

Planning Infringement Notices

Planning Infringement Notices (PINs) may be issued by local governments in Western Australia.

Local Government Officers must be appointed as designated officers by the Chief Executive Officer as specified under Section 234 of the *Planning and Development Act 2005* to issue PINs for breaches against a Town Planning Scheme.

PINs are a modified penalty of \$500 and can be issued for any offence against a Town Planning Scheme.

A PIN is used in straightforward matters as an effective means of addressing an offence and is preferred to commencing legal action through the Court system, where additional costs and fines are usually imposed upon a conviction.

Now I have received a PIN. What are my options?

There are a number of options that you have if you receive a PIN.

Option 1

Pay the PIN within the specified 28 day time period. Refer to 'How do I pay a Planning Infringement Notice' section on page 2.

Option 2

Submit a letter to the City within the specified 28 day time period and request to have the PIN withdrawn if you feel you have fair and reasonable grounds to make such a request.

All letters requesting the withdrawal of a PIN must be addressed to the City's Executive Director Development Services. The City will provide advice of its decision in writing.

Option 3

Submit a letter to the City within the specified 28 day time period to advise that you would like the PIN matter to be determined in a Court.

Please note that having the matter heard in a Court will involve the City commencing prosecution proceedings and may result in the Courts imposing higher penalties and costs if you are unsuccessful.

If you elect to have the matter determined by a Court, you will receive a summons to attend Court. Please understand if you are not successful in Court, the City will also seek to recover the costs involved with a prosecution; these costs can be significant.

Option 4

Submit a letter to the City within the specified 28 day time period requesting for an extension of time to pay. Include the PIN Number, reasons for requesting an extension of time to pay and propose a time period that you commit to paying the PIN.

The City's designated officer will consider your request for an extension of time to pay the PIN. Once the matter has been considered you will be advised by the City in writing of its decision.

Non-payment of a Planning Infringement Notice

If you take no action the City may forward your details to the Fines Enforcement Registry. Refer to 'Fines Enforcement Registry' section below. Alternatively, the City may withdraw the PIN and commence prosecution proceedings through the Court system.

Planning Infringement Notices *(continued)*

How do I pay a Planning Infringement Notice?

Payment can be made at the City of Armadale's Administrative Offices – Cashier Counter, located at 7 Orchard Avenue, Armadale WA 6111, or via post:

City of Armadale
Locked Bag 2
ARMADALE WA 6992

Payment must be made within the time period specified on the PIN (usually 28 days).

The Infringement Number from the PIN must be included with your payment.

The following payment methods are accepted by the City:

- MasterCard or Visa through the City's website:

<https://eservice.armadale.wa.gov.au/eservice/mpPaymentInit.do?rcpType=8&nodeNum=1491>

- Cash; cheque; money order; or credit card.

Fines Enforcement Registry (FER)

If the PIN is not paid within the prescribed or statutory period, the City will refer the matter to the Fines Enforcement Registry (FER).

Failure to pay the PIN with FER can result in enforcement action being taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Once matters are lodged at FER, the Registry is responsible for their enforcement.

FER can be contacted through:
Fines Enforcement Registry
GPO Box X2293
PERTH WA 6847

Phone: 1300 650 235
Email: fines@justice.wa.gov.au
Website: www.courts.dotag.wa.gov.au

Further Information

For further information, refer to the Planning section of the City's website where the following information is available:

- Town Planning Scheme No. 4

Further information can also be found in:

- Planning & Development Act 2005

https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_722_homepage.html

- Fines, Penalties and Infringement Notices Enforcement Act 1994

https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_336_homepage.html

Contact the City's Planning Services for further information.

Please note the information contained within this brochure is intended as a guide only. It is recommended that advice and assistance of City's Planning Services staff be sought prior to lodgement of a development application. The City of Armadale disclaims any liability for any damages sustained by a person acting on the basis of this information.