

1. SCOPE

- 1.1 This Policy outlines the Waratah-Wynyard Council's approach to enforcement matters and provides staff with the direction that helps the way enforcement activities should be undertaken

2. PURPOSE

- 2.1 To provide consistency in any enforcement action, in matters of non-compliance.
2.2 To ensure transparency, procedural fairness and natural justice principles are applied.
2.3 To ensure that enforcement action is proportionate to the alleged offence in each case.

3. POLICY STATEMENT

- 3.1 Local Government is mandated with legislative responsibilities which are intended to protect individuals and the community. The Waratah-Wynyard Municipal customers include both those on whom the law places a duty of care and those whom the law protects. While it is the responsibility of individuals and other bodies to comply with the law, Council staff are authorised to carry out activities to enforce compliance.
- 3.2 In addition to enforcement, Council carries out a range of activities to ensure compliance such as, but not limited to, community education/engagement programs, overt routine patrols and professional advice when required to encourage conformance.
- 3.3 Enforcement activities include:
- Overtly patrolling streets and public places;
 - Inspecting premises either on a routine programmed basis or on a random basis; and
 - Responding appropriately to enquiries and/or complaints, on a risk basis.

LEGISLATIVE REQUIREMENTS:

This Policy applies to Council's responsibility for administration and enforcement of legislation including, but not limited to:

- *Land use Planning and Approvals Act 1993*
- *Local Government Act 1993*
- *Building Act 2016*
- *Dog Control Act 2000*
- *Environment Management and Pollution Control Act 1994*
- *Food Act 2003*
- *Local Government (Highways) Act 1982*
- *Public Health Act 1997*
- *Litter Act 2007*
- *Road Rules 2009*
- *Traffic Act 1925*
- *Waratah Wynyard Council By-Law 1 of 2016*

RELATED DOCUMENTS:

GOV.038.1 Enforcement Policy Guidelines

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