

Community Local Law

GLEN EIRA CITY COUNCIL

COMMUNITY LOCAL LAW

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PART 1 - PRELIMINARY PROVISIONS

1. Title

This Local Law is the Glen Eira City Council Community Local Law 2019 and is referred to as the “Community Local Law”.

2. Objectives

The objectives of this Community Local Law are to—

- (a) provide for the peace, order and good government of the Municipal District; and
- (b) promote a physical and social environment free from hazards to health, in which the local community of and visitors to the Municipal District can enjoy a quality of life that meets the general expectations of the local community; and
- (c) protect Council Assets; and
- (d) protect the use of Public Places and control activities in or near them; and
- (e) control noise, behaviour and liquor consumption in specified places, smoking in specified buildings and vehicles, busking, advertising signs, works and obstructions on roads, street trading and other activities; and
- (f) regulate the number and manner of keeping of animals; and
- (g) prohibit, regulate and control certain activities, events, practices or behaviours which cause detriment to the amenity of the Municipal District, nuisance or damage to property.

3. Authorising Provision

This Community Local Law is made under section 111(1) of the **Local Government Act 1989** and section 42 of the **Domestic Animals Act 1994**.

4. Operation Date

This Community Local Law comes into operation on 7 November 2019.

5. Revocation Date

This Community Local Law ceases to operate on 7 November 2029, unless revoked earlier.

6. To what parts of the Municipal District does this Community Local Law apply?

- (1) Subject to subclause 6(5), this Community Local Law applies throughout the whole of the Municipal District, except where it is apparent from its wording that a clause or subclause applies to a specific area.
- (2) Where this Community Local Law applies to a road, it includes all parts of the road.
- (3) This Community Local Law does not apply to an Authorised Officer or a member of Council staff in the course of carrying out his or her authorised activities.

- (4) This Community Local Law does not apply to a person engaged to undertake any activity on behalf of Council in the course of carrying out that activity.
- (5) Council may by public notice prescribe specified persons, property or areas within the Municipal District to be exempt from a provision of this Community Local Law for a specified time and on specified conditions.

7. Scope of this Community Local Law

- (1) The provisions of this Community Local Law apply to the extent that they are not inconsistent with any legislation applicable to Council or its Municipal District.
- (2) Where this Community Local Law prohibits any activity or other things, or provides that such activity can only take place or other things can only be done or exist with a Permit, that prohibition or provision will not apply if the activity can lawfully take place or the other things can be done or can exist by reason of the express permission of the Planning Scheme.

8. Definition of words used in this Community Local Law

- (1) Unless the contrary intention appears in this Community Local Law—
 - (a) words defined in the sections 1A(4) and 3(1) of the **Local Government Act 1989**, the **Planning and Environment Act 1987** and the Planning Scheme have the same meaning in this Community Local Law; and
 - (b) words defined below have that meaning in this Community Local Law.

Act, means the **Local Government Act 1989** (Vic).

Authorised Officer, means—

- (a) a person appointed by Council to be an Authorised Officer under section 224 of the Act; or
- (b) in respect to the enforcement of clauses 53 and/or 54, upon notice published in the Government Gazette under section 224A of the Act, any police officer.

bicycle, has the same meaning as in the **Road Safety Road Rules 2017**.

Building, includes a part of a building, a structure, temporary structure, part of a temporary building, outbuilding, pool, fence, wall and any other appurtenances of a building.

Caulfield Racecourse, means the larger of the two areas of land described in certificate of title Volume 7275 Folio 814.

Council, means Glen Eira City Council.

Council Assets, includes footpath, kerb and channel, nature strip, parking signs, irrigation or sprinkler systems, trees, shrubs and other vegetation, street furniture or other Council property or works forming part of a road or Council Land or Council Building.

Council Building, means all Buildings owned, leased, managed or occupied by Council.

Council Land, means land, Buildings and facilities which are owned or occupied by or vested in Council or in respect of which Council has the care and management to which the public has access whether an entry fee is paid or not.

Council Motor Vehicle, means a motor vehicle owned by, leased to or under the control of Council.

footpath, means an area parallel to a carriageway that is open to the public and is designated for, or has as one of its main uses, use by pedestrians.

goods, includes food.

Infringement Notice, means an infringement notice issued by Council or an Authorised Officer under this Community Local Law.

liquor, has the same meaning as set out in section 3(1) of the **Liquor Control Reform Act 1998**.

motor vehicle, has the same meaning as in the **Road Safety Act 1986**.

Municipal District, means the district under the local government of Council.

Notice to Comply, means a written notice issued by Council or an Authorised Officer under this Community Local Law.

Permit, means a written permit issued by the authority of Council and signed by an Authorised Officer and includes a parking permit as set out in Part 14.

person, includes an individual, a corporation, an association incorporated under the **Associations Incorporation Reform Act 2012**, a partnership and an unincorporated association.

Planning Scheme, means the Glen Eira Planning Scheme under the **Planning and Environment Act 1987** or any replacement scheme.

private land, means any land which is not Council Land nor land occupied or under the control or management of a Public Body.

Property, means any land in separate ownership or separate occupation.

Public Body, means any government department or municipal council or body established for a public purpose by an Act of the Parliament of Victoria, any other state or territory of the Commonwealth, or the Commonwealth.

Public Place, has the same meaning as in the **Summary Offences Act 1966**.

Public Reserve, means Council Land which is used as a sports ground, park, nature reserve or a facility provided for or used in association with activities at a sports ground, park or nature reserve and includes land which Council declares by resolution and by public notice to be a public reserve.

Residential Area, means any area within the Municipal District which is included in a Residential Zone under the Planning Scheme.

Service Authority, means an entity (whether publicly or privately owned) which provides, or intends to provide, water, sewerage, drainage, gas, electricity, telephone,

telecommunications or like services under the authority of an Act of Victoria or the Commonwealth.

vehicle, has the same meaning as in rule 15 of the **Road Safety Road Rules 2017**.

Vehicle Crossing, means a crossing for motor vehicles on or over a road for the purposes of enabling access to be gained to land next to a road.

Note Under the **Interpretation of Legislation Act 1984** land includes buildings and other structures permanently affixed to land, land covered with water, and any estate, interest, easement, servitude, privilege or right in or over land.

(2) Headings above each clause, introductions to Parts and notes do not form part of this Community Local Law.

9. Incorporation of documents

(1) Each of the following documents, as adopted or endorsed by Council and published from time to time on Council's website, the titles of which are set out in Table 1, are hereby incorporated into this Community Local Law.

Table 1: Incorporation of Council documents

Title of document
Mobile Garbage Bins, Recycling Containers and Organics Containers
Residential Parking Permit System
Building Site Management Code of Practice
Nature Strip Planting Guidelines

(2) The following document, as published from time to time on Council's website, the title of which is set out in Table 2, is hereby incorporated into this Community Local Law.

Table 2: Incorporation of document

Title of document
A 'Good Neighbour' Code of Practice for a Circus or Carnival, Oct 1997

10. Reference documents

Reference is made to the following documents, as amended from time to time:

Associations Incorporation Reform Act 2012 (Vic)
Building Act 1993(Vic)
Corporations Act 2001 (Cth)
Domestic Animals Act 1994 (Vic)
Environment Protection Act 1970 (Vic)
Glen Eira Planning Scheme
Infringements Act 2006 (Vic)
Interpretation of Legislation Act 1984 (Vic)
Liquor Control Reform Act 1998 (Vic)
Local Government Act 1989 (Vic)
Personal Property Securities Act 2009 (Cth)
Planning and Environment Act 1987 (Vic)
Racing Act 1958 (Vic)

Community Local Law

Road Management Act 2004 (Vic)
Road Safety Act 1986 (Vic)
Road Safety Road Rules 2017 (Vic)
Summary Offences Act 1966 (Vic)
Tobacco Act 1987 (Vic)
Unclaimed Money Act 2008 (Vic)
Wildlife Act 1975 (Vic)
Wildlife Regulations 2013 (Vic)

PART 2 - PROTECTION OF COUNCIL ASSETS

Introduction: This Part is designed to protect Council Land and Council Assets. It establishes a system of Permits, as a means of regulating harm to Council Land, roads and easements.

11. Interference with Council easements

A person must not, without a Permit, cause or allow on land any—

- (1) tree to be planted; or
- (2) any filling to be placed—

over an easement which exists in favour of Council.

Penalty: 20 Penalty Units

12. Damage, destruction or interference with Council Land

A person must not, without a Permit,—

- (1) damage, destroy or interfere with; or
- (2) procure or permit damage to, destruction of or interference with—

any Council Land or Council Assets.

Penalty: 20 Penalty Units

13. Damage, destruction or interference with roads

- (1) A person must not, without a Permit,—
 - (a) damage, destroy or interfere with; or
 - (b) procure or permit damage to, destruction of or interference with —

a road, channel, Vehicle Crossing or road sign.

- (2) Subclause 13(1) does not apply to the works of Service Authorities or a person employed or acting on behalf of a Service Authority —
 - (a) in an emergency or urgent circumstances; or
 - (b) when works are being carried out in accordance with the **Road Management Act 2004** or its regulations.

- (3) Nothing in subclause 13(2) exempts a person from an obligation to notify Council of the location of the works prior to the works beginning or, in an emergency or urgent circumstances, on the next working day following the works beginning.

Penalty: 20 Penalty Units

PART 3 - BUILDING ACTIVITY

Introduction: This Part is designed to protect Council Land and Assets. Specifically, it establishes a system of Asset Protection Permits, as a means of regulating Building Works which may harm Council Land or Council Assets. It contains provisions which aim to minimise the impact of works on roads on the amenity of the municipality and its local community by ensuring that obstructions do not interfere with the public's reasonable use of roads. It also contains provisions which aim to improve the amenity of the municipality, in particular residential areas, by seeking to prevent nuisances caused by Building Activity.

In this Part:

Appointed Agent, means the person authorised in writing by an owner of a Building or land to make an application, appeal, referral or representation on their behalf.

Asset Protection Permit, means a Permit issued under clause 15 for the protection of Council Assets during Building Works.

Building Activity, includes—

- (a) any work for or in connection with the construction, demolition, renovation, alteration, Repair, pulling down, relocating or removal of any Building or structure; or
- (b) any change to the natural or existing condition or topography of land including but not limited to trenching, digging, excavating or filling whether by mechanical or manual methods; or
- (c) the loading or unloading of any goods or materials for or in connection with any Building Works.

Building Activity Hours, means the period of time between 7 am and 8 pm on any weekday or the period of time between 9 am and 6 pm on Saturday.

Building Site, means any land on which Building Activity is carried out.

Building Works, includes—

- (a) any act or thing done or to be done on, over or across any road or Council Land for the purpose of or in the course of Building Activity; or
- (b) the erection or removal of any kind of hoarding, scaffolding or overhead protective awning and the excavation and carrying away of earth, soil, clay, rock or material of any kind on, over or across any road or Council Land; or
- (c) the moving about of any building equipment or material and any rubble, waste or second-hand building materials on, over or across any road or Council Land; or
- (d) any work or action incidental to the matters referred to in paragraph (a), (b) and (c) conducted on, over or across any road or Council Land.

Minor Building Works, means Building Activity for which a permit is not required under the **Building Act 1993**.

Repair, includes the reconstruction or renewal of any part of an existing Building for the purpose of its maintenance.

14. Occupation of roads or Council Land

- (1) A person must not, without a Permit, occupy (whether wholly or partially) a road or Council Land—
 - (a) for the purpose of carrying out any works or activity that involve—
 - (i) fencing off part of a road; or
 - (ii) erecting a hoarding, scaffolding or overhead protective awning; or
 - (iii) the use of a mobile crane, scissor lift, forklift, boom, concrete line pump and tackle or hoist machinery or any other equipment used for any Building Works; or
 - (iv) leaving or storing any building, paving or other construction materials or rubble or any tools, machinery, plant or equipment; or
 - (b) for any other non-road purpose.
- (2) The requirement to obtain a Permit does not apply to the works of Service Authorities or a person employed or acting on behalf of a Service Authority —
 - (a) in an emergency or urgent circumstances; or
 - (b) when works are being carried out in accordance with the **Road Management Act 2004** or its regulations.
- (3) Nothing in subclause 14(2) exempts a person from an obligation to notify Council of the location of the works—
 - (a) prior to the works beginning; or
 - (b) in an emergency or urgent circumstances, on the next working day following the works beginning.

Penalty: 20 Penalty Units

15. Asset Protection Permit

- (1) A person in charge of a Building Site must obtain an Asset Protection Permit before commencing or allowing to be commenced any Building Works on land and—
 - (a) the owner of the relevant land; or
 - (b) the builder engaged to carry out Building Works on the land; or
 - (c) any Appointed Agent; or
 - (d) any demolition contractor engaged to demolish some object on the land as part of the Building Works—must not carry out or allow to be carried out Building Works on that land —
 - (e) unless an Asset Protection Permit has been obtained; or

- (f) in breach of any condition of an Asset Protection Permit that has been obtained.
- (2) Subclause 15(1) does not apply to a Building Site where only Minor Building Works will be undertaken.
- (3) In deciding to grant an Asset Protection Permit, Council may require the applicant to lodge with Council a security bond, bank guarantee or similar surety in an amount and in a manner as Council considers reasonable in the circumstances.
- (4) Council may use the security bond, bank guarantee or other surety to remedy a breach of an Asset Protection Permit or this Community Local Law, or Repair any damage caused by any Building Works carried out or in connection with or under an Asset Protection Permit.

Penalty: 20 Penalty Units

16. Building Site Management

- (1) A person in charge of a Building Site must comply with any requirements imposed by Council's incorporated Building Site Management Code of Practice.
- (2) Subclause 16(1) does not apply to a Building Site where only Minor Building Works will be undertaken.

Penalty:

10 Penalty Units

15 Penalty Units for a contravention of subclause 16(1) of the Community Local Law which requires action to be taken under subclause 101(1), if the contravention is a first offence.

20 Penalty Units for a contravention of subclause 16(1) of the Community Local Law which requires action to be taken under subclause 101(1), if the contravention is a second or subsequent offence.

17. Building Activity

- (1) A person must not, without a Permit, —
 - (a) carry out or allow to be carried out any Building Activity on a Property; or
 - (b) use any machinery or device ancillary to Building Activity on or over or across a road or Council Land—
on
 - (c) Christmas Day, Good Friday, ANZAC Day; or
 - (d) a Sunday; or
 - (e) any other day not specified in subclauses 17(1)(c) or 17(1)(d) at times that are outside of Building Activity Hours.
- (2) Subclause 17(1) does not apply to—

- (a) any employee or agent of a Permit holder; or
- (b) any Building Activity required because of an emergency or urgent circumstance; or
- (c) any Building Activity which is subject to a permit issued under the **Planning and Environment Act 1987** if that permit contains a condition which—
 - (i) restricts the times during which the Building Activity may be performed; and
 - (ii) is more restrictive than subclause 17(1); or
- (d) Building Activity which is carried out by an owner or occupier of a Property for the purpose of home maintenance.

Penalty: 20 Penalty Units

18. Temporary Vehicle Crossings

- (1) If Building Works on land involves a motor vehicle leaving the road or entering the land which abuts a road, the owner of the land or the person responsible for the Building Works must obtain a Permit for the construction of a temporary crossing, pay any inspection fee to Council and protect all of the existing road including the kerb, drains, street trees, footpaths, nature strip and any other part of the road from damage caused by motor vehicle .
- (2) The owner of the land on which Building Works have been carried out must repair at the owner's own cost and to Council's satisfaction any damage to the road including the kerb, drains, street trees, footpaths, nature strip and any other part of the road caused by the carrying out of the Building Works.
- (3) Where, in the opinion of an Authorised Officer, a road including the kerb, drains, street trees, footpaths, nature strip and any other part of the road has been damaged as a result of or arising out of the Building Works, the owner or occupier of the land on which the Building Works have been carried out must, upon being directed to do so by the Authorised Officer—
 - (a) repair the damage or replace the Council Assets to the satisfaction of Council; or
 - (b) reimburse the cost and expense to Council for the repair of such damage or replacement of Council Assets .
- (4) The amount of reimbursement for such repairs or replacement under subclause 18(3)(b) must be proportionate to the cost to Council of repairing any damage to the road or replacement of the Council Assets including the kerb, drains, pipes, street trees, footpaths, nature strip and any other part of the road.

Penalty: 20 Penalty Units

PART 4 - MANAGEMENT OF DRAINS, WATERWAYS OR SIMILAR

Introduction: This Part is designed to protect Council Assets and the environment.

19. Tapping into drains

A person must not, without a Permit—

- (1) destroy; or
- (2) damage; or
- (3) interfere with; or
- (4) excavate; or
- (5) tap into—

any drain vested in Council.

Penalty: 20 Penalty Units

20. Interference with waterways

A person must not, without a Permit—

- (1) destroy; or
- (2) damage; or
- (3) interfere with; or
- (4) excavate; or
- (5) tap into—

any waterway, sewer, ditch, gutter, tunnel, bridge, levee or culvert which is in, on or under Council Land.

Penalty: 20 Penalty Units

21. Polluting stormwater drains

A person must not, without a Permit, cause or permit any substance, other than untreated stormwater, to be discharged into the stormwater system.

Penalty: 20 Penalty Units

PART 5 - PUBLIC RESERVES

Introduction: This Part aims to provide for the responsible management of Public Reserves so as to enhance the enjoyment of them by the local community.

In this Part:

Model Aeroplane, includes any airborne device that is similar to a model aeroplane and which is powered, such as a drone.

22. Motor vehicles in Public Reserves

- (1) A person must not, without a Permit, ride, drive, stop or park any motor vehicle in a Public Reserve except in an area designated for motor vehicles.
- (2) Subclause 22(1) does not apply to—
 - (a) Council Motor Vehicles; or
 - (b) a motorised wheelchair used by an injured or mobility impaired person.

Penalty: 6 Penalty Units

23. Model Aeroplanes in Public Reserves

A person must not, without a Permit, launch, fly or land or permit to be launched, flown or landed any Model Aeroplane in a Public Reserve.

Penalty: 8 Penalty Units

24. Interference with authorised activities within Public Reserves

A person who interferes in an unreasonable way with any activity in a Public Reserve that is authorised by Council or authorised in writing by a member of Council staff, including under clause 27, is guilty of an offence.

Penalty: 8 Penalty Units

25. Direction to leave a Public Reserve

- (1) If an Authorised Officer reasonably suspects that a person on a Public Reserve is contravening or has contravened any provision of Part 5 or any condition of a Permit issued under Part 5, the Authorised Officer may direct the person to—
 - (a) leave the Public Reserve; and/or
 - (b) not re-enter the Public Reserve for a stated reasonable period of not more than three (3) calendar days.
- (2) A person must comply with a direction given to the person under subclause 25(1).
- (3) A Permit issued under Part 5 to a person who is directed to leave the Public Reserve under subclause 25(1) is cancelled when the person is directed to leave the Public Reserve.

- (4) A person given a direction under subclause 25(1) must not re-enter the Public Reserve unless the person has a reasonable excuse for the re-entry within the period stated in that direction.

Penalty: 10 Penalty Units

PART 6 - ROADS AND COUNCIL LAND

Introduction: This Part contains provisions which aim to protect the amenity of Council Land and roads for the local community by regulating behaviour and by prohibiting persons from causing damage.

26. Inappropriate behaviour on Council Land

- (1) A person must not in or on Council Land—
 - (a) unreasonably affect another person's amenity; or
 - (b) substantially, unreasonably and repeatedly or continuously interfere with another person's use and enjoyment of that Council Land; or
 - (c) molest or obstruct any other person in or on that Council Land; or
 - (d) commit an indecent, offensive, threatening or riotous act; or
 - (e) use or display any offensive, threatening or abusive words or symbols.
- (2) A person must not in or on Council Land—
 - (a) destroy, damage, alter, mark, deface or remove any property or thing; or
 - (b) cause risk of personal injury or damage to property by climbing or walking on or over, sitting on or sliding down any structure, Building, fixture, free-standing object, appliance or equipment (other than play equipment or recreation and fitness equipment installed by Council) except with the consent of Council; or
 - (c) enter any area, place or Building in respect of which Council has prescribed an entry fee, unless the entry fee has been paid to an Authorised Officer or authorised representative of Council or the person enters in accordance with the written consent of Council; or
 - (d) act in a manner contrary to any restriction or prohibition contained in the inscription on a sign erected or authorised by Council at, on or in Council Land.
- (3) If an Authorised Officer reasonably suspects that a person on Council Land is contravening or has contravened subclause 26(1) or 26(2), the Authorised Officer may direct the person to—
 - (a) leave the Council Land —
 - (i) within a stated reasonable time; or
 - (ii) immediately if the Authorised Officer believes on reasonable grounds that the contravention is serious; and/or
 - (b) not re-enter the Council Land for a stated reasonable period of not more than three (3) calendar days.

- (4) A person must comply with a direction given to the person under subclause 26(3).
- (5) A Permit or other forms of written consent by Council or a member of Council staff granted to a person who is directed to leave the Council Land under subclause 26(3) is cancelled by force of subclause 26(4) when the person is required to leave the Council Land.

Penalty: 12 Penalty Units

27. Social and sporting activities

- (1) A person must not, without a Permit or another form of written consent by Council or a member of Council staff, on Council Land other than in a designated location organise a —
 - (a) formal or structured sporting activity, including practice; or
 - (b) structured social activity, including a wedding or concert.
- (2) If an Authorised Officer believes on reasonable grounds that a person on Council Land is contravening or has contravened subclause 27(1), the Authorised Officer may direct the person organising the activity or a person participating in the activity to—
 - (a) immediately cease the activity; and/or
 - (b) leave the Council Land —
 - (i) within a stated reasonable time; or
 - (ii) immediately if the Authorised Officer believes on reasonable grounds that the contravention is serious; and/or
 - (c) not re-enter the Council Land for a stated reasonable period of not more than three (3) calendar days.
- (3) A person must comply with a direction given to the person under subclause 27(2).

Note This clause should not unreasonably capture smaller informal groups.

Penalty: 8 Penalty Units

28. Informal sport and games which unreasonably affect other users of Council Land

A person who participates in or allows informal sporting activities (including practice) and games on Council Land so as to unreasonably interfere with the use and enjoyment of the Council Land by any other person is guilty of an offence.

Penalty: 8 Penalty Units

29. Street party, festivals and processions

A person must not, without a Permit, hold a street party, street festival or street procession on a road.

Penalty: 10 Penalty Units

30. Bulk Containers

A person must not, without a Permit, place, leave or permit to be placed or left or maintain on a road or Council Land any—

- (1) bulk rubbish container; or
- (2) shipping container; or
- (3) similar receptacle—
that—
- (4) encroaches on; or
- (5) obstructs the free use of; or
- (6) reduces the breadth or confines the limits of—

a road or Council Land.

Note A Council issued waste receptacle of 240 litres or less is not a bulk rubbish container for the purposes of clause 30.

Penalty: 10 Penalty Units

31. Clothing bins

A person must not, without a Permit, place, allow to be placed or maintain any recyclable clothing bin on any road or Council Land.

Penalty: 10 Penalty Units

32. Planting on nature strips

- (1) A person must not—
 - (a) plant any tree on; or
 - (b) plant any vegetation on; or
 - (c) otherwise modify the appearance of—

a nature strip.

- (2) Notwithstanding subclause 32(1), a person may, subject to a Permit,—
 - (a) plant vegetation on; or
 - (b) otherwise modify the appearance of—

the nature strip immediately outside a Property which he or she occupies if such planting or modification complies with the Nature Strip Planting Guidelines.

- (3) Subclauses 32(1) and 32(2) do not apply to a Service Authority or a person employed or acting on behalf of a Service Authority in respect of work which is for the purposes of the Service Authority.

Penalty: 8 Penalty Units

33. Filming

A person must not, without a Permit, undertake any filming on Council Land, other than filming for the purpose of private use.

Penalty: 20 Penalty Units

34. Defacing any advertising or billposting

A person must not deface any letter, figure, poster, sign or advertisement on Council Land.

Penalty: 10 Penalty Units

35. Repairing and sale of motor vehicles on roads or Council Land

- (1) A person must not—

- (a) display for sale in the course of business for the sale of motor vehicles; or
- (b) paint; or
- (c) carry out maintenance on or perform any work on; or
- (d) dismantle; or
- (e) service—

a motor vehicle on any road or Council Land.

- (2) Subclause 35(1)(c) does not apply to the twenty-four (24) consecutive hours immediately following the break down of the motor vehicle if emergency maintenance or work is carried out on the motor vehicle to enable the motor vehicle to be removed from the road or Council Land.

Penalty: 10 Penalty Units

36. Relocation of vehicles

- (1) A vehicle may be relocated by Council from any road or Council Land where such road or Council Land requires resurfacing or any other type of repair or maintenance. The relocation of a vehicle may be undertaken by Council where the vehicle obstructs such resurfacing, repair or maintenance activity or, by its position, prevents the activity from taking place.
- (2) If Council is to relocate a vehicle under subclause 36(1), it must give notice at least forty-eight (48) hours prior to the resurfacing, repair or maintenance activity indicating Council's intention to undertake the activity.

- (3) The notice of the activity under subclause 36(2) must be provided through residential letterboxes and on vehicles parked in the road or Council Land in which the resurfacing, repair or maintenance activity is to take place.
- (4) The notice of the activity under subclause 36(2) must state that all vehicles must be removed from the road or Council Land by a specified date and time to allow the resurfacing, repair or maintenance activity to occur. After issuing the notice of the activity under subclause 36(2), Council will not be obliged to make any further contact with the owner of a vehicle prior to its relocation.
- (5) If Council is to relocate a vehicle under subclause 36(1) it must at least twelve (12) hours before relocating the vehicle, place signs displaying 'No Stopping' or otherwise traffic cones placed at no more than six (6) metre intervals along the area of road or Council Land that requires resurfacing or any other type of repair or maintenance.
- (6) If Council is to relocate a vehicle under subclause 36(1), it must—
 - (a) at the time of relocation of the vehicle photograph the existing condition of the vehicle; and
 - (b) have an Authorised Officer authorise the relocation of the vehicle; and
 - (c) use a towing firm to relocate the vehicle to a nearby legal parking place; and
 - (d) notify Victoria Police of the relocation and give details of the vehicle and place of relocation.
- (7) The powers that may be exercised under this clause are in addition to those conferred by clauses 3 and 4 of Schedule 11 to the Act.

37. Abandoned, derelict and unregistered vehicles

A person must not—

- (1) park or leave standing an abandoned, derelict or unregistered vehicle; or
- (2) cause or allow an abandoned, derelict or unregistered vehicle owned by that person to be parked or left standing—

on a road or Council Land for more than twenty-four (24) consecutive hours.

Penalty: 12 penalty units

PART 7 - SAFETY AND AMENITY

Introduction: This Part contains provisions that aim to regulate and prohibit activities in Public Places not elsewhere covered by this Community Local Law to improve the amenity of the municipality. Its provisions control a number of activities which, if left uncontrolled, have the potential to detract from the safety or amenity of the local community.

In this Part:

Barbecue, means a structure, device or contraption—

- (a) designed or constructed for the primary purpose of cooking food in the open air for human consumption; and
- (b) which is being used for the purpose of cooking food or prior to or subsequent to cooking food.

Fire, includes smouldering or causing smoke (whether or not there is a conflagration) but does not include—

- (a) a fire lit by a member of a fire brigade in the course of his or her official duties; and
- (b) a tool of the trade.

Incinerator, includes a structure, device or contraption (not enclosed in any other Building) which is used or designed or capable of being used for the purpose of burning any matter, material, compound or substance. The term includes a domestic backyard incinerator used to burn household rubbish or garden refuse, but does not include a Barbecue or a fire pit, brazier or a chiminea.

shopping trolley, means a wheeled container or receptacle supplied by a retailer to enable customers to transport goods.

38. Lighting fires

- (1) A person must not, without a Permit, —
 - (a) light any Fire; or
 - (b) allow any Fire to be lit; or
 - (c) allow any Fire to remain alight —

in the open air on any land.

- (2) Subclause (1) does not apply to any—
 - (a) Barbecue; or
 - (b) Fire lit for religious practices;
 - (c) that uses only gas or dry, clean and untreated wood as a fuel.

- (3) A person must not allow any—
- (a) Fire lit for religious practices; or
 - (b) Barbecue; or
 - (c) fire pit, brazier or chiminea on any private land in a Residential Area—
- to discharge any dust, grit, ash, smoke, effluvium, substance or odour that constitutes a nuisance or is an unreasonable interference with the amenity of any other person.

Penalty: 10 Penalty Units

39. Incinerators

A person who constructs, erects, installs or uses any Incinerator on any land in a Residential Area is guilty of an offence.

Penalty: 10 Penalty Units

40. Camping, caravans, campervans and shipping containers

- (1) A person must not, without a Permit, —
- (a) pitch a tent; or
 - (b) erect any temporary or permanent shelter; or
 - (c) place and occupy a caravan, campervan or shipping container—
- on any land for the purpose of camping or living.
- (2) Subclause 40(1)(b) does not apply to the erection on any land, with the land owner's consent, of a temporary shelter to facilitate the preparation of meals associated with a religious practice or festival for a period not exceeding twenty-one (21) days.
- (3) Subclause 40(1)(a) does not apply to the occupation of a tent on private land for a period of up to twenty-one (21) days in any calendar year provided that sanitation and laundry facilities of a dwelling on the land are available to the occupants of the tent.

Penalty: 8 Penalty Units

41. Shopping trolleys

- (1) A person must not leave a shopping trolley in any car park or Public Place (other than in an area designated for the leaving of shopping trolleys).

Penalty: 10 Penalty Units

- (2) If an Authorised Officer reasonably suspects that a person is contravening or has contravened subclause 41(1), the Authorised Officer may direct that the owner of a shopping trolley, within twenty-four (24) hours of being notified by an Authorised Officer of the location of a shopping trolley, collects the shopping trolley.

- (3) A person given a direction under subclause 41(2) must comply with that direction.
- (4) Subject to subclause 41(5), a retailer must not make available for use, or permit to be used, a shopping trolley which
 - (a) does not have a fully functioning coin mechanism or similar device attached to it; or
 - (b) is not secured to premises by a Council approved perimeter containment system.

Penalty: 16 Penalty Units

- (5) Subclause 41(4) does not apply when a retailer makes available for use, or allows to be used, twenty (20) shopping trolleys or less.
- (6) A retailer may apply for a Permit providing for an exemption from the application of subclause 41(4).

42. Circuses, carnivals and festivals

- (1) A person must not, without a Permit, conduct a—
 - (a) circus; or
 - (b) carnival; or
 - (c) festival—on any land.
- (2) Subclauses 42(1)(a) and 42(1)(b) do not apply in relation to a circus or carnival which is operated in compliance with the incorporated document titled A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, Oct 1997.
- (3) Subclause 42(1)(c) does not apply in relation to a street festival on a road for which a Permit is issued under clause 29.

Penalty: 16 Penalty Units

43. Aerosol paint containers

- (1) A person who owns, operates or manages a business which offers aerosol paint containers for sale must ensure that the aerosol paint containers are stored—
 - (a) in a secure area which is accessible only to the owner and staff of the business; and
 - (b) so that the aerosol paint containers are not visible from publicly accessible areas of the business.
- (2) If an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened subclause 43(1), the Authorised Officer may direct the person that the aerosol paint containers that are stored or displayed contrary to subclause 43(1) be removed from any area which is visible or accessible to members of the public.

- (3) A person given a direction under subclause 43(2) must comply with that direction.

Penalty: 8 Penalty Units

44. Direction to return library materials

- (1) A person must return to a library operated by or on behalf of Council any material (including books, journals, DVDs and the like) borrowed from the library and do so on or before any return date or expiry date notified at the time of borrowing or as set out in any subsequent reminder notice.
- (2) If an Authorised Officer believes on reasonable grounds that a person has contravened subclause 44(1), the Authorised Officer may direct the person to return to a library operated by or on behalf of Council the material (including books, journals, DVDs and the like) borrowed from the library within a stated reasonable time.
- (3) A person given a direction under subclause 44(2) must comply with the direction.
- (4) A person is not guilty of an offence under this clause if the person has prior to the expiry of the period of time provided in the direction under subclause 44(2) paid to Council the full replacement cost of the borrowed material which is lost or damaged.
- (5) The penalty under this clause is payable in addition to any late fees or fines imposed by Council in accordance with library policies and terms and conditions of membership, or any action taken by Council to recover the borrowed material commensurate with its value.

Penalty:

8 Penalty Units for the first offence of failing to comply with a direction under subclause 44(3).

16 Penalty Units for a second or subsequent offence of failing to comply with a direction under subclause 44(3).

45. Impersonating Council staff

A person who is not a member of Council staff must not:

- (1) in any way, hold himself or herself out to be a member of Council staff; or
- (2) produce a document that contains Council's logo or name, unless authorised or permitted by Council; or
- (3) use a document that contains Council's logo or name, unless authorised or permitted by Council.

Penalty: 20 Penalty Units

PART 8 - STREET SELLING, ADVERTISING, COLLECTIONS AND DISTRIBUTIONS

Introduction: This Part is concerned with commercial activities on Council Land and roads. It establishes a Permit system to regulate these commercial activities. It contains provisions which aim to enhance the appearance of roads and Public Places by controlling the placement of advertising signs on Council Land and roads. It contains provisions which aim to manage and facilitate responsible trading and entertainment on roads to increase the attractiveness and comfort of these places, by controlling the soliciting of gifts and money, busking, selling and other behaviours.

In this Part:

Advertising Sign, includes any letter, figure, symbol, device, poster, sign, banner or message used for notifying—

- (a) the existence of the sale or use of any goods or services; or
- (b) the holding of an event or function; or
- (c) the promotion of any person, company, organisation or thing.

Home Delivery, means the delivery of goods to an owner or occupier of a Property, where the delivery takes place, and is completed, at that Property.

occupier, means the person or persons in charge, or having the management or control, of or legally entitled to occupy any land (including premises) and includes, in relation to land which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that land.

owner, in relation to any land, means the person who —

- (a) is registered on the certificate of title as the owner of the land; or
- (b) is entitled to exercise any rights of ownership of the land; or
- (c) exercises any rights of ownership of the land.

sell, includes—

- (a) barter, offer or attempt to sell, receive for sale, have in possession for sale, expose for sale, send, forward or deliver for sale, or allow to be sold or offered for sale; and
- (b) sell for resale.

46. Mobile Billboards

(1) A person must not, without a Permit, place or allow to be placed a mobile billboard on—

- (a) a road, road-related area or Council Land; or
- (b) any other location likely to interfere with the vision of a pedestrian, rider or driver.

- (2) For the purposes of subclause 46(1) a mobile billboard is an Advertising Sign that is specifically constructed to be part of a motor vehicle or pulled along on a trailer by a motor vehicle.

Penalty: 20 Penalty Units

47. Advertising Signs and displays of goods on roads and Council Land

- (1) A person must not, without a Permit or other form of written consent by Council or a member of Council staff,—

(a) display or place or allow to be placed any Advertising Sign; or

(b) display any goods or services—

on a road or Council Land.

Penalty: 12 Penalty Units

48. Advertising Signs on Buildings

A person must not, without a Permit, write, place or affix any Advertising Sign on any Building.

Penalty: 12 Penalty Units

49. Busking

A person must not, without a Permit, busk on any road or Council Land with the object, or apparent object, of collecting money.

Penalty: 8 Penalty Units

50. Chairs, tables and furniture

A person must not, without a Permit, place and maintain a chair, table or other furniture on any road.

Penalty: 20 Penalty Units

51. Itinerant trading

- (1) A person must not, without a Permit or other form of written consent by Council or a member of Council staff,—

(a) erect or place on any Council Land or road a vehicle, caravan, stall or other similar structure for the purpose of selling any goods or services; or

(b) sell any goods or services from any Council Land or road to any person who is on any road or Council Land; or

(c) have any goods, object or thing on any Council Land for hire or transport; or

(d) sell any goods or services 'door to door' to households; or

- (e) conduct or attempt to conduct commercial activities in Public Reserves.
- (2) Subclause 51(1)(d) does not apply to the Home Delivery of—
 - (a) goods purchased at another location or online; or
 - (b) newspapers or magazines.
- (3) This clause does not apply to Service Authorities or a person employed or acting on behalf of a Service Authority in the exercise of their statutory functions or where the activity is authorised on Council Land under a lease or licence granted by Council.

Penalty: 12 Penalty Units

52. Street appeals

A person must not in a Public Place, without a Permit, solicit or collect money, gifts or subscriptions for any purpose or cause or authorise another person to do so.

Penalty: 12 Penalty Units

PART 9 - SMOKING AND ALCOHOL

Introduction: This Part aims to regulate the consumption of liquor in large groups on Council Land or roads and within certain areas of the municipality on certain days of the year. It also makes it an offence for a person to smoke in Council Buildings or Council Motor Vehicles.

In this Part:

Caulfield Alcohol-Free Zone, means the area the boundary of which—

- (a) commences at the south-east corner of Balaclava Road and Kambrook Road,
- (b) then southerly along the western boundary of Kambrook Road to the roundabout at the intersection of Kambrook Road, Glen Eira Road and Booran Road, and then around the western perimeter of that roundabout,
- (c) then south-easterly along the western boundary of Booran Road to the southwest corner of its intersection with Neerim Road,
- (d) then easterly across Booran Road and along the southern boundary of Neerim Road before crossing Neerim Road to the south-east corner of its intersection with Queens Avenue,
- (e) then northerly along the eastern boundary of Queens Avenue to the south-east corner of its intersection with Sir John Monash Drive, and then easterly along the southern boundary of Sir John Monash Drive to a point adjacent to the Princes Highway,
- (f) then north-westerly across Sir John Monash Drive and along the southern boundary of the Princes Highway to its intersection with Normanby Road, then across that intersection and south-westerly and north-westerly along the western and northern boundary of Normanby Road to its intersection with Balaclava Road, and
- (g) then westerly along the northern boundary of Balaclava Road to its intersection with Kambrook Road, then across Kambrook Road to the commencement point.

Race Meeting, has the same meaning as in the **Racing Act 1958**.

Race Meeting Day, means a day on which a Race Meeting is held at Caulfield Racecourse.

smoke, has the same meaning as in the **Tobacco Act 1987**.

53. Supply and consumption of liquor

- (1) A person must not, without a Permit or other form of written consent by Council or member of Council staff, supply or consume liquor on any Council Land or road as part of or in conjunction with an activity involving forty (40) or more people (whether or not all of the people are involved in the consumption of liquor).
- (2) Subclause 53(1) does not apply where—
 - (a) a licence, permit or authorisation (other than a limited licence) has been issued for the activity under the **Liquor Control Reform Act 1998**; or
 - (b) Council has consented in writing to the issue of a limited licence for the activity under the **Liquor Control Reform Act 1998**; or

- (c) the activity forms part of an authorised activity under a lease or licence granted by Council; or
 - (d) the activity forms part of an authorised activity under a permit issued by Council in its capacity as the responsible authority under the Planning Scheme; or
 - (e) clause 54 applies.
- (3) If an Authorised Officer reasonably suspects that a person is contravening or has contravened subclause 53(1), the Authorised Officer may direct the person to seal any container or dispose of the contents of any unsealed container.
- (4) A person given a direction under subclause 53(3) must comply with that direction.

Penalty: 8 Penalty Units

54. Caulfield Alcohol-Free Zone

- (1) In this clause, Public Place does not include Caulfield Racecourse.
- (2) A person must not—
- (a) consume any liquor in; or
 - (b) possess any liquor in an unsealed container in—
- any Public Place in the Caulfield Alcohol-Free Zone on a Race Meeting Day.
- (3) Subclause 54(2) does not apply to premises which have a permit or are licensed or authorised under the **Liquor Control Reform Act 1998**.
- (4) If an Authorised Officer reasonably suspects that a person is contravening or has contravened subclause 54(2), the Authorised Officer may direct the person to seal any container or dispose of the contents of any unsealed container.
- (5) A person given a direction under subclause 54(4) must comply with that direction.

Penalty: 8 Penalty Units

Notes

A map showing the area of the Caulfield Alcohol-Free Zone is available from the Service Centre, Glen Eira Town Hall or by visiting Council's website at www.gleneira.vic.gov.au.

Caulfield Racecourse, is defined in clause 8.

55. Smoking inside Council Buildings or motor vehicles

- (1) A person must not smoke inside any—
- (a) Council Building; or
 - (b) Council Motor Vehicle.

- (2) If an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened subclause 55(1), the Authorised Officer may direct the person to immediately cease smoking.
- (3) A person given a direction under subclause 55(2) must comply with that direction.

Penalty:

8 Penalty Unit for an initial offence

12 Penalty Units for a second or subsequent offence

PART 10 - SANITATION

Introduction: This Part is concerned with the collection and disposal of waste. Among other things, it regulates the collection and disposal of domestic waste, organic waste and recyclables.

56. Litter

A person who places or leaves litter, rubbish, abandoned property or other waste or pollutants on any Council Land except in a receptacle provided or with the written consent by Council or member of Council staff is guilty of an offence.

Penalty: 8 Penalty units

57. Mobile garbage bins, recycling containers and organics containers

A person who—

- (1) damages, destroys or interferes with a mobile garbage bin, recycling container or organics container; or
- (2) contravenes Council's incorporated policy on Mobile Garbage Bins, Recycling Containers and Organics Containers—

is guilty of an offence.

Penalty: 10 Penalty Units for a contravention of subclause 57(1)

5 Penalty Units for a contravention of subclause 57(2)

PART 11 - ANIMALS AND BIRDS

Introduction: This Part aims to provide for the responsible care and management of animals within the municipality including regulating the number and types of animals a person may keep without a Permit and the conditions in which they are kept.

In this Part:

Fowl House, means any structure or erection (whether roofed or not) used or intended or designed as a pen for the keeping of poultry.

general livestock, includes a rooster, donkey, cattle, sheep, goat or pig of any age.

Kennel, means any structure or erection used or intended or designed as a pen for the keeping of two (2) or more dogs.

Litter Device, means a receptacle, dispenser, bag, container or other similar device designed or able to be used for the purpose of removing animal faeces and includes a paper or plastic bag.

Pigeon Loft, means any structure or erection for the housing or use of pigeons.

poultry, includes a duck, chicken, goose, peacock, pheasant, turkey and guinea fowl of any age.

58. Keeping animals

- (1) A person must not, without a Permit, keep or allow to be kept on any Property at any time any more than two (2) of the different types of animals that are specified in Table 3.
- (2) A person must not, without a Permit, keep or allow to be kept on any Property at any time any more than the number of each type of animal that is specified in Table 3.
- (3) Notwithstanding subclause 58(2), a Permit is not required to keep or allow to be kept a horse on Caulfield Racecourse.
- (4) Subclauses 58(1) and 58(2) do not apply to any person licensed pursuant to the **Wildlife Act 1975**, and who complies with the **Wildlife Act 1975** and **Wildlife Regulations 2013** in the keeping of an animal.

Penalty: 10 Penalty Units

Table 3: Keeping animals

Types of animals	Number
Cat (over 3 months old)	two (2)
Dog (over 3 months old)	two (2)
Poultry	six (6)
Pigeon	twenty (20)
General livestock	zero (0)
Horse	zero (0)

59. Shooting and snaring animals

A person must not, without a Permit, shoot or snare any animal on Council Land.

Penalty: 10 Penalty Units

60. Animal litter

(1) A person in charge of any animal on Council Land or road or Caulfield Racecourse—

- (a) must have in his or her possession a Litter Device for that animal and must immediately produce that Litter Device upon request from an Authorised Officer; and
- (b) who fails to immediately produce a Litter Device when requested to do so by an Authorised Officer is guilty of an offence; and
- (c) must immediately collect and remove all of the excrement deposited by the animal and dispose of it as litter in a lawful manner.

(2) Subclause 60(1) does not apply to a person in charge of a horse on Caulfield Racecourse.

Penalty: 8 Penalty Units

61. Unsatisfactory Fowl Houses, Kennels, Pigeon Lofts and animal enclosures

(1) A person who keeps a Fowl House, Kennel, Pigeon Loft or animal enclosure in an unsatisfactory manner is guilty of an offence.

(2) For the purposes of subclause 61(1), a Fowl House, Kennel, Pigeon Loft or animal enclosure is kept in an unsatisfactory manner if it is not:

- (a) kept reasonably clean and free of offending odour; or
- (b) constructed and maintained in a manner so as to prevent vermin; or
- (c) constructed of suitable material to enable cleansing; or
- (d) generally able to prevent a loss or an adverse impact on the residential amenity of neighbouring or nearby Properties.

Penalty: 8 Penalty Units

62. Animals and amenity

(1) A person must not keep an animal in or on any Property if there is a loss of or an adverse impact on the residential amenity of the occupier of any neighbouring or nearby Properties.

(2) For the purpose of subclause 62(1) the circumstances in which an animal creates a loss of or an adverse impact on residential amenity includes:

- (a) if the animal creates a noise by any means outside the hours of 7 am to 8 pm Monday to Friday and 9 am to 8 pm Saturdays, Sundays and Public

Holidays which unreasonably interferes with the peace, comfort or convenience of any person; or

- (b) by reason of offending odour; or
- (c) by reason of the existence of any vermin.

Penalty: 8 Penalty Units

63. Dogs and adequate fencing

An owner or occupier of a Property on which a dog is kept who fails to ensure that the Property is adequately fenced so as to prevent the dog's escape from the Property is guilty of an offence.

Penalty: 12 Penalty Units

64. Feeding of birds

An occupier of any private land must not—

- (1) feed or continue to feed; or
- (2) allow or cause to be fed—
any bird on that land if—
 - (3) that bird is not ordinarily kept on the land; and
 - (4) the circumstances in which the bird is fed are likely to or do—
 - (a) damage property; or
 - (b) interfere with the material comfort of any other person; or
 - (c) interfere with the enjoyment by any other person of their land.

Penalty: 8 Penalty Units

65. Feeding of birds on Council Land or road

- (1) An Authorised Officer may direct a person on Council Land or a road not to—
 - (a) feed or continue to feed; or
 - (b) allow or cause to be fed—
any bird on that Council Land or road.
- (2) A person given a direction under subclause 65(1) must comply with that direction.

Penalty: 8 Penalty Units

PART 12 - YOUR PROPERTY

Introduction: This Part contains provisions which aim to ensure that the appearance of Properties in the municipality is consistent with an image of the municipality that is safe, attractive and well maintained, it contains provisions to control Properties that have been allowed to reach a dilapidated, unsightly or dangerous condition. It also contains provisions to provide for clear signage of street numbers to assist in the management of the municipality and to assist emergency services.

In this Part:

Junk, means scrap metal, second-hand timber, second-hand furniture, second-hand building materials, motor vehicles or machinery (or parts thereof), second-hand containers, waste paper, rags, bottles or similar material.

66. Fire hazards

An owner or occupier of a Property must not allow that Property to contain anything which constitutes or is likely to constitute a fire hazard, including because of vegetation, paper, combustible substance or any other material.

Penalty: 14 Penalty Units

67. Dangerous Property

An owner or occupier of a Property must not allow that Property to contain anything which constitutes or is likely to constitute a danger, including vermin, noxious weeds, storage of certain materials, liquids or any other substance.

Penalty: 14 Penalty Units

68. Unsightly Property

- (1) An owner or occupier of a Property which is unsightly or is not in accordance with the amenity of the locality in which the Property is located is guilty of an offence.
- (2) A Property is unsightly for the purposes of subclause 68(1) if it contains any one or more of the following—
 - (a) unconstrained rubbish; or
 - (b) excessive vegetation growth; or
 - (c) a disused excavation; or
 - (d) waste material; or
 - (e) guttering, downpipes or drains which are not in a good state of repair, clean and free from obstruction; or
 - (f) a Building which is dilapidated; or
 - (g) a Building which is incomplete and not currently being constructed; or
 - (h) graffiti on any Building, temporary fence or boundary fence; or

- (i) Junk which is detrimental to the amenity of the area.

Penalty: 14 Penalty Units

69. Trees, plants and other structures causing a potential hazard to traffic

A person must not plant, locate or allow to be located or maintain a gate, tree, plant, sign or other similar object that extends over any part of the road in such a way as to:

- (1) obstruct the view between vehicles at an intersection; or
- (2) obstruct the view between vehicles and pedestrians; or
- (3) obstruct any Council Assets, including drains; or
- (4) obscure a traffic control item from an approaching vehicle or pedestrian; or
- (5) obscure street lighting; or
- (6) constitute a danger to vehicles or pedestrians; or
- (7) compromise the safe and convenient use of the road by pedestrians or vehicular traffic.

Penalty: 10 Penalty Units

70. Pedestrian safety

A person must not plant, locate or allow to be located or maintain a tree, plant, sign or other similar object that overhangs any footpath or other part of a road used by pedestrians to any extent up to a height of three (3) metres above ground level.

Penalty: 10 Penalty Units

71. Numbering of Properties

- (1) Council may allocate a street number for identification purposes to each Property in the Municipal District and, on occasion, may make changes to the allocated numbers.
- (2) For each Property that has been allocated a street number under subclause 71(1), the owner or occupier of the Property must ensure that the Property or a fixture associated with the Property is marked with the number allocated and that the number is of sufficient size, in such a position, made of such material, and kept in such state of repair as to be clearly readable under all normal lighting conditions from the road immediately adjacent to the front boundary of the Property.
- (3) A person must not display a street number on a Property or a fixture associated with the Property unless it is the number allocated by Council.

Penalty: 8 Penalty Units

PART 13 - VEHICLE CROSSINGS

Introduction: This Part regulates the installation, maintenance and removal of Vehicle Crossings.

In this Part:

A Vehicle Crossing is properly constructed if—

- (a) it was approved by Council; or
- (b) the method of construction of and specification for the Vehicle Crossing was approved by Council.

72. Vehicle Crossing

- (1) An owner of a Property must ensure that each point of motor vehicle access from a road to the Property has a properly constructed Vehicle Crossing between the road and the boundary of such Property abutting the road.
- (2) A Vehicle Crossing must be properly constructed at the cost of the owner of the Property.
- (3) A person must not cause or allow a motor vehicle to be driven from or onto a Property that has a Vehicle Crossing other than by that Vehicle Crossing.
- (4) An owner of a Property must, at the owner's cost, ensure that any Vehicle Crossing between the road and the boundary of the owner's Property is repaired, replaced or removed so as not cause a hazard to road and footpath users.

Penalty: 16 Penalty Units

73. Constructing Vehicle Crossing

- (1) A person must not, without a Permit,—
 - (a) construct; or
 - (b) modify; or
 - (c) repair; or
 - (d) remove—
a Vehicle Crossing, whether temporarily or permanently.
- (2) A person must not, without a Permit, remove, prune or damage any street tree as a result of the construction, modification, repair or removal of a Vehicle Crossing.

Penalty: 16 Penalty Units

74. Vehicle Crossings no longer required

An owner of a Property who retains a Vehicle Crossing which is no longer required is guilty of an offence.

Penalty: 16 Penalty Units

75. Vehicle Crossing Notice

- (1) If an owner of a Property is in breach of any provision of Part 13, Council may by notice in writing to the owner require—
- (a) the construction of a properly constructed Vehicle Crossing to the Property, with the full cost of such works to be borne by the owner or occupier; or
 - (b) the repair or replacement of a Vehicle Crossing which is in a state of disrepair; or
 - (c) the removal of a Vehicle Crossing and reconstruction of the kerb and channel and footpath—
- with the full cost of such works to be borne by the owner.
- (2) An owner of a Property to whom a notice in writing is given under this clause must comply with the requirements of such notice within the time prescribed in the notice.

Penalty: 20 Penalty Units

PART 14 - PARKING

Introduction: This Part regulates parking permits issued by Council in accordance with the resident parking scheme established pursuant to Schedule 11 to the Act.

In this Part:

parking permit, includes a tradesperson parking permit, resident parking permit and visitors parking permit issued by Council in accordance with the incorporated document titled “Residential Parking Permit System”.

Visitor, means a person visiting the place of residence of the holder of the visitors parking permit.

76. Parking Permits

- (1) A person who has been allocated a parking permit must not sell, hire out, lease, license or lend to another person or offer to sell, hire out, lease, license or lend that parking permit to any other person (other than to lend a visitors parking permit for use by a legitimate Visitor).
- (2) A person must not purchase, hire, lease, license or receive, or offer to purchase, hire, lease, license or receive a parking permit from a person who has been allocated a parking permit.
- (3) A person must not—
 - (a) forge or counterfeit a parking permit; or
 - (b) use a forged or counterfeit parking permit.

Penalty: 6 Penalty Units

77. Parking Permit offence

A person must not contravene the conditions of a parking permit.

Penalty: 6 Penalty Units

PART 15 - PERMITS

Introduction: This Part provides the system of applying for, obtaining and retaining Permits.

In this Part:

78. Permit offences

- (1) Where any provision in this Community Local Law requires that a person obtain a Permit before engaging in a particular activity, that person is guilty of an offence if that person engages in that activity or cause or permits any other person to engage in that activity without a Permit authorising that activity (unless Council in its discretion has granted an exemption from, or waived the requirement for, a Permit).

Penalty: 20 Penalty Units (unless provided otherwise)

- (2) Any person who—
 - (a) contravenes any condition of a Permit, or exemption from a Permit, issued under this Community Local Law (other than a failure to comply with a parking permit, which is provided for in clause 77); or
 - (b) gives to Council any information (whether oral or in writing) which is false or misleading in any material particular in respect of an application for a Permit issued under this Community Local Law; or
 - (c) fails to notify Council of any change in circumstances which is relevant to an application for a Permit issued under this Community Local Law; or
 - (d) fails, neglects or refuses to produce a Permit issued under this Community Local Law when directed to do so by an Authorised Officer—

is guilty of an offence.

Penalty: 20 penalty units (unless provided otherwise in this Community Local Law)

79. Permit applications

A person seeking to do anything for which a Permit is required under this Community Local Law must apply for the Permit in writing to Council and submit the relevant fee.

80. Permit fee

- (1) Council may, from time to time, by resolution determine fees and charges for the purposes of this Community Local Law.
- (2) In determining any fees and charges Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.

- (3) Council may reduce, waive or refund, in whole or in part a fee or charge with or without conditions.

Note A schedule of the Permit fees can be obtained from Council.

81. Further information

Council may require the applicant to provide further information before it deals with the application for a Permit.

82. Notice of a permit application

Council may require the applicant to give notice of the application for a Permit in the manner specified by Council. Council may require the notice to state that submissions in respect of the application may be made to Council, and to specify the form or period in which submissions may be made.

83. Consideration of applications

- (1) In considering an application for a Permit, Council may consider as appropriate—
 - (a) any Council policy or guideline relating to the subject matter of the application for the Permit; and
 - (b) any written objection or written submission received in respect of the application; and
 - (c) any written comment made in respect of the application by any Public Body or community organisation; and
 - (d) any other relevant matter.
- (2) If the applicant is not the owner of the Property that is the subject of the application, the consent of the owner of the Property to the application must be provided to Council with the application.

84. Issue of Permits

Council may—

- (1) issue a Permit with or without such conditions as it considers to be appropriate in the circumstances; or
- (2) refuse to issue a Permit.

85. Conditions of Permit

- (1) A Permit may be subject to any conditions which Council considers to be appropriate in the circumstances, including—
 - (a) the payment of any fee or charge; and
 - (b) to lodge with Council a security bond, bank guarantee or similar surety in an amount and in a manner as Council considers reasonable in the circumstances; and

- (c) a time limit to be applied, whether specifying the duration or commencement or completion date; and
 - (d) the happening of an event; and
 - (e) the rectification, remedying or restoration of a situation or circumstance; and
 - (f) where the applicant is not the owner of the subject Property, the consent of the owner; and
 - (g) the granting of some other permission or authorisation; and
 - (h) any other matter considered relevant to a particular application.
- (2) The conditions of a Permit must be set out in the Permit.
- (3) Council may, during the currency of a Permit, alter the conditions of a Permit if it considers it to be appropriate to do so, after providing the Permit holder with an opportunity to comment on the proposed alteration.

86. When does a Permit commence?

A Permit commences on the date specified in the Permit or, if no date is specified, the day on which it is issued.

87. When does a Permit expire?

- (1) A Permit is in force until the expiry date indicated on the Permit, unless it is cancelled before the expiry date.
- (2) If no expiry date is indicated on a Permit, the Permit expires 12 months from the date it is issued.

88. Correction of Permit

- (1) Council may correct a Permit issued if the Permit contains—
- (a) a clerical mistake or an error arising from any accidental slip or omission; or
 - (b) an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the Permit.
- (2) Council must notify a Permit holder in writing of any correction.

89. Grounds for suspension, cancellation or amendment of Permits

- (1) Council may suspend, cancel or amend any Permit if it considers that there has been—
- (a) a material misstatement or concealment of fact in relation to the application for a Permit; or
 - (b) any substantial failure to comply with the conditions of the Permit; or

- (c) any material mistake in relation to the grant of the Permit; or
 - (d) any material change of circumstances which has occurred since the grant of the Permit; or
 - (e) a Notice to Comply has been issued but not complied with within the time specified in the Notice to Comply.
- (2) Before it suspends, amends or cancels a Permit, Council must, if it is practicable to do so, provide to the Permit holder an opportunity to make comment on the proposed suspension, amendment or cancellation.
 - (3) If a Permit holder is not the owner of the subject Property, and the owner's consent was required to be given to the application for the Permit, the owner must be notified of any Notice to Comply and of the reason why it has been served.

90. Change to Permits

Council may, pursuant to clause 88 or 89 as applicable, suspend correct, cancel or amend the Permit at the request of any person or at its own initiative.

91. Delegations

- (1) In accordance with section 114 of the Act, Council hereby delegates to the Chief Executive Officer and Authorised Officers all the powers, discretions, authorities and considerations of Council under this Community Local Law including the powers, discretions, authorities and considerations to require lodgement and the use of a security bond, bank guarantee or similar surety, allocate a street number, relocate a vehicle, require further information for a Permit, waive, reduce or refund fees or charges for a Permit with or without conditions, require the giving of notice of an application for a Permit, apply guidelines and policies to an application for a Permit, issue or refuse a Permit, correct or amend the conditions of a Permit, suspend or cancel a Permit, fix conditions and durations relevant to a Permit, charge a fee for the release of unclaimed or impounded goods, dispose of unclaimed or impounded goods, waive the need for a Permit, give public notice of a public auction, apply the proceeds of the sale by public auction or otherwise, consider and respond to a submission for review or do any act, matter or thing necessary or incidental to the exercise of any function or power by Council under this Community Local Law.
- (2) Notwithstanding subclause 91(1), Council does not delegate to the Chief Executive Officer and Authorised Officers the powers, discretions, authorities and considerations of Council under subclauses 6(5), 80(1) and 80(2).

92. Transfer of Permits

A person must not transfer or assign a Permit to any other person without the written consent of Council.

93. Exemption from Permit or Permit fee

- (1) Council may by written notice exempt any person or class of person from the need to obtain a Permit, and such exemption may be conditional, may be altered and may be cancelled.

Community Local Law

- (2) Council may by written notice exempt any person or class of person from the need to pay any Permit fee.
- (3) An exemption from the requirement to pay a Permit fee may be amended, cancelled or corrected in the same way as a Permit.

PART 16 - INFRINGEMENT NOTICES

Introduction: This Part provides a means for enforcing this Community Local Law by Infringement Notices.

94. Offences

- (1) A person who—
 - (a) contravenes any provision under this Community Local Law; or
 - (b) contravenes a Notice to Comply; or
 - (c) fails to comply with a direction of an Authorised Officer under this Community Local Law—
 - (d) is guilty of an offence and is liable to—
 - (i) the penalty stated under a provision in this Community Local Law, or if no penalty is stated then twenty (20) penalty units; and
 - (ii) a further penalty of two (2) penalty units for each day after a finding of guilt by any Court during which the contravention continues; and
 - (iii) upon a finding of guilt by any Court for a second or subsequent offence, a penalty of twenty (20) penalty units will apply (unless otherwise stated).

95. Persons who may issue an Infringement Notice and other notices

As an alternative to prosecution, an Authorised Officer may serve an Infringement Notice or any other notice under this Community Local Law on a person who has or is reasonably believed to have committed an offence requiring the person—

- (1) in the case of an Infringement Notice, to pay the infringement penalty (or comply with other conditions) for that offence within the period specified in the Infringement Notice, being a period not less than the number of days set out in section 14 of the **Infringements Act 2006** after an infringement notice has been served; or
- (2) in the case of any other notice, to comply with the conditions within any other nominated period.

96. Penalty by Infringement Notice

- (1) The amount of penalty indicated on the Infringement Notice will be the greater of—
 - (a) 25% of the maximum penalty stated under a provision in this Community Local Law for the offence to which the Infringement Notice relates; and
 - (b) \$50.00.

Community Local Law

- (2) Notwithstanding subclause 96(1), the amount of penalty indicated on the Infringement Notice for an offence against clause 45 will be ten (10) penalty units

Note See Schedule 1 for a table of maximum penalties and Infringement Notice penalties in respect to offences against the Community Local Law.

PART 17 - ENFORCEMENT (OTHER THAN BY INFRINGEMENT NOTICES)

Introduction: This Part provides a means for enforcing this Community Local Law other than by Infringement Notices. In particular, powers to impound and serve Notices to Comply are given.

97. Recovery of costs of enforcement

In addition to any penalty imposed pursuant to the Act or this Community Local Law for a contravention of this Community Local Law, Council is entitled to recover from the offender any cost, expense or loss incurred by Council in consequence of the contravention of this Community Local Law or in the prosecution of the offence.

98. Notice to Comply

- (1) If a person is in breach of this Community Local Law then either as an alternative or in addition to a direction or an Infringement Notice, an Authorised Officer may serve on that person a Notice to Comply.
- (2) A Notice to Comply may do one or more of the following things—
 - (a) direct the person to comply with this Community Local Law; or
 - (b) direct the person to stop the conduct which constitutes the breach of this Community Local Law; or
 - (c) direct the person to deliver to the Authorised Officer or to a specified person or a specified location any item or property of the person which constitutes the breach of this Community Local Law; or
 - (d) direct the person to remove or cause to be removed any item, goods, equipment or other things that constitute a breach of this Community Local Law; or
 - (e) direct the person to leave an area within the time specified in the notice that constitutes a breach of this Community Local Law; or
 - (f) direct the person to undertake any work or to do specified things to remedy a breach of the Community Local Law.
- (3) A Notice to Comply must specify the time and date by which the person specified in the Notice to Comply must comply with the direction in the Notice.
- (4) The time required by a Notice to Comply must be reasonable in the circumstances, having regard to—
 - (a) the amount of work involved; and
 - (b) the degree of difficulty; and
 - (c) the availability of necessary materials or other necessary items; and
 - (d) climatic conditions; and
 - (e) the degree of risk or potential risk; and

- (f) any other relevant factor.

99. Service of Notice to Comply

A Notice to Comply may be served pursuant to section 234 of the Act.

100. Compliance with Notice to Comply

- (1) Where:

- (a) section 225 of the Act does not apply; and
- (b) the person served with a Notice to Comply fails to comply with the notice,—

an Authorised Officer or any other person, with the approval of Council, may enter upon any Property on which there is any such failure to comply and do all such acts, matters or things that are required to comply with the Notice to Comply.

- (2) All costs and expenses incurred by Council in carrying out any acts, matters or things described in subclause 100(1)(b) are a debt due to Council from the person on whom the Notice to Comply was given or served.

101. Power of Authorised Officer to act in urgent circumstances

- (1) In urgent circumstances arising as a result of a failure to comply with this Community Local Law, an Authorised Officer may take action to remove, remedy or rectify a situation without first serving a Notice to Comply if—
 - (a) the Authorised Officer reasonably considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a Notice to Comply may place a person, animal, property or thing at risk or in danger; and
 - (b) wherever practicable, a senior officer is given prior notice of the proposed action.
- (2) In deciding whether circumstances are urgent, an Authorised Officer must take into consideration—
 - (a) whether it is practicable to contact the person by whose default, permission or sufferance that situation has arisen; or
 - (b) the owner or the occupier of the property affected; or
 - (c) whether there is an urgent risk or threat to public health, public safety, the environment or animal welfare.
- (3) The action taken by an Authorised Officer under subclause 101(1) must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
- (4) An Authorised Officer who takes action under subclause 101(1) must ensure that as soon as practicable—

- (a) details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken; and
- (b) a report of the action taken is submitted to the Chief Executive Officer or a senior officer to whom the Authorised Officer reports.

102. Offences by bodies corporate

- (1) If a body corporate contravenes any clause of this Community Local Law, each officer (within the meaning of section 9 of the *Corporations Act 2001* (Cth)) of the body corporate who knowingly authorised or permitted the contravention is to be taken to have contravened the same clause.
- (2) A person may be proceeded against and convicted under a clause of this Community Local Law in accordance with subclause 102(1), whether or not the body corporate has been proceeded against or convicted.
- (3) Nothing in this clause affects any liability imposed on a body corporate for an offence committed by the body corporate against this Community Local Law.

103. Impounding

- (1) An Authorised Officer may seize and impound goods, other than a motor vehicle, which have been displayed or placed on any Council Land or road—
 - (a) in a manner for which a Permit is required under this Community Local Law, but no Permit has been obtained; or
 - (b) where a person owning or responsible for the goods has ignored a direction or Notice to Comply from an Authorised Officer to remove them; or
 - (c) the goods are being displayed, used or possessed in contravention of this Community Local Law.
- (2) Where goods have been impounded under this Community Local Law, Council or an Authorised Officer must, if it is practicable to do so, serve notice of the impounding personally or by mail on the person who appears to be the owner of the impounded thing.
- (3) Impounded goods must be surrendered to—
 - (a) their owner; or
 - (b) a person acting on behalf of its owner who provides evidence to the satisfaction of an Authorised Officer of that person's authority from the owner –
on—
 - (c) evidence to the satisfaction of the Authorised Officer being provided of the owner's right to the goods.
- (4) In addition to any penalty prescribed in this Community Local Law for an offence relating to goods impounded under subclause 103(1), Council may charge any fee

determined by Council or by an Authorised Officer from time to time for the release of such impounded goods.

- (5) Subclause 103(2) does not apply to the impounding of liquor or any shopping trolley under this Community Local Law or other items where the nature of the item impounded is such that it would be impracticable to return the item to the person from whom it was impounded or the owner.

104. Disposal of impounded goods

- (1) If an Authorised Officer exercises a power under this Community Local Law to seize and impound goods, other than a motor vehicle—

- (a) the property in the goods vests in Council; and
- (b) Council may dispose of the goods under this clause.

- (2) If—

- (a) impounded goods have not been surrendered to its owner or a person acting on the owner's behalf within 14 days of the notice of impounding being served; or
- (b) no notice of impounding has been served of the act of impounding—

Council may, at its discretion dispose of the goods—

- (c) as Council sees fit (including by private sale, destruction, rehousing or giving away) if—
 - (i) the goods are perishable; or
 - (ii) the goods have no commercial value; or
 - (iii) the value of the goods is so slight that it would not cover the cost of sale; or
 - (iv) the keeping of the goods is causing or is likely to cause a nuisance or a hazard; or
- (d) by public auction after a period of one (1) month in the case of goods not specified in subclause 104(2)(c).

- (3) If goods are to be sold at public auction, Council must give public notice of the public auction at least ten (10) business days before the date of the proposed public auction.

- (4) Council must apply the proceeds of the sale (by public auction or otherwise) in the manner prescribed in subclauses 105(5) and 105(6).

105. Unclaimed goods

- (1) Council may, in accordance with this clause, dispose of goods, other than a motor vehicle, that are left on Council Land or road irrespective of whether the owner of the goods intended to relinquish ownership of the goods.

- (2) Council may dispose of the goods—
 - (a) as Council sees fit (including by private sale, destruction, restoring or giving away) if—
 - (i) the goods are perishable; or
 - (ii) the goods have no commercial value; or
 - (iii) the value of the goods is so slight that it would not cover the cost of sale; or
 - (iv) the keeping of the goods is causing or is likely to cause a nuisance or a hazard; or
 - (b) by public auction after a period of one (1) month in the case of goods not specified in subclause 105(2)(a).
- (3) If goods are to be sold at public auction, Council must give public notice of the public auction at least ten (10) business days before the date of the proposed public auction.
- (4) A person to whom goods are sold under this clause (whether by public auction or otherwise) gains a clear title to the goods freed and discharged from the interests of others.
- (5) Council must apply the proceeds of the sale (by public auction or otherwise) in the following manner—
 - (a) first, towards the costs of the storage and sale of the goods; and
 - (b) second, in the payment of any prescribed fee for seizing and holding the goods; and
 - (c) third, if there is an amount owing to an entity under a security interest registered for the goods under the **Personal Property Securities Act 2009 (Cth)**, in payment of the amount owing under the security interest.
- (6) If, within twelve (12) months after the date of the sale, the former owner of the goods claims the proceeds of the sale of the goods, the net proceeds of the sale must be paid to the former owner but if no valid claim is made to the proceeds within that period, Council will forward the net proceeds of the sale to the Registrar of Unclaimed Money, in accordance with the requirements of the **Unclaimed Money Act 2008**. This clause does not apply to the disposal of goods to the extent that there is an inconsistent provision in legislation (including a provision in this Community Local Law) dealing specifically with the disposal of goods of a particular class or type.
- (7) A person may make a successful claim for the return of the goods left on Council Land or a road, before disposal of the goods, if the claimant—
 - (a) is the owner, a person acting on the owner's behalf or a person claiming a right to possession of the goods; and
 - (b) has applied in writing to Council for the release from detention of the goods; and

- (c) has furnished proof to the satisfaction of an Authorised Officer of the claimant's—
 - (i) ownership of the goods; or
 - (ii) right to possession of the goods; or
 - (iii) authority to act on behalf of the owner; and
- (d) has paid all expenses incurred by Council in connection with—
 - (i) the removal of the goods from the Council Land or road; and
 - (ii) the storage of the goods; and
 - (iii) the costs of sale which have been incurred; and
- (e) has signed a receipt for the delivery of the goods to the claimant.

106. Review

- (1) Any person who is aggrieved by the exercise of a power by an Authorised Officer under this Community Local Law may, within twenty-eight (28) days of the date of the exercise of the power, make a written submission to Council.
- (2) The making of any submission under subclause 106(1) will not in any way remove the requirement for the person making the submission to act in accordance with any obligation, direction, Notice to Comply or notice which is applicable under this Community Local Law to the person making the submission.
- (3) Subclause 106(1) does not confer a right for a person to make a submission—
 - (a) under section 223 of the Act; or
 - (b) relating to an Infringement Notice issued under this Community Local Law; or
 - (c) in respect to the enforcement of clauses 53 and/or 54 by any police officer.
- (4) A submission under subclause 106(1) must not be reviewed by the Authorised Officer whose exercise of power is the subject of the submission.

Note

The submission and review processes relating to Infringement Notices issued under this Community Local Law are covered by the processes and procedures of the **Infringements Act 2006**.

Schedule 1 Penalties**Note**

Table of maximum court penalties and Infringement Notice penalties in respect to offences against the Community Local Law

Clause	Title	Infringement Notice Penalty Units	Maximum Penalty Units
11	Interference with Council easements	5	20
12	Damage, destruction or interference with Council Land	5	20
13	Damage, destruction or interference with roads	5	20
14	Occupation of roads or Council Land	5	20
15	Asset Protection Permit	5	20
16	Building Site Management	5	10
17	Building Works	5	20
18	Temporary Vehicle Crossings	5	20
19	Tapping into drains	5	20
20	Interference with waterways	5	20
21	Polluting stormwater drains	5	20
22	Motor vehicles in Public Reserves	1.5	6
23	Model Aeroplanes in Public Reserves	2	8
24	Interference with authorised activities within Public Reserves	2	8
25	Direction to leave a Public Reserve	2.5	10
26	Inappropriate behaviour on Council Land	3	12
27	Social and sporting activities	2	8
28	Informal sport and games which unreasonably affect other users of Council Land	2	8
29	Street party, festivals and processions	2.5	10

Clause	Title	Infringement Notice Penalty Units	Maximum Penalty Units
30	Bulk Containers	2.5	10
31	Clothing bins	2.5	10
32	Planting on nature strips	2	8
33	Filming	5	20
34	Defacing any advertising or billposting	2.5	10
35	Repairing and sale of motor vehicles on roads or Council Land	2.5	10
37	Abandoned, derelict and unregistered vehicles	3	12
38	Lighting fires	2.5	10
39	Incinerators	2.5	10
40	Camping, caravans, campervans and shipping containers	2	8
41(1)	Shopping trolleys	2.5	10
41(3)	Shopping trolleys	4	16
41(4)	Shopping trolleys	4	16
42	Circuses, carnivals and festivals	4	16
43	Aerosol paint containers	2	8
44	Overdue library materials	2	8
45	Impersonating Council staff	10	20
46	Mobile Billboards	5	20
47	Advertising signs and displays of goods on roads and Council Land	3	12
48	Advertising Signs on Buildings	3	12
49	Busking	2	8
50	Chairs, tables and furniture	5	20

Clause	Title	Infringement Notice Penalty Units	Maximum Penalty Units
51	Itinerant trading	3	12
52	Street appeals	3	12
53	Supply and consumption of liquor	2	8
54	Caulfield Alcohol-Free Zone	2	8
55	Smoking inside Council Buildings and vehicles	2	8
56	Litter	2	8
57(1)	Mobile garbage bins, recycling containers and organics containers	2.5	10
57(2)	Mobile garbage bins, recycling containers and organics containers	1.25	5
58	Keeping animals	2.5	10
59	Shooting and snaring animals	2.5	10
60	Animal litter	2	8
61	Unsatisfactory Fowl Houses, Kennels, Pigeon Lofts and animal enclosures	2	8
62	Animals and amenity	2	8
63	Dogs and adequate fencing	3	12
64	Feeding of birds	2	8
65	Feeding of birds on Council Land or road	2	8
66	Fire hazards	3.5	14
67	Dangerous Property	3.5	14
68	Unightly Property	3.5	14
69	Trees, plants and other structures causing a potential hazard to traffic	2.5	10
70	Pedestrian safety	2.5	10
71	Numbering of properties	2	8

Clause	Title	Infringement Notice Penalty Units	Maximum Penalty Units
72	Vehicle Crossing required	4	16
73	Constructing Vehicle Crossing	4	16
74	Vehicle Crossings no longer required	4	16
75	Vehicle Crossing Notice	5	20
76	Parking Permits	1.5	6
77	Parking Permit offences	1.5	6
78	Permit offences	5	20