

**DAREBIN CITY COUNCIL
DRAFT GENERAL LOCAL LAW
NO. 1 OF 2015**

PART ONE - PRELIMINARY PROVISIONS

1. Title

This is the ***General Local Law No. 1 of 2015***.

2. Objectives

The objectives of this Local Law are to provide for the peace order and good government of Darebin City by:

- (1) regulating and controlling uses and activities on Council land and roads so that the Council is aware of uses or activities which may:
 - (a) be detrimental to the amenity of the area or the enjoyment of facilities on land or roads;
 - (b) cause damage to Council and community assets;
 - (c) create a danger or expose others to risk;
 - (d) interfere with the safety and convenience of people travelling on or using Council land or roads; and
 - (e) impede free and safe access for people, in particular those with sight and movement impairment or disabilities.
- (2) managing, regulating and controlling activities and uses on any land which:
 - (a) may be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment;
 - (b) are directed at maintaining neighbourhood harmony and a healthy and safe environment for residents and visitors;
 - (c) promotes community expectations and demands about their lifestyle and the availability of goods and services provided to them; and
 - (d) creates a sense of community pride in the Municipal District and which promotes Darebin City as a place to live and do business.
- (3) identifying activities and uses that are not permitted so as to achieve the purposes in subclauses (1) and (2); and
- (4) providing for the administration of the Council's powers and functions so that they can be applied, having regard to the objectives in subclauses (1) and (2), in a fair and practicable way.

3. Authorising Provision

This Local Law is made under Section 111(1) of the **Local Government Act 1989**.

4. Commencement and revocation

This Local Law:

- (a) commences on **(date to be inserted)**; and
- (b) unless it is revoked sooner, this Local Law ceases to operate on **(date to be inserted)**.

5. Area of Operation

- (1) This Local Law operates throughout the whole Municipal District.
- (2) This Local Law does not apply where any act or thing regulated by it is authorised by any Act, other subordinate legislation or the Planning Scheme.
- (3) The Council may designate areas for the purposes of this Local Law which prohibits or limits the places where specific uses and activities may occur.
- (4) Where the Council designates areas under this provision it must ensure that those designated areas are included in:
 - (a) the Local Laws register; and
 - (b) identified on maps or by a geographic description and are published on the Council's website and available in hard copy at the Council's office.

6. Repeal of other Local Laws

From the date of operation of this Local Law, the **General Local Law 2005** will cease to operate and is repealed.

7. Incorporated Documents

- (1) This Local Law incorporates by reference documents containing Council Policy, standards or guidelines that apply to specific uses or activities which are intended to assist in achieving the objectives of this Local Law.
- (2) It is intended that where an incorporated document is applied to a use or activity a person must comply with any or all of the requirements specified for that use or activity.

8. Interpretation and Definitions

(1) In this Local Law the following words have the meaning given to them unless stated otherwise:

“Act”	means the Local Government Act 1989 .
“advertising sign”	means a sign not regulated by the Planning Scheme and includes a board, notice, banner or similar device used for the purposes of soliciting sales, notifying people where goods and services may be obtained, advising or directing people to an event or festival or promoting elections or political campaigns.
“alcohol”	means a beverage intended for human consumption with an alcohol content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.
“animal”	includes every species of quadruped and every species of bird.
“barbeque”	means any fixed or portable device designed exclusively for meals preparation fired by gas, electricity or other flammable materials.
“builder”	means any person who is named as the builder in a building permit issued under the Building Act 1993, a person in charge of any building works being carried out on a building site or the owner of the building site.
“building site”	means any land or premises on which building works are being undertaken.
“building work”	means any work for which a building permit has been issued for the construction, demolition, renovation, alteration, removal or relocation of any building or structure and includes any excavations, the delivery of any machinery, equipment or building materials to the building site or any preparatory or ancillary work on the building site.
“camp”	means using a tent, caravan, motorhome, vehicle, shipping container or any other movable or temporary form of accommodation including sleeping bags or swags.
“Chief Executive Officer”	means the person appointed as the Chief Executive Officer of the Council.
“commercial recreation activity or use”	means a recreation activity or use provided for payment of a fee.

“commercial waste bin”	means a waste bin greater than 80 litres designed to take any rubbish, refuse, hard garbage, recyclable material or other matter whatsoever arising from any trade, industry or commercial undertaking.
“Council”	means the Darebin City Council.
“Council land”	means land, buildings and facilities which are owned, occupied or vested in the Council or in respect of which the Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a Public place.
“household waste bin”	means a mobile bin provided to collect household waste, recyclable materials and green waste but not hazardous waste, building materials and refuse, liquid, hard waste, commercial waste or industrial waste.
“incinerator”	means a structure, device, contraption (not enclosed in a building) which is: <ul style="list-style-type: none">(a) used or intended, adapted, or designed to be used or capable of being used for the purpose of burning anything;(b) not licensed or otherwise subject to control under the provisions of any other legislation; and(c) not a barbecue.
“Municipal District”	means the Municipal District of the Council.
“noxious weed”	means: <ul style="list-style-type: none">(a) a State prohibited weed;(b) a regionally prohibited weed;(c) a regionally controlled weed; or(d) a restricted weed - as determined under the Catchment and Land Protection Act 1994.
“penalty unit”	Means the amount prescribed by section 110(2) of the Sentencing Act 1991 - 1 penalty unit is \$100.
“permit”	in relation to a use or activity, means a written permit issued under this Local Law which authorises that use or activity.
“Planning Scheme”	is the Darebin Planning Scheme made under the Planning and Environment Act 1987 .

- “policies”** means the policies made by the Council or that Council is required to comply with in relation to its activities and where those specified activities and uses are regulated by this Local Law.
- “poultry”** means birds kept for the production of eggs or meat for human consumption but does not include roosters.
- “Public place”** Includes:
- (a) any park garden reserve or other place of public recreation or resort;
 - (b) any railway station platform or carriage;
 - (c) any wharf pier or jetty;
 - (d) any passenger ship or boat plying for hire;
 - (e) any public vehicle plying for hire;
 - (f) any church or chapel open to the public or any other building where divine service is being publicly held;
 - (g) any Government school or the land or premises associated with that school;
 - (h) any public hall, theatre or room while members of the public are in attendance at, or are assembling for or departing from, a public entertainment or meeting;
 - (i) any market;
 - (j) any auction room or mart or place while a sale by auction is there proceeding;
 - (k) any licensed premises or authorised premises within the meaning of the **Liquor Control Reform Act 1998**;
 - (l) any race-course, cricket ground, football ground or other such place while members of the public are present or are permitted to have access thereto whether with or without payment for admission;
 - (m) any place of public resort; or
 - (n) any open place to which the public whether upon or without payment for admittance have or are permitted to have access.

“road”

Includes:

- (a) a street;
- (b) a right of way;
- (c) any land reserved or proclaimed as a street or road under the **Crown Land (Reserves) Act 1978** or the **Land Act 1958**;
- (d) a public road under the **Road Management Act 2004**;
- (e) a passage;
- (f) a cul de sac;
- (g) a by-pass;
- (h) a bridge or ford;
- (i) a footpath, bicycle path or nature strip; and
- (i) any culvert or kerbing or other land or works forming part of the road.

“vehicle”

means a conveyance that is designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn, and includes—

- (a) a motor vehicle, caravan, trailer and tram;
- (b) a bicycle; and
- (c) an air-cushion vehicle—

but does not include a train, shopping trolley or a wheelchair.

- (2) The provisions of the **Interpretation of Legislation Act 1984** will be applied in aid of interpreting this Local Law and in facilitating the achievement of the objectives of this Local Law.

PART TWO - USES AND ACTIVITIES REGULATED BY THIS LOCAL LAW

9. *Primary Requirements and offences*

- (1) A person who fails to obtain a permit to undertake a use or activity where required by this Local Law is guilty of an offence and liable to the penalty stated in the provision.
- (2) In addition to the requirement to obtain a permit, a person must comply with:
 - (a) any conditions of a permit;
 - (b) any additional conditions or requirements that this Local Law applies to the use or activity;
 - (c) any specific requirements or standards in an incorporated document that is referenced in this Local Law and applied to the use or activity.
- (3) A person who fails to comply with any of the requirements in subclause (2) is guilty of an offence against this Local Law and liable to the penalty stated in the provision.

10. *Advertising signs – permit requirements*

- (1) A permit is required to place a temporary advertising sign up to 1.5 square metres in size on a road or Council land.
- (2) In addition to complying with any conditions of a permit, a person placing a temporary advertising sign on a road or Council land must comply with the requirements of the Council's current Policy applying to Footpath Trading.

Penalty: 5 Penalty Units

11. *Alcohol free areas*

- (1) The Council may designate areas and times where a person must not consume alcohol or have in his or her possession alcohol in an open container.
- (2) A person must not consume alcohol or have in his or her possession alcohol in an open container in the areas or during the times designated by the Council.

Penalty: 4 Penalty Units

12. *Animal Management in Public places*

- (1) A person in control of a dog must not allow that dog to be unleashed in any Public place in the Municipal District except in areas designated as being for unleashed dogs.

Penalty: 4 Penalty Units

- (2) A person with the care and control of an animal in a Public place must immediately collect and dispose of any excrement left by that animal so that it does not cause a nuisance to any other person.

Penalty: 4 Penalty Units

(3) A person must not leave food for any animal or bird in a Public place.

Penalty: 4 Penalty Units

13. Animal Management on Private Land

(1) A permit is required to keep animals where the number of any animal exceeds the number prescribed in the following Table or the animal is not listed in the Table.

Dogs and cats ¹	No more than 2 dogs and 2 cats
Mice, rats, ferrets, guinea pigs, rabbits, hamsters	No more than 5
Birds	No more than 10
Poultry (excluding roosters)	No more than 5
Reptiles	No more than 2
Domestic Rabbits, Guinea Pigs or Ferrets	No more than 2
Farm animals including cattle, sheep, pigs goats and horses	0

Penalty: 10 Penalty Units

(2) A person keeping any animal on land must ensure that it does not cause a nuisance to people on adjoining land or adversely impact on the amenity of the area because of:

- (a) the number or type of animals kept on the land;
- (b) smell or other offensive conditions caused by the animal;
- (c) noise from the animal;
- (d) the siting of any animal shelter on the land in proximity to adjoining land;
- (e) the failure to provide adequate shelter for the number or types of animals being kept on the land;
- (f) the failure to store animal food in a vermin and fly proof container;
- (g) the build up of vegetation, refuse, rubbish or other materials capable of harbouring rodents or vermin; or
- (h) any other matter which an Authorised Officer considers is relevant to assessing whether a nuisance is caused or there is an adverse impact on the amenity of the area as a result of any animal being kept on land.

Penalty: 10 Penalty Units

¹ Excludes dogs or cats under 3 months old.

- (3) A person must ensure that any animal shelter is:
- (a) constructed to the satisfaction of an Authorised Officer with adequate roofing, impervious flooring and drainage;
 - (b) maintained in a clean and hygienic condition; and
 - (g) is located:
 - i. at least 6 metres from a dwelling or habitable room on adjoining land;
 - ii. at least 1.5 metres from the boundary of any adjoining land; and
 - iii. is not higher than 2 metres.

Penalty: 5 Penalty Units

- (4) A person must not keep a rooster on any land in the Municipal District.

Penalty: 5 Penalty Units

14. Animal Management – responsible breeding of animals

- (1) A person must not sell or give away to any person any dog or cat that has not been de-sexed except where that dog or cat is 10 years of age or older.

Penalty: 10 Penalty Units

- (2) A person who sells or gives away a dog or a cat must provide details of the new owner to the Council when requested to do so by an Authorised Officer.

Penalty: 5 Penalty Units

- (3) The requirements of this provision do not apply to the proprietor of a registered domestic animal business or to a member of an Applicable Organisation under the **Domestic Animals Act 1994**.

15. Asbestos Management from dwellings

Unless works are carried out by a licensed asbestos removalist any material that contains or is likely to contain asbestos must not be removed by a person² unless:

- (a) the asbestos is non-friable and the total amount to be removed from the building is not more than 10 square metres;
- (b) all reasonable precautions are taken, including wetting down of the material immediately prior to its removal and keeping it wet until it is wrapped in plastic, sealed and clearly labelled to indicate the presence of asbestos; and
- (c) the asbestos is removed from the property within 24 hours.

Penalty: 10 Penalty Units

² The Occupational Health and Safety Regulations 2007 apply to asbestos removal from a building where the amount to be removed is more than 10 square metres. Removal of asbestos greater than 10 square metres must be done by a licensed asbestos removalist. Further information can be found at www.asbestos.vic.gov.au

16. Asset Protection – Permit Requirement for Building Works

- (1) An Asset Protection Permit is required and must be obtained by the owner of the land or the owner's builder at least seven days before commencing any building work on land that requires a building permit.

Penalty: 20 Penalty Units

- (2) The owner of the land or the owner's builder must obtain any other permit required prior to commencing any building work on the land.³
- (3) The Council may require that:
- (a) a security bond, the amount of which reflects the costs likely to be incurred in repairing any damage to Council's infrastructure be paid before any building work commences on the land;
 - (b) specified protection works, including tree protection works, be undertaken;
 - (c) a temporary vehicle crossing that meets the Council's standards be installed; and
 - (d) other measures to protect, repair or reinstate Council's infrastructure be undertaken.
- (4) If the owner of the land or the owner's builder fails to obtain an Asset Protection Permit, it will be deemed that there was no prior damage to any part of the adjoining road, Council land or infrastructure before building works commenced on the land.
- (5) Except in the case of an emergency or in accordance with a permit, an owner or the owner's builder must ensure that no building works are undertaken outside of the following hours:
- (a) 7am and 8pm – Mondays to Fridays
 - (b) 9am and 6pm – Saturdays.

Penalty: 10 Penalty Units

- (6) An owner or occupier is exempt from subclause (5) and may undertake building works on a Sunday between 9am and 6pm on premises that they are living in.⁴

Penalty: 10 Penalty Units

- (7) An Asset Protection Permit may require any or all of the following conditions prior to the commencement of any building works.
- (a) a fully maintained temporary fence with one entry point within the boundaries of the building site;
 - (b) a clearly displayed identification sign on the building site containing the information required by the Building Regulations 2006;
 - (c) appropriate measures to mitigate risk or damage to Council drains from stormwater, waste or other materials coming from the building site;

³ A Vehicle Crossing Permit may be required under clause 17, a Road Opening Permit may be required under clause 33 or a permit to place an obstruction on a road may be required under clause 34.

⁴ This exception does not negate the need for owner /occupiers to comply with the prescribed times in the **Environment Protection (Residential Noise) Regulations 2008**.

- (d) appropriate measures to contain all litter on the building site;
- (e) appropriate sanitary facilities;
- (f) protection zones for nature strip trees and infrastructure; and
- (g) clear access for footpath pedestrians.

Penalty 10 Penalty Units

17. Asset Protection – Vehicle Crossings

- (1) A permit is required to construct a new vehicle crossing or alter an existing vehicle crossing.

Penalty: 10 Penalty Units

- (2) In addition to complying with any conditions on a permit a person must comply with the requirements in the Council's current Policy applying to Vehicle Crossings.

Penalty: 10 Penalty Units

- (3) A person must not access land in a vehicle other than by using an appropriate vehicle crossing or temporary vehicle crossing permitted by the Council which is constructed to the Council's standards.

Penalty: 5 Penalty Units

- (4) A person must ensure that the vehicle crossing used by them for vehicle access to their land from the adjacent road is kept and maintained to the Council's satisfaction.

Penalty: 5 Penalty Units

- (5) A person may be required by the Council to repair or reinstate a vehicle crossing or remove a redundant vehicle crossing used by them or the Council may undertake the works necessary to repair or reinstate the crossing and recover the costs in accordance with the Act.

18. Busking

- (1) The Council may designate areas where busking may occur in the Municipal District.
- (2) A permit is required to busk regardless of whether the Council has designated areas where busking can occur.

Penalty: 2 Penalty Units

- (3) In addition to complying with any conditions of a permit, a person busking must comply with any requirements in the Council's current Policy applying to Council Land Activities.

Penalty: 2 Penalty Units

19. Caravans and Camping

- (1) A permit is required for a person to camp on any land unless it is within an area licensed as a caravan park under the **Residential Tenancies Act 1997** or the use has a permit under the Planning Scheme.

Penalty: 4 Penalty Units

- (2) A person must not camp on a road or on Council land unless it is within an area licensed as a caravan park under the **Residential Tenancies Act 1997**.

Penalty: 2 Penalty Units

20. Commercial Uses and Activities on Roads or Council Land – general requirement

A permit is required to undertake a commercial use or activity on a road, Council land or from any land adjacent to a public place.

Penalty: 10 Penalty Units

21. Commercial Uses and Activities on Roads or Council Land – outdoor dining, goods for display and sales

- (1) A permit is required to undertake a commercial use or activity on a road or Council land to:
- (a) provide outdoor dining areas where such a use is not regulated by the Planning Scheme; or
 - (b) sell goods or services, display goods for sale or hold occasional sales of goods.

Penalty: 10 Penalty Units

- (2) In addition to complying with any conditions of a permit, a person using a road or Council for any of the uses or activities in subclause (1) must comply with any requirements in the Council's current Policy applying to Footpath Trading.

Penalty: 5 Penalty Units

- (3) An owner or an occupier of premises permitted to use a road or Council land for a commercial use or activity must ensure that the use or activity or the condition and appearance of the premises does not impact detrimentally on people or property in the neighbourhood because of:
- (a) unreasonable noise caused by the collection or delivery of goods, amplified music or patrons at the premises;
 - (b) smell from waste kept on the premises; or
 - (c) litter and a lack of cleanliness of the premises.

Penalty: 10 Penalty Units

22. Commercial Uses of Council Land - Recreation uses and activities

- (1) The Council may designate areas where commercial recreation uses or activities may be provided in the Municipal District, including areas where hot air balloons may take off or land.

- (2) A permit is required to provide a commercial recreation use or activity on Council land within a designated area.

Penalty: 10 Penalty Units

- (3) The requirements in subclauses (1) and (2) do not apply to the operator of a hot air balloon who must land on Council land because of an emergency.
- (4) In addition to complying with any conditions of a permit, a person using Council land to provide commercial recreation activities must comply with the requirements of the Council's current Policy applying to Recreational Trades in Open Spaces.

Penalty: 10 Penalty Units

23. Commercial Uses and Activities on Council Land and Roads - food trucks

- (1) The Council may designate areas in the Municipal District where food trucks and other vehicles may be permitted to be located to sell food.
- (2) A permit is required to sell food from food trucks, other vehicles or mobile structures on a road or Council land within a designated area.

Penalty: 10 Penalty Units

- (3) In addition to complying with any conditions of a permit, a person using a road or Council Land to sell food from food trucks, other vehicles or mobile structures must comply with the requirements of the Council's current Policy applying to Footpath Trading.

Penalty: 10 Penalty Units

24. Commercial Premises - General Requirements

- (1) A person who owns or occupies commercial premises must ensure that the use or activity undertaken at the premises does not impact detrimentally on people or property in the neighbourhood because of:
- (a) unreasonable noise caused by patrons of the premises, the collection or delivery of goods, amplified music, refrigeration, air-conditioning and heating units or any other mechanical equipment ;
 - (b) smell from waste kept on the premises; or
 - (c) litter and a lack of cleanliness of the premises.

Penalty: 10 Penalty Units

- (2) Under subclause (1)(a) noise from the commercial use of premises will be considered to be unreasonable:
- (a) if it can be heard from any habitable room in any residential premises, (whether or not any door or window giving access to that room is open), and;
 - (b) is operating outside of the hours specified in a planning permit.

25. Council Land and Roads – requirements applying to use

- (1) A person using Council land or a road must comply with signs, conditions of entry or conditions of membership that the Council has applied to the use.

Penalty: 5 Penalty Units

- (2) A person using Council land or a road must not behave in a way that could risk or endanger, cause harm or injury to any other person or which interferes with any other person’s reasonable enjoyment or use of that land or road including by:
- (a) making unreasonable noise from a speaker, amplifier or other amplified sounds or noise (unless a permit has been obtained from the Council in relation to an event on that land), including where that noise is heard inside a habitable room on adjacent land;
 - (b) destroying, defacing, removing or interfering with anything in or on any building, sign, improvement, trees, plants and other vegetation or other infrastructure of any kind whether belonging to the Council or a utility;
 - (c) using vehicles, toys or equipment including remote controlled toys or equipment, toy vehicles or animals;
 - (d) conducting events, ceremonies competitive sport or group training; or
 - (f) acting contrary to any lawful direction of an Authorised Officer or a person in charge of a facility on Council land.

Penalty: 5 Penalty Units

- (3) Unless a use or activity is permitted by this Local Law a person must not:
- (a) remove or add to, interfere with or cause damage to Council land or a road or to anything located on Council land such as fencing, vegetation or infrastructure of the Council or utilities providing services in the Municipal District; or
 - (b) carry out any work or activity or allow any tree or vegetation or other condition on land owned or occupied by him or her to interfere with, cause damage to or create a risk to anything on Council land or a road.

Penalty: 5 Penalty Units

- (4) The restrictions and limitations in sub-clause (3) do not apply to a member of Council staff, a person contracted by the Council, a member of a public authority or an employee of a utility carrying out their duties.

26. Drains

- (1) A permit is required to undertake any works in a Council drain or to construct anything which might result in an obstruction to a drain.

Penalty: 5 Penalty Units

- (2) A person must not damage, destroy, interfere with, obstruct or deposit anything in a Council drain.

Penalty: 5 Penalty Units

- (3) An owner or occupier of land must ensure that any drain on his or her land:
- (a) is maintained in a condition that is not a risk to other land, not dangerous to health, unsightly or a nuisance; and

- (b) properly discharges to a legal point of discharge being Council's drainage infrastructure.

Penalty: 5 Penalty Units

27. Fires in the Open Air

- (1) A person must not light a fire or allow a fire to remain alight in the open air or in an incinerator, except for cooking food or to comply with a direction of a member of the fire services or for fire prevention purposes.

Penalty: 10 Penalty Units

- (2) A person must not light or use a solid fuel fire on Council land unless fuel for the fire has been provided by the Council.

Penalty: 10 Penalty Units

- (3) A person must not burn any materials or substances in the open air, in an outdoor oven or in a woodheater located in a building that could be:

- (a) dangerous to the health or safety of a person; or
(b) offensive to any person –

because the materials or substances being burnt are a prohibited wastes under clause 43 or the wood that is being used is wet, treated or painted wood.

Penalty: 10 Penalty Units

28. Fundraising Activities and Market Research

- (1) The Council may designate areas where fundraising activities and market research may be undertaken.

- (2) A permit is required to undertake any fundraising activities including collections of money, street stalls, raffles or market research on or from a road or Council land.

Penalty: 10 Penalty Units

- (3) In addition to complying with any conditions of a permit, a person who is undertaking any activity under this provision must comply with any requirements in the Council's *Land Activities Policy*.

Penalty: 10 Penalty Units

29. Land and Buildings - condition and appearance

- (1) An owner or occupier of land must not allow land to be kept in a way or condition:

- (a) that is detrimental to the general character and amenity of the neighbourhood in which it is located; or
(b) that could be a danger or a risk to people or property in the vicinity.

Penalty: 20 Penalty Units

- (2) In assessing whether the condition or appearance of land contravenes subclause (1), an Authorised Officer may take into consideration factors including:

- (a) whether the condition of the land provides a harbour or encourages vermin or pest animals;
 - (b) whether goods or items such as disused or non-functional equipment or second-hand goods, building materials or shipping containers stored on the land are visible from the street, neighbouring property or a Public place;
 - (c) vehicles or machinery on the land, whether operable or not;
 - (d) noxious weeds or vegetation on the land that exceeds 300mm or the vegetation is of a type or volume that could constitute a fire risk;
 - (e) graffiti on the exterior walls of buildings, fences or other structures on the land;
 - (f) unconstrained rubbish on the land;
 - (g) incomplete or partially demolished building or a dilapidated building on the land;
 - (h) any other matter that the Authorised Officer considers is relevant to making an assessment
- (3) An owner or occupier of land must not allow a building located on the land to:
- (a) be unsightly or detrimental to the general character and amenity of the area in which it is located; or
 - (b) become dilapidated.

Penalty: 20 Penalty Units

30. Lighting

A person must ensure that all outdoor lighting, except for public lighting⁵, installed on land owned or occupied by them, is designed, located and baffled so that no loss of amenity is caused to any person on adjoining land or land in the vicinity.

Penalty: 10 Penalty Units

31. Noise

- (1) A person carrying out any activity or use must not cause unreasonable or excessive noise.

Penalty: 20 Penalty Units

- (2) The requirements of the Noise Control Guidelines⁶ will apply to the following uses and activities in the manner prescribed in the Guidelines for that use or activity:
- (a) fixed domestic plant (air conditioners, swimming pool equipment, spas, ducted heating, internal vacuum systems) or home occupation noise;
 - (b) mobile vendors;
 - (c) truck-mounted refrigeration units;
 - (d) deliveries to shops, supermarkets and service stations;

⁵ Public Lighting is lighting provided for roads and other outdoor public spaces (eg footpaths, parks, reserves, carparks, cycle paths etc) for the primary purpose of safe vehicle and people movement.

⁶ Noise Control Guidelines – Environment Protection Authority - Publication 1254 – 2008 or subsequent publications

- (e) noise from shops; and
- (f) public address systems.

(3) In determining whether there has been unreasonable or excessive noise an Authorised Officer will have regard to the Noise Control Guidelines and the State Environment Protection Policies of the Environment Protection Authority.

32. Property Numbers

- (1) An owner or occupier of property must ensure that:
 - (a) the property is marked with the number allocated to it by Council; and
 - (b) the numbers are of a sufficient size and free from obstructions so that they can be clearly read under normal lighting conditions from the road immediately adjacent to the front boundary of the property.

Penalty: 2 Penalty Units

- (2) An owner or occupier must ensure the allocated property numbers for an apartment or unit are displayed on the front door or clearly visible from the front entrance of the dwelling.

Penalty: 2 Penalty Units

33. Roads – Works on Roads

A permit is required to do works where it is proposed to:

- (a) excavate, make a hole, remove or reinstate a road;
- (b) occupy or fence off part of a road;
- (c) use a mobile crane, travel tower or similar device on or above a road; or
- (d) remove or interfere with any traffic control device.

Penalty: 5 Penalty Units

34. Roads – Closure or Obstructions

- (1) A permit is required to:
 - (a) close a road for a street party, festival or event; or
 - (b) place an obstruction on a road or Council land including a bulk rubbish container, shipping container or building materials or items used in association with building works.

Penalty: 5 Penalty Units

- (2) In addition to complying with any conditions of a permit, a person using a road or Council land for commercial bulk rubbish containers must comply with the requirements of the Council's current Guidelines applying to Bulk Rubbish Containers.

Penalty: 5 Penalty Units

35. Roads - Obstructions from Private Land

- (1) An owner or occupier of land must ensure that any activity, vegetation, sign, structure or the condition of any item on their land does not:
 - (a) obstruct and interfere with the safe and fair use of the road by pedestrians and vehicles by limiting visibility of the road, traffic control items, street lighting or other users of the road;
 - (b) cause a hazard or obstruction to pedestrians or vehicles because of its location, condition or because it is unsafe; or
 - (c) encroach over any Public place or road at a height less than 2.4 metres.

Penalty: 5 Penalty Units

- (2) An owner or occupier of commercial premises abutting a road must ensure that:
 - (a) a verandah or awning overhanging a road; or
 - (b) any item affixed to the exterior of the premises –
does not cause an obstruction or a risk to any user of a road.

Penalty: 5 Penalty Units

36. Shopping Trolleys

- (1) A person must not leave a shopping trolley on any land, road or Public place except in an area signed by the shopping trolley owner as designated for the return of trolleys.

Penalty: 4 Penalty Units

- (2) A retailer who provides shopping trolleys for use by customers must ensure that the trolleys are not removed from the land owned or occupied by the retailer.

Penalty: 4 Penalty Units

37. Smoke Free Areas

- (1) The Council may designate areas in the Municipal District as “smoke free areas”.
- (2) The Council may erect signs or require a person who has a permit under clauses 21 or 23 to erect signs if a road or Council land occupied by them is included in a smoke free area.
- (3) A person must not smoke in an area designated as a “smoke free area” by the Council.

Penalty: 5 Penalty Units

38. Street Parties, Festivals and Events

A permit is required to conduct a street party, festival or event on a road or Council land.

Penalty: 5 Penalty Units

39. Trees, Shrubs or Gardens on Council Roads

- (1) A permit is required to:

- (a) plant trees, shrubs or vegetation or locate or fix any other item on Council land; or
- (b) remove trees, shrubs, vegetation or any item located on Council land.

Penalty: 5 Penalty Units

(2) In addition to complying with the conditions of a permit, a person granted a permit under this provision must comply with the requirements of the Council's current Policy applying to Naturestrips.

Penalty: 5 Penalty Units

(3) Unless otherwise directed or permitted, a permit is not required under subclause (1)(a) if the changes to the naturestrip satisfy the requirements of the Council's current Policy applying to Naturestrips.

(4) A person who is granted a permit under subclause (1) must maintain the naturestrip and keep it in a safe, clean and tidy condition.

Penalty: 5 Penalty Units

40. Vehicles Left on Roads - abandoned and unregistered

(1) A person must not:

- (a) leave or park a non functional vehicle or an unregistered vehicle on a road or Council land;

Penalty: 10 Penalty Units

- (b) leave or park a registered vehicle on a road or Council land for longer than 2 months.

Penalty: 5 Penalty Units

- (c) leave or park a trailer, caravan, motorhome or boat on a road or Council land for longer than 24 hours.

Penalty: 5 Penalty Units

(2) Where a vehicle is impounded because of a contravention of subclause (1)(a), the provisions of clause 3 of Schedule 11 of the Act will apply.

(3) A person must not carry out any major repairs or maintenance of a vehicle on a road.

Penalty: 5 Penalty Units

41. Waste - household waste collection

(1) An owner or occupier of land where household waste is collected must comply with the following requirements:

- (a) identify on the bin the street number of the property to which the bin has been allocated;
- (b) ensure that household waste, green waste and recyclables are put into the bin allocated for that particular type of waste;
- (c) place the bin for collection in the location and manner advised by the Council no earlier than 24 hours before collection day and return the bin to the land to which it is allocated no later than 24 hours after collection;

- (d) keep the lid of the bin closed while it is left out for collection;
- (e) ensure that any waste that spills from the bin while it is left out for collection is removed;
- (f) keep the bin in a clean and inoffensive condition;
- (g) ensure that the land on which the bin is kept is adequately drained and kept in a clean and inoffensive condition; and
- (h) must not store the bin on Council land.

Penalty: 10 Penalty Units

- (2) An owner or occupier of land must not:
 - (a) place for collection any waste other than in a household waste bin provided by the Council unless directed otherwise by Council;
 - (b) place for collection more than the number or type of household waste bins allocated to the land unless permitted by the Council;
 - (c) damage any household waste bin;
 - (d) have more than the allocated number of household waste bins provided by the Council to the land; and
 - (e) have bins other than those provided to the property by Council

Penalty: 20 Penalty Units

42. Waste – hard waste collection

- (1) An owner or occupier of land who uses a hard waste collection service provided by the Council must ensure that only acceptable hard waste of the type notified by the Council is left for collection and must comply with the conditions of collection.⁷

Penalty: 5 Penalty Units

- (2) A person, other than a person authorised by the Council to collect hard waste, must not interfere with or remove any hard waste left for collection.

Penalty: 5 Penalty Units

43. Waste that is Prohibited

A person must not place any of the following substances in a household waste bin put out for collection:

- (a) any item which may damage the bin or reduce its strength or effectiveness;
- (b) any item that results in the total bin weight exceeding 30 kilograms;
- (c) any item that would prevent the lid on the bin from closing;
- (d) motor oil or motor oil filters, paint, solvents and similar substances;

⁷ The conditions of collection may be advised to residents at the time a person books a hard waste collection with the Council or published on the Council's website or in other Council communications.

- (e) sludge, slurry, semi-liquid or liquid waste;
- (f) any hazardous, radioactive or chemical waste;
- (g) material containing asbestos;
- (h) any medical or infectious waste;
- (i) any volatile or explosive substance; or
- (j) any hot ash or embers.

Penalty: 5 Penalty Units

44. Waste - Commercial

- (1) A permit is required to store a commercial waste bin on a road or Council land.

Penalty: 5 Penalty Units

- (2) An owner or occupier of land where commercial waste is collected must comply with the following requirements:

- (a) the bin is constructed of impervious materials, is watertight and fly and pest proof;
- (b) the bin is emptied before it overflows or when an Authorised Officer directs and that any waste that spills from the bin while it is left out for collection is removed;
- (c) the bin is maintained and kept in a clean and inoffensive condition;
- (d) the street number of the property to which the bin has been allocated is identified on the bin;
- (e) the lid of the bin is kept closed while it is left out for collection;
- (f) the land on which the bin is kept is adequately drained and kept in a clean and inoffensive condition; and
- (g) the bin is not placed on a road or Council land for collection earlier than 5pm on the night before collection day and returned to the land to which it is provided by 10am on collection day.

- (5) An owner or occupier of land to which the Council provides a commercial waste bin and collection service must comply with the conditions and requirements that the Council applies to the commercial waste collection service.

Penalty: 5 Penalty Units

PART THREE – ADMINISTRATION AND ENFORCEMENT

45. *Exercise of Discretion*

In exercising any discretion contained in this Local Law, an Authorised Officer must have regard to:

- (a) the objectives of this Local Law and any applicable Policy, Standard or Guideline incorporated by reference in this Local Law;
- (b) any operating procedures applicable to the Local Law; and
- (c) other relevant matter.

46. *Permits*

- (1) The Council or an Authorised Officer may grant or refuse to grant a permit under this Local Law.
- (2) An application for a permit may be made in the form of Schedule 1 and accompanied by the fee prescribed by Council.
- (3) A permit granted may be in the form of Schedule 2.
- (4) The Council or an Authorised Officer may waive payment of any fee for a permit.
- (5) The Council or an Authorised Officer may require that an applicant give notice of the application to any person that may be affected by the proposed use or activity.
- (6) The Council or an Authorised Officer may require an applicant to provide more information before the Council or Authorised Officer determines the application.
- (7) A permit expires on the date specified in the permit or if no date is specified the permit will expire 1 year after the date of issue.
- (8) A permit may be issued with conditions.
- (9) The Council or an Authorised Officer may grant exemptions from a requirement to obtain a permit or any other requirements or limitations that this Local Law applies to the use or activity.

47. *Considering Applications*

In considering an application for a permit the Council or an Authorised Officer may consider:

- (a) any policy, guideline or standard adopted by the Council relating to the subject matter of the application for the permit;
- (b) any submission received in respect of the application;
- (c) any comments that may be made in respect of the application by any public authority, Government department, community organisations or other body or person; and
- (d) any other relevant matters.

48. Exemptions

- (1) The Council or an Authorised Officer may grant an exemption from a requirement to have a permit or from any of the provisions of this Local Law.
- (2) In determining whether to grant an exemption to the requirement to obtain a permit, an Authorised Officer will have regard to:
 - (a) the circumstances of the application;
 - (b) whether the application is to raise funds for community or charitable purposes;
 - (c) whether the proposed activity or use will have an overall community benefit;
 - (d) whether the proposed activity or use could have a detrimental effect on adjoining properties;
 - (e) whether the applicant will be given an unfair advantage over any other person or organisation; and
 - (f) any other matters relevant to the circumstances of the application.
- (3) An exemption may be granted subject to conditions.
- (4) A person must comply with the conditions of an exemption.

Penalty: 5 Penalty Units

- (5) An exemption may be cancelled or corrected as if it were a permit.

49. Correction of Permit

- (1) The Council or an Authorised Officer may correct a permit issued if the permit contains:
 - (a) a clerical mistake or an error arising from any accident, slip or omission; or
 - (b) an evident and material miscalculation of figures or any evident and material.
 - (c) a mistake in the description of any person, thing or property referred to in the permit.
- (2) The Council or the Authorised Officer must note the correction in the register of permits.

50. Grounds for Cancellation or Amendment of Permits

- (1) The Council or an Authorised Officer may cancel or amend any permit if he or she considers that there has been:
 - (a) a material misstatement, false representation or concealment of facts in relation to the application for a permit;
 - (b) any material mistake in relation to the use of the permit;
 - (c) any material change of circumstances which has occurred since the issue of the permit;
 - (d) a failure to comply with the conditions of the permit; or
 - (e) a failure to comply with a Notice to Comply within the time specified in the Notice to Comply.

- (2) The Council or an Authorised Officer must give written notification to the holder of a permit of the intention to cancel or amend the permit and provide the permit holder with an opportunity to make a written submission which must be made to the Council or an Authorised Officer within the time specified in the notice.
- (3) The Council or an Authorised Officer may require that the permit holder cease the use or activity allowed by the permit until the written submission has been considered by the Council or an Authorised Officer.
- (4) The Council or an Authorised Officer must make a final decision to cancel or amend the permit within 30 days from the date of the written submission from the holder of the permit under subclause (2).
- (5) If the Council or an Authorised Officer determines to cancel or amend the permit, the Council or Authorised Officer must advise the permit holder in writing and must note that cancellation or amendment in the register of permits.

51. Local Laws Register

The Council must maintain a Local Laws register that includes:

- (a) details of permits granted;
- (b) information about any permit that has been cancelled, amended or corrected;
- (c) any exemption from a requirement to obtain a permit or conditions applied to that exemption;
- (d) any map or geographic description of any area designated by the Council where a use or activity may or may not occur;
- (e) any other information relating to the administration and enforcement of the Local Law that is considered necessary.

52. False Representations

A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a permit or exemption is guilty of an offence.

Penalty: 10 Penalty Units

53. Powers of Authorised Officers

- (1) An Authorised Officer appointed under section 224 of the Act and authorised by the Council may carry out any function or power for the purposes of the administration and enforcement of this Local Law.
- (2) If an Authorised Officer considers that there has been a breach of this Local Law, including a breach of any conditions of a permit, the Authorised Officer may:
- (a) warn the person who is breaching the Local Law, which may be an official warning issued in accordance with the requirements of the **Infringements Act 2006**;
- (b) direct the person to cease the activity breaching the Local Law;
- (c) serve a Notice to Comply to remedy the breach;

- (d) arrange for works to be undertaken to remedy the breach;
- (e) issue an infringement notice; or
- (f) commence legal proceedings.

54. Impounding

- (1) Where any goods, items, animals or equipment have been placed or left in any public place, road or land in contravention of this Local Law or a permit issued under this Local Law, an Authorised Officer may impound those goods, items, animals or equipment and they must be dealt with in accordance with the requirements of this Local Law.
- (2) As soon as practicable after an item has been impounded under subclause (1), the Council or an Authorised Officer must serve a notice of impounding in the form of Schedule 3 personally or by ordinary mail on the person who appears to be the owner of the impounded item if it is practicable to do so.
- (3) An impounded item must be surrendered to:
 - (a) its owner; or
 - (b) a person acting on behalf of its owner who provides evidence to the satisfaction of an Authorised Officer of his or her authority from the owner; or
 - (c) evidence to the satisfaction of the Authorised Officer being provided of the owner's right to the item; and
 - (d) on payment of any fee determined by the Council or an Authorised Officer.

55. Disposal

- (1) An Authorised Officer may sell, destroy, dispose of or give away any item impounded under the provisions of this Local Law if the owner of the item has not paid the fee within 14 days of service of the notice under clause 54.
- (2) In the case that the impounded items are perishable and will not survive the period specified in subclause (1), the Authorised Officer may dispose of the items sooner.
- (3) Council is entitled to retain from the proceeds of sale of any impounded item or its reasonable costs incurred in impounding, keeping and selling the item.

56. Notices to Comply

- (1) Where an Authorised Officer considers that there is a breach of this Local Law, including a failure to comply with any conditions of a permit issued under the Local Law or a requirement by an Authorised Officer to abate a nuisance, he or she may serve a Notice to Comply in the form of Schedule 4 on any owner, occupier or other relevant person to remedy the breach.
- (2) A Notice to Comply issued in accordance with this Local Law must state the time and date by which the thing must be remedied.

- (3) The time required by a Notice to Comply served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account, if applicable:
 - (a) the amount of work involved;
 - (b) the degree of difficulty;
 - (c) the availability of necessary materials or other necessary items;
 - (d) climatic conditions;
 - (e) the degree of risk or potential risk; and
 - (f) any other relevant matter.
- (4) An owner, occupier, builder or appointed agent served with a Notice to Comply who fails to remedy a situation in accordance with a Notice to Comply within the time specified in the Notice is guilty of an offence under this Local Law.

Penalty: 10 Penalty Units

- (5) If an owner, occupier, or other relevant person served with a Notice to Comply fails to carry out any work stipulated in a Notice to Comply, Council or an Authorised Officer may carry out the work itself or approve another person to carry out the work and recover the cost of performing the work from the owner or appointed agent in accordance with the Act.
- (6) An owner, occupier, or other relevant person may make representations to the Council about matters contained in the Notice to Comply.
- (7) A Notice to Comply will expire 3 years from the date on which it was issued.

57. Power to Act in Urgent Circumstances

- (1) Council or an Authorised Officer may, where an owner, occupier, builder or other relevant person has failed to comply with any requirement of this Local Law, take action considered necessary to prevent any danger to the environment or any nuisance arising, provided that:
 - (a) Council or an Authorised Officer considers the circumstances to be sufficiently urgent and that the time necessary, or potential difficulty in serving a Notice to Comply may place a person, animal, property or the environment at risk or in danger of substantial detrimental effect;
 - (b) the Chief Executive of the Council or his/her delegate not being the Council Officer administering this clause, approves of the proposed action; and
 - (c) details of the circumstances and of the remedial action taken are as soon as practicable forwarded to the owner, occupier, builder or other relevant person.
- (2) Action taken by Council or an Authorised Officer under this Clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger involved.
- (3) Where Council undertakes work in accordance with this section, the Council may recover the cost of performing the work from the owner, builder, appointed agent or responsible person.

58. Offences and Penalties

- (1) A person is guilty of an offence if the person:
 - (a) fails to do something which a provision of this Local Law requires to be done or does something which a provision of this Local Law prohibits;
 - (b) fails to comply any conditions of a permit or additional conditions or requirements that this Local Law applies to the use or activity; or
 - (c) fails to comply with any specific requirements or standards in an incorporated document that is referenced in this Local Law and applied to the use or activity.
- (2) The penalty for an offence against this Local Law that appears at the foot of a provision is the maximum amount that may be imposed by a Court.
- (3) Where an infringement notice is issued the fixed penalty for infringement purposes is contained in Schedule 5.

59. Infringement Notices

- (1) As an alternative to prosecution, an Authorised Officer may serve an infringement notice on any person who has contravened this Local Law
- (2) A Local Law infringement notice must contain the information prescribed by the **Infringements Act 2006**.
- (3) The requirements of the Infringements Act 2006 apply to infringements issued under this Local Law.
- (4) Any person served with a Local Law infringement notice is entitled to disregard the notice and defend the prosecution in Court.

Consult Draft

**DAREBIN CITY COUNCIL
GENERAL LOCAL LAW NO. 1 2015
SCHEDULE 1
(Clause 46)**

APPLICATION FOR A PERMIT

I, _____
(Name of applicant)
of _____
(address)

The permit is required to:

(Describe the use or activity for which the permit is required)

.....
.....
.....
.....

For further information, I may be contacted on _____ **(insert phone number)**

between the following times: _____ and _____.

Date: _____

Signed by applicant

Fees: _____

Signature of owner where required

Paid: _____ / _____ / _____

Name of owner

Receipt No: _____

Address of owner

Consult Draft

**DAREBIN CITY COUNCIL
GENERAL LOCAL LAW NO. 1 2015
SCHEDULE 2
(Clause 46)
LOCAL LAW PERMIT**

Under clause (insert relevant clause number) of the General Local Law a permit is granted to:

Name:.....
.....

Address:.....
.....
.....

The permit is for:

.....
.....
.....

The permitted use or activity must comply with the following conditions:

.....
.....
.....
.....
.....
.....
.....

The permit commences on:

The permit expires on:

Name of Authorised Officer
Officer

Signature of Authorised

.....
.....

Date:.....

Consult Draft

**DAREBIN CITY COUNCIL
GENERAL LOCAL LAW NO. 1 2015
SCHEDULE 3
(Clause 54)
NOTICE OF IMPOUNDING**

To:

.....

of:

.....

..... Postcode

The following item/s has/have been impounded in accordance with clause 54 of the General Local Law No. 1 2015.

.....

.....

.....

.....

You or an agent authorised in writing to act on your behalf may collect the items by attending at the Municipal Offices between the hours of and to see(Contact Officer) and by paying the following:

DETAILS OF FEES AND CHARGES:

	\$
	\$
	\$
Total	\$

If you fail to collect the item (s) and pay the required fees and charges by (date), the Authorised Officer will proceed to dispose of the item(s) in accordance with the provisions of clause 54 of this Local Law.

Date:

Name of Authorised Officer:

Telephone No:

Signature of Authorised Officer:

**DAREBIN CITY COUNCIL
GENERAL LOCAL LAW NO. 1 2015
SCHEDULE 4
(Clause 56)
NOTICE TO COMPLY**

To: (Name)

Address:

.....

..... Postcode

.....

In the opinion of Darebin City Council (the Council) or an authorised officer of the Council, you have breached of Clause (insert clause number) of the Council's General Local Law No. 1 2015 by:

.....
.....
.....
.....

To remedy the breach you must do the following, within days from the date of this Notice:

.....
.....
.....
.....

You should contact

.....

at the Municipal Office,

.....

between the hours of for any further information about this Notice.

If you fail to comply with this Notice you will be guilty of an offence and liable to a penalty of \$..... and the Council will proceed to carry out any required work, for the cost of which, in addition to the above penalty, you will be liable.

Date:

Name of Authorised Officer:

Telephone No:

Signature of Authorised Officer:

Note: If this Notice relates to a contravention of a permit and you do not comply with the Notice, the permit may be cancelled. If you do not wish to have the permit cancelled you should comply with the directions in this Notice or show cause to the Council in writing why the permit should not be cancelled.

Consult Draft

**DAREBIN CITY COUNCIL
GENERAL LOCAL LAW NO. 1 2015**

**SCHEDULE 5
(Clause 58)**

PENALTIES FIXED FOR INFRINGEMENT NOTICE PURPOSES

Provision	Offence	Penalty Unit
Clause 10	Failing to obtain a permit to place a temporary advertising sign or failing to comply with the conditions of a permit or Council Policy	2 penalty units
Clause 11	Consuming or possessing alcohol contrary to times and areas designated by Council	2 penalty units
Clause 12(1)	Allowing a dog to be unleashed in an non designated area	2 penalty units
Clause 12(2)	Failing to collect and dispose of dog excrement	2 penalty units
Clause 12(3)	Leaving food for animals in a public place	2 penalty units
Clause 13(1)	Failing to obtain a permit to keep more than the number of type of animal prescribed	5 penalty units
Clause 13(2)	Failing to ensure that an animal kept on land does not cause a nuisance or adversely affect the amenity of an area	5 penalty units
Clause 13(3)	Failing to ensure that animal shelters comply with requirements	2 penalty units
Clause 13(4)	Keeping a rooster contrary to the Local Law	2 penalty units
Clause 14 (1)	Failing to de-sex animal in a accordance with requirement	5 penalty units
Clause 14(2)	Failing to comply with request of Authorised Officer	3 penalty units
Clause 15	Removing asbestos contrary to the Local Law	5 penalty units
Clause 16(1)	Failing to obtain a permit to commence building works	10 penalty units
Clause 16(5)	Allowing building works to be carried out contrary to prescribed times	5 penalty units
Clause 16(6)	Allowing building works to be carried out contrary to provision	5 penalty units
Clause 16(7)	Failing to comply with the conditions of a permit	5 penalty units
Clause 17(1)	Failing to obtain a permit to construct or alter a vehicle crossing	5 penalty units
Clause 17(2)	Failing to comply with the conditions of a permit or Council Policy	5 penalty units
Clause 17(3)	Accessing land contrary to the Local Law	2 penalty units
Clause 17(4)	Failing to maintain vehicle crossing	3 penalty units
Clause 18	Failing to obtain a permit, comply with the conditions of a permit or Council Policy	1 penalty unit
Clause 19	Failing to obtain a permit to camp or camping on a road or Council land contrary to the Local Law	2 penalty units
Clause 20	Failing to obtain a permit for commercial uses on roads or	5 penalty units

	Council land	
Clause 21(1)	Failing to obtain a permit for outdoor dining and selling	5 penalty units
Clause 21(2)	Failing to comply with the conditions of a permit or Council Policy	3 penalty units
Clause 21(3)	Failing to ensure that a commercial use or activity on a road or Council land does not impact detrimentally	5 penalty units
Clause 22(2)	Failing to obtain a permit for commercial recreation uses	5 penalty units
Clause 22(4)	Failing to comply with the conditions of a permit or Council Policy	5 penalty units
Clause 23(2) & (3)	Failing to obtain a permit for food trucks/ failing to comply with the conditions of a permit or Council Policy	5 penalty units
Clause 24(1)	Failing to ensure that uses and activities of commercial premises do not impact detrimentally	5 penalty units
Clause 25(1)	Failing to comply with signs, conditions of entry or conditions of membership applying to the use of Council land or a road	3 penalty units
Clause 25(2)	Acting in a way that could risk or endanger or interfere with a person's use of Council land or a road	3 penalty units
Clause 25(3)	Causing damage to Council land as prescribed	3 penalty units
Clause 26(1)	Failing to obtain a permit for works in a drain	3 penalty units
Clause 26(2)	Damaging, interfering or obstructing a Council drain	3 penalty units
Clause 26(3)	Failing to maintain a drain as required	3 penalty units
Clause 27(1)	Lighting a fire in the open air or allowing a fire to remain alight	5 penalty units
Clause 27(2)	Lighting a solid fuel fire on Council land contrary to the Local Law	5 penalty units
Clause 27(3)	Burning substances or materials contrary to the Local Law	5 penalty units
Clause 28(2) & (3)	Failing to obtain a permit, comply with the conditions of a permit or Council Policy	5 penalty units
Clause 29(1)	Allowing land to be kept in a condition contrary to the Local Law	10 penalty units
Clause 29(3)	Allowing a building to be kept in a condition contrary to the Local Law	10 penalty units
Clause 30	Using external lighting in a way that causes loss of amenity	5 penalty units
Clause 31(1)	Causing unreasonable or excessive noise	10 penalty units
Clause 32	Failing to comply with the requirements of the Local Law	1 penalty unit
Clause 33(1)	Failing to obtain a permit for works on roads	3 penalty units
Clause 34(1) & (2)	Failing to obtain a permit, comply with the conditions of a permit or Council Policy	3 penalty units
Clause 35(1) & (2)	Allowing an obstruction from private land to interfere with a road or Council land or be a risk contrary to the Local Law	3 penalty units
Clause 36(1)	Leaving a shopping trolley on land, road or Public place contrary to the Local Law	2 penalty units
Clause 36(2)	Failing to ensure that a shopping trolley is not removed from the retailer's land	2 penalty units

Clause 37(3)	Smoking in a “smoke free area”	3 penalty units
Clause 38(1)	Failing to obtain a permit	3 penalty units
Clause 39(1) & (2)	Failing to obtain a permit, comply with the conditions of a permit or Council Policy	3 penalty units
Clause 39(4)	Failing to maintain the naturestrip	3 penalty units
Clause 40(1)(a)	Leaving or parking a non functional vehicle or an unregistered vehicle on a road or Council land	5 penalty units
Clause 40(1)(b)	Leaving or parking a registered vehicle on a road or Council land for longer than the period	3 penalty units
Clause 40(1)(c)	Leaving or parking a trailer, caravan, motorhome or boat on a road or Council land for longer than 24 hours	3 penalty units
Clause 40(3)	Carrying out major repairs or maintenance on a vehicle on a road	3 penalty units
Clause 41(1)	Failing to comply with the requirements and conditions applying to the household collection service	5 penalty units
Clause 41(2)	Failing to comply with the requirements of the provision	5 penalty units
Clause 42(1)	Failing to comply with the requirements and conditions applying to the hard waste collection service	3 penalty units
Clause 42(2)	Interfering with or removing hard waste left for collection	3 penalty units
Clause 43	Depositing prohibited waste in a household waste bin	3 penalty units
Clause 44(1), (2), (3) & (4)	Failing to obtain a permit/failing to comply with the requirements of the provision	3 penalty units
Clause 48(4)	Failing to comply with the conditions of an exemption	3 penalty units
Clause 52	Making a false representation or declaration	5 penalty units
Clause 56(4)	Failing to comply with a Notice to Comply	5 penalty units