



THIRTY-EIGHTH PARLIAMENT

REPORT 29

**JOINT STANDING COMMITTEE ON DELEGATED
LEGISLATION**

***CITY OF ARMADALE - SIGNS AMENDMENT LOCAL
LAW 2008***

Presented by Mr Joe Francis MLA (Chairman)

and

Hon Kim Chance MLC (Deputy Chairman)

April 2009

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Date first appointed:

28 June 2001

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing orders:

“3. Joint Standing Committee on Delegated Legislation

- 3.1 A *Joint Standing Committee on Delegated Legislation* is established.
- 3.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chairman must be a Member of the Committee who supports the Government.
- 3.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.
- 3.4 A report of the Committee is to be presented to each House by a Member of each House appointed for the purpose by the Committee.
- 3.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.
- 3.6 In its consideration of an instrument, the Committee is to inquire whether the instrument -
- (a) is authorized or contemplated by the empowering enactment;
 - (b) has an adverse effect on existing rights, interests, or legitimate expectations beyond giving effect to a purpose authorized or contemplated by the empowering enactment;
 - (c) ousts or modifies the rules of fairness;
 - (d) deprives a person aggrieved by a decision of the ability to obtain review of the merits of that decision or seek judicial review;
 - (e) imposes terms and conditions regulating any review that would be likely to cause the review to be illusory or impracticable; or
 - (f) contains provisions that, for any reason, would be more appropriately contained in an Act.
- 3.7 In this clause -
- “**adverse effect**” includes abrogation, deprivation, extinguishment, diminution, and a compulsory acquisition, transfer, or assignment;
- “**instrument**” means -
- (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
 - (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
- “**subsidiary legislation**” has the meaning given to it by section 5 of the *Interpretation Act 1984*.”

Members as at the time of this inquiry:

Mr Joe Francis MLA (Chairman)
Hon Kim Chance MLC (Deputy Chairman)
Hon Shelley Eaton MLC
Ms Janine Freeman MLA

Hon Ray Halligan MLC
Mr Paul Miles MLA
Hon Barbara Scott MLC
Mr Andrew Waddell MLA

Staff as at the time of this inquiry:

Christine Kain, Advisory Officer (Legal)
Andrea McCallum, Advisory Officer (Legal)
Steven Elliott, Articled Clerk

Susan O'Brien, Advisory Officer (Legal)
David Driscoll, Committee Clerk

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REPORT OF THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

IN RELATION TO THE

CITY OF ARMADALE - SIGNS AMENDMENT LOCAL LAW 2008

1 OVERVIEW

- 1.1 The *City of Armadale - Signs Amendment Local Law 2008* was gazetted on 3 June 2008. It amends the *City of Armadale Signs Local Laws 2007* by deleting the previous definitions of “*approval*” and “*Scheme*” in that principal local law and inserting new definitions of those terms. These amendments fulfil an undertaking provided to the Joint Standing Committee on Delegated Legislation (**the Committee**) by the City of Armadale to rectify drafting defects in the principal law, which defects rendered that local law of no effect.
- 1.2 However, the City of Armadale has not rectified a further fundamental problem identified by the Committee: that is, in so far as it did no more than purport to enforce planning schemes prepared by the City of Armadale under the *Town Planning and Development Act 1928*, the *Planning and Development Act 2005* and the *Armadale Redevelopment Act 2001*, the principal local law was not authorised or contemplated by empowering legislation. The City of Armadale declined to provide the Committee with an undertaking in respect of this authorisation issue.
- 1.3 While the drafting amendments introduced by the *City of Armadale - Signs Amendment Local Law 2008* may enable some sub-clauses of the principal local law (those which do not enforce the provisions of a planning scheme made under another Act) to become effective, the Committee is of the view that the amendments otherwise do no more than confer ostensible validity on a local law that is not authorised. The Committee considers that the *Local Government Act 1995* does not authorise or contemplate that the local law-making powers conferred by section 3.5(1) will be utilised to amend ineffective legislation, other than to render that legislation effective (Committee’s Term of Reference 3.6(a)).
- 1.4 The Committee considered the circumstances of the *City of Armadale - Signs Amendment Local Law 2008* were not such that it could clearly discriminate between authorised and unauthorised provisions so as to recommend a partial disallowance.
- 1.5 The Committee, therefore, recommends disallowance of the *City of Armadale - Signs Amendment Local Law 2008* in total.

2 THE COMMITTEE'S INQUIRY

- 2.1 The *City of Armadale - Signs Amendment Local Law 2008* is Appendix 1. The *City of Armadale Signs Local Laws 2007* is Appendix 2.
- 2.2 The *City of Armadale Signs Local Laws 2007* was first considered by the Committee on 5 September 2007, when the Committee observed:
- drafting defects that rendered clauses attempting to deem approval for erection or display of a sign granted pursuant to the City of Armadale's planning schemes as approval for erection or display of a sign under the local law ineffective, with the consequence that the local law was rendered ineffective; and
 - that the local law appeared to do little more than create offences of not complying with approvals/conditions imposed under the City of Armadale's planning schemes and provide for fines or infringement notices to issue for offences created by the local law.
- 2.3 In the latter respect, the City of Armadale stated in the Explanatory Memorandum presented to the Committee that the main purpose of the local law was to create power to issue infringement notices for breach of provisions of its planning schemes relating to signs and advertising devices.
- 2.4 On 5 September 2007, the Committee resolved to give notice of motion for disallowance of the *City of Armadale Signs Local Laws 2007*, require an undertaking to amend the drafting defects of the local law and advise the City of its concern that neither the *Local Government Act 1995*, nor the *Planning and Development Act 2005*, authorised the making of local laws for the purpose of enforcing provisions of a local planning scheme. The Committee wrote to the City on 11 September 2007 advising it of these matters and advising of the Committee's intent to raise the enforcement of local planning schemes through local laws with the relevant Minister.
- 2.5 After lengthy correspondence with the City of Armadale's solicitors, in which the Committee set out its concerns with the local law in light of the relevant legislation in detail, the Committee wrote to the City of Armadale on 2 November 2007 advising that its concerns had not been resolved. The Committee again required an undertaking to amend the identified drafting defects in the *City of Armadale Signs Local Laws 2007*.
- 2.6 In that letter, the Committee also advised the City of Armadale of the preliminary results of its inquiry into the larger question of whether a local law that in substance did no more than enforce provisions of a planning scheme was authorised by empowering legislation, and that its inquiries on this question were continuing.

- 2.7 The City of Armadale provided an undertaking on 8 November 2007 to amend the drafting defects in the *City of Armadale Signs Local Laws 2007*.¹ In light of this undertaking, and the fact that its inquiry on the outstanding issue was not likely to be completed prior to debate of the motion for disallowance, the Committee resolved on 14 November 2007 to seek leave to remove the motion for disallowance of the *City of Armadale Signs Local Laws 2007*. The House granted that leave. The City of Armadale was advised that removal of the notice for disallowance did not signify the end of the Committee’s inquiry.
- 2.8 On 19 December 2007, the Committee advised the City of Armadale that it had concluded that the *City of Armadale Signs Local Laws 2007* was not authorised by the *Local Government Act 1995*, the *Planning and Development Act 2005* or any other legislation. The Committee required an undertaking to delete those clauses in the local law that attempted to enforce provisions of the City’s planning schemes.
- 2.9 By letter dated 1 February 2008, the City of Armadale advised the Committee that it “*declined*” to proceed with the additional amendments required by the Committee as to do so would “*effectively render[s] the Local Law unworkable*”. The Committee pointed out that invalidity was not cured by maintenance of invalid provisions in a local law.

3 LEGISLATION

- 3.1 The relevant legislation and conclusions of the Committee are set out in detail in its Report No. 28 *Local Laws Regulating Signs and Advertising Devices*.
- 3.2 In summary, the Committee concluded that the *City of Armadale Signs Local Laws 2007* was:
- not authorised by the *Local Government Act 1995*, which only confers power on local governments to make local laws in respect of functions local governments perform pursuant to that Act - whereas responsibility for planning and development was conferred on local governments by the *Planning and Development Act 2005*;
 - not authorised by the *Planning and Development Act 2005*, which confers no power on local governments to make local laws in respect of planning and development matters; and
 - contrary to section 43(1) of the *Interpretation Act 1984* and section 3.7 of the *Local Government Act 1995*, in that it was in conflict with the *Planning and Development Act 2005* which authorises and contemplates enforcement of

¹ Letters from Mr R. S. Tame, Chief Executive Officer, City of Armadale, 8 November 2007 and 1 February 2008.

local planning schemes solely through the provisions of that Act, and subsidiary instruments made under that Act, not through local laws made by local governments.

3.3 The *City of Armadale - Signs Amendment Local Law 2008* does not address the major defect identified by the Committee. It therefore seeks to amend a local law that is, in the opinion of the Committee, overwhelmingly of no effect.

3.4 The Committee is of the opinion that the *Local Government Act 1995* does not authorise or contemplate the making of local laws that merely amend an ineffective local law without curing the defects leading to that lack of effect.

4 GOVERNOR'S REPEAL

4.1 The Committee notes that pursuant to section 3.17(a) of the *Local Government Act 1995*, the Governor has power to amend or repeal a local law.

4.2 The Committee recommends that the Minister for Local Government recommend that the Governor repeal the *City of Armadale Signs Local Law 2007*.

Recommendation 1: The Committee recommends that the *City of Armadale - Signs Amendment Local Law 2008* be disallowed

Recommendation 2: The Committee recommends that the Minister for Local Government recommend that the Governor repeal the *City of Armadale Signs Local Law 2007*.



Mr Joe Francis MLA

Chairman

Date: 2 April 2009

APPENDIX 1

CITY OF ARMADALE - SIGNS AMENDMENT LOCAL LAW 2008

APPENDIX 1

CITY OF ARMADALE - SIGNS AMENDMENT LOCAL LAW 2008

LOCAL GOVERNMENT ACT 1995

CITY OF ARMADALE SIGNS AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Armadale resolved on 28 April 2008 to make the following local law.

1 Citation

This local law may be cited as the *City of Armadale Signs Amendment Local Law 2008*.

2 Principal local laws

In this local law, the *City of Armadale Signs Local Laws 2007* published in the *Government Gazette* No. 126 of 19 June 2007 are referred to as the principal local laws. The principal local laws are amended as follows.

3 Clause 6 amended

Clause 6 of the principal local laws is amended by deleting the definitions of “approval” and “Scheme” and inserting instead the following definitions in the appropriate alphabetical order –

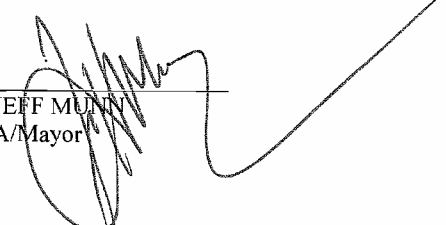
“ **“approval”** means an approval issued under the Scheme or the Armadale Redevelopment Scheme or an exempt sign under Clause 7; ”

and

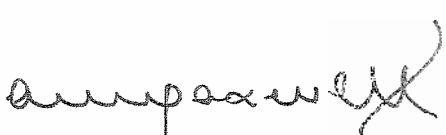
“ **“Scheme”** means an operative planning scheme prepared under the *Town Planning and Development Act 1928* or the *Planning and Development Act 2005* or a redevelopment scheme prepared under the *Armadale Redevelopment Act 2001* with jurisdiction over land within the local government district of the City of Armadale; ” .

Dated 30.5 . 2008.

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



JEFF MUNN
A/Mayor



TONY MAXWELL
A/Chief Executive Officer

APPENDIX 2

CITY OF ARMADALE - SIGNS LOCAL LAW 2007

APPENDIX 2

CITY OF ARMADALE - SIGNS LOCAL LAW 2007

LOCAL GOVERNMENT ACT 1995

CITY OF ARMADALE

SIGNS LOCAL LAW 2007

Under the powers conferred by the Local Government Act 1995 as amended from time to time and under all other powers enabling it, the Council of the City of Armadale resolved on 21st May 2007 to make the City of Armadale Signs Local Law 2007.

PART 1 - PRELIMINARY

1. Title

This local law may be referred to as the City of Armadale Signs Local Law 2007.

2. Commencement

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

3. Repeal

The Municipality of the Shire of Armadale-Kelmscott By-laws Relating to Signs, Hoardings and Billposting published in the *Government Gazette* on 9 September 1965 is repealed.

4. Application of the local law

This local law applies to all the land throughout the district.

5. Transitional

A sign which immediately prior to the commencement date was the subject of an approval issued under the local laws, repealed by Clause 3, is deemed to be the subject of an approval issued under the Scheme for so long as the sign remains unaltered.

6. Interpretation

In this local law, unless the context otherwise requires:

- “Act”** means the *Local Government Act 1995*;
- “advertisement”** means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising;
- “approval”** means an approval issued under the Scheme or the Armadale Redevelopment Scheme or a deemed approval under Clause 7;
- “approved sign”** means a sign that has been granted an approval under the Scheme;
- “authorised person”** means a person authorised by the City under Section 9.10 of the Act to perform any of the functions of an authorised person under this local law;
- “Bill”** means:
- (a) any written, printed or illustrated message on paper or a similar material;
 - (b) commonly produced in volume for the either or both of the purposes of distribution to persons or for posting or attaching to any structure or thing; and
 - (c) where the message advertises or promotes an event, person or thing,
- which is not an exempt sign;
- “City”** means the City of Armadale;
- “commencement date”** means the day on which this local law comes into operation;
- “Council”** means the Council of the City;

“district”	means the district of the City;
“exempt sign”	means the signs referred to in Clause 8;
“garage sale”	means the occasional sale of second hand domestic goods in domestic quantities by a person from his or her residence and which occasional sale is not part of a business, trade or profession;
“hoarding”	means a detached structure that is erected for the sole purpose of displaying a sign or signs and does not include a hoarding within the meaning of Section 377 of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> ;
“land”	includes buildings, parts of buildings and other structures and land covered with water;
“local government property”	<p>means any thing-</p> <ul style="list-style-type: none"> (a) that belongs to the City; (b) of which the City is the management body under the <i>Land Administration Act 1997</i>; or (c) which is an otherwise unvested facility within Section 3.53 of the Act; <p>and includes a thoroughfare or verge;</p>
“public place”	means any place to which the public has access and includes, but is not limited to, car parks and verges;
“rural producer’s sign”	means a sign erected on land lawfully used for rural purposes which advertise goods or products, grown or lawfully manufactured on the land within the boundaries of which the sign is located;
“Scheme”	means a current town planning scheme prepared under the <i>Planning and Development Act 2005</i> or the <i>Armadale Redevelopment Act 2001</i> with jurisdiction over land within the local government district of the City of Armadale;
“sign”	means any message, direction or representation whatsoever displayed on or attached to any thing or structure, or a clock, other than a clock that is built into a wall and that does not project beyond the face of the wall, or flags and bunting whether they contain a written message or not and includes any display produced by way of video or electronic means;

- “thoroughfare”** has the same meaning given to it in section 1.4 of the Act and includes the verge;
- “vehicle”** includes –
- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
 - (b) an animal being ridden, driven or led,
- but excludes –
- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath; and
 - (d) a pram, stroller or similar device;
- “verge”** means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line.

PART 2 – SIGNS TO BE APPROVED

7. Approval

A person shall not erect, maintain or display a sign on any land unless the sign is the subject of a current approval, unless the sign is an exempt sign.

8. Exemptions from Approval

The following signs are exempt signs for the purpose of clause 7:

- (a) a sign that is classified as exempt under the Scheme;
- (b) a sign within a building unless it is clearly visible from a public place outside the building;
- (c) one rural producer’s sign per street frontage which complies with the maximum dimensions 2m height x 2m length;
- (d) a sign erected by the City, or with the approval of the City, on local government property;
- (e) a sign erected and maintained on street furniture, bus shelters or seats in accordance with the terms and conditions of a contract between the City and the company or person responsible for those signs;
- (f) a maximum of 4 garage sale signs per property, each not greater than 0.25m² in area, advertising a garage sale and only being displayed on the day of the garage sale and on no more than 2 occasions for the same property in each 6 month period;

- (g) a sign erected by the City for the purpose of indicating the name and location of a polling place for an election.

PART 3 - OFFENCES

9. Signs not permitted

- (1) Unless an approval otherwise provides, a person shall not erect, maintain or display a sign, or suffer or permit a sign to be erected, maintained or displayed or to remain on any land or building:
 - (a) so as to obstruct the view from a thoroughfare or public place of traffic in the thoroughfare or public place;
 - (b) so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the *Road Traffic Act 1974* or the Regulations made under the *Road Traffic Act 1974*;
 - (c) so as to obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods;
 - (d) as a movable or portable sign in a thoroughfare, verge or public place;
 - (e) on any light or power pole;
 - (f) on any tree, shrub or plant;
 - (g) which contains glass other than an electric light globe or tube or toughened glass;
 - (h) which contains or has attached to it any paper, cardboard, cloth or other readily combustible material, except posters securely fixed to a signboard, flags, banners or canvas awnings; or
 - (i) as a hoarding.

10. Offences

- (1) A person shall not:
 - a) display a sign without an approval;
 - b) breach a condition of an approval;
 - c) display or post a Bill on any land or on any thing; or

- d) park a vehicle on a thoroughfare or other public place for the purpose of using such a vehicle and/or attachments as an advertising device.
- (2) Any person who fails to do anything required or directed to be done under this local law, or who does anything, which under this local law that person is prohibited from doing, commits an offence.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

11. Prescribed offences and modified penalties

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount appearing in the fourth column of Schedule 1 directly opposite a prescribed offence described in that Schedule is the modified penalty for that offence.

12. Infringement notices and other notices

For the purposes of this local law:

- (a) the form of the infringement notice given under section 9.16(1) of the Act is that of Form 1 in Schedule 2;
- (b) where a vehicle is involved in the commission of an offence, the form of the notice requiring an owner to identify the driver referred to in section 9.13 of the Act is that of Form 2 in Schedule 2;
- (c) where a vehicle is involved in the commission of an offence, the form of the infringement notice given under section 9.16(1) of the Act is that of Form 3 in Schedule 2; and
- (d) the form of the notice to withdraw an infringement notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 2.

Schedule 1

City Of Armadale

SIGNS LOCAL LAW 2007

PRESCRIBED OFFENCES AND MODIFIED PENALTIES

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	9(1)(d)	Erection, maintaining or display of a Moveable or Portable sign in thoroughfare, verge or public place	100
2	10(1)(a)	Displaying a sign without approval	100
3	10(1)(b)	Failure to comply with condition of approval	100
4	10(1)(c)	Bill posting	100
5	10(1)(d)	Parking a vehicle in a thoroughfare, verge or other public place for the purpose of using such a vehicle and/or attachments as an advertisement	100
6		All other offences not specified	100

Schedule 2

**FORM 1
LOCAL GOVERNMENT ACT 1995
CITY OF ARMADALE
SIGNS LOCAL LAW 2007**

INFRINGEMENT NOTICE

Infringement Notice No.

- (1) Date:
- (2) To:
- (3) of:

It is alleged that on (4) at (5) am/pm at (6)
you committed an offence against Clause (7)
of the City of Armadale Signs Local Laws 2007 by (8)

for which the modified penalty payable is (9) \$

If you do not wish to have a complaint of the above offence heard and determined by a court you may pay the modified penalty within 28 days after this notice is given to you, by posting this form together with the amount of the modified penalty to the Chief Executive Officer of the City of Armadale at Locked Bag No. 2, Armadale WA 6992 or by delivering this form and paying the amount of the modified penalty to an Authorised Person at the offices of the City of Armadale at 7 Orchard Avenue, Armadale.

Name of Authorised Person issuing
notice.....

Title of Authorised
Person.....

Signature of Authorised
Person.....

- (1) Insert date of infringement notice
- (2) Insert name of alleged offender [or owner of (vehicle identification) if given with notice under section 9.13 of the *Local Government Act 1995*]
- (3) Insert address of alleged offender [not required if given with a notice under section 9.13 of the *Local Government Act 1995*]
- (4) Insert date of alleged offence
- (5) Insert time at which offence allegedly committed and indicate am or pm
- (6) Insert place at which offence allegedly committed
- (7) Insert number of clause of local law
- (8) Insert description of offence
- (9) Insert amount of modified penalty.

**Schedule 2
FORM 2
LOCAL GOVERNMENT ACT 1995
CITY OF ARMADALE
SIGNS LOCAL LAW 2007**

NOTICE REQUIRING OWNER TO IDENTIFY DRIVER

- (1) Date:
- (2) To:
- (3) of:

It is alleged that on (4) at (5) am/pm at (6) your vehicle(7) was involved in the commission of an offence against clause(8) of the City of Armadale Signs Local Law 2007. You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed. If you do not prove otherwise, you will be deemed to have committed the offence unless-

- a. within 28 days after being given this notice-
 - (i) You inform the Chief Executive Officer, or an Authorised Person of the City of Armadale, as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) You satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed; or

- b. you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given to you or such further time as may be allowed.

Name of Authorised Person issuing notice.....

Title of Authorised Person.....

Signature of Authorised Person.....

- (1) Insert date of notice
- (2) Insert name of owner {or "owner of (vehicle identification)" }
- (3) Insert address of owner [not required if owner not named]
- (4) Insert date of alleged offence
- (5) Insert time at which offence allegedly committed and indicate am or pm
- (6) Insert place at which offence allegedly committed
- (7) Insert vehicle registration number and description
- (8) Insert number of clause of local law

**Schedule 2
FORM 3
LOCAL GOVERNMENT ACT 1995
CITY OF ARMADALE SIGN LOCAL LAW 2007
INFRINGEMENT NOTICE**

Infringement Notice No.

- (1) Date:
- (2) To:
- (3) of:

It is alleged that on (4) at (5) am/pm at (6)
your vehicle (7) was involved in the commission of an offence against
Clause (8) of the City of Armadale Signs Local Laws 2007 by (9)
for which the modified penalty payable is (10) \$

If you do not wish to have a complaint of the above offence heard and determined by a court you may pay the modified penalty within 28 days after this notice is given to you. Unless within 28 days after the giving of this notice to you -

- a) the modified penalty is paid; or
- b) you-
 - (i) inform the Chief Executive Officer, or an Authorised Person of the City of Armadale, as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

you will be deemed to have committed the above offence and court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of the modified penalty to the Chief Executive Officer of the City of Armadale at Locked Bag No. 2, Armadale WA 6992 or by delivering this form and paying the amount of the modified penalty to an Authorised Person at the offices of the City of Armadale at 7 Orchard Avenue, Armadale.

Name of Authorised Person issuing notice.....
Title of Authorised Person
Signature of Authorised Person.....

- (1) Insert date of infringement notice
- (2) Insert name of alleged offender [or “owner of (vehicle identification)”]
- (3) Insert address of owner [may be omitted]
- (4) Insert date of alleged offence
- (5) Insert time at which offence allegedly committed and indicate am or pm
- (6) Insert place at which offence allegedly committed
- (7) Insert vehicle registration number and description
- (8) Insert number of clause of local law
- (9) Insert description of offence
- (10) Insert amount of modified penalty.

Schedule 2

FORM 4
LOCAL GOVERNMENT ACT 1995
CITY OF ARMADALE SIGN LOCAL LAW 2007
NOTICE OF WITHDRAWAL

- (1) Date:
- (2) To:
- (3) of:

Infringement Notice No.(4) dated(5) has been withdrawn.

The modified penalty of (6) \$

*has been paid and a refund is enclosed

*has not been paid and should not be paid

(* delete as appropriate)

Name of Authorised Person issuing notice.....

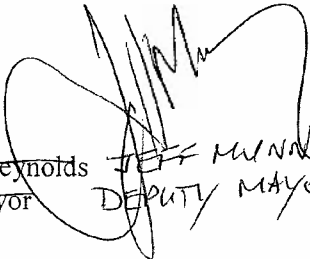
Title of Authorised Person.....

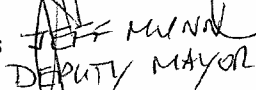
Signature of Authorised Person.....

- (1) Insert date of notice
- (2) Insert name of alleged offender to whom infringement notice has been given
- (3) Insert address of alleged offender
- (4) Insert infringement notice number
- (5) Insert date of infringement notice
- (6) Insert amount of modified penalty.

Dated this 21st day of May 2007.

The Common Seal of the City of Armadale)
was affixed by authority of a resolution)
of the Council made on 21st May 2007)
in the presence of:


E Reynolds
Mayor


JEFF MUNN
DEPUTY MAYOR


RS Tame
Chief Executive Officer