Ararat Rural City

Neighbourhood Amenity Local Law 2022

DOCUMENT CONTROL

Category Type: Local Law
Type: Council
Responsible Officer: Title

Last Review Date: March 2012
Date Approved: TBA
Next Review Date: April 2032

Revision No: 4

Stakeholder Engagement:
Councillors
Chief Executive Officer
Manager Planning, Community and Compliance
Community Safety Officers
Governance and Administration Coordinator

TABLE OF CONTENTS

PART 1 – PRELIMINARY 1
1. Title of this Local Law 1
2. Purposes of this Local Law 1
3. Power to Make this Local Law 1
4. Commencement of this Local Law 1
5. Revocation Date of this Local Law 1
6. Revocation of Earlier Local Law 1
7. Area of Operation of this Local Law 1
8. Interpretation of this Local Law 1
9. Local Law Guidelines 2
10. Definitions 2
PART 2 – YOUR PROPERTY, TREES AND PETS 8
Division 1 – Your Property 8
11. Property Numbers 8
12. Unsightly and Dangerous Properties 8
13. Waste Collection 9
14. Removing Waste Without Authority 9
15. Burning of Materials 9
16. Trees and Plants Not To Obstruct Or Obscure 10
17. Fire Hazards 10
18. Camping on Private Property 10
19. Shipping Containers 11
Division 2 – Your Trees 11
20. Trees or Plants Causing Damage To A Municipal Place 11
21. Vegetation on Nature Strips 11
Division 3 – Your Pets 11
22. Keeping Animals 11
23. Animal Accommodation 12
24. Animal Excrement and Conduct 12
25. Wasp Nest(s) To Be Removed 12
26. Feeding of Birds on Private Property 12
PART 3 – VEHICLES AND ROADS 13
27. Placing Bulk Rubbish Containers 13

28. Motor Bikes and Motorised Recreational Vehicles 13
29. Repair of Vehicles is Prohibited 13
30. Derelict, Abandoned and Unregistered Vehicles 13
31. Heavy or Long Vehicles: Parking on a Road or Private Property 13
32. Storing Vehicles 13
33. Street Parties & Street Festivals: Permits 14
PART 4 – BUSINESS AND ASSET PROTECTION 14
Division 1 – Business 14
34. Roadside Trading or Performing 14
35. Regulation of Trading Sites 14
36. Displaying Goods for Sale 14
37. Using Council Land for Outdoor Eating Facilities 14
38. Removing the Facility 15
39. Advertising Signs 15
40. Shopping Trolleys 15
41. Collections 15
42. Trade or Commercial Waste Bins and Waste Hoppers (Including all Trade Recycling Bins) 15
Division 2 – Asset Protection 16
43. Drainage Tapping and Discharging Groundwater 16
44. A Vehicle Crossing is Required 16
45. Constructing Vehicle Crossing 16
46. Removing Redundant Vehicle Crossings 16
47. Temporary Vehicle Crossings 17
48. Asset Protection Generally 17
49. Managing Amenity on Building sites 18
50. Occupation of Roads 20
PART 5 – SMOKING AND LIQUOR 20
51. Consumption and Possession of Liquor on Roads 20
52. Consumption and Possession of Liquor on Municipal Reserves 20
53. Exemption 21
54. Smoking in Municipal Places (including Reserves) 21
PART 6 – COUNCIL LAND (INCLUDING MUNICIPAL PLACES, PARKS AND COUNCIL BUILDINGS) 22
Division 1 – Municipal Places and Other Council Land 22
55. Behaviour in a Municipal Place – Prohibitions 22
56. Damaging/Defacing a Municipal Place 22
57. Interference with a Watercourse and Other Areas 22
58. Obstructions on Council Land 22
59. Operation of Model Aircraft 22
Division 2 – Parks 23

60. Behaviour within a Municipal Reserve – Prohibitions 23
61. Activity within a Municipal Reserve – Permitted Activities 23
62. Access to Municipal Reserves 24
63. Camping Prohibited on Council Land 24
64. Lighting Fires 25
65. Filming on Council Land 25
66. Parking on Municipal Reserves 25
67. Use of Wheeled Non-Motorised Recreational Devices and Wheeled Child's Toys 25
Division 3 – Council Buildings 26
68. Behaviour in a Municipal Building – Prohibitions 26
69. Availability and Hire 26
PART 7 – FEES AND CHARGES 26
70. Setting Fees and Charges 26
71. Waiver of Fees and Charges 26
PART 8 – PERMITS 26
72. Applications and Grant of Permits 26
73. Scope of Permits 28
PART 9 – ENFORCEMENT 28
74. Exemptions 28
75. Power of Authorised Officers or Delegated Officers to issue a Notice to Comply 29
76. Failure to adhere to a Notice to Comply 29
77. Impounding 29
78. Recovery of Expenses 30
79. Appeals 30
80. Urgent Powers 30
81. Power to Issue a Direction 31
PART 10 – OFFENCES, PENALTIES, INFRINGEMENT NOTICES AND OFFICIAL WARNINGS 31
82. Offences and Penalties 31
83. Infringement Notices 31
Schedule 1 Infringement Penalties 32

ARARAT RURAL CITY COUNCIL
NEIGHBOURHOOD AMENITY LOCAL LAW 2022

PART 1 – PRELIMINARY

1. Title of this Local Law

This Local Law is the Neighbourhood Amenity Local Law 2022.

2. Purposes of this Local Law

The purposes of this Local Law are to:

(1) protect community safety and neighbourhood amenity;

(2) protect public assets and infrastructure, and the built and natural environment;

(3) enhance the use, access and enjoyment of public places for the community's benefit.

(4) provide for the administration of **Council's** powers and functions; and

(5) revoke **Council's** General Local Law 2012 (as amended) made in April 2012.

3. Power to Make this Local Law

Council's power to make this Local Law is contained in section 71 of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

4. Commencement of this Local Law

This Local Law commences operation on the day after it is made.

5. Revocation Date of this Local Law

Unless sooner revoked, this Local Law ceases to operate 10 years after the date on which it commenced.

6. Revocation of Earlier Local Law

Council's General Local Law 2012 (as amended), made in April 2012, is revoked.

7. Area of Operation of this Local Law

This Local Law applies throughout the whole of the **municipal district**.

8. Interpretation of this Local Law

(1) In this Local Law, unless the contrary intention appears, a reference to:

(a) a clause is a reference to a clause in this Local Law;

(b) a sub-clause is a reference to a sub-clause of the clause in which the reference is made;

(c) a paragraph is a reference to a paragraph of the sub-clause in which the reference is made;

(d) a Part is a reference to a Part of this Local Law;

(e) a Division is a reference to a Division in a Part of this Local Law; and

(f) the singular also refers to the plural.

(2) Where this Local Law prohibits any activity or other thing or provides that such activity can only take place or other thing 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 thing can lawfully be done or exist by reason of the express permission of the Ararat Planning Scheme or another legislative instrument.

9. Local Law Guidelines

(1) **Council** may from time to time make Guidelines for the purposes of this Local Law.

(2) Any Guidelines made under sub-clause (1):

(a) may be amended from time to time;

(b) must be published on **Council's** website and be available for inspection at **Council's** principal office; and

(c) are incorporated into this Local Law.

10. Definitions

Explanatory Note – *In this Local Law definitions are shown in bold type.*

In this Local Law, unless express or implied to the contrary:

"**abandoned**" means a **vehicle** which:

(a) has no number plates;

(b) is unroadworthy; or

(c) has not been moved from the **road** or **Council Land** on which it stands for 60 days or more;

"**Act**" means the Local Government Act 2020;

"**advertising sign**" means any board, notice, structure, banner or other similar device, including a mobile billboard, used for the purpose of:

(a) soliciting sales or support; or

(b) promoting the presence of an adjacent property or other address, whether real, internet-based or otherwise electronic, where goods or services may be obtained;

"**animals**" excludes **persons** but is not limited to any of the species or groups listed in the first column of the table in clause 22;

"**applicant**" means a **person** who applies for a **permit** under this Local Law;

"**appropriate fee**" means the fee determined by **Council**;

"**Asset Protection Permit**" means a written **permit** issued by **Council** for the protection of public assets and infrastructure during **building works**;

"**Authorised Officer**" means an authorised officer appointed under section 224 of the *Local Government Act 1989*;

"**barbecue**" means a device used for the cooking of food outdoors, whether constructed or manufactured and whether powered by gas, electricity, liquid or solid fuel or any combination of them, and includes a device for spit roasting when used outdoors;

"**builder**" means the **person** who is nominated as the builder in a building permit issued under the *Building Act 1993* in respect of **building works** or a **person** in charge of a **building site**;

"**building**" includes any building or structure whether temporary or permanent, or any part of a building or structure;

"**building site**" means any property on which **building works** are being carried out;

"**building works**" means work for or in connection with the construction, demolition or removal of a **building** in respect of which a building permit is required under the *Building Act* 1993;

"**bulk rubbish container**" means a bin, container or other structure designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance but excludes a container used in connection with **Council's** regular waste collections;

"**camping area**" means land that has been **prescribed** by **Council** to be a 'camping area' for the purposes of this Local Law;

"**Chief Executive Officer**" means the **person** appointed by **Council** to be its Chief Executive Officer and any **person** acting in that position;

"**child**" means any **person** under the age of 18 years;

"**Council**" means Ararat Rural City Council;

"**Council Land**" means any land vested in or under the control of **Council** including a reserve, watercourse, reservation and the like but excluding a **road**;

"**Delegated Officer**" means a member of **Council** staff delegated by **Council** to perform a duty or function or exercise a power conferred by this Local Law, whether by direct delegation or by sub-delegation from the **Chief Executive Officer**;

"**domestic bird**" means a small bird such as a canary, finch, budgerigar and the like but excludes a **noisy bird** capable of causing disturbance and discomfort to neighbours;

"**dwelling**" means any structure that is designed to be used for human habitation and that is capable of being so used;

"**filming**" means the recording of a single image or series of images for any commercial purpose and/or television broadcasting purpose by a camera or other device equipped with a one or more light sensitive lenses, capable of capturing and/or transmitting those images to any form of recording media and/or to any commercial and/or television broadcasting equipment, including any form of digital storage media in any location but excludes television news and any private non-commercial community and/or social media purposes;

"Film Friendly Principles" has the same meaning as in the *Filming Approval Act 2014*.

"**Fire Ban or Code Red (Catastrophic) Fire Danger Rating Day**" means a day declared as either a partial or Total Fire Ban Day in accordance with the *Country Fire Authority Act 1958* and/or a declared Code Red (Catastrophic) Fire Danger Rating Day (declared by the Bureau of Meteorology in consultation with the Country Fire Authority, Fire Reserve Victoria and any relevant Victorian Government department);

"**fire hazard**" means any materials, substances or conditions that might cause a fire to start or that might increase the size or intensity of any fire;

"**footpath**" means an area open to the public that is designated for, or has as one of its main uses, use by pedestrians;

"**GVM**" means the maximum loaded mass of a **vehicle**:

(a) as specified by the **vehicle's** manufacturer; or

(b) as specified by the Department of Transport if:

(i) the manufacturer has not specified a maximum loaded mass; or

(ii) the manufacturer cannot be identified; or

(iii) the **vehicle** has been modified to the extent that the manufacturer's specification is no longer appropriate (as in the *Road Safety Act 1986*);

"**heavy vehicle**" means a motor **vehicle** or trailer that has a **GVM** greater than 4.5 tonnes, and includes:

(a) any other **vehicle** that is physically connected to the heavy **vehicle** (even if that other **vehicle** is not a heavy **vehicle**); and

(b) a bus that is used, or that is intended to be used, to carry passengers for reward or in the course of a business (as in the *Road Safety Act 1986*);

"**incinerator**" means a structure, device or contraption (not enclosed in a **building**) which is:

(a) used or intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance;

(b) not licensed or otherwise subject to control under the provisions of any Act; and

(c) not a **barbecue**;

"**infringement notice**" means an infringement notice issued by **Council** or an **Authorised Officer** under this Local Law;

"**large and/or noisy bird**" means, in relation to keeping **animals**, any large and/or noisy bird capable of causing disturbance and discomfort to neighbours particularly by noise, such as a cockatoo, goose, macaw, peacock, other parrot, pheasant, rooster, turkey, other similar sized bird and any other noisy birds regardless of size but excludes **poultry**, a pigeon and any small non-noisy bird;

"**licensed premises**" means premises licensed under the *Liquor Control Reform Act 1998* to sell or serve alcohol, including service under a BYO licence;

"**litter device**" means, in relation to animal excrement, an apparatus designed for the purpose of removing animal excrement and includes a paper, plastic or biodegradable bag;

"**liquor**" means a beverage intended for human consumption with an alcoholic content greater than 0.5 per cent by volume at a temperature of 20 degrees Celsius;

"**Local Law Guidelines**" means any guidelines made by **Council** from time to time under clause 9;

"**long vehicle**" means a **vehicle** that, together with any load or projection, is at least 7.5 metres;

"**Manager**" means the **person** or **persons** from time to time appointed by **Council** to manage any **municipal building**, **municipal reserve** or **municipal place**;

"**model aircraft**" means any airborne device modelled on an aeroplane or aircraft and which is powered, and includes a drone;

"**motor bike**" and "**other motorised recreational vehicle**" means a motor **vehicle**, whether registered or unregistered, used for recreational purposes on **private property** or **Council Land**, including but not limited to the following **vehicles**:

(a) a 2-wheeled motor **vehicle** with or without a sidecar attached that is supported by a third wheel;

(b) a motor **vehicle** with three (3) wheels that is ridden in the same way as a motor **vehicle** with two (2) wheels; and

(c) any other motorised recreational **vehicle**, such as, but not limited to, trail bikes, motorised scooters, motorised go-carts and quad bikes;

"**municipal building**" means any **building** (and its grounds) owned, occupied, controlled and/or managed by **Council** which has some or all areas designated for public or community access but may also have some or all areas designated for employee or staff only access;

"**municipal district**" means the district of **Council**;

"**municipal place**" means any place within the **municipal district** which is owned or occupied by **Council** or in respect of which **Council** has the control or management, to which the public may or may not have access (whether an admission fee is required or not), and includes a **municipal reserve**, library, **municipal building**, **footpath** and **road**;

"**municipal reserve**" means any land owned, controlled and/or managed by **Council** and used as a reserve or place of recreation but excludes a **road** and any area leased to other parties;

"**nature strip**" means the area of **road** reserve between a property boundary and the back of kerb or gutter of a carriageway, excluding any formed **footpath**;

"**notice to comply**" means a Notice to Comply issued by **Council** or an **Authorised Officer** or a **Delegated Officer** under this Local Law;

"**noxious weed**" has the meaning ascribed to it by section 3 of *the Catchment and Land Protection Act 1994*, being a:

(a) state prohibited weed; or

(b) regionally prohibited weed; or

(c) regionally controlled weed; or

(d) restricted weed;

"**open air**" means any place other than within a permanent structure;

"**outdoor eating facility**" means any tables and/or chairs located out of doors at which food or drinks are served and may be consumed;

"**penalty unit**" means a penalty unit under *the Sentencing Act 1991*;

"**permit**" means a permit issued by **Council** under this Local Law;

"**permit holder**" is a **person** to whom a **permit** has been issued under this Local Law;

"**person**" includes a legal entity, whether a corporation, incorporated association or otherwise but excludes **Council**;

"**poultry**" means fowls, bantams and ducks but does not include roosters, geese or turkeys;

"**prescribed**" means determined by resolution and published on **Council's** website and in a newspaper generally circulating within the **municipal district**;

"**private property**" means land other than **Council Land** and land occupied, managed or controlled by a public authority;

"**procession**" means an organised group of people along a **road** or gathering for a ceremony or function and includes a fun run and bicycle event;

"**recyclable material**" means any recyclable material in respect of which a separate **Council** or **Council** authorised or approved collection service applies;

"**road**" has the meaning ascribed to it in section 3 of the *Local Government Act 1989*, so that it 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

(j) any culvert or kerbing or other land or works forming part of the **road**;

"**rural area"** means any part of the municipality included in a Rural Zone, other than the Rural Living zone in the Ararat 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 the Victorian or Commonwealth Parliament;

"**smoke**" means:

(a) smoke, hold or otherwise have control over an ignited or heated tobacco product, a shisha pipe or similar object; or

(b) use an e-cigarette to generate or release an aerosol or vapour;

"**smoke free area**" means an area of or in any **municipal place** which has been **prescribed** as a "smoke free" or "no smoking" area and has smoke free area signage erected and maintained within or near it;

"**street festival**" means an organised recreational, cultural, commercial or social gathering of people that is held on a **road**;

"**street party**" means an organised social gathering of people from one or several adjacent **roads** that is held on a **road**;

"**traffic**" means the movement of people by foot or in or on **vehicles** along, across or within a **road**;

"**tree**" means any perennial plant having one or more permanent, woody, self- supporting **trunks** and with branches forming a crown, and includes all parts of the plant whether above or below ground;

"**urban zone"** means any part of the municipality included in a Residential, Commercial, Industrial, Public Land, Rural Living or Special Use Zone in the Ararat Planning Scheme

"**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, trailer, tram and **motorised recreational vehicle**;

(b) a bicycle;

(c) an air-cushion vehicle; and

(d) a **wheeled non-motorised recreational device** and a **wheeled child's toy**,

but excludes a train;

"**wheeled non-motorised recreational device**" means a wheeled device, built to transport a **person** propelled by human power or gravity, and ordinarily used for recreation or play and:

(a) includes in-line wheeled skates, roller-skates, skateboards, and similar wheeled devices; but

(b) excludes a golf buggy, pram, stroller or trolley, or a bicycle, wheelchair or **wheeled child's toy**; and

"**wheeled child's toy**" means a **child's** pedal car, scooter or tricycle or similar toy but only when it is being used solely by a **child** who is under 12 years old.

PART 2 – YOUR PROPERTY, TREES AND PETS

DIVISION 1 – YOUR PROPERTY

11. Property Numbers

(1) **Council** may allocate a number to each property.

(2) The owner of a **property** to which a number has been allocated by **Council** must ensure that:

(a) the **property** is marked with such number; and

(b) the number is of sufficient size, is in such a position, is made of such material and is kept in such a state of repair as to be clearly visible from the nearest **road** under normal lighting conditions.

12. Unsightly and Dangerous Properties

(1) An owner or occupier of **private property** must ensure that the **private property** and any **building** or other structure on the **private property**:

(a) is not a danger to health of any **person** or **animal** or property or likely to become a danger to health of any **person** or **animal** or property;

(b) does not constitute a **fire hazard**;

(c) does not contain undergrowth, scrub, bracken, stubble, grass or weeds, whether dead or alive, in excess of 300mm in height and whether standing or not standing (but excluding the natural height of Australian grasses cultivated in a planned or landscaped garden as well as **Municipal Reserves** maintained under an approved management plan);

(d) is not unsightly, or detrimental to the general amenity of adjoining land or the neighbourhood, including through the presence of:

(i) stored unregistered or derelict **vehicles** or machinery or any parts of them;

(ii) storage containers;

(iii) scrap metal, timber, building materials or building refuse;

(iv) waste paper, cardboard, bottles or other refuse;

(v) soil or similar materials;

(vi) overgrown vegetation; or

(vii) **buildings** on the land which have been damaged; and

(e) is not used in any manner or left in any state that may cause a nuisance or become detrimental to the amenity of the immediate area.

(2) An owner or occupier of **private property** must not allow any **building** or other structure on that **private property** to become dilapidated.

(3) An owner or occupier of **private property** must take reasonable steps to prevent the movement of soil, sediment and other substances from the **private property** to the adjoining **road**.

(4) Without limiting the generality of clause 75, a **notice to comply** issued by an **Authorised Officer** or a **Delegated Officer** with respect to an offence against this clause 12 may include a direction that the **private property**, **building** or structure be:

(a) cleared of any substance, material or equipment;

(b) suitably fenced, screened or otherwise enclosed in the manner specified in the **notice to comply**;

(c) boarded up or otherwise secured to prevent access or otherwise alleviate the danger, unsightliness, nuisance, detriment to general amenity or offending condition; and/or

(d) protected by warning signs or barriers to alert members of the public to the presence on the **private property** of a danger to **persons** entering the **private property**.

13. Waste Collection

The occupier of every **dwelling** and other property to which **Council** provides a waste collection service (including a service for the collection of domestic waste, recyclables and organics) must comply with the **Local Law Guidelines**.

14. Removing Waste Without Authority

(1) A **person** must not remove or interfere with any waste (including recyclables) left out for collection on a **road**.

(2) Sub-clause (1) does not apply to:

(a) the **person** who left the waste on the **road** for collection or any agent of such **person**;

(b) any **person** authorised by **Council** to remove such waste or any agent of such a **person** acting in the course of their employment; or

(c) an **Authorised Officer** or a **Delegated Officer** acting in the course of their employment.

15. Burning of Materials

(1) A **person** must not burn or cause or allow to be burned any substance that is likely to cause a risk of fire to the area surrounding the fire or to endanger the safety of any **person**.

(2) A **person** must not, without a **permit**, light a fire on **private property** in the **open air**, or allow a fire to be lit or remain alight on **private property** in the **open air**, unless the fire is attended and lit:

(a) in a purpose-built or constructed **barbeque**, grill, pizza oven, chiminea, brazier or similar appliance for the purpose of cooking food, but only while it is being used for that purpose;

(b) in a brazier, chiminea or purpose built or portable fire pit constructed of fire resistant materials for the purpose of creating heat outdoors, but only while it is being used for that purpose; or

(c) for the purpose of the **person** enjoying their culture or practising their religion.

(3) An owner or occupier of **private property** must not, without a **permit**, use an **incinerator** or allow an **incinerator** to be used on that **private property**.

(4) An owner or occupier of **private property** on which a fire has been lit in breach of this Local Law, or a **person** who has lit a fire in breach of this Local Law, must immediately take all steps necessary to extinguish the fire:

(a) on becoming aware of such a fire; or

(b) on being directed to extinguish the fire by:

(i) an **Authorised Officer** or a **Delegated Officer**;

(ii) a member of Victoria Police; or

(iii) an authorised member of Country Fire Authority.

16. Trees and Plants Not To Obstruct Or Obscure

An owner or occupier of **private property** must not, without a **permit**, allow any **tree** or plant on that **private property** to obstruct or interfere with the passage of **traffic** by:

(1) overhanging any **footpath** at a height lower than 2.4 metres;

(2) overhanging any **road** at a height lower than 4.5 metres; or

(3) otherwise extending, obstructing or obscuring in any other way that **Council**, an **Authorised Officer** or **Delegated Officer** determines is dangerous, unsafe or adverse to public safety, including if the **tree** or **plant** obscures **traffic**, obstructs the view of **road** users at an intersection or obscures street lighting.

17. Fire Hazards

An owner or occupier of **private property** must ensure that all necessary steps are taken to prevent fires on that property and to minimise the possibility of the spread of fire from that property to another property.

18. Camping on Private Property

(1) A **person** must not, without a **permit**, camp on **private property** in a:

(a) campervan;

(b) caravan; or

(c) other temporary or makeshift structure,

unless such **person** is within a licensed caravan park or an area **prescribed** by **Council** as being available for camping.

(2) Sub-clause (1) does not apply to occupation of a:

(a) campervan;

(b) caravan; or

(c) other temporary or makeshift structure

on **private property** for a period of up to 28 days total in any year provided that sanitation and laundry facilities of a **dwelling** on the **private property** are available to the occupier of that temporary or makeshift structure, campervan or caravan.

19. Shipping Containers

A **person** must not without a **permit** keep, store, repair or otherwise use any shipping container on any **road**, **Council Land** or **private property.**

DIVISION 2 – YOUR TREES

20. Trees or Plants Causing Damage To A Municipal Place

(1) An owner or occupier of **private property** must not allow any **tree** or plant on that **private property** to cause damage to, or interference with, any fixture, **building** or other erection in a **municipal place** or drain vested in, or under the control of, **Council**.

(2) No offence will be committed under sub-clause (1) unless a **notice to comply** has been issued and the owner or occupier (as the case may be) has failed to comply with the **notice to comply**.

21. Vegetation on Nature Strips

A **person** must not, without a **permit**:

(1) plant, or allow to be planted, any seedling;

(2) cultivate, or allow to be cultivated, any vegetation; or

(3) maintain vegetation and associated areas,

on a **nature strip** other than in accordance with the **Local Law Guidelines**.

DIVISION 3 – YOUR PETS

22. Keeping Animals

(1) An owner or occupier of **private property** must not, without a **permit**, keep or allow to be kept on that **private property** at any one time more than:

(a) six (6) different types of **animals**; and

(b) the maximum number for each type of **animal** than is set out in the following table:

Type of animal	**Maximum number of each type of animal permitted**	
	Urban area	**Rural Area**
Cats	2	4
Cattle	Zero	No maximum limit
Dogs	2	6
Domestic Birds (excluding **Noisy Birds**)	20	No maximum limit
Domestic Fish	No maximum limit	No maximum limit
Domestic Mice/Rats	10	No maximum limit
Domestic Rabbits/Ferrets	4	10

Type of animal	Maximum number of each type of animal permitted	
Domestic Turtles, Tortoises, Frogs and the like	No maximum limit	No maximum limit
Goats	Zero	No maximum limit
Guinea Pigs	4	No maximum limit
Horses/Donkeys and the like	Zero	1 horse per 2ha
Large Birds and/or **Noisy Birds**	Zero	10
Pigeons	20	100
Pigs	Zero	No maximum limit
Poultry	10	No maximum limit
Sheep	Zero	No maximum limit
Any other agricultural **animals**	Zero	No maximum limit

(2) Sub-clause (1) does not apply to temporary grazing of no more than 6 sheep in an **urban area** for a continuous period, or any combined periods, not exceeding 4 weeks in any calendar year.

(3) Unless otherwise authorised by or under an Act, a **person** must not, without a **permit**, keep or allow to be kept any exotic, wild, dangerous or large **animal** not listed in sub-clause (1).

(4) For the purpose of calculating the numbers of **animals** kept under sub-clause (1), the progeny of any dog or cat lawfully kept will be counted from 12 weeks after their birth.

23. Animal Accommodation

The owner or occupier of any **private property** on which **animals** are kept must provide accommodation in accordance with the **Local Law Guidelines**.

24. Animal Excrement and Conduct

(1) A **person** in charge of any **animal** must not allow:

(a) any part of the **animal's** excrement to remain on any **road** or **Council Land**; or

(b) the **animal** to dig any part of **Council Land**.

(2) A **person** in charge of any **animal** on any **road** or **Council Land** must carry a **litter device** suitable to clean up any excrement left by the **animal** while under the **person's** charge and must produce such **litter device** upon request of any **Authorised Officer** or **Delegated Officer**.

25. Wasp Nest(s) To Be Removed

An owner or occupier of **private property** must, within seven (7) days of becoming aware of the existence of a wasp's nest or nests on that **private property**, take steps to cause that nest or those nests to be removed.

26. Feeding of Birds on Private Property

An occupier of **private property** must not feed, or allow or cause to be fed, any bird on that p**rivate property** if:

(1) that bird is not ordinarily kept on the **private property**; and

(2) the circumstances in which the bird is fed interfere with, or are likely interfere with, the material comfort of any other **person** or the enjoyment by any other **person** of their **private property**.

PART 3 – VEHICLES AND ROADS

27. Placing Bulk Rubbish Containers

A **person** must not, without a **permit**, place or cause or allow another **person** to place a **bulk rubbish container** on a **road**.

28. Motor Bikes and Motorised Recreational Vehicles

(1) A **person** must not, without a **permit**, ride or otherwise use a **motor bike** or **other motorised recreational vehicle** on any part of **Council Land**, unless the part of **Council Land** has been **prescribed** for that purpose.

(2) A **person** must not ride or otherwise use any **motor bike** or **other motorised recreational vehicle** on **Council Land prescribed** for that purpose on any day of **Fire Ban or Code Red (Catastrophic) Fire Danger Rating Day**.

(3) A **person** must not, without a **permit**, ride or otherwise use a **motor bike** or **other motorised recreational vehicle** on any **private property** in an **urban area** other than for the purpose of directly accessing or leaving that **private property**.

29. Repair of Vehicles is Prohibited

A **person** must not dismantle, paint, carry out maintenance on or repair a **vehicle** on a **road**, or allow or authorise another **person** to do so, except in an emergency or for the purpose of removing the **vehicle** from the **road**.

30. Derelict, Abandoned and Unregistered Vehicles

A **person** must not, without a **permit**, leave any derelict, **abandoned** or unregistered **vehicle** on any **road** or **Council Land**, whether temporarily or permanently.

31. Heavy or Long Vehicles: Parking on a Road or Private Property

A **person** must not, without a **permit**, park or authorise the parking of any **heavy vehicle** or **long vehicle** on any **road** for which **Council** is the Responsible Road Authority for the purposes of the *Road Management Act 2004*, or on any other property (whether **private property** or **Council Land**), for more than two hours, unless otherwise indicated by approved **road** signage or unless the **person** or another **person** on their behalf is actively engaged in loading or unloading.

32. Storing Vehicles

A **person** must not, without a **permit**:

(1) keep or store any **heavy vehicle** or **long vehicle** upon any **road** or on any other property (whether **private property** or **Council Land**); or

(2) occupy any **road** or **Council Land** by storing on it any boat, trailer or caravan for a continuous period of 28 days or more or for more than 56 days in a period of three consecutive months.

33. Street Parties & Street Festivals: Permits

(1) A **person** must not, without a **permit**, hold a **street party**, **street festival** or **procession** on a **road**.

(2) An application to conduct an event described in sub-clause (1) must be made no later than 21 days before the event is to take place.

PART 4 – BUSINESS AND ASSET PROTECTION

DIVISION 1 – BUSINESS

34. Roadside Trading or Performing

(1) A **person** must not, without a **permit**, erect or place on any **road** or **Council Land** a **vehicle**, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

(2) A **person** must not, without a **permit**, on any **road** or **Council Land** sing to the public or play any musical instrument or use any sound amplification equipment.

(3) Sub-clauses (1) and (2) do not include short-term outdoor community events on **Council Land**.

(4) Sub-clause (2) does not apply to any:

(a) sounds within a motor **vehicle** which cannot be heard outside that motor **vehicle**; or

(b) sound conveyed through any headphones which sound or noise is not audible to a **person** other than the wearer of the headphones.

35. Regulation of Trading Sites

(1) If **Council** has entered into an agreement (by way of **permit**, lease, licence or otherwise) in relation to trading from a particular site, a second **person** other than the **person** with whom **Council** has the agreement must not trade from that site whether or not that second **person** has a **permit** for another site or no particular site.

(2) In addition to any other power which it has, **Council** may, by resolution, determine a fee, charge, fare or rent in relation to the selling or offering for sale of any goods or services from any **private property** or **Council Land** adjacent to a **road** or to any **person** who is on that **road** or adjacent **private property** or **Council Land**.

36. Displaying Goods for Sale

A **person** must not, without a **permit**, place or display any goods for sale or cause or allow another **person** under their control to do so on any **road** or **Council Land**.

37. Using Council Land for Outdoor Eating Facilities

(1) A **person** must not, without a **permit**, place any **outdoor eating facility** on a **road** or **Council Land** for the purposes of outside dining, whether or not **liquor** consumption is intended.

(2) A **person** must not place any **outdoor eating facility** on a **road** or **Council Land** for the purposes of facilitating **liquor** consumption unless:

(a) the **person** has obtained a **permit** authorising the use of the **outdoor eating facility**; and

(b) the **outdoor eating facility** is placed by **licensed premises** in an area in which the consumption of **liquor** is permitted in accordance with a licence granted under the *Liquor Control Reform Act 1998.*

38. Removing the Facility

The **permit holder** must move or remove the **outdoor eating facility** to which the **permit** relates when requested to do so by an **Authorised Officer** or a **Delegated Officer** or a member of the Victoria Police or another emergency service or a **service authority**.

39. Advertising Signs

(1) A **person** must not, without a **permit**, erect, place or display an **advertising sign** on any part of a **road** or **Council Land**, or cause or in any way authorise another **person** to do so.

(2) Sub-clause (1) does not apply to an **advertising sign** erected, placed or displayed within a **municipal reserve** in accordance with a **Council** approval, including under a lease, licence or other agreement.

(3) Without limiting the generality of sub-clause (1) a **person** must not, without a **permit**, display for sale any **vehicle**, trailer, boat or other equipment on any **road** or **Council Land**.

40. Shopping Trolleys

The proprietor of any business that makes a shopping trolley available for use must ensure that no shopping trolley of that business is left on any **road** or **Council Land** unless it is in an area on the **footpath** or **Council Land** which **Council** has set aside for that purpose.

41. Collections

(1) A **person** must not, without a **permit**:

(a) solicit or collect any waste materials, gifts of money or subscriptions; or

(b) distribute any handbills,

on or from **Council Land** or a **road** or from house to house adjacent to any **road** (except hand delivering printed matter only to street-side letterboxes) or cause or authorise another **person** to do so.

(2) Sub-clause (1) does not apply to any solicitation or distribution of printed electoral material or to the collection of signatures for a petition.

(3) Sub-clause (1) includes the distribution of information brochures, books and solicitation of anything from members of the general public in any **municipal place**.

42. Trade or Commercial Waste Bins and Waste Hoppers (Including all Trade Recycling Bins)

(1) An occupier of **private property** may arrange for the collection of trade or commercial waste from, or for the placement of a waste hopper or recycling bin on, that land subject to compliance with the **Local Law Guidelines**.

(2) A **person** must not place any waste or material in a trade or commercial waste bin, waste hopper or recycling bin contrary to any notice on the trade or commercial waste bin, waste hopper or recycling bin.

(3) A **person** must place any waste or material in a trade or commercial waste bin, waste hopper or recycling bin in compliance with the **Local Law Guidelines**.

(4) All trade and commercial waste and waste hoppers, including recycling bins, must be kept on the property of the **person** on which the waste is generated, except for the period from twelve (12) hours before to (4) four hours following collection.

DIVISION 2 – ASSET PROTECTION

43. Drainage Tapping and Discharging Groundwater

A **person** must not, without a **permit**:

(1) tap into or interfere with any drain under the control of **Council**; or

(2) discharge groundwater into any drain under the control of **Council** or into or onto any **road** or **Council Land**.

44. A Vehicle Crossing is Required

(1) An owner of **private property** must ensure that each point of **vehicle** access from a **road** to the **private property** has a properly constructed **vehicle** crossing between the **road** and the boundary of such **private property** abutting the **road**.

(2) Any **vehicle** crossing must be properly constructed at the cost of the property owner and in accordance with **Council's** specifications.

(3) For the purposes of sub-clause (2), a **vehicle** crossing is properly constructed if:

(a) it was constructed by or in accordance with the terms of an approval given by **Council**; or

(b) **Council** has approved in writing the method of construction of the particular **vehicle** crossing.

(4) An owner of **private property** must, at their own cost, ensure that the **vehicle** crossing between the **road** and the boundary of such **private property** is maintained.

45. Constructing Vehicle Crossing

(1) A **person** must not, without a **permit**, construct, install, remove or alter a **vehicle** crossing, whether temporarily or permanently.

(2) A **person** must not, without a **permit**, remove, prune or damage any **tree** located on the **nature strip** in connection with, or for the purpose of, constructing, installing, removing or altering a **vehicle** crossing.

46. Removing Redundant Vehicle Crossings

If directed to do so by an **Authorised Officer** or a **Delegated Officer**, an owner or occupier of **private property** must remove any **vehicle** crossing which an **authorised officer** or **delegated officer** has determined is redundant.

47. Temporary Vehicle Crossings

(1) A **builder** must ensure **vehicle** access to the **building site** is via a **vehicle** crossing or, if there is no **vehicle** crossing providing access to the **building site**, via a temporary **vehicle** crossing constructed in accordance with this clause 47.

(2) If there is no **vehicle** crossing providing **vehicle** access to a **building site**, the owner of the **building site** or the **builder** must:

(a) obtain a **permit** for the construction of a temporary **vehicle** crossing;

(b) pay any inspection fees associated with the **permit** application or construction of the **vehicle** crossing;

(c) construct the temporary **vehicle** crossing to the satisfaction of an **Authorised Officer** or **Delegated Officer**;

(d) ensure that for the duration of the **building work** the temporary **vehicle** crossing is maintained in a clean and safe manner for **vehicles** and pedestrians;

(e) remove the temporary **vehicle** crossing when the **building work** is complete; and

(f) minimise the damage caused by **vehicles** entering and leaving the **building site** to any **Council** assets or infrastructure, including adequately protecting the kerb, drains, street **trees**, **footpaths**, **nature strip** and any other part of the **road**.

(3) If an **Authorised Officer** or a **Delegated Officer** determines that an existing driveway crossing, **footpath**, kerb, drain, street **tree** or other part of the **road** has been damaged as a result of, or arising out of, any **building works**, the owner of the property on which the **building works** have been carried out must, at their cost. repair the damage to the satisfaction of the **Authorised Officer** or **Delegated Officer** or, if requested to do so by an **Authorised Officer** or a **Delegated Officer**, reimburse **Council** for the cost and expense of the repair of such damage.

(4) The amount of reimbursement for such repairs under sub-clause (3) must be proportionate to the cost of repairing any damage.

48. Asset Protection Generally

(1) A:

(a) **builder** must not carry out or allow to be carried out **building works** in respect of a **private property**; and

(b) **person** who is the owner or occupier of a **private property** must not carry out or allow to be carried out **building works** in respect of that **private property**,

unless **Council** has issued an **Asset Protection Permit** in respect of that **private property**.

(2) Without limiting **Council's** powers under this Division, an **Asset Protection Permit** may be subject to such conditions as **Council** determines including:

(a) requiring protection works to be done;

(b) requiring the payment of a security bond;

(c) requiring the erection of temporary fencing to the satisfaction of **Council**;

(d) requiring that any or all public assets or infrastructure damage be repaired, replaced or re-instated within a specified time; or

(e) requiring a temporary **vehicle** crossing to be installed to **Council's** specification before commencement of any **building works** or delivery of any equipment or materials to the **private property**.

(3) Where **Council** or a **Delegated Officer** so determines, it may agree to accept an alternative form of security to a security bond.

(4) The amount of any security bond required under any **Asset Protection Permit** is to be proportionate to the likely costs of repairing any potential damage to any existing **road** (including carriageway), channel, drain, **vehicle** crossing or other public asset or infrastructure arising from the **building works**. Nothing in this clause prevents **Council** or a **Delegated Officer** from setting a lower amount if it considers it is appropriate to do so.

(5) For the purpose of this clause the completion of **building works** includes abandonment of a **building site**.

(6) A security bond may be refunded by **Council** upon:

(a) an application for a refund of the security bond by the **person** who lodged it, made within 6 months of the date of completion of the **building works**; and

(b) **Council** being satisfied that no damage has been caused, or that any damage caused has been repaired by, or on behalf of, that **person** to **Council's** satisfaction.

(7) An application for a refund of the security bond may be refused by **Council**, and the security bond retained and applied by **Council**, to offset the costs incurred, or anticipated to be incurred by **Council**, in carrying out any repairs to public assets which are required as a result of, or associated with, the **building works**.

(8) If a security bond is or any surplus funds are not required to be retained by **Council** for repairs in accordance with sub-clause (7) but are not claimed within 12 months of completion of the **building works**, the security bond or surplus funds will be forwarded by **Council** to the Registrar of Unclaimed Money, in accordance with the requirements of the *Unclaimed Money Act 2008*.

49. Managing Amenity on Building sites

(1) The **builder** must ensure that the **building site** is developed and managed to minimise the risks of stormwater pollution, through the contamination of run-off by chemicals, sediments, **animal** wastes or gross pollutants in accordance with currently accepted best practice by adopting measures to:

(a) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting **roads** or **Council Land** or washed into the stormwater system; and

(b) prevent **building** cleanup, wash down or other wastes being discharged offsite or allowed to enter the stormwater system.

(2) Where any **building works** (other than minor **building works**) are being carried out on any land, the **builder** must:

(a) provide a refuse facility for the purpose of disposal of **builder's** refuse, and, provided the facility contains all **builder's** refuse on the land to the satisfaction of **Council**, its size, design and construction will be at the discretion of the **builder**;

(b) place the refuse facility on the land and keep it in place (except for such periods as are necessary to empty the refuse facility) for the construction period;

(c) not place the refuse facility on any **road** or **Council Land** without a **permit**; and

(d) empty the refuse facility whenever full, and, if necessary, provide a replacement refuse facility during the emptying process.

(3) During **building works**, the **builder** must ensure that:

(a) all **builder's** refuse which requires containment is placed in the refuse facility referred to in sub-clause (2);

(b) the **builder's** refuse is not deposited in or on any land other than in accordance with sub-clause (2); and

(c) the **builder's** refuse is not deposited in or over any part of the stormwater system.

(4) On any land where **building works** are being, or has been, carried out, the **builder** must remove and lawfully dispose of all **builder's** refuse on the land, including, without limiting the generality of the above, the **builder's** refuse in the refuse facility referred to in sub-clause (2), within seven (7) days of completion of the construction period or issue of an occupancy permit, whichever occurs last.

(5) A **person** who delivers materials to a **building site** or collects materials or waste from a **building site** must do so without causing damage to any adjoining land or any public assets or infrastructure.

(6) If **Council** identifies any damage which appears to result from non-compliance with this Local Law, an **Authorised Officer** or a **Delegated Officer**:

(a) may direct the responsible party to reinstate the damage within a specified time, in which case the responsible party must comply with such direction; and

(b) must issue the responsible party with a **notice to comply** requiring the damage to be reinstated, either at the time of the inspection or within a reasonable timeframe.

(7) The **builder** must, at its cost, repair to the satisfaction of **Council** any damage to **Council** assets and infrastructure caused by, or connected with, **building works** the subject of an **Asset Protection Permit**, including damage to a **road** (including carriageway), channel, drain, **vehicle** crossing or other asset in the vicinity of the **building site**, or that may be impacted by the **building works**.

(8) If **Council** considers that **building works** have caused damage to **Council** assets it may repair the damage itself and deduct the cost of repairs from any security bond that has been paid in accordance with sub-clause (7).

(9) If the amount of the security bond is insufficient to cover the costs of repairs or if a security bond was not required to be paid, **Council** may give a notice under section 117 of the Act and recover the costs of repairs in accordance with that section.

(10) Subject to sub-clause (8), any money from the security bond that has not been used in covering the costs of repairs may be refunded to the **person** who lodged it in accordance with clauses 48(6), 48(7) and 48(8).

50. Occupation of Roads

(1) A **person** must not, without written consent under section 63(1) of the *Road Management Act 2004* or a **permit**, occupy (whether wholly or partially) a **road**, including by:

(a) fencing off part of a **road**;

(b) erecting a hoarding, scaffolding or overhead protective awning;

(c) using a mobile crane or travel tower for any **building works**;

(d) making a hole or excavation;

(e) reinstating a hole or excavation;

(f) leaving or storing any **building**, paving or other construction materials or any tools, machinery, plant or equipment; or

(g) for any other non-**road** purpose not authorised under this Local Law.

(2) The requirement to obtain a **permit** does not apply to the works 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*.

(3) The requirement to obtain a **permit** does not apply:

(a) to the works of contractors undertaking any works within a **road** or **road** related area for or on behalf of **Council**; or

(b) if a **person** has been granted a **permit** under another provision of this Local Law which permits that **person** to occupy a **road** or structure or thing on a **road**.

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

PART 5 – SMOKING AND LIQUOR

51. Consumption and Possession of Liquor on Roads

Unless exempted under clause 53, a **person** must not while on a **road**:

(1) consume any **liquor**; or

(2) have in their possession or control any **liquor** other than in a container with an unbroken seal.

52. Consumption and Possession of Liquor on Municipal Reserves

(1) Unless exempted under clause 53, a **person** must not while in or on any **municipal reserve** :

(a) consume any **liquor**; or

(b) have in their possession or control any **liquor** other than **liquor** in a container with an unbroken seal

between 11pm and 7am the next day).

(2) **Council** may by resolution prescribe an area of the **municipal district** to be an area within which a **person** must not, during the **prescribed** time:

(a) consume any **liquor**; or

(b) have in their possession or control any **liquor** other than **liquor** in a container with an unbroken seal.

(3) Unless exempted under clause 53, a **person** must not, in an area during the period **prescribed** by **Council** under sub-clause (2):

(a) consume any **liquor**; or

(b) have in their possession or control any **liquor** other than **liquor** in a container with an unbroken seal.

53. Exemption

A **person** who consumes **liquor** or has in their possession **liquor** in an unsealed container does not commit an offence under this Local Law if:

(1) they are taking part in a **procession**, function, **street party** or other activity on a **road** or on or in a **municipal reserve** in respect of which **Council** has granted permission and in accordance with any other **permit** or licence required under any Act; or

(2) they are in one of the following nominated reserves:

Municipal Reserves as nominated for sub-clause (2)	
Alexandra Oval Recreation Reserve Westmere Recreation Reserve Buangor Recreation Reserve Centenary Park Recreation Reserve Kokoda Park Recreation Reserve Lake Bolac Recreation Reserve Maroona Recreation Reserve Mininera Recreation Reserve	Pomonal Recreation Reserve Westmere Recreation Reserve Wickliffe Recreation Reserve Willaura Recreation Reserve Yalla-y-Poora Recreation Reserve Tatyoon Recreation Reserve Hadland Street Reserve
The **municipal reserve** area bound by Barkly Street to the south, High Street to the north, Vincent Street to the west and Queen Street to the east.	

(3) they are in or on **licensed premises** or an extension of **licensed premises** in respect of which consumption and possession of **liquor** in unsealed containers is permitted and in accordance with any other **permit** or licence required under any Act.

54. Smoking in Municipal Places (including Reserves)

(1) **Council** may prescribe a **municipal place** or part of a **municipal place** to be a **smoke free area**.

(2) **Council** must erect and maintain or cause to be erected and maintained signs in any **municipal place** or part of a **municipal place** that has been **prescribed** to be a **smoke free area**.

(3) A **person** must not **smoke** in or on any **municipal place** or part of a **municipal place** that has been **prescribed** to be a **smoke free area** by **Council** to be a **smoke free area** and has a **smoke free area** sign erected and maintained.

PART 6 – COUNCIL LAND (INCLUDING MUNICIPAL PLACES, PARKS AND COUNCIL BUILDINGS)

DIVISION 1 – MUNICIPAL PLACES AND OTHER COUNCIL LAND

55. Behaviour in a Municipal Place – Prohibitions

A **person** must not, while in a **municipal place**, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the **municipal place** by any other **person**.

56. Damaging/Defacing a Municipal Place

A **person** must not, unless employed, authorised or contracted by **Council** for the purpose, do the following in or on a **municipal place**:

(1) destroy, damage or interfere with a **municipal place**;

(2) destroy, damage, remove or interfere with any **trees** or plants on or within a **municipal place**;

(3) remove anything belonging to **Council** from any **municipal place**; or

(4) destroy, damage or interfere with any property or assets owned or managed by **Council**.

57. Interference with a Watercourse and Other Areas

A **person** must not, without a **permit** or unless employed or contracted by **Council** for the purpose, destroy, damage or interfere with a watercourse, lake, ditch, creek, gutter, drain, tunnel, bridge, levee, culvert, or any directly adjoining fence, vested in or under the control of **Council**.

58. Obstructions on Council Land

A **person** must not place or leave a rubbish container, clothing recycling bin, movable structure, device or material or other object on any **road** or **Council Land** so as to:

(1) cause an obstruction;

(2) constitute a danger to **person**; or

(3) be in the way of or likely to obstruct **traffic**.

59. Operation of Model Aircraft

(1) **Council** may **prescribe Council Land** or part of **Council Land** to be **Council Land** or part of **Council Land** on which a **person** must not operate or allow another **person** to operate a **model aircraft** without a **permit**.

(2) A **person** must not, without a **permit**, operate or allow another **person** to Operate a **model aircraft** while on any **Council Land** or any part of **Council Land prescribed** under sub-clause (1).

DIVISION 2 – PARKS

60. Behaviour within a Municipal Reserve – Prohibitions

A **person** must not, while in a **municipal reserve**, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the **municipal reserve** by any other **person**.

61. Activity within a Municipal Reserve – Permitted Activities

A **person** must not, without a **permit**, while present on any **municipal reserve**:

(1) camp or pitch, erect or occupy any tent or temporary shelter;

(2) sell any **liquor** or bring any drinks in glass bottles;

(3) hold any event (whether public or private and whether a circus, fair, carnival, festival, market, wedding or other similar celebration or gathering) or cause fireworks to be activated;

(4) organise, hold or attend any rally, **procession**, demonstration or like gathering;

(5) use any amplifier, musical equipment, public address system or sound broadcasting equipment that may interfere with the use and enjoyment of any other **person** in the **municipal reserve**;

(6) erect, fix or place any **advertising sign** unless that **advertising sign** is permitted under a licence or other occupancy agreement to which **Council** and the **person** are parties;

(7) conduct, organise or participate in any competitive game of sport unless the game or sport:

(a) involves a small social group and the game or sport does not unreasonably interfere with the use and enjoyment of **municipal reserve** by any other **person**; or

(b) is authorised by a licence or other occupancy agreement to which **Council** and the **person** are parties;

(8) sell or expose or offer for sale any article of food or drink or any other article;

(9) cause to be operated any amusement for which a charge is made or make a collection of money for any purpose;

(10) ride a horse or bicycle, **wheeled non-motorised recreational device** or **wheeled child's toy** or drive any **vehicle** unless:

(a) in the case of a bicycle or **vehicle** the bicycle or **vehicle** is being parked in a parking area set aside for that purpose by **Council**;

(b) it involves the wheeling of a bicycle, pram, wheelchair, **child** or baby carriage or children's toy;

(c) the riding of the bicycle, **wheeled non-motorised recreational device** or **wheeled child's toy** does not interfere with the use and enjoyment of the **municipal reserve** by any other **person**;

(d) it involves an **Authorised Officer** or **Delegated Officer** acting in the course of their employment; or

(e) it involves a designated roadway or bicycle pathway being used in the manner for which it was intended;

(11) allow any **animal:**

(a) that is a domestic **animal**, companion **animal** or other small **animal** that is reasonably capable of being effectively controlled of which they are in charge to be present in the **municipal reserve**, unless the animal is under the effective control of a **person**;

(b) that is an exotic, wild, dangerous or large **animal**, riding **animal**, or grazing **animal**, of which they are in charge to be present in the **municipal reserve**, unless the **animal** is permitted by signage erected by **Council** to be present in the **municipal reserve** and the **person** observes any conditions, restrictions or other safety directions or measures as signed or indicated;

(12) enter or remain within or upon the playing area of a **municipal reserve** during the progress of a sports match or sports gathering unless such **person** is a player, competitor or official;

(13) enter any area set aside for planting or growing of vegetation unless the **person** is authorised by **Council**;

(14) swim in, wade through or enter for recreational purposes or fish in any lake, pond or other watercourse within the **municipal reserve** unless designated **by Council** for such use and where such use is permitted, the **person** must observe any restrictions or other safety directions or measures as signed or marked;

(15) install or allow to be installed a gateway or other means of access to from the **municipal reserve**; or

(16) undertake any activity for commercial gain.

62. Access to Municipal Reserves

(1) Except as determined otherwise by **Council** or an **Authorised Officer** or a **Delegated Officer**, all **municipal reserves** are open to the public from 7am to 11pm free of charge on any day.

(2) **Council** or an **Authorised Officer** or a **Delegated Officer** may, in the case of any **municipal reserve**, set aside days and times upon which charges or entrance fees may be made for the use of the **municipal reserve**.

(3) **Council** or an **Authorised Officer** or a **Delegated Officer** may restrict access to any part of a **municipal reserve**, whether for temporary works, for long or short- term lease use or any other purpose, and public access to such restricted areas may be non-existent, limited by condition or subject to a fee or donation.

(4) A **person** must not enter any **municipal reserve**, whether open to the public or subject to restricted access, other than via designated access points (where applicable), during hours of opening and subject to any conditions, fee or donation imposed, unless directed otherwise by a member of **Council** staff or authorised contractor in the course of their employment.

63. Camping Prohibited on Council Land

(1) A **person** must not camp on **Council Land** in a **vehicle**, tent, caravan, **campervan** or other temporary or makeshift structure unless such **person** is within a licensed caravan park or an area determined to be available for camping purposes by **Council**.

(2) Where camping is permitted on **Council land,** the maximum allowed time is 5 days without a **permit**. A **permit** issued under this clause 63 is for a maximum of 28 days in any given calendar year.

64. Lighting Fires

(1) A **person** must not, without a **permit**, light or cause to be lit any fire on or in any **municipal place** or **municipal reserve**.

(2) A **person** who lit or caused to be lit any fire, or a **person** who assisted in or has been party to the preparation for the lighting of a fire by another on or in a **municipal place** or **municipal reserve**, must not allow that fire to remain alight.

(3) A member of **Council** staff or a **person** contracted or authorised by **Council** for the purpose may, without a **permit**, undertake controlled burning off as part of normal scheduled parks maintenance on any **Council Land**.

(4) This clause 64 does not apply to a fire lit in a **barbecue** or similar appliance provided or installed by **Council** for use by members of the public to prepare food, while the **barbecue** or similar appliance is being used for that purpose.

65. Filming on Council Land

(1) A **person** must not, without a **permit**, undertake any **filming** on any **road** or **Council Land**.

(2) In addition to the requirement to obtain a **permit** for **filming** on any **road** or **Council Land**, a **permit-holder** must comply with any policy or protocol adopted by **Council** that is relevant to that activity.

(3) In addition to the requirements of Part 8 in respect of **permits**, any **permit** issued under this clause 65 must be consistent with the Film Friendly Principles.

66. Parking on Municipal Reserves

(1) A **person** must not, without a **permit**, park any motor car, motor cycle or other motor **vehicle** on any part of any **municipal reserve** other than in any parking area set aside for that purpose by **Council** or agreed to by **Council** or an **Authorised Officer** or a **Delegated Officer**.

(2) Sub-clause (1) does not include any employee or contractor of **Council** acting in the course of their duties.

67. Use of Wheeled Non-Motorised Recreational Devices and Wheeled Child's Toys

(1) **Council** may prescribe areas in which **wheeled non-motorised recreational devices** and/or **wheeled child's toys** must not be used.

(2) If **Council** prescribes areas in which **wheeled non-motorised recreational devices** and/or **wheeled child's toys** must not be used, it must cause signs to be erected in or on the areas **prescribed** by it, clearly indicating the location and extent of the area in which **wheeled non-motorised recreational devices** or **wheeled child's toys** (as the case may be) must not be used.

(3) A **person** must not use a **wheeled non-motorised recreational device** and/or **wheeled child's toy** in an area **prescribed** by **Council** as an area in which the use of such is prohibited.

(4) Where **Council** fails to erect and maintain signs as required under sub-clause (2), no **person** may be prosecuted for an offence against sub-clause (3).

DIVISION 3 – COUNCIL BUILDINGS

68. Behaviour in a Municipal Building – Prohibitions

A **person** must not, while in a **municipal building**, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the **municipal building** by any other **person**.

69. Availability and Hire

(1) A **person** must not hold any event in a **municipal building** without the consent of **Council**.

(2) During any period for which a **municipal building** or any part of it has been hired out, the **Manager** may refuse admission to it to any **person** who is not connected with the hiring purpose.

PART 7 – FEES AND CHARGES

70. Setting Fees and Charges

Council may determine the fees, charges, bank guarantee or bond to apply under this Local Law, which may include an administrative or processing fee or charge.

71. Waiver of Fees and Charges

(1) **Council**, an **Authorised Officer** or a **Delegated Officer** may waive the whole or part of any fee or charge otherwise payable under this Local Law if it is in the public interest to do so.

(2) A **service authority** is not liable to pay any fee or charge otherwise payable under this Local Law.

PART 8 – PERMITS

72. Applications and Grant of Permits

(1) In determining whether to grant a **permit** under this Local Law, **Council**, an **Authorised Officer** or a **Delegated Officer** must have regard to:

(a) anything said in support of or opposition to the application for a **permit**;

(b) the amenity of the **municipal district**, to the extent to which it is relevant;

(c) any policy relevant to the application for a **permit**; and

(d) all other relevant considerations.

(2) An application for a **permit** must be:

(a) made in writing and include the following particulars:

(i) the name and address of the **applicant**;

(ii) the capacity in which the **applicant** makes the application;

(iii) a statement of the purpose for which the **permit** is sought;

(iv) the location of the proposed activity;

(v) the day and the time when the proposed activity is to take place and its expected duration;

(vi) the signature of the **applicant** or a **person** authorised to sign for and on behalf of the **applicant**; and

(vii) such other particulars as **Council** may require;

(b) true and correct; and

(c) forwarded to the **person** or office described on the application form with the fee, if any, payable to **Council** and in the amount as is fixed by **Council** from time to time.

(3) If required by **Council,** an **Authorised Officer** or a **Delegated Officer**, an **applicant** must provide such additional information as may be specified before the application for a **permit** will be processed and determined.

(4) If required by **Council,** an **Authorised Officer** or a **Delegated Officer**, an **applicant** for a **permit** must give such notice of that application, or invite any **person** to make a submission, or do both, as may be specified.

(5) Wherever in this Local Law a **permit** is required, **Council,** an **Authorised Officer** or a **Delegated Officer** may:

(a) grant the **permit**;

(b) refuse to grant the **permit**;

(c) grant the **permit** subject to conditions; or

(d) determine that no **permit** is required.

(6) **Council**, an **Authorised Officer** or a **Delegated Officer** may correct a **permit** if the **permit** contains:

(a) a clerical mistake or an error arising from any accident, slip or omission; or

(b) a material miscalculation of figures or a material mistake in the description of any **person**, premises, thing or property referred to in the **permit**.

(7) **Council**, an **Authorised Officer** or a **Delegated Officer** may cancel, suspend or amend any **permit** at any time if:

(a) it is requested to do so by the **permit**-holder; or

(b) it considers that there has been:

(i) a material misrepresentation or concealment of fact in relation to the application for the **permit**;

(ii) any material mistake in relation to the grant of the **permit**; or

(iii) any material change of circumstances which has occurred since the grant of the **permit**; or

(iv) the **permit**-holder or their agent for the **permit** defaults in a payment in respect of the **permit**.

(8) **Council,** an **Authorised Officer** or a **Delegated Officer** may cancel or suspend a **permit** at any time if **Council,** the **Authorised Officer** or the **Delegated Officer** is satisfied that there has been a substantial failure to comply with a:

(a) **permit** condition; or

(b) **notice to comply** relating to the premises, item or activity to which the **permit** relates.

(9) **Council,** an **Authorised Officer** or a **Delegated Officer** may cancel or suspend a **permit** at any time where **Council,** the **Authorised Officer** or the **Delegated Officer** determines that the **permit** may result in a hazard, danger or inconvenience to any other **person**, premises, thing or property.

73. Scope of Permits

(1) The holding of a **permit** or compliance with a condition included in a **permit** does not of itself relieve the **permit-holder** from:

(a) compliance with any other legislation with respect to the subject matter of the **permit**; or

(b) liability for any damage sustained by any **person** as a result of an activity undertaken by or on behalf of the **permit-holder** pursuant to the **permit**.

(2) A **person** applying for a **permit** or amendment of a **permit** must not make or allow to be made any false representation or declaration in or in relation to that application or **permit**.

(3) A **person** who:

(a) makes a false representation or declaration (whether oral or in writing) or allows such a representation or declaration to be made in or in relation to an application under this Local Law;

(b) omits or allows to be omitted relevant information from an application for a **permit** or exemption; or

(c) falsifies or tampers or allows to be falsified or tampered with any **permit,**

is guilty of an offence.

PART 9 – ENFORCEMENT

74. Exemptions

(1) **Council**, an **Authorised Officer** or a **Delegated Officer** may exempt a **person** or class of **persons** from the operation of any provision of this Local Law if it is in the public interest to do so.

(2) Any exemption under sub-clause (1):

(a) must be in writing; and

(b) may be subject to such reasonable conditions that **Council**, an **Authorised Officer** or a **Delegated Officer** sees fit.

75. Power of Authorised Officers or Delegated Officers to issue a Notice to Comply

(1) If an **Authorised Officer** or a **Delegated Officer** reasonably suspects that a **person** has contravened this Local Law they may serve a **notice to comply** on that **person**.

(2) A **notice to comply** must:

(a) specify the act, matter or thing that must be done or cease to be done;

(b) specify the time within which the **person** on whom the **notice to comply** is served is required to do or cease to do the act, matter or thing;

(c) be signed by an **Authorised Officer** or a **Delegated Officer**, and

(d) be served on the **person** named therein.

(3) The time to comply specified in a **notice to comply** must be reasonable in the circumstances.

76. Failure to adhere to a Notice to Comply

Any **person** who fails to remedy a situation or do any act required to be done in accordance with a **notice to comply**:

(1) is guilty of an offence and is liable to the penalty of 20 **penalty units**; and

(2) is liable to pay to **Council** all costs incurred by **Council** (including administration costs) in complying with a **notice to comply** in accordance with section 117 of the **Act**.

77. Impounding

(1) **Council** or an **Authorised Officer** or a **Delegated Officer** may seize and impound any **animal** or thing (including **vehicle**) which is, has been or is being used or possessed in contravention of this Local Law.

(2) Nothing in sub-clause (1) authorises **Council** or an **Authorised Officer** or **Delegated Officer** to seize or impound any **animal**:

(a) in respect of which excrement has been allowed to remain on a **road** or **Council Land** contrary to clause Part 224(1)(a);

(b) which has been allowed to dig any part of **Council Land** contrary to clause Part 224(1)(b); or

(c) in respect of which a **person** in charge who is on a **road** or **Council Land** is not carrying or has not carried a **litter device** or produce a **litter device** upon request, contrary to clause Part 224(2).

(3) If an **Authorised Officer** or a **Delegated Officer** impounds any **animal** or thing in accordance with this Local Law, **Council** may refuse to release it until the **appropriate fee** or charge for its release has been paid.

(4) As soon as possible after impounding, the **Authorised Officer** or **Delegated Officer** must, if practicable, serve a notice in writing on the owner or **person** responsible for the **animal** or thing which has been impounded setting out the fees and charges payable and the time by which the **animal** or thing must be collected.

(5) If, after the time required in the notice, an impounded **animal** or thing is not collected, an **Authorised Officer** or a **Delegated Officer** may take action to dispose of or destroy the impounded **animal** or thing.

(6) When the identity or whereabouts of the owner or **person** responsible for the impounded **animal** or thing is unknown, an **Authorised Officer** or a **Delegated Officer** must take reasonable steps to ascertain the identity or whereabouts of that **person** and contact that **person**, after which the **Authorised Officer** or **Delegated Officer** may proceed to dispose of or destroy the impounded **animal** or thing in accordance with sub-clause (5) if the **Authorised Officer** or **Delegated Officer** is satisfied that all reasonable efforts have been made to contact the owner or **person** responsible for the impounded **animal** or thing.

(7) Any proceeds from the disposal of any impounded **animal** or thing, except for all reasonable costs, charges and expenses properly incurred by **Council** in and incidental to the sale or any attempted sale or otherwise, may be claimed by the owner within one (1) year of sale.

(8) An impounded **animal** or thing must be surrendered to its owner, or a **person** acting on behalf of its owner as soon as practicable after receiving:

(a) evidence to the satisfaction of the **Authorised Officer** or **Delegated Officer** of the owner's right to the **animal** or thing; and

(b) payment of the applicable fee.

78. Recovery of Expenses

Any expense incurred by **Council** in consequence of a breach of this Local Law or in the execution of work directed pursuant to this Local Law to be executed by any **person** and not executed by the **person** must be paid immediately on demand to **Council** by the **person** committing such breach or failing to execute such work.

79. Appeals

An **applicant** who is aggrieved by a decision to refuse to grant a **permit** or to issue a **notice to comply** may apply to **Council** to be heard and may make a written submission for consideration by **Council.** An application for review under this clause 79 will not in any way remove that **person's** obligation to act in accordance with any decision, direction or notice given or made.

80. Urgent Powers

An **Authorised Officer** or a **Delegated Officer** may, in urgent circumstances arising from a failure to comply with this Local Law or a **permit**, take action to remove, remedy or rectify a situation, without the necessity to serve a **notice to comply** provided:

(1) they consider 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**, premises or thing at risk or in danger;

(2) details of the circumstances and remedying action are, as soon as possible, forwarded to the **person** on whose behalf the action was taken; and

(3) the action taken does not extend beyond what is necessary to cause the immediate abatement of or to minimise the risk or danger involved.

81. Power to Issue a Direction

(1) **Council** or an **Authorised Officer** or a **Delegated Officer** may, by serving a direction, request any owner or occupier of property or other **person** to remedy any situation that constitutes a breach of this Local Law.

(2) A direction may be verbal or written.

(3) An owner or occupier of property or other **person** to whom a direction is issued must comply with that direction.

PART 10 – OFFENCES, PENALTIES, INFRINGEMENT NOTICES AND OFFICIAL WARNINGS

82. Offences and Penalties

(1) A **person** is guilty of an offence if the **person**:

(a) does something which a provision of this Local Law prohibits to be done or makes an offence;

(b) fails to do something which a provision of this Local Law requires to be done;

(c) engages in an activity without a **permit** where a provision of this Local Law requires that **person** to obtain a **permit** before engaging in that activity;

(d) breaches or fails to comply with a condition of a **permit** issued or an exemption given under this Local Law; or

(e) fails to comply with a **notice to comply** or a direction of **Council** under this Local Law,

and is liable to a penalty not exceeding 20 **penalty units**.

(2) The **penalty units** indicated in this Local Law are maximum penalties which may apply if the offence is found proven by a Court.

83. Infringement Notices

(1) As an alternative to prosecution, an **Authorised Officer** or a **Delegated Officer** may serve an **infringement notice** on a **person** who has contravened this Local Law.

(2) **Infringement notices** are administered in accordance with the *Infringements Act 2006*, including warnings, issuing **infringement notices** and appeals.

(3) The penalties fixed for **infringement notices** served under this Local Law are set out in Schedule 1.

If no penalty is set out in Schedule 1 in respect of an offence the penalty fixed for an **infringement notice** served under this Local Law in respect of that offence is 5 **penalty units**.

Schedule 1 Infringement Penalties

Clause	Abbreviated Description of Offence	Infringement Notice Penalty Units
11(2)	Failure to provide a suitable property number	2
12(1)	Permitting a property to be dangerous or unsightly	5
12(2)	Allowing any **building** or other structure to become dilapidated	5
12(3)	Failing to take reasonable steps to prevent the movement of soil, sediment and other substances from **private property** to an adjoining **road**	2
14(1)	Removing or interfering with waste	2
15(1)	Burning of materials	4
15(2)	Lighting a fire, or allowing a fire to remain alight, in the **open air** without a **permit**	5
15(3)	Using, or allowing to be use, an **incinerator** on **property private**	5
15(4)	Failing to take all necessary steps to extinguish a fire which has been lit in breach of this Local Law	5
16	Allowing **trees** or plants to obstruct or obscure	2
17	Failure to keep land free from **fire hazards**	5
18(1)	Camping on **private property** without a **permit**	2
19	Keeping a shipping container on **road**, **Council Land** or **private property** without a **permit**	5
20(1)	Allowing **trees** or plants to cause damage	5
22(1)	Keeping **animals** contrary to Local Law	2
23	Failure to provide adequate **animal** shelter	2
24(1)	Allowing **animal** excrement to remain on, or allowing an **animal** to dig or otherwise disturb, any **Council Land**	2
24(2)	Failure to carry a suitable **animal litter device**	2
25	Failure to remove wasp nest within 7 days	2
26	Feeding of birds on private land contrary to Local Law	2
27	**Bulk rubbish containers** on a **road** without a **permit**	5
28(1)	Ride or use **motor bike** or **other motorised recreational vehicle** on **Council Land**	2
28(2)	Ride or use **motor bike** or **other motorised recreational vehicle** on **Council Land prescribed** for that purpose on any day of **Fire Ban or Code Red (Catastrophic) Fire Danger Rating Day**	2
28(3)	Ride or use of **motor bike** or **other motorised recreational vehicle** on **private property** in an **urban area**	2
29	Repair of **vehicles** on **roads**	2
30	Leave a derelict, **abandoned** or unregistered **vehicle** on **Council Land**	5
31	Parking a **heavy vehicle** on a **road** or **private property**	2

Clause	Abbreviated Description of Offence	Infringement Notice Penalty Units
32	Storing **vehicle** on a **road**	2
33(1)	Holding a **street party**, **street festival** or **procession**	5
34(1)	Erecting a structure for the purpose of roadside trading without a **permit**	5
34(2)	Roadside performance (busking) without a **permit**	2
35(1)	Roadside trading on another's pre-allocated site	5
36	Displaying goods for sale on a **road** or **Council Land** without a **permit**	5
37(1)	Using a **road** or **Council Land** for an **outdoor eating facility** without a **permit**	5
37(2)	Using a **road** or **Council Land** for an **outdoor eating facility** where liquor will be consumed without the necessary licences	5
38	Failing to remove the **outdoor eating facility**	5
39(1)	**Advertising sign** on **Council Land** without a **permit**	5
39(3)	Displaying for sale any **vehicle**, trailer, boat or other equipment on a **road** or **Council Land** without a **permit**	2
40	Allowing a shopping trolley to be left on any **road** or **Council Land**	2
41(1)	Collecting money or subscriptions without a **permit**	2
42(1)	Collection/placement of trade waste bins contrary to Local Law	2
42(2)and 42(3)	Placing of trade waste contrary to requirements	2
42(4)	Failure to store waste container on property as required	2
43	Tap into or interfere with a drain under the control of **Council** or discharge groundwater into a drain under the control of **Council** or onto any **road** or **Council Land**	5
44(1)	Failure to provide a properly constructed **vehicle** crossing	5
44(4)	Failure to maintain a **vehicle** crossing	5
45(1)	Construct, install, remove or alter a **vehicle** crossing without first obtaining a **permit** to do so	5
45(2)	Removing, pruning or damaging street **tree** from works on **vehicle** crossing	5
46	Failing to comply with a direction to remove any redundant **vehicle** crossing	5
47(1)	Failure to ensure access to a **building site** is by way of a **vehicle** crossing, or to provide a temporary **vehicle** crossing where there is none	5

Clause	Abbreviated Description of Offence	Infringement Notice Penalty Units
47(2)	Failure to obtain a **permit** to construct a temporary **vehicle** crossing and to do the things required by clause 47(2) in connection with that temporary **vehicle** crossing	5
47(3)	Failure to repair any damage caused to Council assets by conduct of **building works**	5
48(1)	Failure to obtain an **Asset Protection Permit**	5
49(1)	Failure to manage **building site** to minimise the risks of stormwater pollution	5
49(2), 49(3) and 49(4)	Failure to deal with refuse as required by clause 49(2), 49(3) or 49(4)	5
49(5)	Causing damage when delivering materials to, or removing materials from, a **building site**	5
49(7)	Failure to repair any damage caused to Council assets by conduct of **building works**	5
50(1)	Occupying a **road** without a **permit**	5
51	Consumption and possession of **liquor** on **roads**	2
52(1)	Consumption and possession of **liquor** on **municipal reserves**	2
52(3)	Consumption and possession of **liquor** in **prescribed area**	5
54(3)	Smoking in **municipal places** contrary to signs	2
55	Behaving in a prohibited manner in a **municipal place**	2
56	Damaging/defacing a **municipal place**	5
57	Interference with watercourse	5
58	Obstructions on **road** or **Council Land**	5
59(2)	Operation of **Model Aircraft** on **Council Land** without a **permit**	2
60	Behaving in a prohibited manner in a **municipal reserve**	2
61	Engaging in restricted activity without a **permit** in a **municipal reserve**	5
62(4)	Unauthorised access of **municipal reserve**	2
63(1)	Camping on **Council Land** that is not a licensed caravan park or an area determined to be available for camping purposes by **Council**	2
63(2)	Camping on **Council Land** that is a licensed caravan park or an area determined to be available for camping purposes by **Council** for longer than 5 days, or 28 days in total in a calendar year	2
64(1)	Lighting a fire in a **municipal place** or **municipal reserve**	5
64(2)	Allowing a fire to remain alight in a **municipal place** or **municipal reserve**	5
65	**Filming** on **road** or **Council Land** without a **permit** or contrary to relevant **Council** policies and protocols or the Film Friendly Principles	5

Clause	Abbreviated Description of Offence	Infringement Notice Penalty Units
66(1)	Parking on **municipal reserve**	2
67(3)	Using a **wheeled non-motorised recreational device** or **wheeled child's toy** in a **prescribed** area	2
68	Behaving in a prohibited manner in a **municipal building**	2
69(1)	Holding an event in a **municipal building** without consent of **Council**	2
73(2)	Make a false representations or declarations in or in relation to an application for a **permit**	5
73(3)(b)	Omit relevant information from application for a **permit**	5
73(3)(c)	Falsify, tamper with, or allow to be falsified or tampered with, a **permit**	5
76	Failure to act in accordance with a **notice to comply**	5
81(3)	Failing to comply with direction	5