OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
		Part 1 - Introduction		
1	**Title** This is the General Purposes Local Law 2015 of the Maribyrnong City Council.	**1**	**Title** This Local Law is the called “Community Amenity Local Law 2025”.	Updated document title.
2	**Purpose of the Local Law** This Local Law is made for the purposes of providing for the peace, order and good government of the municipal district by managing, regulating and controlling activities and uses on any land to: (a) promote a physical and social environment free from hazards to health or public safety, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community; (b) prevent and suppress nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district; (c) prohibit, regulate and control activities or behaviour which may be dangerous, or detrimental to the quality of life and the environment of the municipal district or which could compromise public safety, Council land or assets; (d) provide processes and requirements that complement Council Policies, guidelines or other documents incorporated by reference in the Local Law; and provide for the administration and enforcement of the Local Law.	**2**	**Purpose of the Local Law** The purpose of this Local Law is to provide for: (a) the peace, order and good government of the municipal district; (b) a safe and healthy environment so that the community within the municipal district can enjoy a quality of life that meets its general expectations; (c) fair access and use of Council and community assets and prescribe measures to protect those assets; (d) the prevention and suppression of nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety, and welfare of persons within the municipal district; (e) the prohibition, regulation, and control of activities which may be dangerous or unsafe or detrimental to a person's health, the amenity of the municipal district, or the environment; and (f) prescribed requirements for the administration and enforcement of the Local Law.	Updated and expanded 2015 version.
3	**Authorising Provision** This Local Law is made under section 111(1) of the Local Government Act 1989.	**3**	**Authorising Provision** This Local Law is made under section 71 of the Local Government Act 2020 and section 42 of the Domestic Animals Act 1994.	Updated referencing to Acts.
4	**Operation Date** This Local Law operates from 18 November 2015.	**4**	**Commencement Date** This Local Law comes into operation on [insert date].	Updated commencement date.
5	**Revocation** This Local Law ceases to operate on 17 November 2025.	**5**	**Cessation Date** This Local Law ceases to operate on [insert date], unless revoked earlier by Council.	Updated and retitled as ‘cessation date’.
	NEW	**6**	**Revocation** From the commencement of this Local Law, the General Purposes Local Law 2015 previously made by Council is revoked, save that any notice or approval given, permit issued or matter or thing commenced under the repealed Local Law, is not affected.	New clause to revoke current General Purposes Local Law 2015.
6	**Application** (1) This Local Law applies and has operation throughout the whole of the Municipal District. (2) This Local Law does not apply where any act or thing regulated by it is authorised by any Act, other subordinate legislation or the Planning Scheme. (3) The Council may declare or designate areas for the purposes of this Local Law which prohibits or limits the places where specific uses or activities may occur. (4) Where the Council declares or designates areas under this Local Law it must ensure that those declared or designated areas are included in: (a) the Local Laws Register; (b) identified on maps or by a geographic description and are published on the Council’s website and available in hard copy at the Council’s office. (5) This Local Law incorporates by reference documents containing Council Policy,	**7**	**Application of the Local Law** (1) This Local Law applies and has operation throughout the whole of the municipal district. (2) Nothing in this Local Law prevents any member, officer or employee of: (a) an emergency service; or (b) a Commonwealth or State government; or (c) any military or civil-defence force; or (d) the Council or a contractor or agent directly engaged by the Council to undertake works or to provide a service from performing any of the duties they are lawfully entitled or required to perform while engaging in those duties, and any person acting accordingly is not guilty of any offence under this Local Law.	Amended to demonstrate scope/application and intent of what Local Law seeks to achieve.

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	standards or guidelines that apply to specific uses or activities which are intended to assist in achieving the objectives of this Local Law. (6) It is intended that where an incorporated document is applied to a use or activity a person must comply with any or all of the requirements specified for that use or activity.			
7	**Interpretation** Detailed definitions list available in General Purposes Local Law 2015.	**8**	**Definitions** Detailed definitions list available in draft Community Amenity Local Law 2025.	All definitions have been reviewed and updated, and cross-referenced against other legislation.
		Part 2 – Your property		
16	**Standard Applying to Land and Buildings** (1) A person must not allow or permit land of which he or she is the owner or occupier to be kept in a manner, which is: (a) unsightly; (b) dangerous; (c) a nuisance; or (d) detrimental to the general amenity of the neighbourhood in which it is located. (2) The owner or occupier of any land must not permit anything on that land, or a building or a fence on the land that abuts a road to – (a) be kept in a manner which is unsightly or ruinous or detrimental to the general amenity of the neighbourhood in which it is located; (b) become unsightly, derelict or detrimental to the general amenity of the neighbourhood in which it is located; or (c) be a risk or a nuisance to adjoining land or Council land.	**9**	**Unsightly Land** (1) An owner or occupier of land must not keep or allow another person to keep that land in a manner which is: (a) unsightly; or (b) detrimental to the general amenity of the neighbourhood in which it is located. (2) Without limiting the generality of subclause (1), land may be unsightly or detrimental to the general amenity of the neighbourhood in which it is located by the presence of: (a) disused excavation; (b) a building which is incomplete and does not have a current building permit; (c) unconstrained rubbish, litter, waste materials or any stockpiled materials; (d) dead, diseased or dying vegetation; (e) growth of vegetation and undergrowth exceeding a height of 20 centimetres; (f) vermin or noxious weeds; (g) second-hand materials, scrap metal, building materials or building refuse; (h) unused advertising billboard structures (i) derelict vehicles and machinery, or vehicle- or machinery parts; or (j) graffiti on exterior walls of buildings or fences. (3) An owner or occupier of land must not allow any grass or weeds on that land to exceed 20 centimetres in height.	This clause seeks to address the amenity of private property. Deleted the definition of 'Unsightly' in old Local Law and incorporated wording in this clause to simplify and clarify. Expanded to include: • Litter and waste • Scrap materials • Derelict vehicles and machinery • Graffiti • Excess vegetation greater than 20cm high • Grass and weeds greater than 20cm high. • Vermin or noxious weeds. Replaces and expands on existing clause 16 Standards Applying to Land and Buildings. Also see clauses: • 10 Dilapidated Buildings • 11 Dangerous Land
	NEW	**10**	**Dilapidated Buildings** (1) An owner or occupier of land must: (a) not allow a building on the land to become dilapidated or further dilapidated, (b) take all reasonable steps to secure any building located on the land from unauthorised access, and (c) maintain any building located on the land in a state of good repair, including undertaking temporary repairs as required to ensure on-site safety and security. (2) For the purposes of subclause (1), a building is dilapidated if it is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of	New clause to address dilapidated buildings. This clause seeks to protect neighbourhood amenity and safety. Replaces and expands on 16 Standards Applying to Land and Buildings. Also see clauses: • 9. Unsightly Land • 11. Dangerous Land

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			age, neglect, poor maintenance, or misuse, or has become damaged or defaced. *Explanatory Note* *For the purposes of this clause, 'building' includes buildings of heritage significance as identified by the Planning Scheme, which will be assessed by Council against the Minimum Standards.*	
	See above: S.16 Standard Applying to Land and Buildings	**11**	**Dangerous Land** (1) An owner or occupier of land must not keep or allow another person to keep that land in a manner which is dangerous or likely to cause danger to health, life or property. (2) An owner or occupier of land must not, without a permit, store any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property on that land.	This clause seeks to protect neighbourhood amenity and safety. Provided clarity on what could constitute dangerous land (e.g. hazardous substances). Replaces and expands on 16 Standards Applying to Land and Buildings. Also see clauses: • 9. Unsightly Land • 10. Dilapidated Buildings
	See: S.8(3) Council Land and Roads – Requirements Applying to Use (3) A person must not: (a) carry out any work, use or activity; or (b) allow any tree or vegetation or other condition on land owned or occupied by him or her – to interfere with, cause damage to or create a risk to anything on Council land or a road.	**12**	**Overhanging Obstructions or Vegetation** An owner or occupier of land must not permit anything, including vegetation, located on the land to: (a) overhang a road, public place or Council land at a height of less than 3 metres from the surface of the road, public place or Council land; (b) overhang the boundary of the land so as to obstruct the clear view of a pedestrian or the driver of any vehicle approaching the intersection or travelling along the road abutting the land; (c) encroach upon any road, public place or Council land; (d) obscure, interfere with, or cause damage to streetlights, street signs, street furniture or a traffic control device; (e) interfere with or cause damage to any fixture or other structure on a road, public place or Council land; or (f) otherwise prejudice the safe and convenient use of any road, public place or Council land by pedestrians or drivers.	Enhanced provisions to improve amenity and public safety.
	NEW	**13**	**Donation Bins on Private Land** An owner or occupier of private land must not, or must not allow another person to, keep, store, place or repair a donation bin on that land without a permit.	New clause. See also Clause 54 Donation Bins on Council Land.
39	**Heavy Vehicles** (1) The Council or an Authorised Officer may erect signs indicating any prohibition or restriction on the use of a road by any motor vehicle of or over a specified size or weight. (2) An owner or driver of a heavy vehicle must not drive or permit or cause to be driven a motor vehicle on a road where a sign has been erected under subclause (1) unless a permit has been obtained from Council. (3) Unless permitted under the Planning Scheme, the owner or occupier of any land must not without a permit – (a) keep; or (b) allow to be kept – a heavy vehicle on any land in a residential zone.	**14**	**Vehicles on Private Land** (1) An owner or occupier must not, without a permit, keep, park, store, or repair or allow another person to keep, park, store or repair: (a) a vehicle over 7.5 metres in length (including any trailer and fittings) and/or a heavy vehicle on private land in a residential zone. (2) Sub-clause (1) does not apply to: (a) A vehicle that is parked, kept, stored or repaired for less than one hour, or when the driver is picking up or setting down goods; (b) One caravan or one boat being stored on private land by the owner or occupier; or	Enhanced provisions to clearly define maximum vehicle length and weight. Provision for a registered motor home, caravan or boat trailer to be kept on private land.

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Section	**Clause**	**Section**	**Clause**	
			(c) The keeping, parking, storing or repairing of a vehicle permitted under the Planning Scheme.	
19	**Camping – responsibility of Land Owner or Occupier** The owner or occupier of any land must not, without a permit, allow any person to – a. occupy; or b. place or cause to be placed for the purposes of occupation any – i. caravan or motor home; ii. shipping container; iii. tent or like structure; or iv. a vehicle – on any land, unless the occupation of – (i) caravans; (ii) shipping container; (iii) tent or like structure; or (iv) a vehicle– is permitted under the Planning Scheme.	**15**	**Camping on Private Land** (1) A person must not camp on vacant private land. (2) A person may camp on private land where there is an existing dwelling for a cumulative period of not more than six (6) months in any twelve (12) month period provided that: (a) appropriate sanitary facilities are available to the land; and (b) there is no detrimental effect on the amenity of adjoining land. (3) A person must not, without a permit, camp on private land in excess of the period prescribed in sub-clause (2) unless exempted under the Planning Scheme.	Introduces ability to camp on private land where there is a dwelling, for no more than 6 months in a 12 month period. Appropriate sanitary facilities must be provided, and there must be no detrimental impact on amenity of adjoining land. Camping on vacant private land is prohibited. See also clause 37. Camping on a Road or Council Land.
21 **22** **23**	**Numbering** A person must not: a) number; b) display a number in respect to; or c) use a number to identify premises unless the number has been allocated to the premises or approved for use in relation to the premises by Council. **Maintaining Numbering** If Council has allocated a number to premises, the owner or occupier of those premises must: (a) mark and keep marked the premises with the number allocated by Council; and (b) renew or replace the number as often as may be necessary. **Condition of Numbering** For the purposes of clause 22 the number must be: (a) of sufficient size; (b) displayed accurately and completely; c. in good repair; d. distinct from its background; e. free from obstruction; and clearly read under all normal lighting conditions from the road immediately adjacent to the front boundary of the premises.	**16**	**Property Numbers** (1) An owner or occupier of land must not number or display a number in respect of that land unless the number has been allocated to or approved for use by Council. (2) If Council has allocated a number to the land or approved the use of a number for the land, the owner or occupier of the land must ensure: (a) the land is marked with the number allocated to or approved for use by Council; and (b) the number is of sufficient size, free from obstructions and kept in such a state of repair that it can be clearly read under normal lighting conditions from the road immediately adjacent to the front boundary of the land.	Streamlined wording and combined clauses 21, 22 and 23 into a single clause.
60	**Audible Intruder Alarms** A person must not install or permit or allow to be installed or cause to be retained in an active state, an intruder alarm, which emits a noise audible beyond the boundary of the land on which it is installed unless the alarm is constructed or regulated to ensure that it complies with the relevant Australian Standard.	**17**	**Audible Intruder Alarm** A person must not on any property or in any premises install or permit or allow to be installed or cause to be retained in an active state, an intruder alarm, which emits a noise audible beyond the boundary of the premises, unless such an alarm is constructed or regulated to ensure that it complies with Australian Standard.AS/ ISO 7240.3, or equivalent Australian Standard at the time.	Minor wording adjustments, for clarity.
	NEW	**18**	**Lighting** An owner or occupier of land must not cause or allow to be caused, in the opinion of Council or an Authorised Officer, a light on that land to be a nuisance to any other person.	New clause to address nuisance concerns associated with nuisance lighting.
41	**Use of Recreational Vehicles** (1) A person must not without a permit – (a) use; or	**19**	**Recreational Vehicles on Private Land** A person must not, without a permit drive, ride or use, or cause or allow to be driven, ridden or used any recreational vehicle on private land.	Separated into 2 clauses:

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	(b) permit a person under his or her care or control to use – a recreational vehicle on any land except a road. (2) A person must not: (a) use; or (b) permit a person under his or her care or control to use – a recreational vehicle on any land in a manner which: (c) causes a nuisance; (d) causes damage to any property or injury to any person; or (e) in the opinion of an Authorised Officer is likely to cause damage to any property or injury to any person. (3) The owner or occupier of land must not without a permit allow a person to use a recreational vehicle on land owned or occupied by him or her.			• 19. Recreational Vehicles on Private Land • 45. Use of Recreational Vehicles in a Public Place. Streamlined provisions around use of recreational vehicle on private property. Also see: • Clause 36 Activities on or in a Reserve
56	**Fires** (1) A person must not without a permit – (a) light; (b) allow to be lit; or (c) allow to remain alight – a fire in the open air. Fires in the open air includes fire prevention burns or controlled burns other than those done by an emergency service. (2) A person must not: a. use, construct, erect or install; or b. permit to be used, constructed, erected or installed – an incinerator on any land.	**20**	**Incinerators, Fires and Open Air Burning** (1) A person must not light or allow any fire to be lit in the open air or in an incinerator on any land. (2) The prohibition in sub-clause (1) does not apply to: (a) a barbeque, pizza oven or other properly constructed appliance while it is being used for cooking food; (b) a fire in a brazier, fire pit or chimenea while it is being used for heating; (c) a fire which is approved by a permit for a special event or cultural ceremony; or (d) Any Aboriginal person to undertake a community smoking event. (3) For the purpose of sub-clause (2) a person must not light or allow any fire to be lit that results in emissions of smoke or odour (other than normal odour of food cooking) to enter any neighbouring property, that in the opinion of an Authorised Officer is offensive.	This clause seeks to protect the amenity of neighbouring properties and reduce hazards associated with open air burning. Permit exemptions provided for special events or cultural ceremonies. Exemption provided for Aboriginal people to undertake community smoking events. Exemption provided for cooking food in a barbeque, pizza oven or other properly constructed appliance for the purpose of cooking. Exemption provided for a brazier, fire pit or chimenea while it is being used for heating. Chimneys and indoor wood heaters are regulated through other legislation. Also see Clause 38. Restrictions on Burning in the Open Air in Public Places and on Council Land.
	NEW	**21**	**Direction to Extinguish Fires** (1) An owner or occupier of land who has lit or allowed a fire to remain alight contrary to the provisions in this Local Law, must extinguish the fire immediately on being directed to do so by: (a) an Authorised Officer; or	New clause provides Authorised Officers ability to direct a person to extinguish a fire immediately.

<table>
<tr><th colspan="2">OLD – General Purposes Local Law 2015</th><th colspan="2">NEW – draft Community Amenity Local Law 2025</th><th>Key changes</th></tr>
<tr><th>Section</th><th>Clause</th><th>Section</th><th>Clause</th><th></th></tr>
<tr><td></td><td></td><td></td><td>(b) a member of Victoria Police or the Country Fire Authority or Fire Rescue Victoria.</td><td></td></tr>
<tr><td colspan="2"></td><td colspan="3">Part 3 – Pets and animals</td></tr>
<tr><td>44</td><td>Keeping Animals – Numbers and Types
(1) Unless permitted under a Planning Scheme applicable to the property, a person must not without a permit keep or allow to be kept on any land, any more of each species or group of animals than is stated in the following Table:
<table><tr><th>Type of Animal</th><th>Maximum allowed on land</th><th>Maximum allowed - multi residential dwelling</th></tr><tr><td>Birds</td><td></td><td></td></tr><tr><td>Budgerigars, canaries and finches</td><td>25</td><td>5</td></tr><tr><td>Pigeons</td><td>10</td><td>Not Permitted</td></tr><tr><td>Racing pigeons</td><td>30</td><td>Not Permitted</td></tr><tr><td>Poultry (except roosters)</td><td>10</td><td>Not Permitted</td></tr><tr><td>Dogs (over 3 months old)</td><td>3</td><td>2</td></tr><tr><td>Dogs (under (3) months old)</td><td>4</td><td>4</td></tr><tr><td>Cats (over (3) months old)</td><td>3</td><td>2</td></tr><tr><td>Cats (under (3) months old)</td><td>4</td><td>4</td></tr><tr><td>Reptiles</td><td>10</td><td>5</td></tr><tr><td>Ferrets, guinea pigs, rabbits or mice</td><td>8</td><td>2</td></tr></table>(2) A person must not keep a rooster on any land in the municipal district.</td><td>22</td><td>Permitted Quantity of Animals
(1) The limitations and restrictions in this Part do not apply to the keeping of any animals for which a planning permit is required under the Planning Scheme and a planning permit has been issued for such keeping.
(2) An owner or occupier of any land must not, without a permit, keep or allow to be kept on that land in excess of the number of animals stated in the following table:
<table><tr><th>Animal[1]</th><th>Houses</th><th>Units, townhouses, apartments, flats and other multi-residential dwellings</th></tr><tr><td>Dogs</td><td>3</td><td>2</td></tr><tr><td>Cats</td><td>3</td><td>2</td></tr><tr><td>Birds - canaries, finches, budgerigars</td><td>25</td><td>5</td></tr><tr><td>Birds - pigeons
racing pigeons</td><td>10
30</td><td>0
0</td></tr><tr><td>Poultry</td><td>10</td><td>0</td></tr><tr><td>Roosters</td><td>0</td><td>0</td></tr><tr><td>Rabbits</td><td>5</td><td>2</td></tr><tr><td>Guinea pigs, ferrets, rats or mice</td><td>8</td><td>2</td></tr><tr><td>Reptiles</td><td>10</td><td>5</td></tr><tr><td>Livestock including horses, cows, pigs, sheep or goats</td><td>0</td><td>0</td></tr></table>(3) Notwithstanding subclauses (1) and (2), if the above Table specifies the number is nought (0) for any type of animal on that size of allotment, the keeping of that type of animal on that size of allotment is prohibited and a permit cannot be granted.
(4) The Council or an Authorised Officer may exempt any person or class of persons from the application of subclauses (1), (2) or (3).
(5) Notwithstanding subclauses (1), (2) and (3), a person is allowed to keep an assistance dog or assistance animal on land, provided that the assistance dog or assistance animal is registered with Council or an appropriate body or applicable organisation, if required under legislation.

<u>Footnote:</u> For the purpose of calculating the maximum number of dogs and cats allowed to be kept on land, the offspring of any dog or cat lawfully kept on the land is not to be counted for twelve (12) weeks after their birth. An assistance dog or assistance animal is included in the total number of animals allowed, except where the number of nought (0) is specified in the Table.</td><td>This section regulates keeping of animals including the ‘type of and quantities of animals table’, and clearly outlines what Council expects of residents.

Acknowledge exemption for land regulated by the Planning Scheme.

Introduced exemption for dogs/cats under 12 weeks of age.
Introduced assistance dogs or assistance animals as part of the number of animals allowed.

Strengthened clarity around prohibitions.

Clearly articulated what constitutes a multi-residential dwelling.</td></tr>
<tr><td>46</td><td>Animal Shelters
(1) Any land or structure used for housing an animal or poultry must be located and maintained:
(a) in a clean, inoffensive and sanitary condition;
(b) so as not to cause any nuisance; and
(c) to the satisfaction of an Authorised Officer.
(2) The occupier of land on which an animal or poultry is kept must ensure that:
(a) Poultry is not kept in or has access to the front yard of any property;
(b) Any structure[8] used for housing an animal or poultry is not located within;
(i) 18 metres from any road to which the land has a frontage;
(ii) 3 metres from any other road;
(c) the ground surrounding the place where the animal or poultry is kept is free from:
(i) weeds;
(ii) refuse;
(iii) rubbish; and</td><td>23</td><td>Keeping of Animals
(1) An owner or occupier of land must ensure that any part of the land used for keeping an animal is:
(a) maintained in a clean, inoffensive and sanitary condition and does not cause a nuisance to any other person;
(b) kept to the satisfaction of Council or an Authorised Officer; and
(c) adequately fenced and the fence maintained to the satisfaction of Council or an Authorised Officer, so that any animal kept on the land cannot escape from that land.
(2) An owner or occupier of any land on which an animal is kept must ensure that:
(a) any structure on the land which houses an animal is located so as not to cause a nuisance to any person;</td><td>Introduced provision to ensure adequate fencing to prevent animals escaping.

Strengthened wording generally.

Removed existing clause relating to poultry and incorporated into general clause requirements. Animal housing placement</td></tr>
</table>

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	(iv) other material harbouring, or which may harbour, rats or vermin; (d) all food for consumption by an animal or poultry is kept or stored in a vermin and fly-proof container; (e) all manure, excrement, refuse or rubbish produced or accumulated by the animal or poultry is, as soon after the production or accumulation as is reasonably practicable, placed in a container: (i) which is sanitary, impervious and vermin and fly- proof; and (ii) the contents of which are removed and disposed of at least once every week, or at such other intervals as an Authorised Officer considers necessary.		(b) the land surrounding the place where the animal is kept is free from rubbish or vegetation that could attract or harbour vermin; (c) all animal food for consumption kept or stored on the land is kept or stored in a vermin and fly proof receptacle; and (d) all animal waste is removed from the land so as not to be offensive or a nuisance to any other person.	distance requirements in current local law considered impractical.
47	**Animal Excrement** (1) A person in charge of an animal must not allow any part of the animal's excrement to remain on any road, public place or Council land. (2) A person in charge of an animal that excretes on a road, public place or Council land must immediately collect and dispose of the excrement so as not to cause a nuisance to any other person. (3) Any person in charge of an animal on any road, Council land or public place must carry a litter device and be able to produce this litter device on request by an Authorised Officer.	**24**	**Animal Waste** (1) A person in charge of an animal must not allow any part of the animal's waste to remain on any road, Council land or public place and must immediately collect and properly dispose of the waste. (2) A person in charge of an animal on any road, Council land or public place must carry a bag or other receptacle to collect and properly dispose of waste from that animal. (3) A person in charge of an animal on any road, Council land or public place must produce a bag or other receptacle to collect and properly dispose of waste from that animal.	Updated wording to provide clarity.
48	**Animal Noise** (1) An owner or occupier of premises must take all steps necessary to prevent any: (a) animal making a noise; or (b) noise caused by an animal being emitted from the premises so as to be: (i) unreasonable; or (ii) objectionable or adversely affecting the amenity of a person on other premises. (2) For the purposes of subclause (1), in assessing whether noise is unreasonable, objectionable or adversely affecting amenity, regard must be had to: a. its volume, intensity and duration; and b. the time, place and other circumstances in which it is emitted.	**25**	**Animal Noise** An owner or occupier of any land must not allow an animal kept on that land to emit unreasonable noise.	Simplified clause. Incorporated a new definition of unreasonable noise to align with state legislation.
	NEW	**26**	**Feeding of Animals** (1) If an Authorised Officer is of the opinion that the feeding of an uncaged animal by a person is causing a nuisance or may damage property, the Authorised Officer may direct the person to cease feeding the animal. (2) A person to whom a direction is given under sub clause (1) must comply with that direction.	New clause to address feeding uncaged animals, which causes a nuisance and/or damage.
45	**Wasps and Bees** An owner or occupier of a property who has detected: (b) a wasp or wasp nest on that property; or (c) bee swarm on that property - must not allow that wasp nest or bee swarm to remain on the property and must remove that wasp nest or bee swarm from the property as soon as practicable after detection.	**27**	**Wasps and Bees** (1) An owner or occupier of land must ensure that any European wasps on the land are destroyed. (2) An owner or occupier of land must ensure that any honeybees that have a hive or are swarming on the land are removed from the land unless: (a) the hive is registered in accordance with the Apiary code of Practice 2011; and (b) where a planning permit is required under the Planning Scheme, a planning permit has been issued for such keeping.	Wasps and bees now covered under a single clause. Simplified wording to provide clarity. Included exemption for registered beehives.
		Part 4 – Council land, roads and public places		
		Division 1 - Behaviour		
8	**Council Land and Roads – Requirements Applying to Use** (1) A person using Council land or a road must comply with: (a) any signs or conditions of entry or use; (b) any conditions of membership that the Council has applied to the use; or (c) any lawful direction of an Authorised Officer or a person in charge of a facility on Council land. (2) A person using Council land or a road must not behave in a way or engage in any activity that could risk or endanger, cause harm or injury to any other person or which interferes with any other person's reasonable enjoyment or use of that land or road.	**28**	**Behaviour on Roads and Council Land** A person must not: (a) act in a manner that is likely to interfere with the reasonable use and enjoyment of a road or Council land by other persons; (b) create a nuisance on a road or Council land; (c) cause or allow unreasonable noise to be emitted from a road or Council land; (d) act in a manner which endangers any other person on a road or Council land;	Council Land means all areas owned or managed by Council. Expanded to include better coverage of undesirable behaviour on roads and Council land.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
9	(3) A person must not: (a) carry out any work, use or activity; or (b) allow any tree or vegetation or other condition on land owned or occupied by him or her – to interfere with, cause damage to or create a risk to anything on Council land or a road. (3) The restrictions in sub-clause (3) do not apply to a member of Council staff, a person contracted by the Council, a member of a public authority or an employee of a utility carrying out their duties. **Activities which may be permitted** A person on Council land must not, without a permit: (a) fly or permit to be flown any remote controlled toy or model aeroplane; (b) drive a vehicle or ride a horse except for: (i) parking a vehicle in a parking area which is identified by signs for that purpose; (ii) wheeling a bicycle, pram, baby or child carriage, wheelchair or child's toy along a footpath: or (iii) driving a vehicle or riding a horse on a road or bicycle path in accordance with any applicable legislation; (iv) light a fire or permit any fire to remain alight except in a barbecue provided by the Council; (v) play, organise, practice or engage in any competitive sport or game; (vi) conduct or celebrate a wedding; (vii) hold any circus, carnival or fair or event; (viii) organise, hold or participate in any rally, procession, demonstration or other public gathering; or (ix) make a collection of money, (x) place or store anything.		(e) use indecent, insulting, racist, offensive or abusive language on a road or Council land; (f) behave in an indecent, offensive, insulting, intimidating or riotous manner on a road or Council land; (g) in a road or Council land defecate except in a toilet or urinate except in a toilet or urinal; (h) act contrary to any restriction, prohibition or direction contained on a sign on a road or Council land; (i) use or interfere with any lifesaving or emergency device located on a road or Council land, unless using the device in an emergency or participating in instruction or maintenance approved by Council; (j) damage, destroy, deface, remove or interfere with anything in or on any building, improvement or other structure of any kind on a road or Council land; (k) organise, conduct, or hold any function or event on a road or Council land without the written consent of Council or an Authorised Officer; (l) erect, operate or cause to be erected or operated any amusement, without a permit, on a road or Council land; (m) obstruct, hinder, or interfere with a Council staff member in the performance of their duties on a road or Council land; (n) act contrary to any reasonable direction of an Authorised Officer or Council staff member given on a road or Council land, including, without limitation, a direction to leave the road or Council land, whether or not a fee for admission has been paid; or (o) remain on a road or Council land after being directed to leave by an Authorised Officer or a Council staff member.	Old clause 9: Removed reference to model aeroplane - CASA regulations. Other elements covered in other clauses.
	See above: **S.8 Council Land and Roads – Requirements Applying to Use** **S.9 Activities with may be permitted**	**29**	**Access to a Municipal Place** (1) The Council or an Authorised Officer or a Council staff member may determine the hours when any municipal place will be open to the public. (2) A person must not, without the consent of Council or an Authorised Officer or a Council staff member: (a) act contrary to any conditions of entry or membership applicable to a municipal place; (b) enter or remain in a municipal place after being directed to leave by an Authorised Officer or a Council staff member; (c) enter or remain in a municipal place during hours when the municipal place is not open to the public; (d) bring any animal into, or allow any animal under their control to remain in a municipal place, except for an assistance dog being used by that person; or (e) bring any vehicle or toy vehicle into a municipal place, except for: (i) a pram or pusher being used by a child; or (ii) a wheelchair being used by a physically disabled person. (3) A person must not remain in a municipal place while under the influence of alcohol or any prohibited drug. (4) A person must not act contrary to any reasonable direction of an Authorised Officer or a Council staff member given in or on a municipal place.	A municipal place means any building on Council land, owned or managed by Council. Provides Council ability to attribute conditions and times of entry to a municipal place. Provides Authorised Officers and Council staff ability to give reasonable direction to a person in a municipal place. Also see: • 28. Behaviour on Roads and Council Land. • 30. Tree and Vegetation Protection on Council Land. • 66. Interfering with Roads, Council Land or Infrastructure.

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Section	**Clause**	**Section**	**Clause**	
				• 67. Obstructions on Roads and Council Land.
	See also: S.8(3)(a) Council Land and Roads – Requirements Applying to Use (3) A person must not: (a) carry out any work, use or activity; or (b) allow any tree or vegetation or other condition on land owned or occupied by him or her – to interfere with, cause damage to or create a risk to anything on Council land or a road.	**30**	**Tree and Vegetation Protection on Council Land** (1) A person must not on Council land, a road or a public place, without a permit: (a) destroy, damage, remove, lop or otherwise interfere with any vegetation or engage, allow, authorise or direct any person to destroy, damage, remove, lop or otherwise interfere with vegetation; or (b) carry out any works within the tree protection zone of a tree or engage, allow, authorise or direct any other person to undertake such works. (2) Subclause (1) does not apply to: (a) a person authorised by Council to undertake any such works in the course of their employment; (b) a person acting in accordance with an instruction or direction from an Authorised Officer; or (c) a person whose actions are authorised under a Planning Permit under the Planning Scheme. (2) A person must not, without a permit or the written consent of Council or an Authorised Officer or a Council staff member, plant any vegetation on Council land, a road or a public place except in accordance with the Nature Strip Landscape Policy and Guidelines.	Enhanced provision prohibiting works within a tree protection zone of a tree on Council land. New provision prohibiting planting on Council land. Also see: • 28. Behaviour on Roads and Council Land. • 29. Access to Municipal Places • 66. Interfering with Roads, Council Land or Infrastructure. • 67. Obstructions on Roads and Council Land.
	See: S37(1)(c) Obstructions on Road and Council Land (1) A person must not, without a permit: (a) leave or permit to be left a bulk rubbish container on a road or Council land; (b) leave or place any other thing that encroaches on or obstructs the free use of a road or Council land or that reduces the breadth or confines the limit of a road or Council land; or (c) landscape a nature strip - unless permitted to do so under any Act, regulation or local law. (2) This clause does not apply to the works or activities of a service authority. (3) In addition to complying with any conditions of a permit a person landscaping a footpath under subclause (1)(c) must comply with any requirements in the Council's current Policy on Landscaping Nature strips.	**31**	**Nature Strip Planting** (1) A person must comply with the Nature Strip Landscape Policy and Guidelines when carrying out any of the following activities on a nature strip: (a) Landscaping; (b) Plant any vegetation; or (c) Placing any item On a nature strip (2) Subclause (1) does not apply to the works or activities of a utility, or placement of items for waste collection in accordance with Council's Waste Management Policy.	Streamlined wording. A permit is no longer required. However, the Nature Strip Landscape Policy and Guidelines must be complied with when planting a nature strip. Nature Strip Landscape Policy and Guidelines to become an incorporated document.
	NEW	**32**	**Smoking in a Smoke Free Area** (1) Council may designate any Council land or road to be a smoke free area and may prescribe times and dates during which a person must not smoke in such an area. (2) Any designation of areas, times and dates under subclause (1) must be published by Council by giving public notice at least 14 days before the restrictions are to be introduced by: (a) giving notice in multiple media streams, including where appropriate in a newspaper generally circulating throughout Victoria and on Council's website; and (b) posting notices on a publicly accessible notice board at the principal office of Council. (3) A person must not smoke a tobacco product in a smoke free area. (4) Where an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened subclause (3), the Authorised Officer may direct the person to extinguish and then dispose of the tobacco product.	New clause to allow Council to declare certain locations and events smoke-free, bringing Council in line with other councils to support public health and help create cleaner, more welcoming spaces. Included Authorised Officer direction to extinguish and dispose of tobacco product. Included provision for Council to erect no smoking signage.

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Section	**Clause**	**Section**	**Clause**	
			(5) A person to whom a direction is given under subclause (4) must comply with that direction. (6) Council or an Authorised Officer may erect, or cause to be erected, an acceptable no smoking sign in a smoke free area.	
	NEW	**33**	**Smoking on Council Land** (1) A person must not smoke: (a) inside a building on Council land; or (b) on Council land within ten (10) metres of the entrance to a building owned, occupied, or vested in Council or in respect of which Council has the care and management thereof. (2) Where an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened sub-clause (1), the Authorised Officer may direct the person to extinguish and then dispose of the tobacco product. (3) A person to whom a direction is given under sub-clause (2) must comply with that direction. (4) Council or an Authorised Officer may erect, or cause to be erected, an acceptable no smoking sign on Council land.	New clause to allow Council to declare Council Land smoke-free, bringing Council in line with other councils to support public health and help create cleaner, more welcoming spaces. Included Authorised Officer direction to extinguish and dispose of tobacco product. Included provision for Council to erect no smoking signage.
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Section	**Clause**	**Section**	**Clause**	
15	(a) direct that a receptacle containing alcohol in the possession of a person be sealed or emptied if the person is to remain in a public place, in which case the person possessing the receptacle must comply with the direction; (b) seize and immediately dispose of the receptacle and may direct the person in possession of the receptacle to vacate the public place.			
	See S.8(1)(a) Council Land and Roads – Requirements Applying to Use (1) A person using Council land or a road must comply with: (a) any signs or conditions of entry or use	**35**	**Council Sign** A person must comply with any sign erected or installed by or on behalf of Council on a road or Council land.	Enhanced provision requiring a person to comply with a Council sign.
	See above: **S.8 Council Land and Roads – Requirements Applying to Use** **S.9 Activities with may be permitted**	**36**	**Activities in or on a Reserve** A person must not, without a permit, in or on any reserve: (a) use, ride, drive or park a vehicle, except on a signed or dedicated path or laneway reserved for such a vehicle; (b) play, engage in or practise any game or sport, whether or not in accordance with a permit issued under this Local Law, in a manner that is: (i) dangerous to any other person; or (ii) likely to interfere with the reasonable use or enjoyment of any other person; (c) play or practise golf unless designated or set aside as a golf course; (d) conduct any fitness training or health and wellbeing activity for commercial purposes; or (e) play, organise or engage in any organised competitive sport or game, unless authorised to do so under an appropriate licence agreement or with the written consent of the Council or an Authorised Officer or a Council staff member.	Expanded existing provisions around driving or parking a vehicle on Council land to include other activities in reserves such as dangerous or nuisance sport and recreation practises. Also see: • Clause 44. Toy Vehicles and Bicycles • Clause 19. Recreational Vehicles on Private Land • Clause 45. Use of Recreational Vehicles in a Public Place.
10	**Camping on Council Land or Roads** A person must not, without a permit: (a)camp; or (b)occupy a- (i) caravan; (ii)tent or similar structure; or (iii)a vehicle - on Council land or road. on any land, unless the occupation of – (i) caravans; (ii) shipping container; (iii) tent or like structure; or (iv) a vehicle– is permitted under the Planning Scheme.	**37**	**Camping on Council Land or Roads** (1) Unless in accordance with a permit, a person must not camp in or on any Council land or road. <u>Explanatory Note</u> Council acknowledges that there are people in the community who are sleeping rough and acknowledges their rights. This clause is not intended to impact individuals experiencing homelessness. The Maribyrnong Homelessness Protocol provides a framework for: • Responding to people who are experiencing or at risk of homelessness. • The provision of information for people to access housing and support. • Improving the service coordination the network of homelessness service providers in the western region.	Revised definition of camp to mean 'the use of a tent, a sleeping bag, a caravan, mobile home, or any other moveable vehicle to provide accommodation'. Enhanced provisions to provide clarity that this clause is not intended to impact individuals experiencing homelessness, and that Council respects the rights of people who are sleeping rough. See also clause 15. Camping on Private Land.
	See: S.56 Fires (1) A person must not without a permit – (a) light; (b) allow to be lit; or (c) allow to remain alight – a fire in the open air.	**38**	**Restrictions on Burning in the Open-Air in Public Places and on Council Land** (1) A person must not, without a permit or the relevant land manager's consent, light or allow to be lit, a fire in the open air on: (a) a road; (b) Council land including a reserve; (c) Crown land to which Council is appointed land manager; or (d) any public place	Streamlined wording. See also clauses relating to private land: • 20. Incinerators, fires and open air burning.

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Section	**Clause**	**Section**	**Clause**	
	Fires in the open air includes fire prevention burns or controlled burns other than those done by an emergency service. (2) A person must not: (a) use, construct, erect or install; or (b) permit to be used, constructed, erected or installed – an incinerator on any land.		unless it is authorised by signs placed on the land by Council.	• 21. Direction to extinguish fires.
	NEW	**39**	**Shipping Containers on Council Land** A person must not, without a permit, store, keep or place a shipping container on any Council land.	New clause to protect Council assets and neighbourhood amenity.
		Part 4 – Council land, roads and public places		
		Division 2 - Vehicles		
40	**Repair and Display of Vehicles** (1) A person must not in relation to a vehicle: (a) paint; (b) service; (c) wash or carry out maintenance on it except to enable it to be removed; or (d) repair or dismantle it; on a road or Council land. (2) A person in the course of conducting a business for the sale or hire of vehicles must not without a permit display the vehicles on a road or Council land.	**40**	**Repair of Vehicles** A person must not, without a permit, paint or carry out any repairs or maintenance of a vehicle on a road, nature strip, Council land or public place, other than to enable it to be moved.	Introduced ability to seek a permit for this activity.
	See above: S.40 Repair and Display of Vehicles	**41**	**Display of Vehicles** (1) A person must not, without a permit, display a vehicle for sale or hire on a road or Council land or public place. (2) Council may grant an exemption from sub-clause (1) to a person conducting a business for the sale or hire of vehicles.	Introduced ability to seek a permit for this activity.
39	**Heavy Vehicles** (1) The Council or an Authorised Officer may erect signs indicating any prohibition or restriction on the use of a road by any motor vehicle of or over a specified size or weight. (2) An owner or driver of a heavy vehicle must not drive or permit or cause to be driven a motor vehicle on a road where a sign has been erected under subclause unless a permit has been obtained from Council. (3) Unless permitted under the Planning Scheme, the owner or occupier of any land must not without a permit – (a) keep; or (b) allow to be kept – a heavy vehicle on any land in a residential zone.	**42**	**Heavy Vehicles on Council Land or Roads** (1) A person must not, without a permit, drive or cause to be driven a heavy vehicle in on a road or Council land in an area prescribed by Council to be a prohibited or restricted place for the purpose of this clause. (2) The Council or an Authorised Officer may erect, or cause to be erected, signage indicating prohibitions or restrictions on the use of a road by a heavy vehicle.	Streamlined wording to clarify requirements. New definition – heavy vehicle. See also • 35. Council Sign. • 58. Trade and Commercial Waste, • 14. Vehicles on Private Land.
	NEW	**43**	**Abandoned, Derelict and Unregistered Vehicles** (1) A person must not park or store an abandoned, derelict, or unregistered vehicle or cause or allow such a vehicle to be parked or stored on a road or Council land. (2) Any vehicle found on a road or Council land that is considered by an Authorised Officer to be abandoned, derelict or unregistered may be dealt with under the provisions of Schedule 11 of the Local Government Act 1989.	New clause to regulate the storage of abandoned, derelict, or unregistered vehicles on Council land and roads, including those parked on nature strips. Referenced relevant legislation.
42	**Toy Vehicles and Bicycles** A person must not in a public place use, place or leave a toy vehicle or bicycle or a remote controlled vehicle or toy in such a manner as to interfere with the passage of or cause a nuisance or danger to any person on or using the public place.	**44**	**Toy Vehicles and Bicycles** A person must not on a road or Council land: (a) use, place or leave or allow another person to use, place or leave a toy vehicle or bicycle in such a manner as to interfere with the passage of, or cause annoyance or danger to, any person on or using the road or Council land; or (b) use or allow another person to use a toy vehicle in an area prescribed by Council to be a prohibited place for the purpose of this clause.	Clause amended to provides ability for Council to prohibit use in some areas.

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Section	**Clause**	**Section**	**Clause**	
41	**Use of Recreational Vehicles** (1) A person must not without a permit – (a) use; or (b) permit a person under his or her care or control to use – a recreational vehicle on any land except a road. (2) A person must not: (a) use; or (b) permit a person under his or her care or control to use – a recreational vehicle on any land in a manner which: I. causes a nuisance; II. causes damage to any property or injury to any person; or III. in the opinion of an Authorised Officer is likely to cause damage to any property or injury to any person. (3) The owner or occupier of land must not without a permit allow a person to use a recreational vehicle on land owned or occupied by him or her.	**45**	**Use of Recreational Vehicles in a Public Place** A person must not without a permit, in a public place, ride or cause or allow to be ridden any recreational vehicle**,** except where the use is prescribed or authorised by signs placed on the land by Council or permitted under an Act or regulation.	Separated into 2 clauses: • 19. Recreational Vehicles on Private Land • 45. Use of Recreational Vehicles in a Public Place. Simplified provisions. Note that definition of recreational vehicle includes electric scooters. Also see: • Clause 36 Activities on or in a Reserve
		Part 5 – Businesses and trade		
	See below: S.24 Signs, Goods and Furniture	**46**	**Advertising Signage** (1) A person must not, without a permit or an appropriate license agreement with Council, place or allow to be placed an advertising sign on a road or Council land.	Included the term' an appropriate licence agreement' to allow a wider scope of approval by Council.
24	**Signs, Goods and Furniture** (1) A person must not, without a permit – (a) display or permit to be displayed any goods on a road or Council land; (b) place or allow to be placed a sign on a road or Council land; (c) place or allow to be placed a seat, umbrella, table, chair or other furniture or equipment on a road or Council land; (d) place or affix any letter, figure, item, poster, sign or advertisement on any building, fence, or other property under the control of Council or any statutory or government authority - unless permitted to do so under the Planning Scheme. (2) In addition to complying with any conditions of a permit, a person placing any signs, goods or furniture on a road or Council land must comply with any requirements in the Council's current Commercial Street Furniture Guidelines. (3) If an advertising sign is placed in breach of subclause (1) the following are each guilty of an offence whether or not the person who placed the sign is identified or prosecuted: (a) the person who is the owner of the premises, property, business, event or activity to which the advertising sign relates; (b) the person who has management and control of premises, property, business, event or activity to which the advertising sign relates; (c) the person who is a promoter of the premises, property, business, event or activity to which the advertising sign relates; (d) the person who printed the advertising sign or whose name is on the advertising sign as the printer; (e) the person who commissioned the printing of the advertising sign; and the person who is responsible for placing, siting or distributing the advertising sign including the person who engages another whether as an employee or agent to place, site or distribute the advertising sign (4) A person who has placed, permitted to be placed, displayed or permitted to be displayed – (a) goods; (b) a sign; or (c) a seat, umbrella, table, chair or other furniture – (d) letter, figure, item, poster, sign or advertisement on any building, fence or Council land, whether with or without a permit issued under subclause (1), must move or remove the – (i) goods; (ii) sign; or	**47**	**Street Furniture and Display of Goods** (1) A person must not, without a permit or an appropriate license agreement with Council, place or allow to be placed street furniture or display goods on a road or Council land. (2) A person must, in addition to subclause (1), comply with any permit conditions and additional requirements outlined in Council's: (a) Commercial Street Furniture Guidelines, and (b) Parklets Guidelines. (3) Notwithstanding subclauses (1) and (2), a person is exempt from applying for a permit or an appropriate license agreement to place or allow to be placed street furniture or display goods on a road or Council land if permitted to do so under Council's: (a) Commercial Street Furniture Guidelines, and (b) Parklets Guidelines.	Trading activities now covered by clauses 47 Street Furniture and Display of Goods / 48 Trading Activities. Provisions expanded to provide clarity. Included the term 'an appropriate licence agreement' to allow a wider scope of approval by Council. Clause clearly references incorporated documents: • Commercial Street Furniture Guidelines • Parklet Guidelines

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Section	**Clause**	**Section**	**Clause**	
	(iii) seat, umbrella, table, chair or other furniture- (e) letter, figure, item, poster, sign or advertisement if directed to do so by: (i) an Authorised Officer; (ii) a member of the Victoria Police; or (iii) a member of an emergency service.			
25	**Persons Selling Goods** (1) Unless permitted under the Planning Scheme a person must not, without a permit, sell or display any goods from: (a) a stall; (b) a vehicle; (c) a caravan; (d) a trailer; (e) a barrow; (f) a box; (g) a crate; (h) a bag; or (i) any other receptacle – standing or placed on: (j) a road; (k) Council land; (l) vacant land; or (m) land which is not ordinarily occupied by the person. (2) A person must not without a permit sell any goods carried about on the person or on any animal or vehicle: (a) on a road; or (b) on Council land. (3) A person who undertakes a use or activity under this Part must ensure that the use or activity does not impact detrimentally on people or property in the neighbourhood because of: (a) unreasonable or excessive noise including from noise caused by people using the use or activity, amplified music or announcements, refrigeration, air conditioning or heating equipment or any other mechanical equipment; (b) smell from waste associated with the use or activity; or (c) litter or lack of cleanliness associated with the use or activity.	**48**	**Trading Activities** (1) A person must not, without a permit, sell, or cause or allow another person to sell, from or on a road or Council land: (a) any goods or services from a vehicle, animal, stall, or other like structure; or (b) any goods or services carried on the person. (2) A person must not, without a permit, sell goods or solicit or try to attract trade or business on vacant land or land which they do not ordinarily occupy.	Trading now covered by clauses 47. Street Furniture and Display of Goods / 48. Trading Activities. Provisions expanded to provide clarity.
26	**Street Collection and Distribution** A person must not, without a permit, solicit, distribute or collect – (a) on a road; (b) on Council land; (c) on a vehicle, or (d) from door to door any gifts, pamphlets, flyers or subscriptions for any purpose or cause or authorise another person to do so.	**49**	**Street Collection and Distribution** A person must not, without a permit, solicit, distribute, or collect any gifts, monies, pamphlets, flyers or subscriptions from a road or Council land.	Updated wording to provide clarity.
27	**Spruiking** A person must not, without a permit – (a) on a road or Council land; or (b) from any land adjacent to a road or Council land to such persons on the road or Council land – spruik, tout or solicit the sale of any goods or services.	**50**	**Spruiking** A person must not, without a permit, spruik, tout, or solicit the sale of any goods or services on a road or Council land or from any land adjacent to a road or Council land.	Updated wording to provide clarity.
11	**Busking** A person must not, without a permit, on any road or Council land - (a) sound or play any musical instrument; (b) sing; (c) harangue or recite; (d) perform conjuring tricks; (e) juggle; (f) dance; (g) engage in miming or puppetry; (h) perform like activities; or (i) footpath art.	**51**	**Busking, Fundraising and Community Awareness Activities** A person must not, without a permit, busk, fundraise, or conduct a community awareness activity on a road or Council land.	Updated wording to provide clarity.
	NEW	**52**	**Commercial Filming** A person must not, without a permit, conduct or allow any filming for commercial purposes on a road or Council land.	New clause to address administrative gap in existing permit requirements for

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Section	**Clause**	**Section**	**Clause**	
				commercial filming to manage risk and amenity.
17	**Circuses, Carnivals and Festivals** (1) A person must not, without a permit, hold or permit to be held a – (a) circus; (b) carnival; or (c) festival – on any land. (2) In deciding whether or not to grant a permit under subclause (1), the Council may consider the requirements of: (a) a Good Neighbour Code of Practice for a Circus or a Carnival 1997; (b) The Code of Practice for the Public Display and Exhibition of Animals 2001; or (c) any other matter relevant to the circumstances of the application. (3) A person must not, without a license agreement, hold or permit to be held a – (a) circus; (b) carnival; or (c) festival – on Council land.	**53**	**Circuses, Carnivals, Festivals or Events** A person must not, without a permit or an appropriate license agreement, or with the written consent of Council or an Authorised Officer, hold or allow to be held a circus, carnival, festival, or event on Council land.	Streamlined clause wording. Included events. Included definition of event (also includes street party) Removed subclause (2) – this information would form part of permit conditions, not for the local law. See also 80 Permits.
18	**Clothing Recycling Bins** A person must not place a clothing recycling bin on a road or Council land.	**54**	**Donation Bins on Council Land** (1) A person must not, without a permit, place a donation bin on a road, Council land or in a public place. (2) A person or holder of a permit to place a donation bin on a road, Council land or in a public place must not allow items to remain outside the confines of the donation bin.	New sub-clause prohibiting items being left outside a charity bin. Also see clause: • 59. Bulk Rubbish Containers. • 58. Trade and commercial waste. Also see 13. Donation Bins on Private Land.
35	**Shopping Trolleys** (1) A person must not leave a shopping trolley in any area except in an area designated for the return of shopping trolleys. (2) A retailer who provides more than 15 trolleys shopping trolleys for use by customers must: (a) implement effective trolley management systems[6] to ensure that trolleys are not taken from the retailer's land[7]; and (b) identify on each trolley the name of the corporate body that the trolley belongs to and the address of the store that has provided it for use by customers. (3) If a shopping trolley is left on any land, road or public place and impounded by Council, the corporate body identified on the trolley will for the purposes of clause 70, be considered to be the owner of the trolley and will be served with an Impounding Notice. (4) If an impounded trolley has not been collected within 10 days of the date on the Impounding Notice, the Council may, in addition to the impounding fee, issue an infringement notice for each trolley that has been impounded.	**55**	**Shopping Trolleys** (1) A person must not leave a shopping trolley on a road, Council land or vacant land, except in an area designated by Council for the return of shopping trolleys. (2) A retailer who provides shopping trolleys intended for the use of customers must ensure that their name and trading name are clearly marked on the shopping trolleys. (3) A retailer who provides shopping trolleys intended for the use of customers must ensure that each shopping trolley has a coin or token operated lock or perimeter constraint system attached to it. (4) Sub-clause (3) does not apply to a retailer who has less than ten shopping trolleys available for the use of customers. (5) A retailer must ensure that shopping trolleys left outside the owner's premises when the business is closed are secured so as to prevent any shopping trolley being used. (6) If a shopping trolley has been left on a road, vacant land or Council land, an Authorised Officer may direct the retailer who provides the shopping trolley, or the person in charge of the retail premises from which it has been transported, to remove the shopping trolley. (7) A person to whom a direction is given under subclause (6) must comply with that direction. (8) Council or an Authorised Officer or a person engaged by Council for this purpose may, on behalf of Council, seize and impound any shopping trolley which has been left on a road, vacant land or on Council land in contravention of this Local Law.	Strengthened provisions to minimise obstructions in public places and impact on neighbourhood amenity. See 78 Impounding.
		Part 6 – Waste management		

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Section	**Clause**	**Section**	**Clause**	
			Nothing in this part permits a person to act in contravention to the Circular Economy (Waste Reduction and Recycling) Act 2021.	New reference to Act.
49	**Waste Collection Services Provided by Council** (1) The occupier of land to which the Council provides a waste collection service must: (a) use only the bins provided or approved by Council for the waste collection service; (b) deposit only household waste into the bin provided by Council for household waste, green waste into the bin provided for green waste and recyclable materials into the recyclable materials bin; (c) not contaminate a bin by placing contaminated materials in it or waste that is not the type of waste the bin has been provided for; (d) ensure that waste placed in a bin: (i) is wrapped in any manner necessary to render it inoffensive, prevent the protrusion of sharp objects and prevent waste being caught by wind while the bin is being emptied; and (ii) is contained in any other manner approved by the Council or an Authorised Officer; (e) place a bin out for collection which is positioned on the nature strip or footpath adjacent to the kerb or in any other manner directed by the Council or an Authorised Officer from time to time; and (f) upon being directed to do so by the Council or an Authorised Officer, remove or cause to be removed from the bin any material deposited in contravention of this provision. (2) The occupier of land must not: (a) place more than 1 household waste bin, 1 green waste bin or 1 recyclable goods bin out for collection without the consent of the Council; (b) place a bin out for collection more than 24 hours before collection day and must return the bin to the land to which it was provided within 24 hours following collection; (c) place a bin out for collection that has a gross weight of more than 70 kilograms or more than the maximum gross weight determined by the Council from time to time; (d) place any waste in a bin that would prevent the lid of it being closed; (e) place any items in a bin which are likely to damage it or the collection vehicle; and (f) use a bin provided by Council for any purpose other than depositing waste. (3) The occupier of land must: (a) keep a bin provided by Council: (i) in good order; (ii) in a clean inoffensive and sanitary condition; and (iii) to the satisfaction of the Council; (b) clearly mark the bin with the address of the land to which it has been allocated and ensure that the address continues to be legible; (c) keep the bin lid closed at all times except when waste is being deposited in or removed from the bin in accordance with this Local Law; and (d) maintain the site on which a bin is located in a clean, inoffensive and sanitary condition and must keep the pavement or ground outside the land on which the bin is placed for collection in a clean, inoffensive and sanitary condition. (4) The occupier of land must: (a) keep a bin provided by Council: (i) in good order; (ii) in a clean inoffensive and sanitary condition; and (iii) to the satisfaction of the Council; (b) clearly mark the bin with the address of the land to which it has been allocated and ensure that the address continues to be legible; (c) keep the bin lid closed at all times except when waste is being deposited in or removed from the bin in accordance with this Local Law; and (d) maintain the site on which a bin is located in a clean, inoffensive and sanitary condition and must keep the pavement or ground outside the land on which the bin is placed for collection in a clean, inoffensive and sanitary condition. **General Restrictions** (1) A person must not deposit any household, commercial or industrial waste into a bin	**56**	**Domestic Waste** (1) An owner or occupier of land must comply with any permit conditions and additional requirements in Council's Waste Management Policy. (2) Domestic waste material from any land must only be collected on such days and at such times as are prescribed by the Council. (3) The Council or an Authorised Officer may determine under this clause whether an approved waste bin is to be used for the deposit of waste by the owner or occupier of land, and the owner or occupier of the land must comply with any such determination. (4) An owner or occupier of land must ensure that: (a) only designated material generated at the land are placed in the approved waste bin, in accordance with Council's Waste Management Policy; (b) all approved waste bins are placed for collection on the nature strip or footpath adjacent, and as close as practicable, to the roadside so as not to cause any obstruction or danger to any person, or in any other manner directed by Council or an Authorised Officer for the purposes of this clause; (c) any one approved waste bin placed out for collection does not exceed the maximum gross weight determined by Council or an Authorised Officer for the purposes of this clause; (d) all approved waste bins placed out for collection are capable of being closed, and are closed, to prevent anything placed in the bins from escaping; (e) empty approved waste bins are returned to the owner or occupier's land as soon as practicable, and no later than 1 day after collection; (f) any waste which has spilled onto the road, nature strip or surrounding area during collection is removed; (g) all approved waste bins are maintained and kept: (i) in good order; and (ii) in a clean, sanitary, pest and odour-free condition; and (h) the site on which an approved waste bin is located and the location where it is placed for collection is maintained in a clean, inoffensive, pest-free and sanitary condition. (5) An owner or occupier of land must not deposit in any approved waste bin: (a) anything other than designated material; (b) any items which are likely to damage the approved waste bin or the collection vehicle; or (c) hazardous substances. (6) An owner or occupier of land must: (a) upon being directed to do so by Council or an Authorised Officer, remove or cause to be removed from the approved waste bin any material deposited or caused to be deposited in contravention of subclause (5); (b) immediately notify Council if their approved waste bin develops a defect, is destroyed or damaged, or is lost or stolen;	Updated to reference Council's Waste Management Policy, which is to become an incorporated document – thus future-proofing the Local Law in the case of new innovations and changing requirements for waste management. Update terminology to refer to a bin as an 'approved waste bin'. Language provides for future types of approved waste bins. Domestic waste is not to be deposited in street litter bins (new sub-clause). Refer definitions – * New definitions - 'approved waste bin'. *'designated material'. * 'street litter bin' definition updated.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
52	provided by Council in a public place. (2) A person must not deposit any waste in a bin allocated to any other person or property		(c) not damage, alter, compromise, deface or interfere with any approved waste bin or cause or allow an approved waste bin to be damaged, altered, compromised, defaced or interfered with; and (d) not deposit any waste generated at the land into a street litter bin, unless authorised to do so by Council or an Authorised Officer. (7) An owner or occupier of land must store an approved waste bin: (a) on the land to which it has been allocated; or (b) in an area designated by Council for the purpose of storing approved waste bins.	
50	**Hard Waste Collection** (1) Where the Council provides a hard waste collection service the hard waste to be collected must be left for collection in accordance with Council's Waste Policy or with the conditions of collection notified to the user of the service. (2) A person must not, without the consent of the Council or an Authorised Officer, add to, remove or generally interfere with any recyclable goods or hard waste left for collection. (3) A person must not place, leave or allow to remain any disused refrigerator, or any other similar article having a compartment which has a capacity of 0.04 cubic metres or more on any land without first: (a) removing every door and lid; and (b) removing every lock, catch and hinge attached to a door or lid or making sure that every door and lid is incapable of being fastened; and (c) placing the item on its back.	**57**	**Hard Waste Collection** (1) A person must not place, or cause or allow to be placed, any thing (other than an approved waste bin) on a nature strip or other part of a road, except for the purposes of a hard waste collection service provided by Council. (2) A person must not, without the consent of the owner or occupier who placed a thing on a nature strip or other part of a road for the purpose of a waste collection service, or the consent of Council or an Authorised Officer, add any thing to, or remove or interfere with any thing left for collection under sub clause (1). (3) A person must only place hard waste for collection in accordance with Council's Waste Management Policy or as directed by an Authorised Officer. (4) A person must not place, or cause or allow to be placed, hard waste for collection on a nature strip or other part of a road more than two days prior to the: (i) booked collection date; or (ii) advertised commencement date of a hard waste collection for the land where the hard waste is placed.	Updated to reference Council's Waste Management Policy, which is to become an incorporated document – thus future-proofing the Local Law in the case of new innovations and changing requirements for waste management Provisions strengthened to regulate the placement of waste on a nature strip or any other part of a road, including hard waste. Definition of hard waste included. Amended provision prohibiting the removal of waste from a nature strip or road to include 'without consent of the occupier who placed items'.
61	**Noise from Waste Collection** Unless permitted by Council or where there is an agreement with Council, a person must not collect any waste within the municipal district outside of the following hours: (a) 6am to 8pm on Mondays to Saturdays; (b) 9am to 6pm on Sundays and public holidays	**58**	**Trade and Commercial Waste** (1) A person must only place trade waste for collection in accordance with Council's Waste Management Policy. (2) A person must not, without a permit, store or allow to be stored any bin, hopper, trade waste bin on Council land, nature strip or other part of a road. (3) Council may designate any Council land or road for the purpose of storing trade waste bins. (4) Trade waste from any land must only be collected on such days and at such times as are prescribed by the Council. (5) The owner or occupier of a commercial premises must comply with Clause 56 and Clause 57. (6) Notwithstanding Clause 56(4)(e) a person must not place a trade waste bin from a commercial premises out for collection on Council land¸ nature strip or other part of a road prior to 4.00pm the day prior to collection and must return that bin to the premises by 10.00am on the day of collection. (7) A person who places a trade waste bin on Council land, a nature strip or other part of a road, to be emptied must ensure that it does not cause any obstruction or danger to any person.	New provisions to regulate trade and commercial waste bins and provide guidance on keeping, emptying and placement. This is to address the growing number of bins stored on Council land and roads. The aim is to improve safety for all residents by ensuring bins are stored properly and maintained in a clean and sanitary condition, preventing obstructions on footpaths, and maintaining safe and clean public spaces.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
			(8) A person who has placed a trade waste bin on Council land, a nature strip or other part of a road, must repair any damage to the Council land, nature strip or road or any works in the road, including a vehicle crossing, that results from placing the trade waste bin on the Council land, nature strip or road or emptying it. (9) The owner or occupier of a commercial premises must: ensure that a trade waste bin provided for the storage of trade waste is: (a) constructed of impervious materials, watertight and pest proof; (b) regularly emptied to prevents the contents from becoming offensive; (c) maintained and kept in a clean, sanitary and odour-free condition; (d) adequately constructed, located or secured in such a way as to deny access to the public; (e) clearly labelled with ownership details; and (f) kept in accordance with Council's Waste Management Policy. (10) A person must not place any waste generated at a commercial premises into a street litter bin.	Trade waste is not to be deposited in approved household waste bins or street litter bins (new sub-clauses). Referenced Council's Waste Management Policy, which is to become an incorporated document – thus future-proofing the Local Law in the case of new innovations and changing requirements for waste management Also see clause 74. Containment and Removal of Waste (i.e. Building Sites). Also see clauses 59 Bulk Rubbish Containers. 13 Donation Bins on Private Land. 54 Donation Bins on Council Land. All require permits.
51	**Bulk Rubbish Containers** (2) A person must not place a bulk rubbish container on a road for longer than is practicably required to empty it. (3) A person must not cause an – (a) obstruction; or (b) danger – to any person on a road when placing a bulk rubbish container on a road to be emptied. (4) A person who has placed a bulk rubbish container on a road must repair any damage to any – (a) vehicle crossing (b) road; (c) footpath; (d) kerb; or (e) drain – that results from placing the bulk rubbish container on the road or emptying it. (Under clause 37, a permit is required to place a bulk rubbish container on a road or Council land).	**59**	**Bulk Rubbish Containers** A person must not, without a permit, place a bulk rubbish container on a road or Council land.	Simplified provision, noting that placement of containers etc. are for permit conditions, not the local law. Also see clauses: • 58. Trade and commercial waste • 13. Donation Bins on Private Land • 54. Donation Bins on Council Land All require permits.
		Part 7 – Council asset protection and building site amenity		
		Division 1 – Council asset protection		
28	**Permit Requirements for Building Works** (1) Where it is proposed to undertake building work which requires a building permit, the owner of land or the owner's builder must: (a) give Council 7 days' notice of the intention to commence building works; and (b) must obtain an Asset Protection Permit before the commencement of the building works; and (c) must pay the Council the bond determined under clause 32. (2) The owner of the land or the owner's builder must not commence any building work unless the required permits are obtained.3 (3) If the owner of the land or the owner's builder fails to obtain an Asset Protection Permit, it will be deemed that there was no prior damage to any part of the adjoining road, Council land or infrastructure before building works commenced on the land.	**60**	**Asset Protection Permits** (1) An owner, occupier of land or builder must obtain an Asset Protection Permit prior to the commencement of building works on a building site. (2) A person to whom an Asset Protection Permit has been issued must comply with all conditions and requirements of the Asset Protection Permit. (3) An owner, occupier of land or builder must not without an Asset Protection Permit cause or allow: (a) entry to the building site with a motor vehicle that has a gross weight exceeding two tonnes;	Provides Council assets protection (e.g. protection from damage caused by building works). Permit process and conditions to sit outside Local Law.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
29	**Requirements of an Asset Protection Permit** An Asset Protection Permit may require any or all of the following conditions be met prior to the commencement of any building works. (a) appropriate measures to mitigate risk or damage to an existing vehicle crossing, kerb and channel or other Council infrastructure in the road; (b) appropriate measures to mitigate risk or damage to Council drains from stormwater, waste or other materials coming from the building site; (c) protection zones for nature strip trees and infrastructure; (d) clear access for footpath pedestrians; and (e) any other conditions considered necessary to protect Council's assets and the amenity of the neighbourhood.		(b) a road to be occupied for the carrying out of any works in association with the building works or building site; (c) the connection of land to a storm water drain vested in Council's control; (d) the opening, alteration or repair of a drain vested in Council's control in association with the building works or building site; (e) vehicular access to the building site from a point other than a vehicle crossing; or (f) the use of any land adjoining or within proximity of the building site for the purpose of storing materials or equipment associated with the building works or building site. (4) An application for an Asset Protection Permit must: (a) be accompanied by such fee as is fixed by Council; (b) include a statement from the person in charge of the building works about the location and the extent of any pre-existing damage to public infrastructure assets adjacent to the building site; and (c) be lodged with Council prior to commencement of the activity for which the Asset Protection Permit is required. (5) Council may exempt an owner, occupier of land or builder from one or more of the obligations imposed by subclauses (1) to (3) subject to such conditions it considers appropriate. (6) An owner, occupier of land or builder must repair to the satisfaction of Council or an Authorised Officer, roads, road reserves, channels, drains, vehicle crossings or any other asset owned or vested in Council, which has been damaged, altered, compromised or interfered with in connection with the building site for which an Asset Protection Permit has been obtained. (7) Council or an Authorised Officer may approve the carrying out of work by another person, or carry out the work itself where: (a) damage, alteration, compromise or interference has occurred as a result of building works; or (b) there is a danger to life, safety, property, or the environment. (8) Where work under subclause is carried out by Council or another person on behalf of Council, Council may recover the cost of the work from the owner, occupier of land or builder. (9) For the purpose of subclause (7), Council or an Authorised Officer may determine the cost of repairs to Council assets.	
32	**Requirement for Bond** (1) If in the opinion of Council or an Authorised Officer it is likely that any Council asset may be damaged in the course of any building work for which a building permit has been obtained, the owner or occupier of the land must pay a bond to Council. (2) The amount of the bond under subclause (1) must be determined by Council or the Authorised Officer having regard to the probable cost of repairing any damage that is likely to be caused. (3) The owner or occupier of land must repair any damage to Council assets that occurs as a result of the building works for which a permit has been granted. (4) Any bond or part of a bond paid to Council under subclause (1) may be retained by Council to meet the cost of repairing any damage which an owner or occupier has failed to repair in accordance with his or her obligations under subclause (3). (5) For the purpose of subclause (3) Council or an Authorised Officer may determine the cost of repairs to Council assets. (6) Council must refund any bond or part of a bond paid to it under subclause (1) if Council is satisfied that: (a) there has been no damage to Council assets as a consequence of the building works; or	**61**	**Requirement for Bond** (1) If in the opinion of Council or an Authorised Officer it is likely that any Council asset may be damaged, altered, compromised or interfered with in the course of any building works for which an Asset Protection Permit has been issued, the owner, occupier of land or builder may be required to pay a bond to Council. (2) The amount of any bond under subclause (1) must be determined by Council or the Authorised Officer having regard to the probable cost of repairing any damage, alteration, compromise or interference that is likely to be caused. (3) Any bond or part of a bond paid to Council under subclause (1) may be retained by Council to meet the cost of repairing any damage, alteration, compromise or interference which an owner or occupier of land or the builder has failed to repair in accordance with their obligations under Clause 60. (4) Council must refund any bond, or part of a bond, paid to it under subclause (1) if Council or an Authorised Officer is satisfied that:	Provides Council assets protection (e.g. protection from damage caused by building works). Council can request security bonds under this clause.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
	(b) any such damage has been repaired in accordance with subclause (3) to the Council's satisfaction.		(a) there has been no damage, alteration, compromise or interference to Council assets as a consequence of the building works; or (b) any such damage, alteration, compromise or interference has been repaired in accordance with Clause 61.	
33	**Occupation of Roads for Works** A person must not, without a permit: a. occupy or fence off; b. erect a hoarding on; c. use a mobile crane or travel tower for any work on; d. make a hole or excavation in; e. fill a hole or excavation in; f. deposit building materials in – any road or part of a road under the control of the Council.	**62**	**Works on Council Land or Roads** (1) A person, other than a utility, must not, without a permit, undertake works in, on, under or over a road or Council land or allow another person to do so. (2) In granting a permit under subclause (1), Council may require the person who undertakes the works in, on, under or over the road or Council land to: (a) pay a bond proportionate to the estimated cost of repairing any damage to the road or Council land; and/or (b) take such precautions during and before the works to protect the safety of the public as Council may require and to Council's satisfaction. (3) The bond may be held for the duration of the works plus a maintenance period of twelve months and must be refunded at the end of this period or applied by Council to offset the cost of repairing the damage.	Amended clause to provide Council assets protection where works occur on Council land or roads. Includes provision for Council to seek a security bond. Also see Clause 66. Occupation of Roads. Permit process and conditions to sit outside Local Law.
38	**Vehicle Crossings** (1) A person must not without a Vehicle Crossing Permit construct a temporary or permanent vehicle crossing. (2) The Council or an Authorised Officer may require – (a) the construction of a temporary or permanent vehicle crossing; or (b) the repair or reconstruction of a vehicle crossing – by the owner or occupier of any abutting allotment. (3) The Council or an Authorised Officer may by notice in writing require the removal of any vehicle crossing and the reinstatement of any kerb, drain, footpath, nature strip or other part of a road if in the opinion of the Council or an Authorised Officer, the vehicle crossing is redundant or has been constructed in breach of subclause (1) or the conditions of a permit issued under subclause (1). (4) Any work in respect of a – (a) road; (b) kerb; (c) drain; or (d) vehicle crossing performed under this Part must be performed to the satisfaction of the Council or an Authorised Office	**63**	**Vehicle Crossings** (1) An owner or occupier of land must ensure that each point of vehicular access from a road to the land has an appropriately constructed vehicle crossing, which is suitable for the adjacent land use, approved by an Authorised Officer. (2) An owner or occupier of land must not access or allow any person to access the land by vehicle other than over a Council approved vehicle crossing. (3) A person must not, without a permit, construct, remove or relocate or alter a vehicle crossing. (4) Council or an Authorised Officer may by notice in writing to the owner or occupier of land, require the construction of a permanent or temporary vehicle crossing to any land with the full cost of such construction works to be borne by the owner or occupier of the land. (5) A vehicle crossing must be constructed and sited to the satisfaction of Council or an Authorised Officer. (6) If Council or an Authorised Officer has required the owner or occupier of land on which building works are to occur to construct a vehicle crossing under subclause (4), building works must not commence until the vehicle crossing has been constructed. (7) Council or an Authorised Officer may by notice in writing to the owner or occupier of land require the repair of a vehicle crossing, which is in a state of disrepair, with the full cost of such repair to be borne by the owner or occupier of the land. (8) Council or an Authorised Officer may by notice in writing to the owner or occupier of land require the removal of a vehicle crossing and reconstruction of the kerb, channel, drain, culvert and footpath if the vehicle crossing is, in the opinion of an Authorised Officer, no longer required, with the full cost of such removal to be borne by the owner or occupier of the land. (9) An owner or occupier of land must, at the owner or occupier's own cost, ensure that the vehicle crossing between the road and the boundary of such land is maintained and kept in good condition.	Updated clause to provide clarity including cost allocation for the construction of a vehicle crossing, and condition/maintenance.
53	**Maintenance of Drains** (1) The owner or occupier of any land must ensure that any drain on the land that is not vested in the Council or another public body is maintained in a condition that is not: (a) dangerous to health; (b) unsightly; or (c) a nuisance.	**64**	**Drainage** (1) An owner or occupier of land must ensure that: (a) the land is adequately drained to the satisfaction of an Authorised Officer;	Strengthened provisions to protect Council assets and waterways.

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
54	(2) Except for stormwater, a person must not discharge or cause to be discharged any material into a drain or watercourse, which is vested in or under the control of the Council. **Tapping into Drains** A person must not without a permit – (a) destroy; (b) damage; or (c) tap into – any drain vested in or under the control of the Council and must only discharge into the legal point of discharge associated with the drain.		(b) the land does not discharge water that is a nuisance to an owner or occupier of adjoining land; (c) water does not discharge from an air conditioner or other equipment on that land onto a footpath; and (d) a private stormwater drainage system or on-site stormwater detention system serving a residential, commercial or other property is maintained in a condition that is not: (i) dangerous to health; (ii) unsightly; (iii) a nuisance; or (iv) hindering, obstructing, or interfering with the operation of the drain. (2) An owner or occupier of land must not: (a) without a permit, alter the course of an overland flow of water, whether or not there is an easement over the flow path; (b) fail to carry out rectification or maintenance works when directed to do so by an Authorised Officer; or (c) carry out works within or fill in drains located in any easement on the land, whether the easement is in favour of Council or otherwise. (3) A person must not discharge or cause to be discharged any material into a drain or watercourse, which is vested in or under the control of Council, except for the discharge of stormwater. (4) A person must not damage, obstruct or interfere or cause or allow to cause damage, obstruction or interference with a drain, which is vested in or under the control of Council. (5) A person must not, without a permit, tap into any drain, culvert or sewer vested in or under the control of Council.	
33	**Occupation of Roads for Works** A person must not, without a permit: g. occupy or fence off; h. erect a hoarding on; i. use a mobile crane or travel tower for any work on; j. make a hole or excavation in; k. fill a hole or excavation in; l. deposit building materials in – any road or part of a road under the control of the Council.	**65**	**Occupation of Roads** (1) A person must not, without a permit, occupy (whether wholly or partially) a road for any works that involve: (a) fencing off part of the road; (b) erecting a hoarding, gantry, scaffolding or overhead protective awning; (c) using a mobile crane, hoist, lift, travel tower, concrete pump, or similar machinery; (d) making a hole or excavation; (e) filling a hole or excavation; or (f) leaving or storing any building, paving or other construction materials or any tools, machinery, plant, or equipment. (2) Subclause (1) does not apply to the works or activities of a utility. *Explanatory Note* *In accordance with s.63 of the Road Management Act 2004, where Council is the coordinating road authority for the road, the written consent of Council is required in respect of any works in, on, under or over a road in order to conduct the proposed works*.	Provides Council assets protection (e.g. protection from damage caused by building works). Also see Clause 63. Works on Council Land or Roads. Permit process and conditions to sit outside Local Law.
	See: S8(3) Council Land and Roads – Requirements Applying to Use (3) A person must not: (a) carry out any work, use or activity; or	**66**	**Interfering with Roads, Council Land, or Infrastructure** A person must not, without a permit: (a) destroy, deface, interfere with, or cause damage to a road or Council land or Council infrastructure or asset or allow another person to do so; or	Strengthened provisions. Council Land means all areas owned or managed by Council.

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	(b) allow any tree or vegetation or other condition on land owned or occupied by him or her – to interfere with, cause damage to or create a risk to anything on Council land or a road.		(b) remove any thing from a road or Council land or allow another person to do so.	Seeks to protect Council assets from damage. Also see: • 67. Obstructions on Roads and Council Land • 28. Behaviour on Roads and Council Land • 29. Access to a Municipal Place • 30. Tree and Vegetation Protection on Council Land
37	**Obstructions on Roads and Council Land** (1) A person must not, without a permit: (a) leave or permit to be left a bulk rubbish container on a road or Council land; (b) leave or place any other thing that encroaches on or obstructs the free use of a road or Council land or that reduces the breadth or confines the limit of a road or Council land; or (c) landscape a nature strip - unless permitted to do so under any Act, regulation or local law. (2) This clause does not apply to the works or activities of a service authority. (3) In addition to complying with any conditions of a permit a person landscaping a footpath under subclause (1)(c) must comply with any requirements in the Council's current Policy on Landscaping Nature strips.	**67**	**Obstructions on Roads and Council Land** (1) A person must not, without a permit allow, place, store or leave any thing on a road or Council land unless they are permitted to do so under any other Act, regulation, or other Local Law. (2) Subclause (1) does not apply to the works or activities of a utility.	Council Land means all areas owned or managed by Council. New clause to protect Council assets from damage and to maintain neighbourhood safety and amenity. Also see: • 66. Interfering with Roads, Council Land, or Infrastructure • 28. Behaviour on Roads and Council Land. • 29. Access to a Municipal Place. • 30. Tree and Vegetation Protection on Council Land. • 31. Nature Strip Planting
34	**Spoil on Roads** (1) A person must not – (a) drive; or (b) permit or cause to be driven a vehicle on a road; unless the wheels and tyres of the vehicle are free from soil, earth, clay or like substances. (2) A person must not permit any soil, earth, mud, clay, cement slurry, liquid waste or like substance to fall or escape onto a road from any vehicle which he or she is driving. (3) A person must not permit any grease, oil, mud, clay, cement slurry or like substance to run off a motor vehicle he or she is cleaning onto a road, or into a drain.	**68**	**Spoil on Roads** (1) A person must not allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter to fall or escape from a vehicle onto a road in the course of any trade, industry, or commercial undertaking. (2) A person must not allow any fuel, grease, oil, mud, clay, cement slurry, paint, detergents, or other litter to run from a vehicle whilst being cleaned and to be deposited onto a road, or into a drain or gutter. (3) If the operator of the vehicle cannot be found, the owner or occupier of the land or the person in charge of the building or works at the land where the vehicle is likely to have been soiled, is guilty of an offence under subclauses (1) or (2). (4) An owner or occupier of private land must not allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter to be discharged from that land onto a road or Council land.	Amended clause to address discharge of mud, waste etc from vehicles onto a road or into a drain. Included onus for spoil on roads to be directed to occupier of the land, if operator of vehicle unable to be found / charged Also see clause 85. Operator Onus Offence.
		Part 7 – Council asset protection and building site amenity		
		Division 1 – Building site amenity		

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
30	**General Requirements Applying to Building Sites** (1) Where any building work (other than minor building work) is being carried out on any land, the owner or the owner's builder must: (a) erect a temporary fence: (i) that complies with any applicable building standards: (ii) which must be maintained for the duration of the building works; (iii) has only one entry point; and (iv) is constructed within the boundaries of the building site; (b) display an identification sign on the building site containing the information required by the Building Regulations 2006; (c) provide appropriate containers for all litter, rubbish and other waste on the building site which must: (i) be maintained so that litter, rubbish and other waste placed in it is not overflowing; (ii) be emptied as often as necessary to ensure that litter and rubbish do not escape from the building site: and (iii) if necessary, ensure that a replacement container is provided while a container is being emptied; (d) provide appropriate sanitary facilities; (e) ensure that dust, litter and rubbish, building materials or runoff from the building site does not escape from the building site; and (f) ensure that a copy of the Asset Protection Permit is kept on the building site and is produced to an Authorised Officer when requested to do so. (2) Where any building work is being carried out on any land, the owner or the owner's builder must manage the building site to ensure that: (a) building works are contained entirely within the building site; (b) building materials or equipment used for building works are kept on the building site and not placed on a road or Council land unless it is permitted under the Asset Protection Permit or any other permit issued by the Council; and (c) any temporary structures are secured or braced so that they do not collapse or are blown from the building site onto a road, Council land or adjoining properties. (3) Except in the case of an emergency or in accordance with a permit, an owner, the owner's builder or the owner's agent must ensure that no building works are undertaken outside of the following hours: (a) 7am and 8pm – Mondays to Fridays (b) 9am and 6pm – Saturdays. (4) An owner or occupier of land is exempt from subclause (3) and may undertake building works on a Sunday between 9am and 6pm on premises that they are living in	**69**	**Site Identification** (1) An owner, occupier of land or builder must, prior to the commencement of any works, erect and maintain in a conspicuous position accessible to the public and close to the main entrance to the building site identification which: (a) is at least 600 millimetres in height and 400 millimetres in width; (b) is clearly visible and legible from the road; (c) contains the lot number, as described on the Certificate of Title relevant to the land; (d) identifies the name, registration number, telephone contact number and postal address of the builder; (e) identifies the name, registration number and contact details of the relevant building surveyor; and (f) identifies the building permit number and the date of issue of the permit. (2) The site identification described in subclause (1) must continue to be displayed and remain visible and legible for the duration of the building works. .	Enhanced provisions to provide clarity around site identification.
	See above: S.30 General Requirements Applying to Building Sites.	**70**	**Stormwater Protection – Including Silt, Mud and other Pollutants** An owner, occupier of land or 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 waste or gross pollutants or other associated builder's refuse. This includes, but is not limited to, adoption of measures to: (a) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting road and/or adjoining land or washed into the stormwater system by installing silt barriers; (b) prevent building cleanup, wash down or other wastes and builder's refuse being discharged offsite or allowed to enter the stormwater system; (c) ensure all vehicles delivering materials to the building site are prevented from depositing mud, sand, soil, or stones onto Council's road network; (d) ensure that any waste which has spilled onto the road, nature strip or surrounding area is removed as soon as practicable so that any residues are prevented from entering the stormwater system; (e) ensure that any footpath adjacent to the building site or likely to be affected by the building works is kept clear of mud, dirt, stones and all loose debris at all times; and	Enhanced provisions to protect the environment and neighbourhood amenity. Introduced requirement for installation of silt barriers where appropriate.

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			(f) ensure that the building site is managed and controlled in accordance with the principles of relevant best practice guidelines as issued from time to time by the Environmental Protection Authority, Melbourne Water, or any other relevant organisation that may come into operation.	
	See above: S.30 General Requirements Applying to Building Sites.	**71**	**Dust** An owner, occupier of land or builder must take all reasonable steps to ensure that the building site is managed to minimise the risk of detrimental effects to the health and amenity of nearby residents through reduced visibility, reduced air quality and the effects of deposition of dust generated from the building site.	Enhanced provisions to protect the environment and neighbourhood amenity.
	See above: S.30 General Requirements Applying to Building Sites.	**72**	**Sanitary Facilities** An owner, occupier of land or builder must ensure that appropriate sanitary facilities are provide on a building site for the duration of the building works.	Enhanced provisions to protect the environment and neighbourhood amenity. Introduced
	See above: S.30 General Requirements Applying to Building Sites.	**73**	**Site Fencing** (1) An owner, occupier of land or builder must ensure that: (a) all building works are undertaken entirely within the building site; and (b) materials are not deposited, stored or stockpiled on any part of the road or Council land without the approval of Council. (2) An owner, occupier of land or builder must ensure that prior to the commencement of any building works and for the duration of the building works, the building site is provided with adequate hoarding or site fencing that: (a) is not less than 1.5 metres in height; (b) is capable of preventing litter from being transported from the building site by wind; (c) has not more than one access opening to the building site which is located to correspond with the location of the vehicle crossing for the building site, and is kept closed at all times when building works are not in progress; (d) when erected on the boundary of the building site's property line, it does not protrude into or onto any land other than the building site; and (e) may enclose more than one building site where the owner, occupier of land or builder is responsible for adjoining building sites. (3) The requirement to provide hoarding or site fencing under this clause may be waived or varied in writing by Council or an Authorised Officer.	
31	**Removal of Builders' Rubbish on Completion of Building Works** (a) On any land where building work is being or has been carried out, the owner or the owner's builder must remove and lawfully dispose of all rubbish referred to in clause 30(1)(c) within 7 days of completion of the building work an occupancy permit being issued, whichever occurs last. (b) The driver of any vehicle involved in placing or removing a builders' rubbish container must access the building site by way of a temporary vehicle crossing unless otherwise permitted by Council and in accordance with that permission.	**74**	**Containment and Removal of Waste** (1) An owner, occupier of land or builder, must prior to the commencement of any building works, and for the duration of the building works: (a) provide a closed waste facility suitable for the disposal of builder's waste which may become wind-blown; (b) place the waste facility on the building site and keep it in place (except for such periods as are necessary to empty the facility) for the duration of the building works; (c) not place a waste facility on any Council land or road without a permit; (d) ensure that all builder's waste which requires containment is placed in the refuse facility; (e) keep the waste facility closed to prevent wind-blown litter refuse escaping from the waste facility; and (f) empty the waste facility whenever full and, if necessary, provide a replacement facility during the emptying process.	This section addresses building site waste and provides guidance on keeping, emptying and placement of refuse facilities. Also see clause 58. Trade and commercial waste

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Section	**Clause**	**Section**	**Clause**	
			(2) The requirement to provide a waste facility may be waived at Council's discretion. (3) An owner, occupier of land or builder must remove and lawfully dispose of all builders' refuse within fourteen (14) days of completion of the building works.	
	See above: S.30 General Requirements Applying to Building Sites.	**75**	**Site Access and Hours of Operation** (1) An owner, occupier of land or builder must not, without a permit, carry out or cause or allow any works to be carried out on the building site other than between the hours: (a) 7am and 8pm Monday to Friday; and (b) 9am and 6pm on any Saturday. (2) An owner, occupier of land or builder must not, without a permit, cause or allow: (a) any movement of vehicles or site preparation works before 7am Monday to Friday and 9am on Saturday, or at any time on a Sunday or public holiday; (b) any unloading of equipment or deliveries to the building site or idling of vehicles before 7am Monday to Friday and 9am on Saturday, or at any time on a Sunday or public holiday; and (c) loud talking or the use of radios on the building site before 7am Monday to Friday and 9am on Saturday, or at any time on a Sunday or public holiday.	Enhanced provisions to provide clarity around site access and hours of operation.
	NEW	**76**	**Direction to Cease Building Works** (1) An Authorised Officer may inspect a building site at any reasonable time and may direct any person found carrying out building works in contravention of this Local Law or a permit issued under this Local Law, to cease carrying out the building works immediately or within any period the Authorised Officer considers reasonable. (2) A person to whom a direction is given under subclause (1) must comply with that direction.	New clause provides Authorised Officers ability to direct a person to cease building works.
		Part 8 – Administration and enforcement		
	NEW	**77**	**Exercise of Discretion** In exercising any discretion contained in this Local Law, Council and an Authorised Officer must have regard to: (a) the objectives of this Local Law; and (b) any other relevant matter.	New clause outlining framework for exercising discretion in the application of the Local Law.
70	**Impounding** (1) Where a person owning or responsible for items, goods, animals[15] or equipment has ignored a request from an Authorised Officer to remove them because they are in breach of the Local Law or a permit or for public safety reasons, the Authorised Officer may remove the items, goods, animals or equipment and impound them. (2) As soon as practicable after goods or item has been impounded under subclause (1), the Council or an Authorised Officer must serve notice of the impounding in the form of Schedule 2 personally or by registered mail on the person who appears to be the owner or person responsible for the impounded item if it is practicable to do so. (3) Where the identity or whereabouts of the owner or person responsible for the impounded item is not known, the Authorised Officer must take reasonable steps to establish the identity or whereabouts of that person and may proceed to dispose of the impounded item once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item. [14] Where any unregistered or vehicle considered abandoned in impounded, the specific requirements in clause 3 of Schedule 11 of the Local Government Act 1989 must be followed. [15] Where an animal is impounded the requirements of the Impounding of Livestock Act 1994 apply, including the form of notice to be given. (4) An impounded item must be surrendered to – (a) its owner; or	**78**	**Impounding** (1) An Authorised Officer may seize and impound a thing which has been or is being used or possessed in contravention of this Local Law. (2) Where a thing has been impounded under this Local Law, Council or an Authorised Officer must, if it is practicable to do so, serve notice of the impounding personally or by registered mail on the person who appears to be the owner of the impounded thing. (3) If the identity or whereabouts of the owner of a thing impounded under this Local Law is unknown, the Authorised Officer must take reasonable steps to ascertain the owner's identity or whereabouts prior to exercising their powers under Clause 79. (4) An impounded thing must be surrendered to – (a) its owner; or (b) a person acting on behalf of its owner who provides evidence to the satisfaction of an Authorised Officer of their authority from the owner and – on: (i) evidence to the satisfaction of the Authorised Officer being provided of the owner's right to the thing; and (ii) payment of any fee and reasonable costs of impounding determined by Council or an Authorised Officer.	Impounding separated into 2 clauses – 78 Impounding / 79 Disposal. Redrafted to simplify and strengthen provisions. Included sub-clause (5) to disallow repossession if the seized thing cannot be legally owned.

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	(b) a person acting on behalf of its owner who provides evidence to the satisfaction of the Authorised Officer of his or her authority from the owner subject to: (i) evidence to the satisfaction of the Authorised Officer that any breach of this Local Law or a permit has been remedied and the requirements of the Local Law or conditions of a permit will be complied with; (ii) evidence being provided of the owner's right to the item; and (ii) payment of any fee determined by the Council from time to time. (5) If an impounded item has not been retrieved within 10 days of the time specified in a notice, an Authorised Officer may take action to dispose of the item taking into consideration the following factors: (a) where the item has no saleable value, it may be disposed of in the most economical and efficient way; (b) where the item has some saleable value, it may be disposed of by tender, public auction or private sale; or (c) where the owner has advised the Council in writing that he or she does not intend to retrieve them, then the Council may dispose of the item by either method identified in paragraphs (a) or (b).		(5) Subclause (4) does not apply where the impounded thing cannot reasonably be kept or possessed in accordance with this Local Law.	
	See above: S.70 Impounding	**79**	**Disposal** (1) An Authorised Officer may sell, destroy, dispose of, or give away any thing impounded under the provisions of this Local Law if: (a) the impounded thing has not been surrendered to the owner or a person acting on the owner's behalf within fourteen days of service of the notice of impounding; (b) the owner of the thing or a person acting on the owner's behalf has not paid the fee and reasonable costs of impounding determined by Council or an Authorised Officer within fourteen days of service of the notice of impounding; or (c) no notice of impounding has been able to be served on the owner of the impounded thing. (2) If the impounded thing is perishable and will not survive the period specified in subclause (1), the Authorised Officer may dispose of the thing sooner. (3) Council is entitled to retain the proceeds of sale of any impounded thing towards its reasonable costs incurred in impounding, keeping, and selling the thing.	Impounding separated into 2 clauses – 78 Impounding /79 Disposal. Redrafted to clarify provisions/steps in disposal.
64 **65**	**Permits** (1) The Council or an Authorised Officer may issue a permit or refuse to grant a permit under this Local Law with or without conditions, including the payment of any fee. (2) The Council or an Authorised Officer may from time to time prescribe: (a) the manner and form in which applications for permits under this Local Law should be made; (b) the manner in which any permit under this Local Law should be issued; and (c) the fee for any such permit. (3) The Council or an Authorised Officer may waive payment of any fee for a permit. (4) The Council or an Authorised Officer may require an applicant for a permit to give notice of the application in a manner specified from time to time by the Council or an Authorised Officer. (5) The Council or an Authorised Officer may require an applicant for a permit to provide the Council with more information before the Council or Authorised Officer deals with the permit application. (6) A permit expires on the date specified in the permit or if no such date is specified the permit will expire 1 year after the date of issue. (7) Where the Council or an Authorised Officer is of the opinion that there is or has been a breach of any condition of a permit, it, he or she may serve a Notice to Comply under clause 71 on the permit holder. **Exemptions to the Local Law** (1) The Council or an Authorised Officer may grant an exemption from a requirement to have a permit or from any of the provisions of this Local Law. (2) In determining whether to grant an exemption to the requirement to obtain a permit or a provision of this Local Law, an Authorised Officer will have regard to: (a) the circumstances of the application; (b) whether the application is to raise funds for community or charitable	**80**	**Permits - General** (1) An application for a permit under this Local Law must be: (a) submitted in a form approved by Council or an Authorised Officer; and (b) accompanied by the fee prescribed by Council, unless waived by Council or an Authorised Officer. (2) Council or an Authorised Officer may require an applicant for a permit to supply more information before Council or the Authorised Officer deals with the permit application, or to give notice of the application in a manner specified from time to time by Council or an Authorised Officer. (3) Council or an Authorised Officer may in their absolute discretion decide: (a) to grant a permit with or without conditions; or (b) to refuse a permit. (4) Council or an Authorised Officer may cancel a permit if: (a) there has been a serious or ongoing breach of the conditions of the permit; (b) a Notice to Comply has been issued, but not complied with within seven (7) days after the time specified in the Notice to Comply; (c) there was a significant error or misrepresentation in the application for the permit; (d) there has been a significant error in relation to the grant of the permit; or	Permit clauses redrafted, combined and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled. Includes provision for exemptions. Subclause (12) creates offence for providing false information. See also 77. Exercise of discretion.

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	purposes; (c) whether the proposed activity or use will have an overall community benefit; (d) whether the proposed activity or use could have a detrimental effect on adjoining properties; (e) whether the applicant will be given an unfair advantage over any other person or organisation; and (f) any other matters relevant to the circumstances of the application. (3) An exemption may be granted subject to conditions. (4) A person must comply with the conditions of an exemption.		(e) there has been a significant change of circumstances since the grant of the permit. (5) Council or an Authorised Officer may correct a permit if that permit contains: (a) an unintentional error or an omission; or (b) a significant miscalculation of figures or a significant mistake in the description of a person, thing, or property referred to in the permit. (6) Council or an Authorised Officer may, during the period of a permit alter the conditions of the permit if it considers it appropriate to do so. (7) Before cancelling or correcting a permit or altering the conditions of a permit under subclauses (4) to (6), Council or an Authorised Officer must provide the permit holder an opportunity to make written submissions on the proposed cancellation, correction or alteration. (8) Council may exempt a person or class of persons from the requirement to obtain a permit under this Local Law. (9) Except where expressly stated in this Local Law or in a permit, a permit expires one (1) year after the date it was granted. (10) Council must keep a register of permits and any correction or cancellation of a permit must be noted in this register. (11) The holder of a permit granted under this Local Law must comply with all permit conditions and any requirements in a Council policy applicable to that permit. (12) A person must not make a false representation or declaration or intentionally omit significant information in an application for a permit or permit exemption.	
66	**Considering Applications** In considering an application for a permit the Council or an Authorised Officer may consider: (1) any policy or guideline adopted by the Council or document incorporated by reference in this Local Law relating to the subject matter of the application for the permit; (2) any submission that may be received in respect of the application; (3) any comments that may be made in respect of the application by any public authority, Government department, community organisations or other body or person; and (4) any other relevant matter.			
67	**Correction of Permits** (1) The Council or an Authorised Officer may correct a permit issued if the permit contains: (a) a clerical mistake or an error arising from any accident, slip or omission; or (b) an evident and material miscalculation of figures or any evident and material mistake in the description of any person, thing or property referred to in the permit. (2) The Council or the Authorised Officer must note the correction in the register of permits.			
68	**Grounds for Cancellation of or Amendment of Permits** (1) The Council or an Authorised Officer may cancel or amend any permit if it considered that there has been: (a) a material misstatement or concealment of facts in relation to the application for a permit; (b) any material mistake in relation to the issue of the permit; (c) any material change of circumstances which has occurred since the issue of the permit; (d) a failure to comply with the conditions under which the permit was issued; or (e) a failure to comply with a Notice to Comply within the time specified in the Notice to Comply. (2) The Council or the Authorised Officer must notify the holder of a permit of the Council's or Authorised Officer's intention to amend or cancel the permit and give the holder of that permit an opportunity to make a written submission before the permit is amended or cancelled. (3) If the Council or the Authorised Officer, after considering any written submission made by the permit holder, determines to cancel or amend the permit, the Council or Authorised Officer must note that cancellation or amendment in the register of permits.			
		Part 9 – Enforcement		
69	**Powers of Authorised Officers** (1) An Authorised Officer appointed under section 224 of the Act and authorised by the Council may carry out any function or power for the purposes of the administration and enforcement of this Local Law. (2) If an Authorised Officer considers that there has been a breach of this Local Law, including a breach of any conditions of a permit, the Authorised Officer may: (a) warn the person who is breaching the Local Law, which may be an official warning issued in accordance with the requirements of the Infringements Act 2006; (b) direct the person to cease the activity breaching the Local Law; (c) serve a notice to comply to remedy the breach; (d) arrange for works to be undertaken to remedy the breach; (e) issue an infringement notice; or (f) commence legal proceedings.	**81**	**Notice to Comply and Verbal Direction** (1) An Authorised Officer, who reasonably believes that a person has contravened any provision of this Local Law, may give a verbal direction to, or serve a Notice to Comply or both on a person to do a thing or carry out work to remedy the thing, which constitutes the contravention. (2) A written record of the verbal direction given must be made by the Authorised Officer. (3) A verbal direction given or a Notice to Comply issued in accordance with this Local Law must state the time and date by which the thing must be done, or the work carried out. (4) The time required by a verbal direction given or Notice to Comply served under this Local Law must be reasonable in the circumstances, having regard to: (a) the amount of work involved;	Includes provision for an Authorised Officer to provide verbal direction. Includes provision for an appeal.
71	**Notice to Comply** (1) Where an Authorised Officer considers that there is a breach of this Local Law, including a failure to comply with any conditions of a permit issued under the Local Law or a			

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	requirement by an Authorised Officer to abate a nuisance, he or she may serve a Notice to Comply in the form of Schedule 1 on any owner, occupier or other relevant person[16] to remedy the breach. (2) A Notice to Comply issued in accordance with this Local Law must state the time and date by which the thing must be remedied. (3) The time required by a Notice to Comply served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account, if applicable: (a) the amount of work involved; (b) the degree of difficulty; (c) the availability of necessary materials or other necessary items; (d) climatic conditions; (e) the degree of risk or potential risk; and (f) any other relevant matter. 16 "Other relevant person" may include an owner's corporation where, for example, there is a breach of this Local Law in relation to waste disposal. (4) An owner, occupier, builder or appointed agent served with a Notice to Comply who fails to remedy a situation in accordance with a Notice to Comply within the time specified in the Notice is guilty of an offence under this Local Law. (5) If an owner, occupier, or other relevant person served with a Notice to Comply fails to carry out any work stipulated in the Notice, Council or an Authorised Officer may carry out the work itself or approve another person to carry out the work and recover the cost of performing the work from the owner or appointed agent in accordance with the Act. (6) An owner, occupier, or other relevant person may make representations to the Council about matters contained in the Notice to Comply. (7) Any person who fails to remedy a thing in accordance with a Notice to Comply within the time specified is guilty of an offence under this Local Law.		(b) the degree of difficulty; (c) the availability of necessary materials or other necessary items; (d) climatic conditions; (e) the degree of risk or potential risk; and (f) any other relevant matter. (4) If a person who was given a verbal direction or served with a Notice to Comply, fails to carry out any work or remedy anything stipulated in the verbal direction or Notice to Comply, Council or the Authorised Officer may approve the carrying out of the work or the remedying of the thing by another person or carry out the work itself and recover the cost of performing the work or remedying the thing from the person who failed to carry out the work or remedy the thing. (5) A person may make representations, within fourteen (14) days after being given a verbal direction or served with a Notice to Comply, to Council or the Authorised Officer about matters contained in the verbal direction or Notice to Comply, but nothing in this right or the exercise of this right relieves the person from complying with the verbal direction or Notice to Comply unless the Authorised Officer who issued the verbal direction or Notice to Comply otherwise directs. (6) A person to whom a verbal direction or Notice to Comply is issued under subclause (1) must comply with the verbal direction or Notice to Comply.	
72	**Power to Act in Urgent Circumstances** (1) Council or an Authorised Officer may, where an owner, occupier, builder or other relevant person has failed to comply with any requirement of this Local Law, take action considered necessary to prevent any danger to the environment or any nuisance arising, provided that: (a) Council or an Authorised Officer considers the circumstances to be sufficiently urgent and that the time necessary, or potential difficulty in serving a Notice to Comply may place a person, animal, property or the environment at risk or in danger of substantial detrimental effect; (b) the Chief Executive Officer or his/her delegate not being the Council officer administering this clause, is informed as soon as practicable of the proposed action; and (c) details of the circumstances and of the remedial action taken are forwarded as soon as practicable to the owner, occupier, builder or other relevant person (2) Action taken by Council under this Clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger involved.	**82**	**Power to Act in Urgent Circumstances** (1) Council or an Authorised Officer may, where a contravention of this Local Law occurs or unless restrained is likely to occur or reoccur, take action considered necessary to prevent any danger to the environment or any nuisance arising, provided that: (a) Council or an Authorised Officer considers the circumstances to be sufficiently urgent and that the time necessary, or potential difficulty in serving a Notice to Comply, may place a person, animal, property, or the environment at risk or in danger of substantial detrimental effect; and (b) the Chief Executive Officer of the Council or their delegate, not being the Council Officer administering this clause, approves of the proposed action; and (c) details of the circumstances and of the remedial action taken are as soon as practicable forwarded to the person or persons who have contravened or are likely to contravene this Local Law. (2) Action taken by Council or an Authorised Officer under this clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger. (3) Where Council undertakes work in accordance with this clause, it may recover the cost of performing the work from the person who has contravened or who is likely to contravene this Local Law.	Strengthened provisions. Provides Council ability to undertake works or remedial action if urgent and recover costs.
74	**Offences and Penalties** (1) Where any provision in this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence. (2) Where any provision in this Local Law requires that something must not be done, any person who does that act is guilty of an offence. (3) Where any provision in this Local Law requires that a person obtain a permit from Council for the purpose of undertaking a use or activity, that person is guilty of an offence if that person engages in that activity without first obtaining a Permit from Council. (4) Where any Permit granted under this Local Law contains conditions or contains a	**83**	**Offences and Penalties** A person who: (a) contravenes or fails to comply with any provision under this Local Law; (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law or any requirements in the Council policy applicable to that permit; or	Simplified provisions to clearly articulate what constitutes an offence. Offences and Penalties redrafted to reflect new provisions of Local Government Act 2020, where maximum penalty

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	requirement that provisions of a document incorporated by reference be complied with, any person who contravenes or fails to comply with a condition of a permit or requirements of an applicable document incorporated by reference is guilty of an offence. (5) After conviction for an offence under a provision of this Local Law, any person who continues in contravention of that provision is liable to a penalty of 2 penalty units for each day after conviction during which the contravention continues. (6) A person who is guilty of any offence against this Local Law for which a specific penalty is not prescribed by another provision under this Local Law, is liable to a penalty for that offence not exceeding 10 penalty units for a first offence. (7) A person who is guilty of a second or subsequent offence against this Local Law is liable to a penalty not exceeding 20 penalty units.		(c) contravenes or fails to comply with any Council sign, a verbal direction issued by an Authorised Officer, or Notice to Comply by the date specified in the verbal direction or Notice to Comply is guilty of an offence and is liable to a penalty of: (i) twenty penalty units; and (ii) a further penalty of one penalty unit for each day during which the contravention continues.	applicable across all offences is 20 penalty units. See also: • Clause 86 Infringement Notices. • Schedule 1.
	NEW	**84**	**Offences by Corporations** (1) If a person charged with an offence against this Local Law is a corporation, any person who is concerned or takes part in the management of that corporation may be charged with the same offence. (2) If the corporation is found guilty of an offence against this Local Law, a person charged with the same offence may also be found guilty of that same offence and is liable to the penalty for that offence, unless that person proves that the act or omission constituting the offence took place without their knowledge or consent.	New clause to address offences by corporations.
	NEW	**85**	**Operator Onus Offence** If the operator of a motor vehicle that is used in the commission of an offence under this Local Law cannot be found, the registered owner of that motor vehicle, is guilty of that offence.	New provision to address operator onus offence in relation to motor vehicles.
73	**Infringement Notices** (1) As an alternative to prosecution an Authorised Officer may serve an infringement notice on a person whom the officer believes has committed an offence against this Local Law. (2) The penalty fixed for infringement notice purposes is the amount set out in Schedule 3. (3) The provisions of the Infringements Act 2006 will apply to infringements issued under this Local Law.	**86**	**Infringement Notices** (1) If an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened any provision under this Local Law, the Authorised Officer may, as an alternative to a prosecution for an offence, serve on that person an Infringement Notice. (2) The penalties fixed for Infringement Notices are set out in Schedule 1.	Simplified provisions around infringement notices and referenced new Schedule 1 for penalty amounts. See also: • Clause 83. Offences and Penalties. • Schedule 1.
Clauses that have been removed				
20	**Camping – Responsibility of a Camper** A person must not, without a permit, occupy, or cause to be occupied any caravan, tent, marquee, or like structure on any land, unless the occupation of the caravan, tent, marquee, or like structure on the land is permitted under the Planning Scheme.		Removed.	Covered in new camping clauses and definitions.
43	**Application** This Part does not apply to any land – (a) upon which an animal hospital or veterinary practice is located; or (b) if the use of the land for this purpose is permitted under a Planning Scheme applicable to the land. In this Part any reference to “poultry” does not include a reference to “rooster”.		Removed	Incorporated where relevant into new open keeping of animal clauses.
55	**Application** This Part does not apply to: (a) a barbecue being used for the purpose of cooking food; or a tool of trade while being used for the purpose for which it was designed.		Removed	Incorporated where relevant into new open air burning clauses.
59	**Chimneys** The owner or occupier of land must not cause or allow any chimney, chimenea or other similar structure on that land to discharge smoke, dust, grit, ashes or embers to such an extent that it is offensive to another person or dangerous to property.		Removed	Covered by other legislation, for e.g. PHW Act, EP Act
62	**Noise from Vehicle Sound Equipment** The owner and the person in control of a vehicle which is parked, standing upon, or being driven along, a road or Council land, is guilty of an offence if the volume of any vehicle sound equipment installed in or kept in the vehicle attains a level which causes unreasonable noise or which interferes with the reasonable comfort of persons within the proximity of the vehicle.		Removed	Covered by other legislation, for e.g. PHW Act, EP Act

OLD – General Purposes Local Law 2015		NEW – draft Community Amenity Local Law 2025		Key changes
Section	**Clause**	**Section**	**Clause**	
63	**Noise from Deliveries and Other Uses and Activities** (1) A person must not cause or allow excessive noise to emanate from a use or activity being undertaken by him or her on any land. (2) A person must not make deliveries to residential premises outside of the following hours: (a) 7am – 8pm – Monday to Friday; (b) 9am – 6pm – weekends and public holidays. (3) A person undertaking any of the uses or activities in paragraphs (a) – (d) must ensure that they are undertaken within the times and in the manner prescribed in the Noise Control Guidelines[12] for that use or activity: (a) industrial waste collection; (b) mobile vendors; (c) truck-mounted refrigeration units; or (d) deliveries to shops, supermarkets and service stations. (4) In determining whether there has been excessive noise under this provision, an Authorised Officer will have regard to: (a) whether the noise can be heard beyond the boundaries of the property that the noise is originating from; (b) the time that the noise is occurring; (c) the volume, intensity and duration of the noise; (d) any applicable guidelines in the Noise Control Guidelines or the State Environment Protection Policies of the Environment Protection Authority; and (e) any other matters considered by the Authorised Officer to be relevant to the circumstances including whether there is any other legislation applying to nuisance noise[13]. [12] Noise Control Guidelines – Environment Protection Authority - Publication 1254 – 2008 or subsequent publications. [13] Section 48A – Environment Protection Act 1970 and the Environment Protection (Residential Noise) Regulations 2008		Removed	Covered by other legislation, for e.g. PHW Act, EP Act