



City of
Greater Geraldton
a vibrant future



Our Ref: D-13707
Your Ref:
File Ref: A19481
Enquiries: Andy White

25 February 2013

Mr Phillip & Mrs Lynne Conder
5 Lands Edge Close
BLUFF POINT WA 6530

Dear Sir and Madam,

NOTICE – LOT 38, No. 5 LANDS EDGE CLOSE, BLUFF POINT.

Reference is made to correspondence issued to you by the City on 10 and 29 January 2013 regarding the works necessary to prevent artificial light being emitted from your land creating a nuisance on neighbouring land.

As you have failed to address the issue of light spilling on to the road and adjoining land at the above address, please find enclosed a Notice requiring you to install a suitable screen in order to rectify the issue.

If, within 14 days, you finalise the required works and those works are confirmed by the City, no further action will be taken.

Should you have any queries in relation to this matter please contact the City's Compliance Officer, Mr Andy White on 0408 024 573 during office hours.

Yours faithfully

Andy White
COORDINATOR DEVELOPMENT COMPLIANCE

PO Box 101 Geraldton WA 6531
Geraldton Civic Centre T 08 9956 6600 F 08 9956 6674
Mullewa Office T 08 9961 1007 F 08 9961 1206
E council@cgg.wa.gov.au W www.cgg.wa.gov.au
ABN 55 907 677 173



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LOCAL GOVERNMENT ACT 1995

SECTION 3.25

**NOTICE REQUIRING CERTAIN THINGS TO BE DONE BY THE OWNER OR
OCCUPIER OF LAND**

TO: Phillip Glen Conder

AND: Lynne Francis Conder

BOTH OF: 5 Lands Edge Close, Bluff Point WA

WHEREAS

- A You are the owner of the land described in Item 1 of the Schedule("the Land")
- B The Land is within the district of the City of Greater Geraldton ("the City").
- C The local government of the City considers that the security lights on the front of the dwelling, on the Land, are creating nuisance.
- D The reason for which this Notice is issued is specified in Item 2 of the Schedule.

TAKE NOTICE THEREFORE THAT:

- 1 You are hereby required to undertake the works described in Item 3 of the Schedule within 14 days from the date of this Notice.
- 2 You may object against, and apply for a review of, this Notice pursuant to the provisions of section 3.25 and Part 9 of the Local Government Act 1995.
- 3 If you fail to comply with this Notice then you commit an offence and upon conviction you would be liable to a penalty not exceeding \$5,000.00 and a further penalty not exceeding \$500.00 for each day during which the offence continues.
- 4 If you fail to comply with this Notice the City may do anything to achieve, so far as is practical for the purpose for which this Notice was given.

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- 5 The City may recover the cost of anything it does under the preceding subsection as a debt due from you.

Dated this 25th day of FEBRUARY 2013



Chief Executive Officer
City of Greater Geraldton

THE SCHEDULE

ITEM 1:

THE LAND

Lot 33 on Plan 205413 being the whole of the land in Certificate of Title Volume 2026 Folio 852 being land located at No.5 Lands Edge Close, Bluff Point

ITEM 2:

THE REASON FOR WHICH THIS NOTICE IS GIVEN

This Notice is issued because the local government considers that the security lights on the front of the dwelling, on the Land, are creating a nuisance to the occupants on adjoining land. The security lights are being activated by movement on the opposite side of the road and casting light onto adjacent properties and into windows.

ITEM 3:

WORKS TO BE DONE TO REMOVE CAUSE OF OBJECTION

Install a suitable screen around the security lights to ensure that light from the security lights is not emitted beyond the boundary of the Land.