are to be created in the development or the stage of development being advertised.
- 40.2 only be erected in the ratio of 1 m² of area per ha of the total land to be subdivided, up to a maximum aggregate area of all development signs of 50 m² with no individual sign exceeding 22 m² in area;
- 40.3 be removed from the site within two years of the granting of a licence for the same or when 80 per cent of the lots by number in the subdivision or stage being advertised have been sold, whichever is the sooner.

41 Direction Signs on Street Poles

41.1 Approval is required for the erection of any directional sign on a street pole and such approval shall only be granted by the resolution of the Council and where approval has been so granted any directional sign on a street pole shall—

- 41.1.1 afford a minimum headway of 2.25 metres;
- 41.1.2 not exceed 150 mm in depth or 1,200 mm in length;
- 41.1.3 be securely affixed to and supported by one or more columns of steel of sufficient size and strength to support the sign under all conditions;
- 41.1.4 be erected and maintained so as not to cause interference or hazard to vehicular traffic or cause any interference or hazard to or impede pedestrians.

41.2 Council may revoke any such approval at any time without assigning any reason for such revocation of approval.

42 Display Centre Directional Signs

Each display centre may have a maximum of four direction signs on the verge at any one time and any such sign shall—

- 42.1 only be displayed during the times the display centre to which the signs are directed, is open to the public;
- 42.2 be sited as not to create a hazard to vehicular or pedestrian traffic;
- 42.3 not have dimensions exceeding 600 mm x 450 mm and not have a height exceeding 600 mm.

43 Display Home Signs

Display home signs shall—

- 43.1 be provided in a ratio not exceeding 2 m² per home in a centre with no individual sign exceeding 4 m², the overall height of sign shall not exceed 4 metres—
- 43.2 not be illuminated after 9.00 pm;
- 43.3 be approved for a period not exceeding 12 months at any one time.

44 Hoardings

44.1 Hoardings shall not—

- 44.1.1 be erected in an area zoned residential pursuant to the District Zoning Scheme;
- 44.1.2 except with the approval of Council, be erected within 15 metres of any street, way, footpath or public place and in any case shall not be closer than its own height to a street, way, footpath or public place;
- 44.1.3 be of greater area than 22 m².

44.2 A licence issued in respect to a hoarding shall be valid for such period as determined by the Council but not exceeding 10 years.

44.3 The licence fee for a hoarding is an annual licence fee and is payable annually for such period as the hoarding is erected or maintained with the approval of the Council.

45 Horizontal Signs

45.1 A horizontal sign shall—

- 45.1.1 afford a minimum headway of 2.75 metres;
- 45.1.2 be affixed or attached parallel to the wall of the building or structure to which it is affixed or attached;
- 45.1.3 conform as to depth to the following table—

Minimum Distance of Bottom of Sign Adjacent Street Level	Maximum Depth of Sign
Less than 4.5 metres	600 mm
4.5 metres to 7.5 metres	750 mm
7.5 metres to 12 metres	1 metre

any sign greater than 12 metres should be 150 mm in depth for each 300 mm in height to a maximum of 4.5 metres. All horizontal signs behind the 9 metre setback from the front boundary can be double the aforementioned approved depth of the sign providing the whole of the sign is within the fascia limits.

- 45.1.4 not project more than 600 mm from the wall to which it is affixed or attached; and
- 45.1.5 not be within 600 mm or either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 25 mm in front of and 75 mm above and below the sign.

45.2 Notwithstanding the provisions of paragraph 45.1.3 of Sub Local Law 45.1, the Council may permit an increase of not more than 50 percent of the depth therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

45.3 There shall be not more than one line of horizontal signs facing any one street, way, footpath, public place or private property on any building or structure.

45.4 The name of the building or structure, owner or occupier may be shown on the façade of a building or structure but—

- 45.4.1 unless otherwise approved by the Council, only one such name shall be placed on any façade;
- 45.4.2 the letters of the name shall not exceed 1.2 metres in height;
- 45.4.3 the letters shall be of metal or other non-combustible material; and
- 45.4.4 the letters shall not be lit or illuminated unless all illuminated lettering has been approved by the Council.

46 Illuminated Signs

Every illuminated sign shall—

- 46.1 have any boxing or casing in which it is enclosed constructed of non-combustible material;

- 46.2 have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electricity supply authority and in accordance with the SAA Code 3000-1976;
- 46.3 be maintained to operate as an illuminated sign; and
- 46.4 not have or produce light of such intensity or colour as to cause annoyance to the public and not interfere with traffic control lights.

47 Information Panels

The Council may provide information panels or bays of varying sizes.

48 Institutional Signs

Institutional signs shall not exceed 0.5 m² in area except with the approval of the Council but in any case, no such sign shall exceed 2 m² in area.

49 Portable Signs

49.1 A portable sign shall—

- 49.1.1 not exceed 1 metre in height;
- 49.1.2 not exceed 0.8 m² double sided area;
- 49.1.3 not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
- 49.1.4 not contain any letter of a size less than 120 mm;
- 49.1.5 contain the word “open”;
- 49.1.6 be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard or impede pedestrians;
- 49.1.7 be of sound construction, maintained in good condition, neatly sign written and fixed in position to the satisfaction of the Surveyor;
- 49.1.8 be located wholly within the boundaries of land owned or occupied by the person who erected or who has maintained the sign.

49.2 A person shall not erect a portable sign in any position other than adjacent to the building to which the sign relates.

49.3 A person shall not erect more than one portable sign in relation to the one shop or business unit or premises.

49.4 A person who erects a portable sign shall remove the same at the close of business each day and shall not erect the same again until the commencement of business on the following or a subsequent trading day.

50 Pylon Signs

50.1 A pylon sign shall—

- 50.1.1 not have any part thereof less than 2.75 metres or more than 6 metres above the level of the ground immediately below it;
- 50.1.2 not exceed 2.6 metres measured in any direction across the face of the sign or have a greater superficial area than 4 m²;
- 50.1.3 not project more than 900 mm over any adjacent street;
- 50.1.4 be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size, strength and construction to support the sign under all conditions;
- 50.1.5 where supported by two or more piers or columns, the space between the piers or columns not be wholly or partly filled in with any material below 2.75 metres above ground level;
- 50.1.6 not, as to any part thereof, project over any adjacent street at a height of less than 2.75 metres;
- 50.1.7 not be within 2 metres of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right of way, in which case the Council may authorize the erection of a sign at a lesser distance than 2 metres;
- 50.1.8 not have any part thereof less than 6 metres from any part of another sign erected on the same lot.

50.2 Where more than one pylon sign is proposed to be erected on a lot on which unit factories or small shops are erected, or are to be erected. Council may require all the pylon signs to be incorporated into one sign in which event—

- 50.2.1 initial approval shall be given to the pylon sign framework together with one or more sign infills;
- 50.2.2 an application is to be submitted and approval given for each additional infill;
- 50.2.3 all infills are to be an equal size and space is to be provided to the sign for one infill for each shop or unit on the lot;
- 50.2.4 the total area of the infill signs specified under Sub Local Law 50.1.2 may be increased by up to 50 percent (i.e. to a maximum of 6 m²).

50.3 Notwithstanding the provisions of Sub Local Law 50.1 and 50.2, approval for the erection of a pylon sign that does not meet the requirements of these Local Laws may only be granted by the resolution of the Council.

51 Roof Signs

51.1 Approval for the erection of a sign on a roof of a building shall only be granted by resolution of the Council and where approval has been so granted, a roof sign shall—

- 51.1.1 not any point be within 4 metres off the ground;
- 51.1.2 not extend laterally beyond the external walls of the building;
- 51.1.3 comply as regards height above ground and height of sign with the following table;

Height of Main Building Above Ground Level at Point Where Sign is To be fixed	Maximum Height of Sign
3 metres and under 4 metres	1.0 metres
4 metres and under 6 metres	1.5 metres
6 metres and under 12 metres	2.0 metres
12 metres and under 18 metres	2.5 metres
18 metres and under 24 metres	3.0 metres
24 metres and upwards	3.5 metres

51.2 When ascertaining the height of the main building above ground level for the purpose of this Local Law, any part of the roof at the point where the sign is to be erected, that is provided solely for the purpose of architectural decoration, shall be disregarded.

52 Rural Producers Signs

A rural producer sign shall not—

- 52.1 project more than 900 mm over a street alignment as defined in the Act;
- 52.2 exceed 1 m² in area;
- 52.3 exceed a height 3 metres above the level of the ground immediately below it.

53 Sale Signs

53.1 Any sale sign of any description shall be erected on the land to which it relates and not elsewhere.

53.2 A land sale sign advertising for sale lots created by a subdivision shall—

- 53.2.1 not exceed 10 m² in area;
- 53.2.2 not be erected or maintained for a period exceeding six (6) months without the prior approval of the Council;
- 53.2.3 not be erected until—
 - 53.2.1.1 the plan of subdivision has been approved by the Department of Planning and Urban Development;
 - 53.2.1.2 the land has been zoned for the appropriate use.

53.3 Notwithstanding the provisions of Sub Local Law 6.15.1 land sale signs advertising for sale lots created by a subdivision may be erected on the road verge with approval from the Council, but in any event, any such sign shall not exceed 3,000 mm x 2,400 mm in size. This Sub Local Law only applies to subdivisions containing a minimum of 25 residential lots. Special circumstances must apply before such approval will be granted by the Council.

53.4 A sale sign advertising an auction shall—

- 53.4.1 not exceed 2 m² in area;
- 53.4.2 not be erected more than 28 days before the proposed date of the auction;
- 53.4.3 be removed no later than 48 hours after the auction has been held;
- 53.4.4 where such a sign is erected on land having a frontage to a road, that is a main road within the meaning of the Main Roads Act 1982, consist of letters not less than 150 mm in size.

53.5 A sale sign advertising that flats and dwelling units in a building erected, or to be erected, are, or will be available for letting or for purchase shall—

- 53.5.1 not exceed 2 m² in area;
- 53.5.2 not be erected before the issue of a building licence for any such building;
- 53.5.3 not be erected or maintained for a period exceeding three (3) months following completion of any such building, without the prior approval of the Council.

54 Semaphore Signs

54.1 A semaphore sign shall—

- 54.1.1 afford a minimum headway of 2.75 metres;
- 54.1.2 be affixed at right angles to the wall to which it is affixed or attached;
- 54.1.3 not project more than 1 metre from the point of attachment nor be of greater height at any point than 1 metre;
- 54.1.4 be fixed over or adjacent to the entrance to a building; and
- 54.1.5 not be erected under or over any verandah.

54.2 Not more than one semaphore sign shall be fixed over or adjacent to any one entrance to a building.

55 Service Station Signs

55.1 A maximum of two (2) service station signs (located on the same supports) are permitted on service station sites, but only one sign shall relate the price of petrol. In addition to the aforementioned, a service station sign shall—

- 55.1.1 not exceed 0.8 m² double sided area;
- 55.1.2 be located wholly within the boundaries of the site used as a service station;
- 55.1.3 be of sound construction, maintained in good condition, neatly sign-written and fixed in position to the satisfaction of the Surveyor;
- 55.1.4 be located so as not to cause a traffic or safety hazard.

55.2 For each service station on roster a maximum of four roster signs may be erected or placed on the road verge at any one time and any such sign shall—

- 55.2.1 only be displayed during the times the service station to which they are directed is open on roster to the public;
- 55.2.2 be sited as not to create a hazard to vehicular or pedestrian traffic;
- 55.2.3 not have dimensions exceeding 600 mm x 450 mm and not have a height exceeding 600 mm.

56 Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial area or a light industrial area if the lot is occupied and used for business purposes. Any such sign shall not exceed 1,000 mm in height, nor be within three metres of any street boundary, unless specific approval is granted from the Council. Signs may not be erected or painted on any fence, other than the areas specified above.

57 Town Signs

A tower sign shall not, unless prior approved by Council—

- 57.1 indicate or display any matter other than the name of the owner or occupier of the land or premises on which the mast, tower or chimney stack is erected;
- 57.2 if illuminated, be a flashing sign;
- 57.3 exceed in height one-sixth of the height of the mast, tower or chimney stack on which it is placed;
- 57.4 exceed in width, the width or diameter of the mast, tower or chimney stack on which it is placed; or
- 57.5 extend laterally beyond any part of the mast, tower or chimney stack on which it is placed.

58 Verandah Signs

58.1 Signs above Verandah Fascias

Signs comprising free standing letters only, may be erected above the outer fascia of a verandah parallel to the kerb if the lettering does not exceed 400 mm in height and is mounted on a base of at least 75 mm in width.

58.2 Signs on Verandah Fascias

A sign fixed to the outer or return fascia of a verandah;

- 58.2.1 shall not exceed 600 mm in depth;
- 58.2.2 shall not project beyond the outer metal frame or surround of the fascia; and
- 58.2.3 if an illuminated sign, may be of changing colours but shall not emit a flashing light.

58.3 Signs Under Verandahs

A sign under a verandah shall—

- 58.3.1 afford a headway of at least 2.75 metres or, only when approved by the Council, afford a headway of 2.4 metres;
- 58.3.2 not exceed 2.4 metres in length or 500 mm in depth;
- 58.3.3 not weigh more than 50 kg;
- 58.3.4 not, if it exceeds 300 mm in width, be within 1.4 metres (or where it does not exceed 600 mm in width be within 1 metre) of the side wall of the building to which the said sign is affixed or attached, measured along the front of the building in respect to which it is erected.
- 58.3.5 not, if it exceeds 300 mm in width, be within 2.75 metres (or where it does not exceed 300 mm in width be within 1.75 metres) of another sign under that same verandah;
- 58.3.6 be fixed at right angles to the front wall of the building to which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both streets;
- 58.3.7 be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and vertical plane of the shop front directly opposite the end of such sign;
- 58.3.8 not be constructed of shatterable material.

59 Vertical Signs

59.1 A vertical sign shall—

- 59.1.1 afford a minimum headway of 2.75 metres;
- 59.1.2 subject to Sub Local Law 59.2, not project more than 1 metres from the face of the building to which it is affixed or attached;
- 59.1.3 subject to Sub Local Law 59.3, not be within 1.8 metres of either end of the wall to which it is affixed or attached;
- 59.1.4 be of a height of at least twice its width;
- 59.1.5 not project more than 1 metre above the top of the wall to which it is attached, nor more than 1 metre back from the face of that wall;
- 59.1.6 not be within 4 metres of another vertical sign on the same building;
- 59.1.7 not be placed on a corner of a building, except at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both streets; and
- 59.1.8 except with prior approval of the Council, not exceed 1 metre in width exclusive of the back projection.

59.2 Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building, which is situated less than 3 metres from the side wall of the first building, the sign may project 500 mm further than the distance prescribed by paragraph 59.1.2 of Sub Local Laws, or the distance by which the building to which it is affixed or attached is set back beyond the face of the other building, whichever distance is the lesser.

59.3 Where a building to which a vertical sign is affixed or attached is set back from the boundary or abuts intersecting streets or a right of way, the Council may approve the affixing of a vertical sign at a lesser distance from the end of the wall than that prescribed by paragraph 59.1.3 of Sub Local Law.

PART 10—OFFENCES AND PENALTIES

60 Every person who erects or authorizes or permits to be erected a sign, or a hoarding which does not comply with, or erects or authorizes or permits to be erected a sign or a hoarding in a manner contrary to the provisions of these Local Laws, commits an offence.

61 Whereby these Local Laws, it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who erects or maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled, commits an offence.

62 Neither the owner nor the occupier of any land, building or premises shall permit a sign or hoarding to remain affixed or attached thereto, or thereon, unless such sign or hoarding complies with these Local Laws.

63 Without prejudice to the preceding provisions of these Local Laws, the Council may serve on the owner or occupier of any land, building or premises on which a sign is erected, affixed, attached or maintained, contrary to these Local Laws, notice to remove the sign within such time as may be specified in the notice and a person neglecting or failing to comply with the terms of such a notice served on him pursuant to this Sub Local Law, commits an offence.

64 Removal and Disposal of Sign Unlawfully Displayed

64.1 The Council may remove to a place appointed by the Council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way, footpath or other public place under the care and control of Council, unless so placed or erected pursuant to these Local Laws. The Council may without incurring any liability therefore, or be liable for damages or otherwise dispose of any sign, advertisement, advertising device, hoarding or signboard so removed and reinstate the street, way, footpath or public place under the care and control of Council, at the expense of the person or persons responsible for the placing or erecting of the same thereon or the injury thereto and recover the expense of the removal from him in a Court of competent jurisdiction.

64.2 The Council, or any person acting under the authority of the Council, may remove from private property to a place appointed by the Council any hoarding or any bill, placard or advertisement which is attached to, painted, stenciled, placed, stuck, posted or affixed on a hoarding and which in the opinion of the Council is dangerous to the public or objectionable at the expense of the owner or occupier who erected or maintained, affixed, attached or placed the same and the Council may recover the expense of the removal from the owner or occupier of the property in a Court of competent jurisdiction.

65 Penalties

Any person who is guilty of an offence against these Local Laws is liable to—

- 65.1 a penalty not exceeding five hundred dollars (\$500); and
- 65.2 a daily penalty, during the continuing breach, not exceeding fifty dollars (\$50).

First Schedule**SHIRE OF GREENOUGH****APPLICATION FOR LICENCE—SIGNS AND HOARDING**

Application No: Date:

I hereby apply for a licence for a sign/illuminated sign/roof sign/ pylon sign/semaphore sign/directional sign/clock/hoarding as shown on the attached plan to be erected on the premises known as

Subject to the Local Laws of the Council.

Full name and address of the applicant:.....

Exact position of sign

Dimensions of sign

Materials and construction of sign and supports

Inscription of device on sign

Signature of Applicant

Fees Paid:

Approved:

Receipt No:

Building Surveyor

SHIRE OF GREENOUGH**LICENCE**

Permit No: Date:

This licence is granted to:

on premises known as:

in accordance with Application No. and subject to the Local Laws of the Council. This licence shall remain valid unless any alteration is made to the sign, then in such event the licensee must apply for a new licence. If this licence is issued in respect of a hoarding, the licence expires on the20.....

Building Surveyor

Second Schedule**Fees**

- | | | |
|---|-------------------------------------|------|
| 1 | A Pylon Sign (per annum) | \$40 |
| 2 | An Illuminated Sign(per annum)..... | \$40 |
| 3 | Any Other Sign (per annum)..... | \$30 |
| 4 | A Hoarding (per annum) | \$50 |

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

LOCAL LAW RELATING TO PREVENTION AND ABATEMENT OF
SAND DRIFT

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following Local Law on the 27 April 2001

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-5
PART 2—PROHIBITED ACTIVITIES	Clause 6-12
PART 3—MISCELLANEOUS	Clause 13-16
PART 4—OFFENCES AND PENALTIES	Clause 17-20
PART 5—INFRINGEMENT NOTICES	Clause 21
SCHEDULE 1	

PART 1—PRELIMINARY

Title

1 This local law may be referred to as the *Shire of Greenough Local Law Relating to Prevention and Abatement of Sand Drift*.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and abatement of sand drift within the district.

Application

4 This local law applies throughout the district.

Definitions

5 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Act” means the *Local Government Act 1995*.

“District” means the district of the Shire of Greenough and includes any area placed under the jurisdiction of the Shire pursuant to any Act or Regulation.

“Shire” means the Shire of Greenough.

“Land” includes any building or other structure on the land.

“Occupier” includes any person who, at the time the notice is served, is in control of any place or part of any place or authorized by the owner, lessee, licensee or any other person empowered to exercise control in relation to a place to perform any work in relation to any place and without limiting the generality of the foregoing and for the avoidance of doubt includes a builder or contractor.

“Sand” means any granular or particulate material consisting of small eroded fragments of rocks finer than gravel, and includes dust and organic matter—

5.1 Where in this Local Law a duty, obligation or liability is imposed on an “owner or occupier” the duty shall be deemed to be imposed jointly and severally on each of the owner and occupier.

5.2 Where, under this Local Law, an act is required to be done or forbidden to be done in relation to any land, the owner or occupier of the land has the duty of causing to be done the act so required to be done, or of preventing from being done the act forbidden to be done.

5.3 Where this Local Law refers to the giving of a notice, other than the giving of an infringement notice, no particular form is prescribed and it will be sufficient that the notice be in writing giving sufficient details to enable the owner or occupier to know the offence committed and the measures required to be taken or conditions to be complied with, as the case may be.

PART 2—PROHIBITED ACTIVITIES

6 An owner or occupier of land must take effective measures to—

- 6.1 Stabilise sand on such land; and
- 6.2 Ensure no sand is released or escapes from the land whether by means of wind, water or any other cause.

7 Where the Shire forms the opinion that—

- 7.1 An owner or occupier has not complied with sub-section 6.1; or
- 7.2 Sand has been released from or escaped from land and is such as to cause a nuisance, risk to health, hazard or environmental damage.

8 The Shire may serve on the owner or occupier of the land a notice requiring the owner or occupier to—

- 8.1 Comply with sub section 6.1; or
- 8.2 Clean up and make good any damage resulting from the release or escape; or
- 8.3 Take effective measures to stop any further release or escape of sand.

9 The requirements set out in a notice issued under sub section 7.1 must be complied with by the time or date specified in the notice.

10 Where the Shire is of the opinion that, as a result of an activity being carried on, or likely to be carried on from any land, sand may be released or escape, the Shire may give to the owner or occupier a notice providing that the activity can only be carried on subject to conditions and specifying the conditions.

11 Where an owner or occupier—

- 11.1 Fails to comply with a notice issued pursuant to section 7; or
- 11.2 Fails to comply with any conditions specified in a notice issued pursuant to section 8,

the Shire may undertake or cause to be undertaken the requirements not complied with.

12 Where the Shire undertakes or causes to be undertaken any work pursuant to Section 9, it may give to the owner or occupier of the land written notice of the amount expended by the Shire in carrying out that work.

- 12.1 The amount specified in the notice must be paid to the Shire within 14 days of the service of the notice.
- 12.2 The amount expended by the Shire in carrying out the work shall be a charge against the land to which it relates and the Shire shall be entitled to lodge an absolute Caveat against the Certificate of Title to the relevant land to secure repayment of the amount.
- 12.3 If the amount specified is not paid to the Shire within 14 days from the giving of the notice, the Shire may recover it, as well as the costs of proceedings, and interest thereon, in a court of competent jurisdiction.

PART 3—MISCELLANEOUS

13 Where a notice is given to the owner or occupier of any land and the owner or occupier satisfies the Shire within 14 days from the date of the giving of the notice that—

- 13.1 It was not responsible for the conduct in respect of which the notice was given pursuant to Section 7, or the activity in respect of which conditions were imposed pursuant to Section 10 as the case may be; and
- 13.2 It took all reasonable precautions to prevent the conduct or all reasonable steps to comply with, or cause the conditions to be complied with, as the case may be; and
- 13.3 Where another person was responsible for the conduct, it identifies the person responsible for the conduct sufficiently to enable the notice to be issued to that person;

the Shire may cancel the notice.

14 The Shire may lawfully enter upon any land for the purpose of giving effect to, or carrying out, any provision of this Local Law.

15 A person must not prevent or impede a duly authorised officer or employee of the Shire from carrying out his or her duties under this Local Law.

16 The Shire may delegate any of its powers, functions and duties under this Local Law to an authorised person.

PART 4—OFFENCES AND PENALTIES

17 A person who—

- 17.1 fails to comply with a notice given under Section 7; or
- 17.2 Carries on an activity without complying with a notice given under Section 8; or
- 17.3 Contravenes sub section 15,

commits an offence, in respect of which the Shire may issue an infringement notice

18 A person who commits an offence under sub section 17 is liable to—

- 18.1 A penalty which is not more than \$5,000 and not less than
 - 18.1.1 in the case of a first such offence, \$500;

18.1.2 in the case of a second such offence, \$2,500; and

18.1.3 in the case of a third or subsequent such offence, \$5,000; and

18.2 If the offence is of a continuing nature, a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day for which the offence continues.

19 An offence against any provision of this Local Law is a prescribed offence for the purposes of Section 9.16(1) of the Act.

20 The amount of the modified penalty for an offence against any provision of this Local Law is \$200.

PART 5—INFRINGEMENT NOTICES

21 An Infringement Notice in respect of an offence prescribed in this Local Law may be given under Section 9.16 of the Act and shall be in or to the effect of Form 1 of the Schedule provided that no error or misdescription will invalidate the notice if its meaning is otherwise clear.

Schedule

Form 1

LOCAL GOVERNMENT ACT 1995

INFRINGEMENT NOTICE

Serial No

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

Shire of Greenough

To: (1).....
(2)

It is alleged that on or about (3).

At (4)

You committed the following offence: (5)

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

contrary to Section (6) of the Prevention and Abatement of Sand Drift Local Law.

The modified penalty for the offence is \$200.

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to (7)
an authorised person at (8)..... within a period of 28 days after the giving of this notice.

Name and title of authorised person giving notice:(9)

.....
Signature

(1) Name of owner or occupier

(2) Address of owner or occupier

(3) Date when offence committed. If the offence relates to a failure to take remedial action within the time specified, a notice will be sufficient if the final time for compliance is specified.

(4) Specify land or premises.

(5) Give details of the offence. If insufficient, space provide details by way of an annexure.

(6) Insert relevant section.

(7) Specify the authorised person to whom the penalty must be paid.

(8) Specify the address to whom the payment is to be sent or where payment is to be made.

(9) The authorized person for the purpose of (9) must be a different person from the person authorized for the purposes of (7).

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

LOCAL LAW RELATING TO TRADING IN PUBLIC PLACES

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-6
PART 2—LICENCE AND APPROVALS	Clause 7-13
PART 3—OFFENCES AND PENALTIES	Clause 14
SCHEDULE OF FEES	

PART 1—PRELIMINARY

Title

1 This local law may be referred to as the *Shire of Greenough Local Law Relating to Trading in Public Places*.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and management of Trading in Public Places within the district.

Repeal

4 The following By-law of the former Shire of Greenough—Relating to Trading in Public Places published in the *Government Gazette* 28/12/1989, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Public Place” includes a street, way, park, reserve and place which the public are allowed to use, whether or not it is private property.

“Trading” means selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, soliciting orders or carrying out any other transaction therein.

“Community Association” means an institution, association, club, society or body, whether incorporated or not the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and the members of which are not entitled or permitted to receive any pecuniary profit from the transactions thereof.

“Council” means the Council of the Shire of Greenough.

6.1 This Local Law shall not apply to the selling or offering for sale of newspapers or magazines, nor shall it apply to community associations.

PART 2—LICENCE AND APPROVALS

7 No person shall carry on trading in any public place unless that person is acting within the specifications of a current licence issued under this Local Law and for which all fees and charges have been paid.

8 An application for a licence shall be in writing and shall contain such information as the Council may require.

9 In considering an application for a licence the Council shall have regard for any relevant policy statements and for the desirability of the proposed activity and its location and for the circumstances of the case and may refuse to issue a licence, in which case it shall provide the applicant with reasons in writing.

10 The Council may issue a licence specifying such requirements, terms and conditions as the Council sees fit, including—

- 10.1 the place to which the licence applies;
- 10.2 the days and hours when trading may be carried on;
- 10.3 the number, type, form and construction, as the case may be, of any stand, table structure or vehicle which may be used for trading;
- 10.4 the particulars of the goods or services or transaction in respect of which trading may be carried on;
- 10.5 whether and under what terms the licence is transferable;
- 10.6 any prohibitions or restrictions concerning the causing of any nuisance, the use of signs, the making of noise and the use of amplifiers, sound equipment, sound instruments and lighting apparatus;
- 10.7 any requirements concerning the display of the licence holder's name and other details of licence, the care, maintenance and cleansing of the place of trading or the vacating of the place when trading is not taking place;
- 10.8 any requirements regarding the acquisition by the licence holder of public risk insurance;
- 10.9 the period not exceeding 12 months during which the licence is valid.

11 The amount of the charges and fees shall be calculated and payable in accordance with the Schedule hereto.

12 The Council may at any time revoke a licence.

13 Where a licence is revoked, the Council shall, if requested, provide the licence holder with reasons in writing and shall refund the charge having first deducted the charge applicable to the period from the issuing of the licence to its revocation.

PART 3—OFFENCES AND PENALTIES

14 Any person who contravenes or fails to comply with any provision of the Local Law commits an offence and is liable on conviction to a penalty for each offence of not more than One Thousand Dollars (\$1,000) or imprisonment for six (6) months.

SCHEDULE OF FEES

Licence Fee (to be paid at the time of submitting the application)	\$80
Renewal Fee	\$80
Additional Charge (payable on issue of each licence and renewal)	\$220

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

**LOCAL LAWS RELATING TO STALLHOLDERS AND THE STALLS
THEY OPERATE**

Under the powers of the *Local Government Act 1995* and all powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001.

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-6
PART 2—LICENCE, APPROVALS AND MISCELLANEOUS	Clause 7-22
PART 3—OFFENCES AND PENALTIES	Clause 23
SCHEDULE OF FEES	

PART 1—PRELIMINARY**Title**

1 This local law may be referred to as the *Shire of Greenough Local Law Relating to Stallholders and the Stalls they Operate*.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and management of stallholders and stalls within the district.

Repeal

4 The following By-laws of the former Shire of Greenough By-laws Relating to Stallholders and the Stalls they Operate published in the *Government Gazette* 30 October 1987, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Authorised Officer” means an Officer authorised by the Local Government to enforce the provisions of these Local Laws.

“Community Association” means an institution, association, club, society or body whether incorporated or not the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and the members of which are not entitled or permitted to receive any pecuniary profit from the transactions thereof.

“Council” means the Council of the Local Government.

“District” means the district of the Local Government.

“Stall” means a movable or temporarily fixed structure, stand or table, in, on, or from, which home grown produce, goods, wares, merchandise or services are sold or offered for sale and shall include a vehicle as defined by the Road Traffic Act 1974.

“Stallholder” means a person or community association who is the holder of a current licence issued pursuant to these Local Laws.

PART 2—LICENCE, APPROVALS AND MISCELLANEOUS

7 No person or community association shall set up or operate a stall in the district unless that person is a stallholder.

8 Any person or community association who desires to be a stallholder within the district shall make application in the form specified in Schedule No 1 to the Council for a stallholder’s licence. Where the stall is to be operated on land which is not owned by the applicant the applicant shall furnish with his

application written consent to the establishment of the stall from the landowner or person in whose control the land is vested.

9 The Council may—

- 9.1 grant a licence on such conditions if any, as it thinks fit;
- 9.2 refuse to grant a licence on all or any of the following grounds—
 - 9.2.1 that the needs of the locality within which the licence is sought is adequately catered for by established shops;
 - 9.2.2 that the stall or the customers thereof will cause an obstruction to pedestrians or vehicular traffic;
 - 9.2.3 that the stall will adversely affect the amenity of the locality;
 - 9.2.4 that there is no satisfactory means of access to and from the stall;
 - 9.2.5 that inadequate parking space is available for the customers of the stall;
 - 9.2.6 that the stall is to be located on a vacant block.
- 9.3 amend a licence upon being requested in writing to do so by the stallholder; or
- 9.4 after giving three (3) calendar months notice of its intentions to do so cancel a licence on any of the grounds referred to in paragraph 9.2 hereof.

10 The licence shall only be issued for the sale of produce which is solely the product of the property on which the stall is to be situated.

11 No person shall provide staff whether part time or permanently at any stall.

12 The licence shall be in the form specified in Schedule No 2 and shall specify the name of the holder thereof, the things or services to be sold at the stall and the time and the place which the stall is to be set up and operated.

13 The stallholder shall at all times keep the licence readily available so that it may be produced or inspected upon demand by an authorised officer or the stallholder shall display the licence in a prominent position on or near the stall.

14 Every licensed stall shall bear, in figures of not less than 100 mm, the number of the licence.

15 A licence granted by Council shall remain current until the expiry date specified thereon or until it is cancelled by Council under Local Law 9.4 hereof or until a breach by the holder thereof of the local laws or conditions pursuant to the licence issued under these Local Laws whichever is the sooner.

16 A stallholder shall not display a sign on or near the stall other than a sign authorized by the Council.

17 The fees set out hereunder shall be payable to the Council in respect of a licence and subject to Local Law 18 hereof no licence shall be valid unless the said fees have been paid.

For 12 calendar months\$84.00

For any lesser period;

Per calendar month or part thereof\$7.00

18 Where a community association applies for a licence under these Local Laws and the stall is to be conducted by and for the purposes of the community association—

18.1 Local Law 10 and 11 shall not apply to the stall; and

18.2 Fees or charges as prescribed by Local Law 17 shall not be payable in respect of the licence applicable to that stall.

19 A person or community association who desires an exemption from these Local Laws shall apply to the Council in writing and shall advise the number and type of stalls to be operated and the names and addresses of the persons responsible for their operation.

20 The Council may grant an application made under Local Law 19 hereof either in full or part or on such conditions as Council thinks fit and may refuse such an application without subscribing any reasons therefore.

21 Any stall proposed is to be of a design and constructed of materials approved by the Council.

22 Any unlicensed stall or stall considered dilapidated or unsightly by Council or an authorised officer may be removed by an authorised officer.

PART 3—OFFENCES AND PENALTIES

23 Any person or community association who sets up or conducts a stall otherwise than in conformity with these Local Laws commits an offence and shall be liable upon conviction to a fine not exceeding \$500 and a daily penalty not exceeding \$50 per day for each day the offence continues.

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

Schedule No 1
SHIRE OF GREENOUGH
APPLICATION FOR STALLHOLDERS LICENCE

Name of Applicant/s
 Residential Address
 Telephone No.....(Business) (Home)(Mobile)
 Description of Stall
 Proposed Stall Location

(PLEASE ATTACH LOCATION PLAN WITH APPLICATION FORM WHEN SUBMITTING TO
 COUNCIL)

Description of Goods to be Sold
 Times and Days the stall will be Open for Business
 Period for which Licence Required
 I/We

Hereby certify that I/We have read and understood the Standard Conditions for Stallholders Licences,
 as printed and agree to comply with them in the event of a Stallholders Licence being granted.

Date	Signatures
Fees if approved by Council: \$84 for 12 months \$7 per calendar month or part thereof	

Standard Conditions for Stallholders Licence

- 1 No person or persons other than the stallholder or stallholders shall operate the stall.
 - 2 No stallholder shall—
 - 2.1 operate the stall in any place other than that specified on the licence;
 - 2.2 offer, sell or display for sale, any goods, wares, merchandise, produce or services other than those specified on the licence; and
 - 2.3 conduct business from the stall or keep the stall open for business outside the times and day specified on the licence.
 - 3 The stallholder/s shall at all times and to Council's satisfaction—
 - 3.1 comply with the Council's Local Laws relating to stallholders and terms and the conditions of this licence;
 - 3.2 conduct the stall in a respectable and sober manner;
 - 3.3 confine the stall and all activities and equipment to the area designated on the licence;
 - 3.4 conduct the stall in such a manner that the stall or the customers do not cause an obstruction to pedestrian or vehicular traffic;
 - 3.5 maintain the stall in good order and condition;
 - 3.6 ensure provision for the parking of customers vehicles;
 - 3.7 keep the licence readily available or displayed where it may be produced or inspected upon demand by an authorised officer;
 - 3.8 maintain the licence or any replacement copy issued by the Council in a clean legible condition;
 - 3.9 allow an authorised officer unobstructed access to inspect the stall and related premises.
- Penalty: Any person who sets up or conducts a stall otherwise than in conformity with the Shire of Greenough's Local Laws relating to stallholders is guilty of an offence.
 Penalty: Five hundred dollars (\$500) or fifty dollars (\$50) pr day for a continuing offence.

(For Office Use Only)

Licence Expires Fee Paid
 Receipt No: Date Paid
 Conditions Imposed
 Date Notified of Shire Conditions Licence Posted

Schedule No 2
SHIRE OF GREENOUGH
STALLHOLDERS LICENCE

Stallholder/s (1)

Address (2)

Licence to Operate a Stall (3)

For the Sale of (4)

Hours/Days of Business (5)

This licence is issued subject to the Local Laws relating to stallholders from time to time in force in the district of the Shire of Greenough and subject to the standard conditions for stallholders licences and any other conditions appended hereto.

Dated this Day of 20

.....

Chief Executive Officer

Expiry Date

Notes—

- (1) Insert name/s of stallholder/s
- (2) Insert Stallholder/s address/es
- (3) Insert description of and the location or site of the stall
- (4) Insert appropriate description
- (5) Insert the hours and days when the stall is authorised to operate

CONDITIONS ON WHICH THIS STALLHOLDER'S LICENCE IS ISSUED

Standard Conditions

1 No person or persons other than the stallholder or stallholders shall operate the stall.

2 No stallholder shall—

- 2.1 operate the stall in any place other than that specified on the licence.
- 2.2 offer, sell or display for sale any goods, wares, merchandise, produce or services other than those provided on the licence; and
- 2.3 conduct business from the stall or keep the stall open for business outside the times and days specified on the licence.

3 The stallholder/s shall at all times and to Council's satisfaction—

- 3.1 comply with the Council's Local Laws relating to stallholders, and the terms and conditions of this licence;
- 3.2 conduct the stall in a respectable and sober manner;
- 3.3 confine the stall and all activities and equipment to the area designated on the licence;
- 3.4 conduct the stall in such a manner that the stall or the customers do not cause an obstruction to pedestrian or vehicular traffic;
- 3.5 maintain the stall in good order and condition;
- 3.6 ensure provision for the parking of customers vehicles;
- 3.7 keep the licence readily available or displayed where it may be produced or inspected upon demand by an authorised officer;
- 3.8 maintain the licence or any replacement copy issued by the Council in a clean legible condition;
- 3.9 allow an authorised officer unobstructed access to inspect the stall and related premises.

Other Conditions—

.....

Penalty: Any person who sets up or conducts a stall otherwise than in conformity with the Shire of Greenough Local Laws Relating to Stallholders is guilty of an offence.

Penalty: Five hundred dollars (\$500) or fifty dollars (\$50) per day for a continuing offence.

LOCAL GOVERNMENT ACT 1995**SHIRE OF GREENOUGH****LOCAL LAWS RELATING TO THE FILLING OF LAND**

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-6
PART 2—MISCELLANEOUS	Clause 7-12

PART 1—PRELIMINARY**Title**

1 This local law may be referred to as the *Shire of Greenough Local Law Relating to the Filling of Land*.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and management of the filling of land within the district.

Repeal

4 The following By-law of the former Shire of Greenough By-laws Relating to the Filling of Land Within the Municipality of Greenough published in the *Government Gazette* 3/7/1981, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 This Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Council” means the Council of the local government.

“Land” means any land within the district of the local government.

“Building Surveyor” means the Building Surveyor of the local government.

“Authorised Officer” means the person for the time being employed by the Council to control and supervise its Engineering Works and Undertakings and includes his assistant or deputy.

PART 2—MISCELLANEOUS

7 No person shall fill any land or cause any land to be filled except in accordance with these Local Laws.

8 Filling shall be of non-organic material capable of freely passing through a 100 mm sieve and with sufficient fines to fill all voids.

9 The top 0.6 metres of the filling shall be of clean sharp sand or loam which is free of clay or like plastic soil.

10 The fillings shall be consolidated at 0.3 metres layers to the satisfaction of the Building Surveyor or Authorised Officer.

11 Before commencing to fill any land the owner of the land or some person on his behalf shall make application to the Council in order that the final levels of the land and of the adjoining street may be fixed.

12 The filling shall not be higher than a level nominated by the Council and shall be fixed all over at the extremities of the filling in such manner so as to provide adequate surface runoff without detriment to adjoining properties.

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995**SHIRE OF GREENOUGH****LOCAL LAWS RELATING TO FENCING**

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001.

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-6
PART 2—APPROVAL.....	Clause 7-8
PART 3—MISCELLANEOUS.....	Clause 9-13
PART 4—OFFENCES AND PENALTIES.....	Clause 14
SCHEDULE 1	
SCHEDULE 2	

PART 1—PRELIMINARY**Title**

1 This local law may be referred to as the Shire of Greenough Local Law Relating to Fencing.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and management of fencing within the district.

Repeal

4 The following By-law of the former Shire of Greenough—Relating Fencing published in the *Government Gazette* 9/7/1993, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Council” means the Council of the local government.

“dangerous” in relation to a fence means a fence in such condition by reason of faulty design, location, construction, deterioration of materials, damage by termites, decay, changes in ground levels, or any other cause, or any fence which is otherwise likely to collapse or fall, or part of which fence is likely to collapse or fall, for any reason whatsoever.

“dividing fence” means a fence which separates the land of different owners whether or not the fence is on a boundary line of each allotment of land.

“district” means the district of the local government.

“fence” means a fence abutting a road reserve or a fence on a boundary line of an allotment of land and includes a retaining wall.

“Industrial and Commercial Zone” means any portion of the district that is classified or zoned as Shopping, Office, General Industry, Light Industry, Showroom, Special Use, or any other portion of the district which is zoned principally for industrial or commercial purposes by Town Planning Scheme or Local Law for the time being in force.

“Residential Zone” means any portion of the district that is classified or zoned Residential or which is zoned principally for a residential purpose by a Town Planning Scheme or Local Law for the time being in force.

“General Farming Zone” means any portion of the district that is classified or zoned as a General Farming Zone or which is zoned principally for general farming purposes by a Town Planning Scheme or Local Law for the time being in force.

“Special Rural Zone” means any portion of the district that is classified or zoned as special rural zone or which is zoned principally for special rural purpose by a Town Planning Scheme or Local Law for the time being in force.

“Surveyor” means the Building Surveyor of the Shire of Greenough or an Officer appointed by the Council.

“Height” (in relation to a fence) means the greatest distance between the top of the fence at any point and the ground immediately below that point but where the natural level of the ground can not be ascertained, the height of the fence shall be measured from a level fixed by Council.

- 1 Where a fence is erected on the boundary between land in a residential zone and land in some other zone then a “sufficient fence” for the purposes of the *Dividing Fences Act 1961* shall be that prescribed as a sufficient fence for a residential zone.
- 2 Where a fence is erected on a boundary line between land in differing zones neither of which is a residential zone the Council shall determine which schedule shall apply for the purpose of prescribing a sufficient fence for the purpose of the *Dividing Fences Act 1961*.

PART 2—APPROVAL

7 No person shall commence to erect, construct, reconstruct or alter, or erect, construct, reconstruct or alter any fence or any hood or pergola forming part of a fence;

- 7.1 exceeding one metre in height abutting or within 7.6 metres of a street alignment; or
- 7.2 exceeding 1.8 metres in height on the remainder of any lot boundary or adjacent thereto unless he has lodged with the Council two copies of plans and specifications of the proposed fence or hood or pergola forming part of the fence, or the proposed reconstruction or alteration and unless the Council has approved the said plans and specifications.

8 Where land is located at the corner of two streets, a fence that intersects at such a corner shall not exceed .75 metres in height for the first 6 metres of its length from the corner.

PART 3—MISCELLANEOUS

9 Fencing Materials

- 9.1 Previously used materials shall not be used in the construction of any fence unless approved by Council.
- 9.2 No person shall erect a fence constructed otherwise than of one or more of the following—
Concrete, masonry, wrought iron, tubular steel, link steel mesh, timber, fibro cement or such other materials approved by Council.
- 9.3 No person shall use or cause to be used corrugated galvanized iron as a covering to any fence on properties developed and used for residential purposes.
- 9.4 No person shall erect a fence wholly or partly of barbed wire except in accordance with this Local Law. A fence may be erected wholly or partly of barbed wire—
 - 9.4.1 in a General Farming Zone;
 - 9.4.2 in an Industrial and Commercial Zone if no barbed wire is used below a height of 1800 mm from the ground; and
 - 9.4.3 in any other part of the district of the Shire of Greenough with the written approval of the Council.

10 Fences in Residential Zones

Subject to Local Law 4 of these Local Laws, a fence constructed in the residential area in accordance with specifications set out in Clause 1 and 2 of the First Schedule of these Local Laws shall be a sufficient fence for the purpose of the *Dividing Fences Act 1961* as amended.

11 Fences in General Farming Zones and Special Rural Zones

- 11.1 Within a General Farming Zone, a fence which is parallel to and within 7.5 metres of a street may be constructed to a height of not more than 1.5 metres without permission of Council.
- 11.2 A fence constructed in accordance with specifications set out in the Second Schedule of these Local Laws shall be a sufficient fence for the purpose of the *Dividing Fences Act 1961*.

12 Fences in Commercial and Industrial Zones

A fence constructed in accordance with specifications set out in Clause 3 of the First Schedule of these Local Laws shall be a sufficient fence for the purpose of the *Dividing Fences Act 1961*.

13 Maintenance of Fences

- 13.1 The owner or the occupier of land on which a fence is erected shall maintain the fence in good condition so as to prevent it from falling into disrepair or becoming dilapidated, neglected, ruinous, unsightly, dangerous or prejudicial to the amenity for the locality.
- 13.2 The Council may give notice in writing to the owner or the occupier of any land upon which is erected a fence which is dangerous, neglected, ruinous, in bad condition or repair, dilapidated, unsightly or prejudicial to the amenity of the locality or is contrary to the provisions of these Local Laws, requiring such owner or occupier to modify, repair, paint or maintain the fence within the time stipulated within the notice.

13.3 Where the owner or occupier of land has been given notice under Sub Local Law 9.2 hereof fails to comply therewith the Council may enter upon the land and carry out the work specified in the notice and recover the costs and expenses incurred by the Council in so doing from the owner in a Court of competent jurisdiction.

OFFENCES AND PENALTIES

14 Any person who constructs a fence, or permits a fence to be constructed, otherwise than in accordance with provisions of these Local Laws, commits an offence and is liable, on conviction, to a maximum penalty of \$1,000 and a further penalty of \$20 for each day the offence continues.

SCHEDULE 1—RESIDENTIAL/COMMERCIAL/INDUSTRIAL ZONES

1 Corrugated fibro reinforced cement sheet fencing shall have specifications as follows—

- 1.1 All boundary fences shall be of a height of 1.8 metres, except fences forward of the front building line which shall be .75 metres.
- 1.2 The total height plus depth of the fence shall consist of a single continuous fibro reinforced cement sheet.
- 1.3 Fibro reinforced cement sheets are to be erected, lapped and capped with extruded “snap-fit” type capping.

2 Timber fences to be erected as follows—

- 2.1 All boundary fences shall be of a height of 1.8 metres, except fences forward of the front building line which shall be .75 metres.
- 2.2 First posts and rear corner posts shall be 125 mm x 125 mm.
- 2.3 Intermediate posts shall be 125 mm x 75 mm.
- 2.4 All posts shall be spaced at 2750 mm centres.
- 2.5 All posts shall be sunk at 460 mm into the ground.
- 2.6 Corner posts shall be strutted two ways with 100 mm x 50 mm or 75 mm x 50 mm struts.
- 2.7 Posts must have two rows of rails.
- 2.8 Rails shall be 75 mm x 50 mm double nailed to each post and each rail shall span two bays of fencing with joints staggered.
- 2.9 All pickets or palings shall be placed 75 mm apart and shall be double nailed to each rail.

3 Fences of link mesh construction shall have specifications as follows—

- 3.1 All boundary fences shall be of a height of 1.8 metres, except fences forward of the front building line which shall be .75 metres.
- 3.2 Corner steel posts shall be placed at all changes in direction and are to be 50 mm nominal bore x 3.5 mm; footings 225 mm diameter x 600 mm.
- 3.3 Intermediate steel posts to be 37 mm nominal bore x 3.15 mm spaced 3.5 metres apart; footings 225 mm diameter x 600 mm.
- 3.4 Steel struts to be 30 mm nominal bore x 3.15 mm, fitted at each gate and two at each corner post.
- 3.5 Cables shall be affixed to the top, centre and bottom of all posts and shall consist of two 3.15 mm wires twisted together.
- 3.6 Galvanized steel link mesh wire shall be 1.8 metres in height and constructed of 50 mm mesh 2.5 mm galvanized steel wire and shall be strained neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of 3.6 metres and shall be constructed of 25 mm tubular steel framework with one horizontal and one vertical stay constructed of 20 mm steel piping and shall be covered with 50 mm x 2.5 mm galvanized steel link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

SCHEDULE 2—GENERAL FARMING AND SPECIAL RURAL ZONES

A fence shall consist of standard iron star pickets, concrete, sawn, split or round wooden posts set 450 mm in the ground and 1200 mm out of the ground with strainer posts set at all corners, gateways, and fence line angles.

The following materials shall be used—

- 1 Wire—shall be 2.5 mm diameter.
- 2 Posts to be standard iron star pickets or concrete or if of white gum, jarrah or other indigenous timber, or treated pine, shall be cut 1800 mm long by 65 mm diameter at small end if round or 125 mm x 60 mm if split or sawn.
- 3 Strainer Posts—
 - 3.1 If cut from indigenous timber shall be 1200 mm above the ground and sunk in the ground 600 mm and shall be 150 mm in diameter at the small end.

- 3.2 If of tubular steel shall be 50 mm in diameter, 1200 mm above the ground and sunk in the ground 900 mm with the portion below ground encased in concrete having a diameter of 150 mm.

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF GREENOUGH

**LOCAL LAWS RELATING TO THE CLEARING AND REMOVAL OF
TREES, SCRUB, UNDERGROWTH, REFUSE, RUBBISH AND
VEHICLE BODIES FROM LAND**

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the Shire of Greenough resolved to make the following local law on the 27 April 2001.

ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-6
PART 2—MISCELLANEOUS	Clauses 7-8
PART 3—OFFENCES AND PENALTIES	Clause 9

DIVISION 1—PRELIMINARY

Title

1 This local law may be referred to as the Shire of Greenough By-law Relating to the Clearing and Removal of Trees, Scrub, Undergrowth, Refuse, Rubbish and Vehicle Bodies From Land.

Commencement

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

Purpose

3 The purpose of this local law is to provide for the regulation, control and management of unsightly vegetation, refuse, rubbish and vehicle bodies from land within the district.

Repeal

4 The following By-law of the former Shire of Greenough—By-laws Relating to the Clearing and Removal of Trees, Scrub, Undergrowth, Refuse, Rubbish and Vehicle Bodies From Land published in the *Government Gazette* 26/8/1977, and amendments is repealed on the day this local law comes into operation.

Application

5 This local law applies throughout the district.

Definitions

6 In this Local Law, unless the context otherwise requires, the following terms shall have the meanings defined below—

“Council” means the Council of the local government.

“land” means any land within the district of the local government.

“Chief Executive Officer” means the Chief Executive Officer of the local government.

PART 2—MISCELLANEOUS

7 If there is—

7.1 On any vacant land, any trees, scrub or undergrowth; or

7.2 On any land, any refuse or other material of any kind whatsoever which, in the opinion of the Council, is likely to affect adversely the value of the adjoining property or the health, comfort and convenience of the inhabitants thereof, the Council may cause a Notice under the hand of the Chief Executive Officer to be served on the owner or occupier of such land, requiring him within the time specified in such a Notice, to clear and remove such trees, scrub, undergrowth, refuse, rubbish or material from such land.

8 If there is on any land whether vacant or occupied, any derelict motor vehicle or vehicle body or old machinery which, in the opinion of Council, is likely to adversely affect the value of adjoining property or the health, comfort and convenience of the inhabitants thereof, the Council may cause such Notice under the hand of the Chief Executive Officer to be served on the owner or occupier of such land requiring him in the time specified in such Notice, to remove such vehicles, vehicle bodies or machinery from such land.

PART 3—OFFENCES AND PENALTIES

9 Every owner or occupier of land upon whom a Notice has been served under Local Law 4.1 or 4.2 of these Local Laws, shall comply with such Notice within the time specified therein. Any person who fails to comply with any Notice served under these Local Laws commits an offence and on conviction shall be liable to a penalty not exceeding One Thousand dollars (\$1,000) and a daily penalty not exceeding One Hundred dollars (\$100) for each day on which the offence occurs after the expiry of the Notice.

Dated this 27th day of April 2001.

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

M. C. CULLOTON, President.
W. T. PERRY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995**SHIRE OF GREENOUGH****LOCAL LAW RELATING TO THE REPEAL OF LOCAL LAWS**

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Shire of Greenough hereby records having resolved on the 27 April 2001 to make the abovementioned local law for the repeal of the following local laws—

Name of Local Law	Date Gazetted
Minimum areas for buildings	12/11/1948
Minimum areas for buildings	18/12/1949
Motels	25/11/1960
Motels	16/01/1963
Caravan Parks and Camping Grounds	21/09/1971
Caravan Parks and Camping Grounds	27/06/1975
Motels	10/04/1981

Passed at a meeting of the Council of the Shire of Greenough held on 27 April 2001.

The Common Seal of the Shire of Greenough was hereunto affixed in the presence of—

M. C. CULLOTON, Shire President.
W. T. PERRY, Chief Executive Officer.

On this 27th day of April 2001.

