

CONSULTATION DRAFT OF PROPOSED NEW LOCAL LAW

LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

STREET NUMBERING AMENDMENT LOCAL LAW 2021

Under the powers conferred by Part 3 Division 2 Subdivision 1 of the *Local Government Act 1995*, and in accordance with Part 3 Division 2 Subdivision 2 of that Act, the Council of the City of Melville resolved on [date to be inserted] to make the following local law.

1. Citation

This local law may be cited as the *City of Melville Street Numbering Amendment Local Law 2021*.

2. Commencement

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

3. Principal Local Law amended

This local law amends the *City of Melville Local Law Relating to Street Numbering 2006* as published in the *Government Gazette* on 21 April 2006.

4. Purpose and Effect

- (1) The purpose of this local law is to amend the *City of Melville Street Numbering Local Law 2006*.
- (2) The effect of this local law is to:
 - (a) Update legislative references in the principal local law; and
 - (b) Clarify the basis on which a street address will be assigned; and
 - (c) Insert reference to objection and appeal rights with respect to notices; and
 - (d) Amend the modified penalties applying to offences against the local law.

5. Clause 1 amended

- (1) In the definition of “lot”, delete the words “*Town Planning and Development Act 1928*” and insert the words “*Planning and Development Act 2005*”.
- (2) After the definition of “lot”, insert the following two new definitions –
“lot in a strata scheme” has the same meaning as in the *Strata Titles Act 1985*
“lot in a survey-strata scheme” has the same meaning as in the *Strata Titles Act 1985*.
- (3) In the definition of “residential lot” delete the word “Town” and replace with the word “Local”.

6. Clause 2 amended

- (1) In subclause 2.1, delete the words “in accordance with its policy on street numbering”.
- (2) Renumber existing sub-clause 2.2 to 2.3.
- (2) Insert new sub-clause 2.2 –
“2.2 The local government will allocate to each lot and to each lot in a strata scheme or in a survey-strata scheme a street number pertaining to the street from which the primary access to the lot is gained.”

7. Clause 5.1 amended

Insert after the word “may” the words “, under section 3.25 of the *Local Government Act 1995*,”.

8. New clause 5A inserted

The following new clause is inserted after clause 5 –

“5A Objection and appeal rights

Part 9 Division 1 of the *Local Government Act 1995* applies to a decision under clause 5.1 of this local law.”

9. Schedule 1 amended

Delete the table of modified penalties and replace it with the following table –

Clause	Nature of Offence	Modified Penalty \$
3.1; 3.2	Failure to paint, affix or maintain current street number in a conspicuous place on the building, letterbox fence or gate to street.	200
4.1	Place or display a street number so as to cause confusion or be misleading.	200
4.2	Adopt, use or display a street number other than that street number assigned by the Local Government.	200
5.3	Failure to comply with a notice to remedy a confusing, misleading street number, or use/display an unauthorised street number.	400