

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995**

Shire of Capel

Waste Amendment Local Law 2017

Under the powers conferred on it by the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995* and under all other enabling powers, the Council of the Shire of Capel resolved on DATE to make this local law.

1 Title

This local law may be cited as the *Shire of Capel Waste Amendment Local Law 2017*.

2 Commencement

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

3 Principal local law

This local law amends the *Shire of Capel Waste Local Law 2016* published in the *Government Gazette* on 13 February 2017.

4 Table of Contents amended

- (1) Insert “5.1 Objection and appeal rights” above “5.1 Offences and general penalty” in “Part 5 – Enforcement”.
- (2) Replace the existing number “5.1” with “5.2”.
- (3) Replace the existing number “5.2” with “5.3”.
- (4) Replace the existing number “5.3” with “5.4”.
- (5) Replace the existing number “5.4” with “5.5”.
- (6) Remove the “s” from the word “forms” in the new “5.5 Forms of notices”.

5. Part 5 – Enforcement amended

- (1) Insert a new clause 5.1 as follows –

“5.1 Objection and appeal rights

Division 1 of Part 9 of the LG Act applies to a decision under this local law to grant, renew, vary or cancel –

- (a) an approval under clause 2.7(b);
 - (b) an exemption under clause 2.8(2);
 - (c) an authorisation under clause 2.9(b);
 - (d) an approval under clause 2.10(1);
 - (e) an authorisation under clause 3.2(1)(c);
 - (f) an approval under clause 3.2(2); and
 - (g) an approval under clause 3.3.”
- (2) Replace the existing number “5.1” with “5.2”.
 - (3) Replace the existing number “5.2” with “5.3”.
 - (4) Replace the existing number “5.3” with “5.4”.
 - (5) Replace the existing number “5.4” with “5.5”.

(6) In the new clause 5.3(1), replace the reference to clause “5.1” with “5.2”.

Consented to –

CHIEF EXECUTIVE OFFICER, Department of Water and Environmental Regulation

Date:

Dated

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

MT SCOTT, President

PF SHEEDY, Chief Executive Officer